

BOSEN & ASSOCIATES, P.L.L.C.
ATTORNEYS AT LAW

February 23, 2022

Mr. Rick Chellman, Chair
Planning Board
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

**RE: 70 Court Street, Tax Map 116, Lot 49
REQUEST FOR CONDITIONAL USE PERMIT**

John K. Bosen
Admitted in NH & MA

Christopher P. Mulligan
Admitted in NH & ME

Molly C. Ferrara
Admitted in NH & ME

Austin Mikolaities
Admitted in NH

Bernard W. Pelech
1949 - 2021

Dear Mr. Chellman:

This office represents The Davenport Inn, LLC. Please accept this correspondence as our request for a Conditional Use Permit pursuant to 10.1112.14 provide less than the minimum number of off-street parking spaces otherwise required under Section 10.1112.30 relative to the proposed conversion of the office building at the above location to an 8 unit inn with caretaker residence. Variances associated therewith were granted by the Board of Adjustment at its February 15, 2022 meeting.

Submitted herewith are updated site plans, floor plans and a parking demand analysis as required under section 10.1112.141.

The parking configuration on site as it presently exists consists of four spaces. As proposed, the parking will increase to five spaces. The ordinance requires 11 spaces. The parking demand analysis suggests six spaces would be sufficient for the proposed use.

The applicant maintains that the approval criteria set forth in Section 10.1112.14 are met:

10.1112.141. See Altus Engineering parking demand analysis submitted herewith.

10.1112.142. The applicant believes that available on street parking along Court Street, as well as nearby access to downtown public and private parking lots, mitigates the need to meet the ordinance requirements. It should be noted that, were this property within the Downtown Overlay District, which applies to properties a block away, the parking requirements would be met.

The property is .2 miles from the Bridge Street and Worth public lots, and .3 miles from the Parrott Avenue lot. The Foundry Place garage is .4 miles from the property. The High-Hanover garage is .3 miles away. The applicant's principals own the office building located at 159 Middle Street, approximately 500 feet away, which could be accessed for overflow parking, if necessary. The applicant is prepared to enter into an appropriate shared parking arrangement

utilizing that property, should the board require it. There are additional private surface lots within easy walking distance that may afford the opportunity in the future to provide additional parking, if necessary.

The applicant's operation of the inn shall be on a remote check-in model, whereby guests will be provided in advance with access codes to the building and individual rooms. This model will provide sufficient opportunities for the applicant to provide guests with multiple parking options in advance and coordinate the actual parking demand should that be necessary.

10.1112.143. The number of spaces is adequate and appropriate for the proposed use of the property given the factors enumerated above. In addition, guests will be based in the heart of the downtown with easy pedestrian and bicycle access to a variety of services and attractions. Private services, such as ride sharing, will also likely be available for guests.

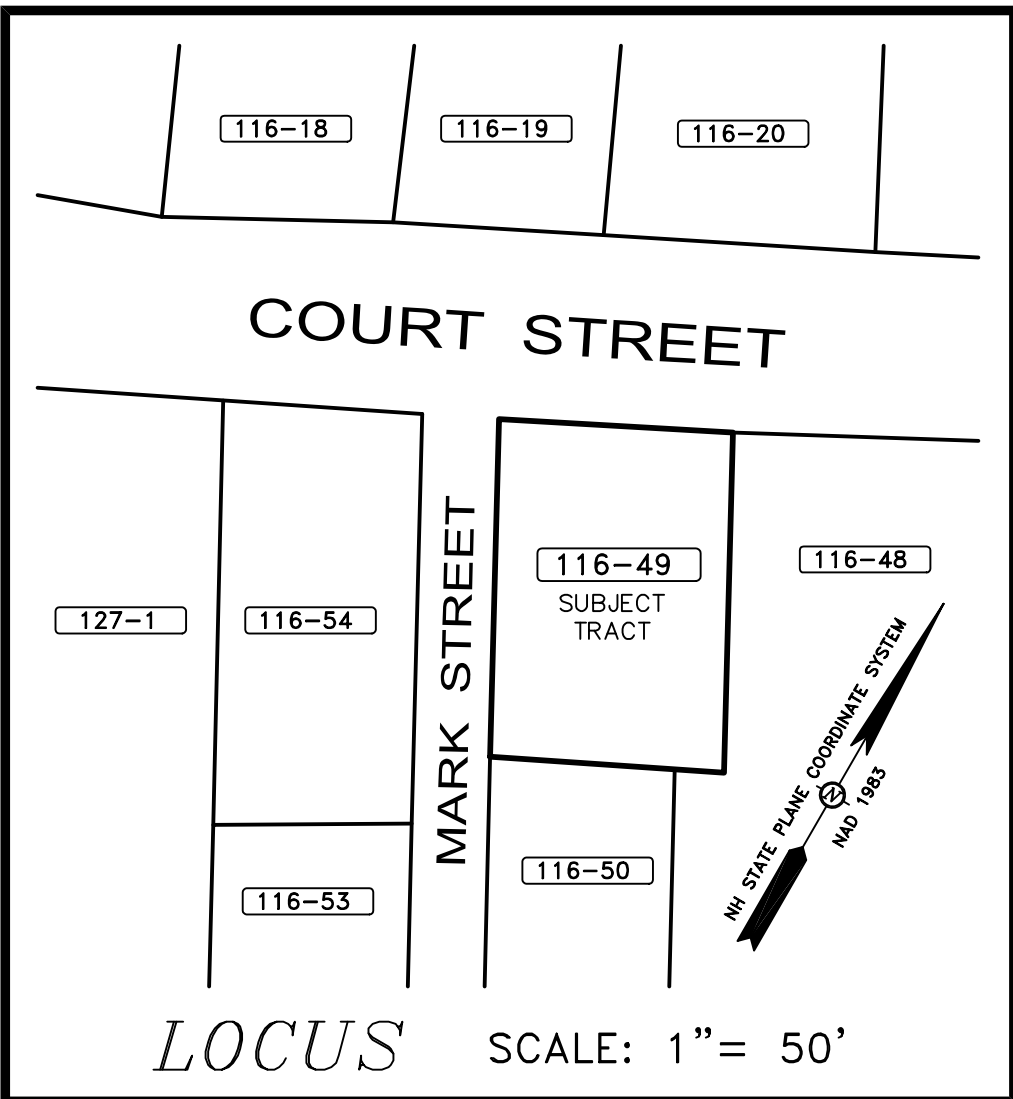
Thank you for your attention.

Sincerely,

Christopher P. Mulligan

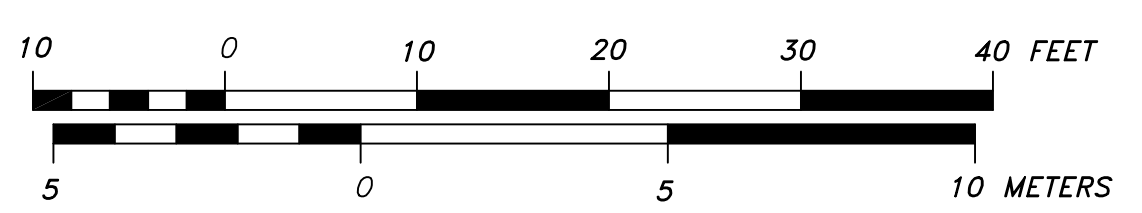
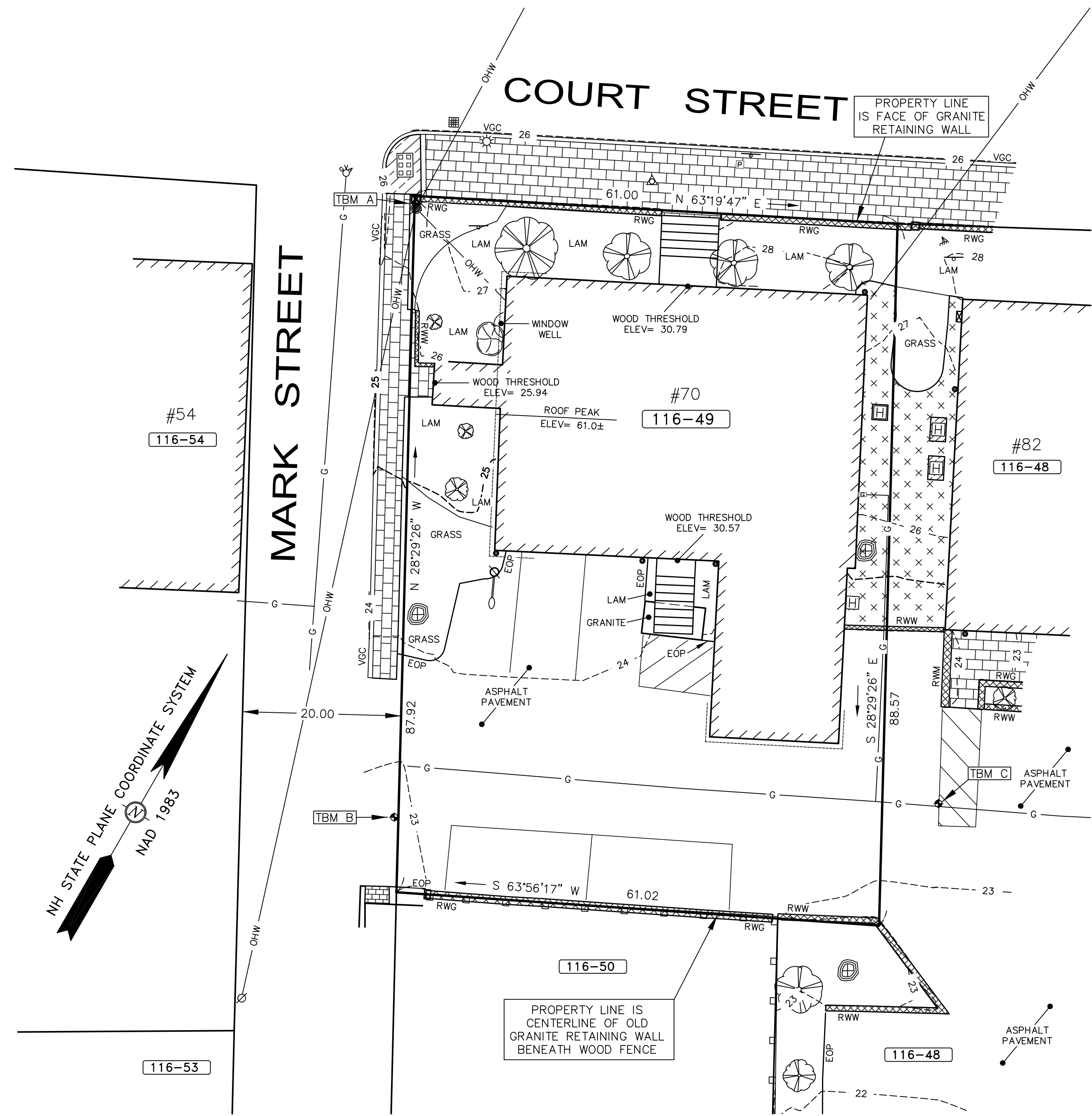
Christopher P. Mulligan

CPM/



- LEGEND:**
- ▲ SURVEY NAIL SET
 - WOOD FENCE
 - PSNH PUBLIC SERVICE CO. OF NH
 - 110-5 TAX SHEET - LOT NUMBER
 - RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
 - EOP EDGE OF PAVEMENT
 - VGC VERTICAL FACED GRANITE CURB
 - RWM MORTARED RETAINING WALL
 - RWW WOOD RETAINING WALL
 - RWG GRANITE RETAINING WALL
 - PARK METER KIOSK
 - SIGN
 - UTILITY POLE
 - UTILITY POLE W/TRANSFORMER
 - ☆ LIGHT POLE
 - UTILITY POLE WITH ARM & LIGHT
 - ◀ DIRECTED LIGHT
 - GAS METER
 - GAS VALVE
 - CATCH BASIN
 - ROOF DOWNSPOUT
 - DECIDUOUS TREE
 - DECIDUOUS SHRUB
 - OHW OVERHEAD WIRES
 - ▨ CEMENT CONCRETE
 - ▨ BRICK PAVERS
 - ▨ CRUSHED STONE
 - ▨ RETAINING WALL
 - LAM MULCH LANDSCAPED AREA
 - x12.5 SPOT GRADE
 - ⊕ STUMP FOUND

TBM	DESCRIPTION	ELEV.
A	SURVEY NAIL FOUND IN UTILITY POLE PSNH 4 22 A (1.35' ABOVE GROUND)	27.98
B	SURVEY NAIL SET IN ASPHALT	22.84
C	SURVEY NAIL SET IN ASPHALT	23.41



NOTES:

- OWNER OF RECORD.....TREADWELL HOUSE, INC. C/O CHARLES DOLEAC, ESQ. ADDRESS.....82 COURT ST, PORTSMOUTH, NH 03801 DEED REFERENCE.....2357/1111 TAX SHEET / LOT.....116-49 PARCEL AREA5,380 S.F.
- SUBJECT TRACT IS ZONED MRB, HD & CD4-L1. SEE CITY OF PORTSMOUTH ZONING ORDINANCE.
- THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
- ON SITE CONTROL ESTABLISHED USING SURVEY GRADE GPS UNITS. HORIZONTAL DATUM: NAD 1983 (2011)(EPOCH 2010.0000) VERTICAL DATUM: NAVD 1988 PRIMARY BM: CITY CONTROL POINT "ROBE"
- CONTRACTOR TO VERIFY SITE BENCHMARKS BY LEVELING BETWEEN 2 BENCHMARKS PRIOR TO THE SETTING OR ESTABLISHMENT OF ANY GRADES/ELEVATIONS. DISCREPANCIES ARE TO BE REPORTED TO JAMES VERRA AND ASSOC., INC.
- PARCEL 116-49 IS SUBJECT TO A ROW FOR ALL PURPOSES IN FAVOR OF PARCEL 116-48. SEE RCRD BK 2357, PAGE 1111.

REFERENCE PLANS:

- PLAN OF WILLIAM P. JONES HOMESTEAD, UNDATED, RCRD PLAN 0099.

MAP-LOT	OWNER OF RECORD	DEED REF.
119-19	UNITARIAN-UNIVERSALIST CHURCH OF PORTSMOUTH N.H. 73 COURT ST, PORTSMOUTH, NH 03801	N/A
116-20	CITY LIGHTS, LLC PO BOX 1389, PORTSMOUTH, NH 03802-1389	N/A
116-48	82 COURT ST, LLC 82 COURT ST, PORTSMOUTH, NH 03801	5357/2696
116-50	KATIE C. JENKINS & JASON R. JENKINS 35 MARK ST, PORTSMOUTH, NH 03801	4821/202
116-53	BERNARD A. COHEN 28 MARK ST, PORTSMOUTH, NH 03801	2877/2906
116-54	IRENE R. LEBEL REV. TRUST OF 2014 C/O FRANCES D. LEBEL & THOMAS L. LEBEL 457 BROAD ST, PORTSMOUTH, NH 03801	5514/736

SURVEYOR:
James Verra and Associates, Inc.
 LAND SURVEYORS
 101 SHATTUCK WAY - SUITE 8
 NEWINGTON, N.H. 03801- 7876
 603-436-3557
 JOB NO: 23985
 JOB NO: 23985

ENGINEER:

133 COURT STREET PORTSMOUTH, NH 03801
 (603) 433-2335 www.ALTUS-ENG.com

ISSUED FOR:
ENGINEERING DESIGN

ISSUE DATE:
JANUARY 18, 2022

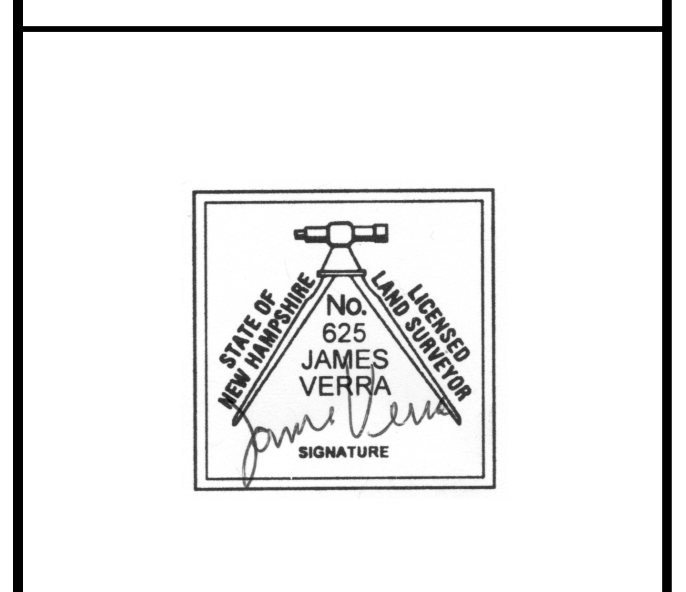
REVISIONS

NO.	DESCRIPTION	BY	DATE
1	ENGINEERING DESIGN	JV	1/18/22

DRAWN BY: JCS
APPROVED BY: JV
DRAWING FILE: 23985.DWG

SCALE:
 22" x 34" - 1" = 10'
 11" x 17" - 1" = 20'

OWNER/APPLICANT:
TREADWELL HOUSE, INC.
C/O CHARLES DOLEAC, ESQ.
82 COURT STREET
PORTSMOUTH, NH 03801
ASSESSOR'S PARCEL 116-49



PROJECT:
PROPOSED SITE DEVELOPMENT PLANS
70 COURT STREET & MARK STREET
PORTSMOUTH, N.H.
ASSESSOR'S PARCEL 116-49

TITLE:
EXISTING CONDITIONS PLAN

SHEET NUMBER:
1 OF 1

SITE NOTES

- DESIGN INTENT - THIS PLAN SET IS INTENDED TO DEPICT THE RENOVATION OF THE SITE TO AN INN.
- APPROXIMATE LOT AREA: ±5,380 S.F. (±0.12 AC.)
- ZONE: CHARACTER DISTRICT 4-L1 (CD4-L1)
HISTORIC DISTRICT OVERLAY (HD)
- DIMENSIONAL REQUIREMENTS - BUSINESS:
 - MIN. LOT AREA: 3,000 S.F.
 - MIN. STREET FRONTAGE: 150'
 - FRONT SETBACK: 15'
 - SECONDARY FRONT YARD: 12'
 - SIDE SETBACK: 5' MIN. TO 20' MAX.
 - REAR SETBACK: 5'
 - FRONT LOT LINE BUILDOUT: 60% MIN. TO 80% MAX.
 - MAX. BUILDING HEIGHT: 35' (2 STORIES, SHORT 3RD)
 - MAX. BLDG. COVERAGE: 60%
 - MINIMUM OPEN SPACE: 25% (23.3% EXISTING, 27.7% PROPOSED)
- PARKING REQUIREMENTS:
 - INN, HOTEL, MOTEL: 1.25/ROOM
 - 8 ROOMS x 1.25 = 10 SPACES
 - CARETAKERS RESIDENCE <500 S.F.: 0.5/UNIT
 - 1 CARETAKER x .5 = 0.5 SPACES
 - TOTAL PARKING REQUIRED = 11 SPACES
 - TOTAL PARKING PROVIDED = 5 SPACES (6 SPACE DEFICIT)
- VARIANCE FROM SECTION 10.440.10.30 TO ALLOW AN INN IN THE CD4-L1 ZONE GRANTED FEBRUARY 15, 2022.
- VARIANCE FROM SECTION 10.1114.21 REQUIRED FOR REDUCED MANEUVERING AISLE WIDTH GRANTED FEBRUARY 15, 2022.
- CONDITIONAL USE PERMIT UNDER SECTION 10.1112.14 REQUIRED TO ALLOW A REDUCTION IN THE REQUIRED NUMBER OF PARKING SPACES.
- PAVEMENT MARKINGS SHALL BE CONSTRUCTED USING WHITE, YELLOW OR BLUE TRAFFIC PAINT (WHERE SPECIFIED) MEETING THE REQUIREMENTS OF AASHTO M248, TYPE F OR EQUAL. PAINTED ISLANDS AND LOADING ZONES SHALL BE 4"-WIDE DIAGONAL WHITE LINES 3'-0" O.C. BORDERED BY 4"-WIDE WHITE LINES. PARKING STALLS SHALL BE SEPARATED BY 4"-WIDE WHITE LINES. SEE DETAILS FOR HANDICAP SYMBOLS, SIGNS AND SIGN DETAILS.
- PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO THE REQUIREMENTS OF THE "MANUAL ON UNIFORM TRAFFIC DEVICES," "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" AND THE AMERICANS WITH DISABILITIES ACT (ADA), LATEST EDITIONS.
- ALL CONSTRUCTION SHALL MEET THE MINIMUM STANDARDS OF THE CITY OF PORTSMOUTH & NHDOT'S STANDARD SPECIFICATION FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITIONS. THE MORE STRINGENT SPECIFICATION SHALL GOVERN.
- ALL PAVER SURFACES SHALL BE INSTALLED SO AS TO BE ADA-COMPLIANT.
- ALL BONDS AND FEES SHALL BE PAID/POSTED PRIOR TO INITIATING CONSTRUCTION.
- COORDINATE FINAL SIZE AND LOCATION OF FIRE SERVICE LINE WITH MEP PLANS.

NOT FOR CONSTRUCTION

ISSUED FOR: TAC

ISSUE DATE: MARCH 9, 2022

REVISIONS	
NO.	DESCRIPTION
0	ZBA
1	TAC
2	TAC
3	REVISED ADA PARKING
4	REVISED PER TAC WS

DRAWN BY: _____ EBS
APPROVED BY: _____ EBS
DRAWING FILE: 5301-SITE.dwg

SCALE:
22" x 34" - 1" = 10'
11" x 17" - 1" = 20'

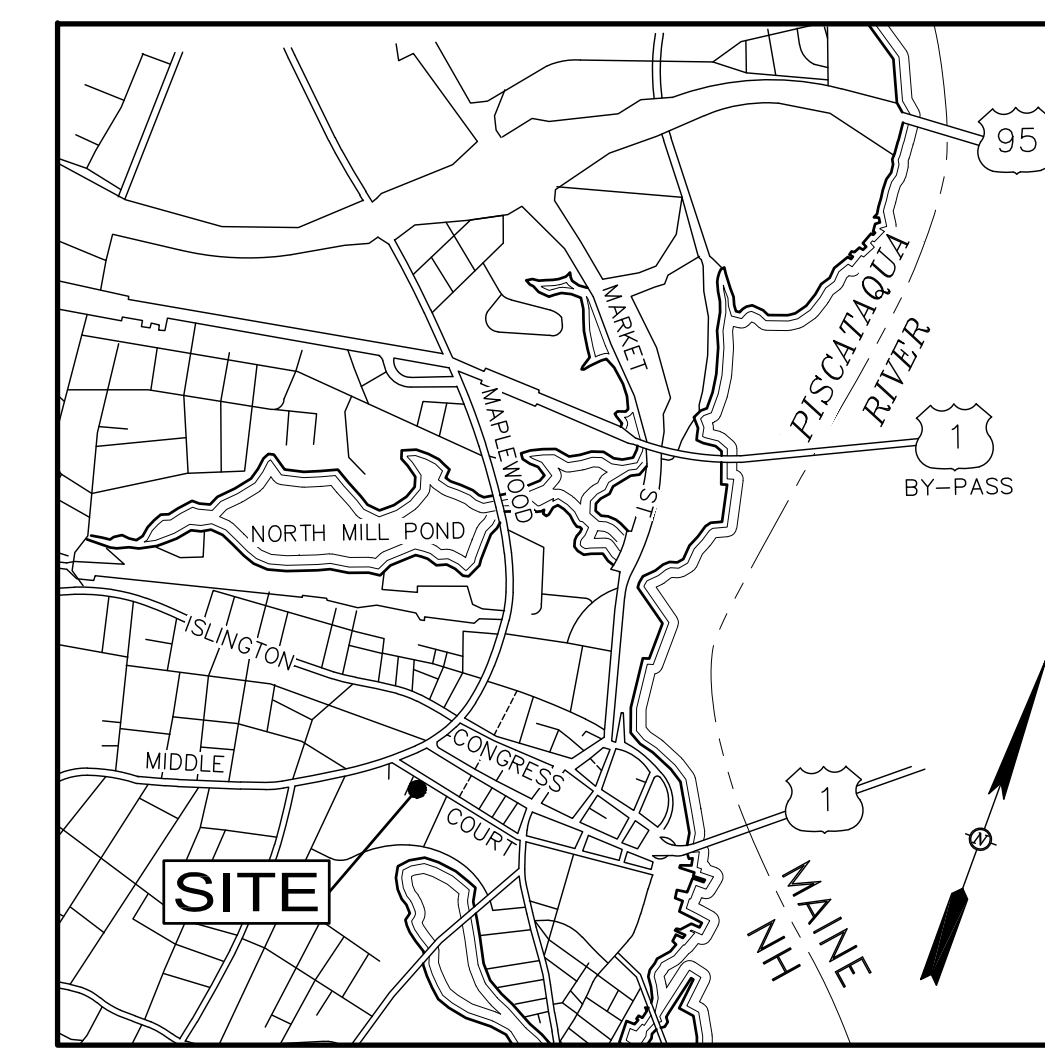
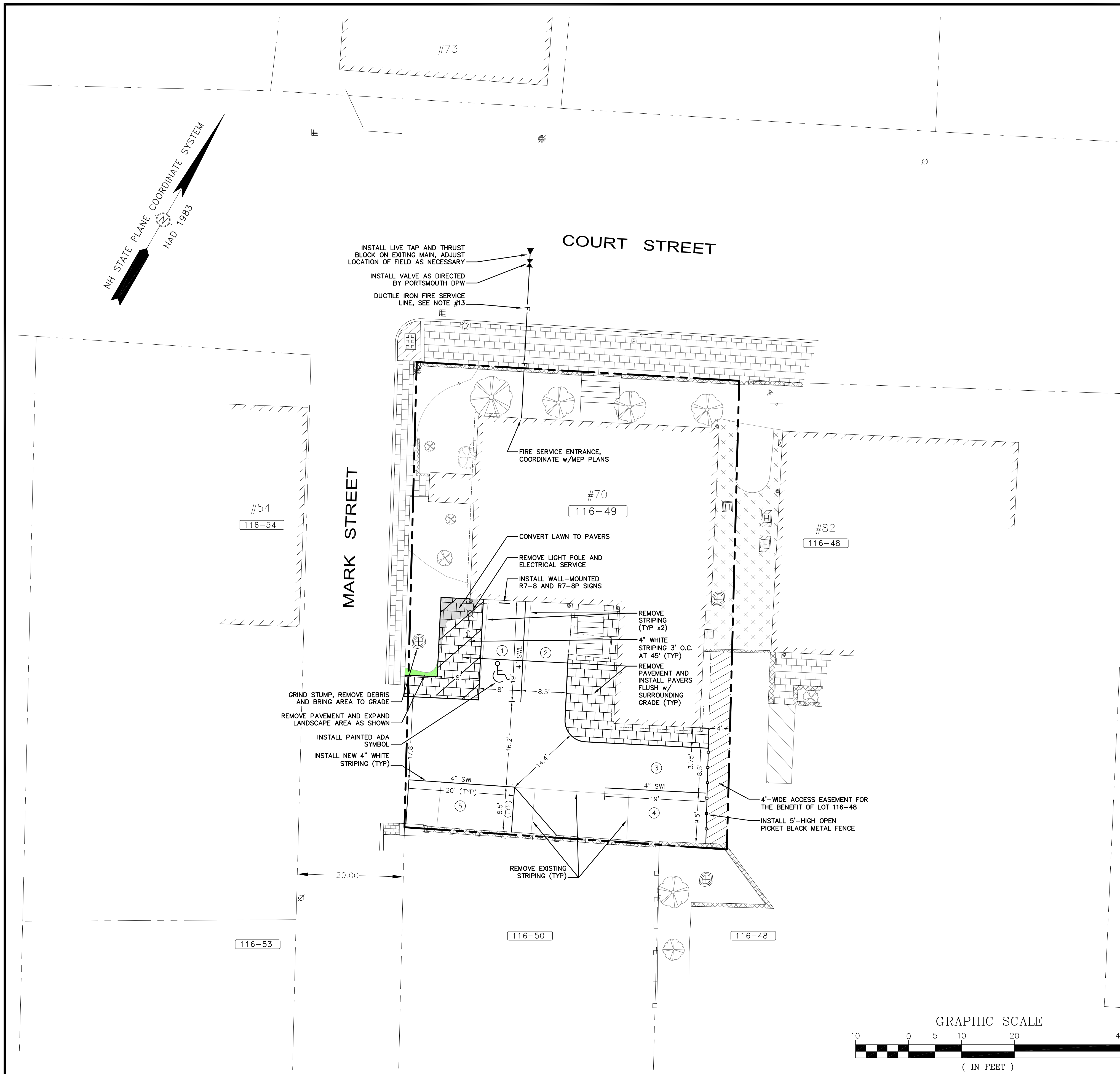
OWNER:
TREADWELL HOUSE, INC.
c/o CHARLES DOLEAC, ESQ.
82 COURT STREET
PORTSMOUTH, NH 03801

APPLICANT:
DAVENPORT, LLC
c/o 266 MIDDLE STREET
PORTSMOUTH, NH 03801

PROJECT:
DAVENPORT INN
TAX MAP 116, LOT 49
70 COURT STREET
PORTSMOUTH, NH

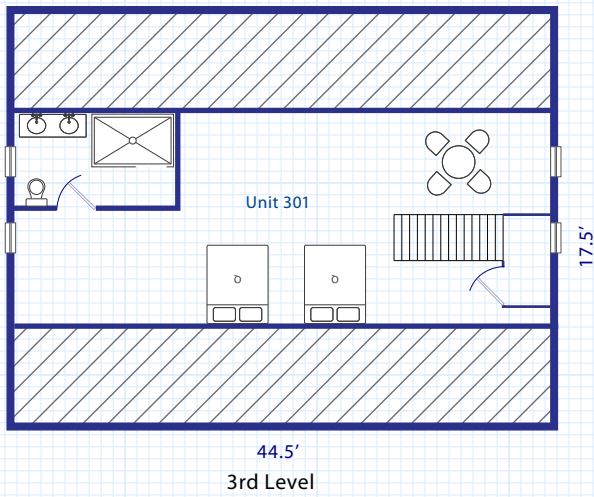
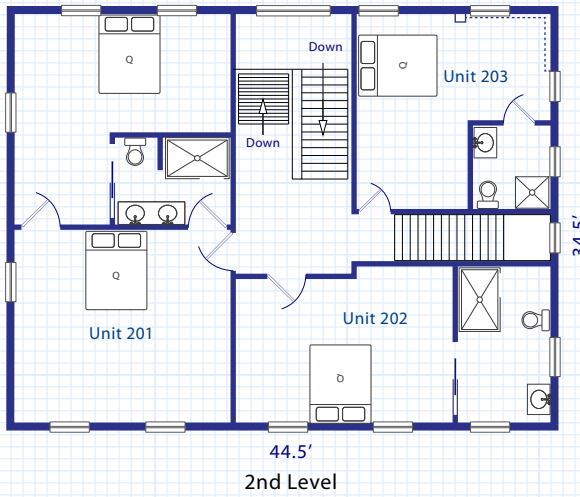
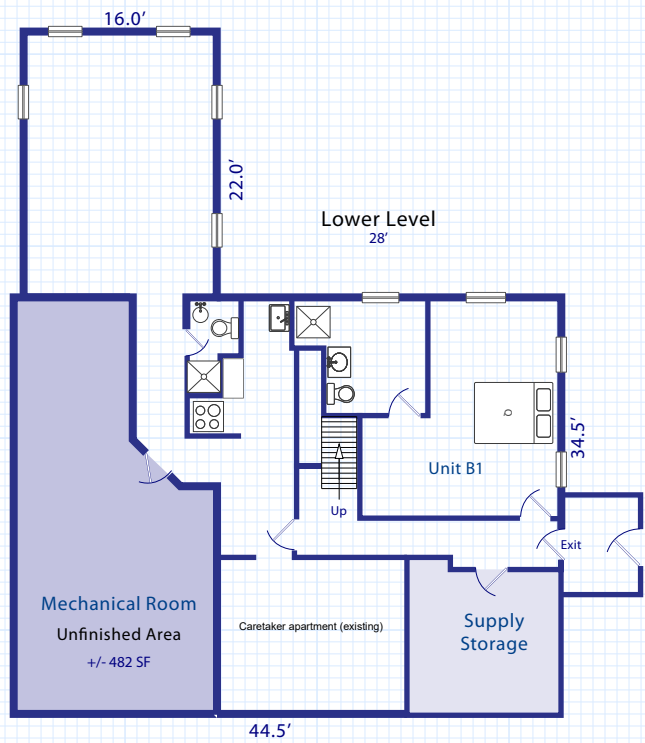
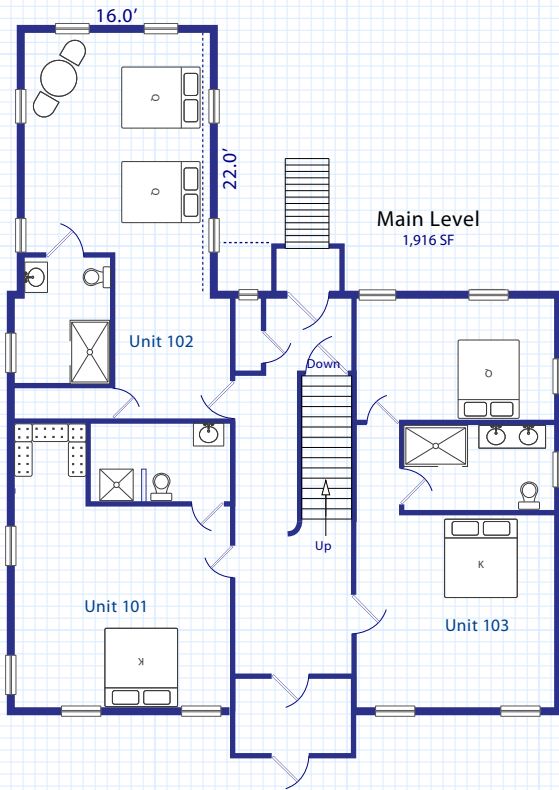
TITLE:
SITE PLAN

SHEET NUMBER:
C - 1



70 Court Street, Portsmouth, NH

Total Area: 5,367 SF



Scale: 1" = 16'



**Civil
Site Planning
Environmental
Engineering**

133 Court Street
Portsmouth, NH
03801-4413

February 15, 2022

John Samonas
Samonas Realty
266 Middle Street
Portsmouth, NH 03801

**Re: Parking Demand Memorandum
Assessor's Map 116, Lot 49
70 Court Street
Portsmouth, NH
Altus Project 5301**

Dear Mr. Samonas,

Pursuant to the Portsmouth Zoning Ordinance, we have has undertaken a basic parking demand analysis of the proposed renovation of 70 Court Street into the Davenport Inn. The proposed facility will feature 8 units, a caretakers unit and an reconfigured existing parking lot accessed from Mark Street. Per the *Parking Generation Manual*, 5th edition, prepared by the Institute of Transportation Engineers (ITE), this use can best be categorized into ITE Land Use Code 310 (Hotel) in a Dense Multi-Use Urban setting. For the purposes of this analysis, we have assumed that the caretakers unit will not require a parking space.

As shown below, the site can be expected to generate the following parking demand based on 100% occupancy during a typical Saturday overnight period:

Spaces per Room 0.71
x8 Guest Rooms = 5.68 (6) spaces

Per the above analysis, we calculated that the proposed inn would require 6 parking spaces at peak demand. This is well below the minimum parking required by the City ordinance.

Please call me if you have any questions or need any additional information.

Sincerely,

ALTUS ENGINEERING, INC.

Erik B. Saari
Vice President

ebs/5301-Parking-021522

Hotel (310)

Peak Period Parking Demand vs: Occupied Rooms

On a: Saturday

Setting/Location: Dense Multi-Use Urban

Peak Period of Parking Demand: 10:00 p.m. - 9:00 a.m.

Number of Studies: 2

Avg. Num. of Occupied Rooms: 182

Peak Period Parking Demand per Occupied Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.71	0.62 - 0.78	*** / ***	***	*** (***)

Data Plot and Equation

Caution – Small Sample Size

