HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC
ATTORNEYS AT LAW
127 Parrott Avenue, P.O. Box 4480 | Portsmouth, NH, 03802-4480
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

October 26, 2022

HAND DELIVERED

Peter Stith, Principal Planner
Portsmouth Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

Re: 635 Sagamore Development, LLC, Owner/Applicant
Project Location: 635 Sagamore Avenue
Tax Map 222, Lot 19
General Residence A (GRA Zone)

Dear Mr. Stith and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC, applicant, enclosed please find the following documents in support of a request for zoning relief:

- Portsmouth Land Use Application uploaded to Viewpoint today.
- Owner Authorization.
- 10/26/2022 – Memorandum and exhibits in support of zoning relief.

Very truly yours,

R. Timothy Phoenix
Monica F. Kieser

Enclosures

cc 635 Sagamore Development, LLC
Jones & Beach Engineers, Inc.
Artform Architecture, Inc.

DANIEL C. HOEFLE
R. TIMOTHY PHOENIX
LAWRENCE B. GORMLEY
STEPHEN H. ROBERTS
R. PETER TAYLOR
KEVIN M. BAUM
GREGORY D. ROBBINS
MONICA F. KIESER
JACOB J.B. MARVELLEY
DUNCAN A. EDGAR
STEPHANIE J. JOHNSON
OF COUNSEL:
SAMUEL R. REID
JOHN AHLGREN

Letter of Authorization

635 Sagamore Development, LLC, owner of property located at 635 Sagamore Avenue in Portsmouth, NH, known as Tax Map 222, Lot 19, do hereby authorize Jones & Beach Engineers, Inc. ("JBE"), Garrepy Planning Consultants, LLC ("GPC"), and Hoefle, Phoenix, Gormley & Roberts, PLLC ("HPGR") to act on its behalf concerning the previously mentioned property.

I hereby appoint JBE, GPC and HPGR as agents to act on behalf of 635 Sagamore Development, LLC in the Planning Board and Zoning Board application process, to include any required signatures.

635 Sagamore Development, LLC

Timothy J. Black, Duly Authorized

January 5, 2022
Date

MEMORANDUM

To: Portsmouth Zoning Board of Adjustment ("ZBA")
From: R. Timothy Phoenix, Esq.
Monica F. Kieser, Esq.
Date: October 26, 2022
Re: 635 Sagamore Development, LLC, Owner/Applicant
Project location: 635 Sagamore Avenue
Tax Map 222, Lot 19
Single Residence A (SRA) District

Dear Chairman Parrott and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC ("635 Sagamore" or "Applicant") we are pleased to submit this memorandum and the attached exhibits in support of zoning relief to be considered by the ZBA at its November 15, 2022 meeting.

I. EXHIBITS

A. Plan Set – by Jones and Beach Engineers
- C1 – Existing Conditions Plan
- C2 – ZBA Site Plan
- C3 – Topographic Site Plan

B. Architectural Elevations and Floor Plans-by ArtForm Architecture, Inc.
- Renderings
- First Floor
- Second Floor
- Foundation Plan
- Elevations

C. Site photographs
D. Tax Assessors Card
E. City GIS Map – identifying nearby zoning districts and surrounding area

II. PROPERTY/BACKGROUND

635 Sagamore Avenue is an 84,795 s.f lot with 150 ft. of frontage containing two buildings in poor condition; the front building contains Luster King, an automobile detailing shop and upstairs apartment, and behind a large service garage (the "Property"). The Luster King building is located partially within the front yard setback, access to it is over the entire frontage, and the use of the Property does not conform to the requirements of the Single Residence A District. 635 Sagamore proposes to remove the existing commercial building and garage and redevelop the Property with four new single-family homes with access via a private roadway from Sagamore Avenue (the "Project"). **(Exhibit A)**. The Project is more compatible

with the neighborhood which includes the westerly abutter, Tidewatch Condominiums with 122 Units, and the Sagamore Court Condominium with 144 Units. **(Exhibit D)**. Other nearby abutters are largely developed with single family residences with similar density as the proposed project. The Luster King building is still served by septic, but municipal sewer service has been extended to the Property which will serve the proposed dwellings.

In March of this year, 635 Sagamore filed a variance application seeking relief from §10.513 and §10.521 (Dimensional Table) to permit five dwellings on the Property where one dwelling is required and 16,959 s.f. per dwelling unit where 43,560 s.f. per dwelling is required. Thereafter, Tidewatch Condominium Association ("Tidewatch") objected, through Counsel Brian Bouchard. 635 Sagamore withdrew the previous application in order to spend time working with Tidewatch to address its concerns. 635 Sagamore now proposes a twenty percent (20%) reduction four-unit residential development which retains a significant tree buffer and adds a mix of trees on the south and west side of the lot (the "Revised Project"). Given the reduction in units and generous plantings, Tidewatch Condominium Association has withdrawn its objection to the Revised Project, provided 635 Sagamore continues to coordinate with Tidewatch on issues related to landscaping and stormwater management.

The Revised Project requires similar relief as before as four dwelling units are proposed on a ±1.947 acre lot (2.06 units per acre or 21,198 s.f. per dwelling). This density is less than nearby densely developed Sagamore Court Condominium (144 units/15.01 acre = 9.59 units per acre or 4,542 s.f. per dwelling) to the north and Tidewatch Condominium (122 units/53.59 acre = 2.27 units per acre or 19,189 s.f. per dwelling) directly to the west. Notably, the SRB Zone, located across Sagamore Avenue, permits a lot area of 15,000 square feet per dwelling unit or approximately 2.9 units per acre. The proposal at 21,198 s.f. square feet per unit falls between the single-family homes opposite the lot and the more densely developed condominium associations. Thus, in addition to cleaning up a long distressed and non-conforming site, including narrowing the current open frontage curb cut, the proposal creates a natural transition between the SRB Zone across Sagamore, the existing multi-building condominium developments to the north and west (rear) of the Property and the nearby single-family home lots.

III. RELIEF REQUIRED

The Project meets setback, lot coverage, and open space requirements. **(Exhibit A)**. Relief is required to allow the proposed structures on a single lot and for lot area per dwelling unit.

1.) **PZO §10.513 One Freestanding Dwelling/Lot** – to permit four dwellings on a 1.947 acre lot.
2.) **PZO §10.521 (Table of Dimensional Standards) Lot Area Per Dwelling Unit** – to permit four dwellings on 1.947 acres (21,198 s.f./dwelling area) where 43,560 s.f. is required for each dwelling.

IV. VARIANCE REQUIREMENTS

1. **The variance will not be contrary to the public interest**
2. **The spirit of the ordinances observed**

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc v. Town of Chichester, 155 NH 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinances basic zoning objectives." Id. "Mere conflict with the ordinance is not enough." Id.

The Portsmouth Zoning Ordinance was enacted for the general purpose (PZO§10.121) of promoting the health, safety and welfare in accordance with the Master plan by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The Property currently houses a non-conforming commercial auto detailing business and service garage. **(Exhibit C)**. The proposal would replace those buildings with brand new, to code, residences consistent with surrounding uses.

2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – The Project complies with building coverage, height, yards and open space requirements. The reduced proposal with four dwellings on a single lot, at 2.06 dwelling units per acre is consistent with surrounding properties and less than the density permitted by right across Sagamore Avenue.

3. The design of facilities for vehicular access, circulation, parking and loading- The Project will be served by a private roadway from Sagamore Avenue. **(Exhibit A)**. There is currently no defined curb cut on the property so the redevelopment will improve driveway distances, site lines, and overall traffic safety from the Property compared to the existing commercial and residential use. **(Exhibit D)**. The driveway will undergo further review as part of the Planning Board and NHDOT review processes.

4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – The Property is currently used as a commercial auto detailing facility in the middle of a residential area. The Project will convert the Property to residential use with lighting, noise, and other conditions more appropriate for the neighborhood. A generous buffer will be preserved between the Project and Tidewatch Condominium. The Project maintains 81.3% open space. Stormwater runoff will be improved over the current development which is significantly paved and use of commercial cleaning chemicals will cease.

5. The preservation and enhancement of the visual environment – The Project vastly improves the visual environment for the immediate abutters on either side and across the street. In addition, a generous vegetated buffer is retained for the south/west abutters. Sagamore further screens the developed area with the addition of a significant tree buffer. **(Exhibit A)**.

6. The preservation of historic districts buildings and structures of historic or architectural interest – The Property and the existing structures to be removed are of no known historic or architectural interest.

7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The Project will significantly improve conditions by terminating the use of commercial grade cleaning chemicals in favor of a compatible residential uses served by municipal sewer.

In considering whether variances "in a marked degree conflict with the ordinance such that they violate the ordinances basic zoning objectives." Malachy Glen, supra, the New Hampshire Supreme Court also held:

> One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality. Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (Emphasis Added)

The Property is located on a busy street in a densely developed residential area. While there are some other nearby commercial use properties, they are located closer to Sagamore Creek in the Waterfront Business Zone, are largely less impactful and are more buffered from nearby residences than the current business operations on the Property. The Project would convert a long-standing commercial use that is grossly incompatible with the character of the locality to a residential use consistent with the surrounding area including two large condominium developments. The commercial traffic and the use of commercial grade cleaning chemicals will cease, thus improving the public health, safety and welfare. The wide open curb

cut accessing the lot will be reduced to a controlled entry/exit. The Project creates a natural transition between these condominium developments and the adjoining GRB zone. Thus, permitting four code compliant, single-family dwellings on ±1.947 acres does not alter the essential character of the locality nor will it threaten the public health, safety or welfare.

3. **Granting the variances will not diminish surrounding property values**

The commercial buildings currently located on the Property are distressed, incongruent with the surrounding residential neighborhood and frankly an eyesore. The Project cleans up the site, removes commercial buildings/uses and replaces them with brand new tastefully designed residences. In consultation with Tidewatch, a generous vegetated buffer is retained, which is supplemented by the addition of a robust landscape buffer plan. Given the termination of the commercial use, removal of the distressed structures, and efforts to screen the residential structures, the Project will increase the value of surrounding properties. Accordingly, this element of the variance criteria is satisfied.

4. **Denial of the variances results in an unnecessary hardship**

a. Special conditions distinguish the property/project from others in the area-

This portion of the SRA District on the north side of Sagamore Creek is comprised of only seven properties. **(Exhibit E)**. Discounting Tidewatch with 122 units on 53.59 acres, the 1.947 acre L-shaped lot significantly larger than the remaining five properties, yet contains just over the required frontage. Although zoned SRA and subject to a 43,560 s.f. minimum lot area and lot area/dwelling unit requirement, this neighborhood is bounded by the Sagamore Condominium Development with 144 Units on 15.01 acres, a handful of lots in the Waterfront Business District, and the SRB district across Sagamore Avenue with its reduced density requirement of just 15,000 s.f./dwelling unit. See Walker v. City of Manchester, 107 N.H. 382, 386 (1966) (hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use will have no adverse effect on the neighborhood). The parcel size, shape, and location near other densely developed residential parcels combine to create special conditions.

b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

The purpose of the requirements for one free standing dwelling per lot and lot area per dwelling unit is to prohibit overcrowding, allow for air, light, and separation between neighbors,

and to permit stormwater treatment. The Project meets all lot area, building and open space coverage, height and external setback requirements. Additionally, the proposal provides for voluntary setbacks between each of the four new buildings of at least 20 feet, consistent with the side setback requirement for the district. Thus, adequate area for air, light, separation between neighbors and stormwater treatment is provided. The proposed density is also consistent with the surrounding area, which includes many smaller sized lots with homes located in relatively close proximity. **(Exhibit E)**. Moreover, granting the requested variances will significantly improve the Property and surrounding area by removing two blighted, non-conforming commercial structures and replacing them with four brand new, homes where housing is sorely needed. The Property will be completely redeveloped, thus it follows that there is no reason to apply the strict requirements of the ordinance. This transitional location, located near and adjoining two densely development condominiums and across Sagamore Avenue from the SRB Zone is well suited for the proposed four building single-family development.

c. The proposed use is reasonable

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson,151 NH 747 (2005). The proposal is a residential use in a residential zone and thus is reasonable Accordingly denial would result in an unnecessary hardship.

5. Substantial justice will be done by granting the variance.

If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, "any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice." Malachy Glen, supra at 109.

"The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions." N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that "no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people." Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. L. Grossman & Sons, Inc. v. Town of Gilford, 118 N.H. 480, 482 (1978). "Property" in the constitutional sense has been interpreted to

mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it*. Burrows v. City of Keene, 121 N.H. 590, 597 (1981) (emphasis added). Sagamore is constitutionally entitled to the use of the lot as it sees fit subject only to the effect of the lot size and density requirements.

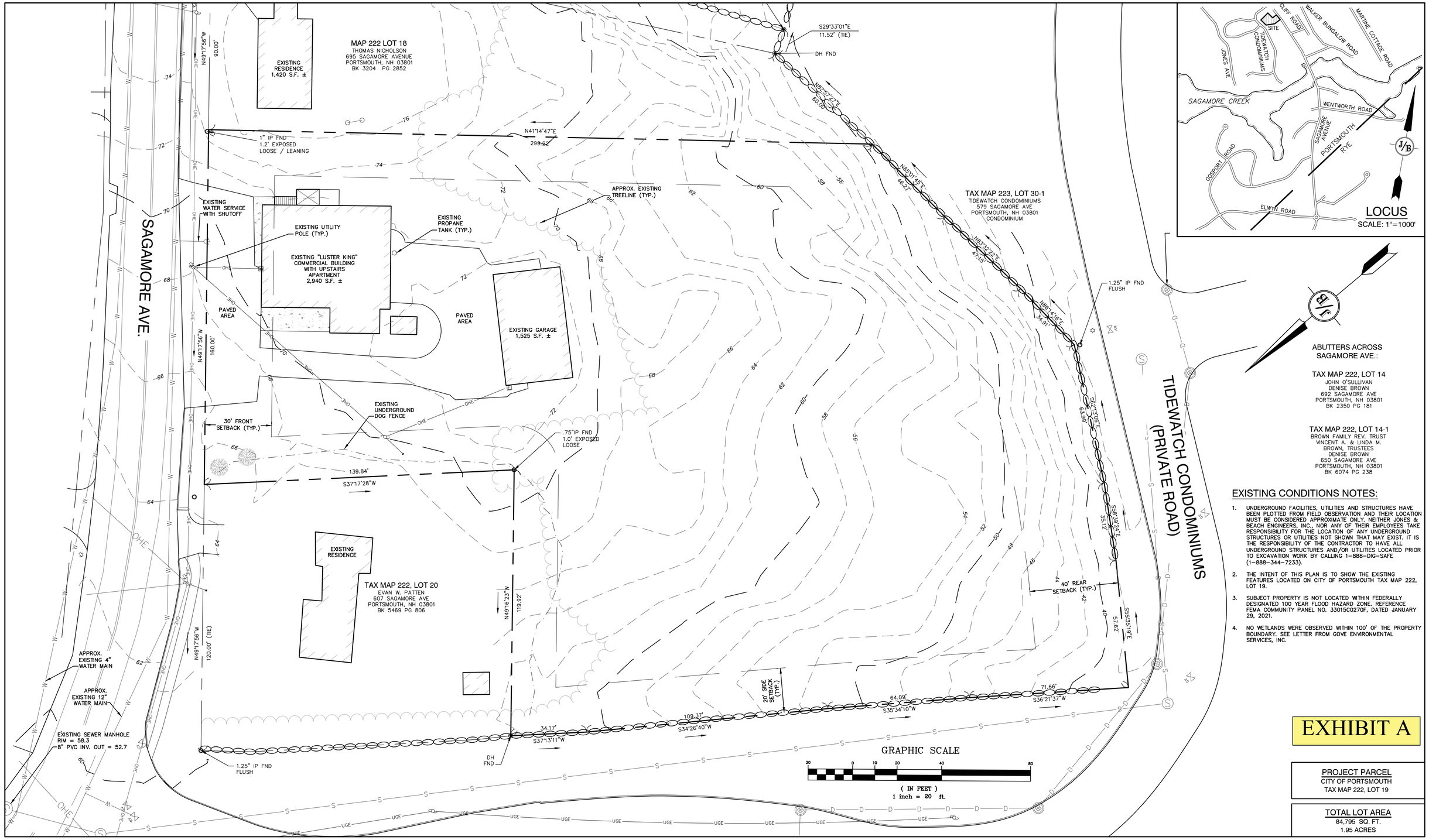
The Project: removes blighted buildings and a nonconforming commercial use; complies with all other dimensional requirements; maintains generous open space and vegetated buffers; provides additional screening with a robust planting plan, there will be no benefit to the public from denial and no harm to the public by granting the variances. Conversely, denial of the variances causes great harm to 635 Sagamore and its abutters by continuing the nonconforming commercial use of the Property. Accordingly, substantial justice is done by granting the variances.

V. CONCLUSION

For all of the reasons herein stated, Sagamore respectfully requests that the Portsmouth Zoning of Adjustment grant the requested variances.

Respectfully submitted,
635 Sagamore Development, LLC

By: _____
R. Timothy Phoenix, Esq.
Monica F. Kieser, Esq.



EXISTING CONDITIONS NOTES:

1. UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN PLOTTED FROM FIELD OBSERVATION AND THEIR LOCATION MUST BE CONSIDERED APPROXIMATE ONLY. NEITHER JONES & BEACH ENGINEERS, INC., NOR ANY OF THEIR EMPLOYEES TAKE RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND STRUCTURES AND/OR UTILITIES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE (1-888-344-7233).
2. THE INTENT OF THIS PLAN IS TO SHOW THE EXISTING FEATURES LOCATED ON CITY OF PORTSMOUTH TAX MAP 222, LOT 19.
3. SUBJECT PROPERTY IS NOT LOCATED WITHIN FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD ZONE. REFERENCE FEMA COMMUNITY PANEL NO. 33015C0270F, DATED JANUARY 29, 2021.
4. NO WETLANDS WERE OBSERVED WITHIN 100' OF THE PROPERTY BOUNDARY. SEE LETTER FROM GOVE ENVIRONMENTAL SERVICES, INC.

EXHIBIT A

PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 222, LOT 19

TOTAL LOT AREA
84,795 SQ. FT.
1.95 ACRES

Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT-8.dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
6	10/25/22	REVISED PLAN NAME	DJM
5	6/23/22	REVISED CONCEPTUAL LAYOUT	DJM
4	6/2/22	ADDED UTILITY INFORMATION	DJM
3	3/21/22	REVISED CONCEPTUAL LAYOUT	DJM
2	2/10/22	REVISED CONCEPTUAL LAYOUT	DJM

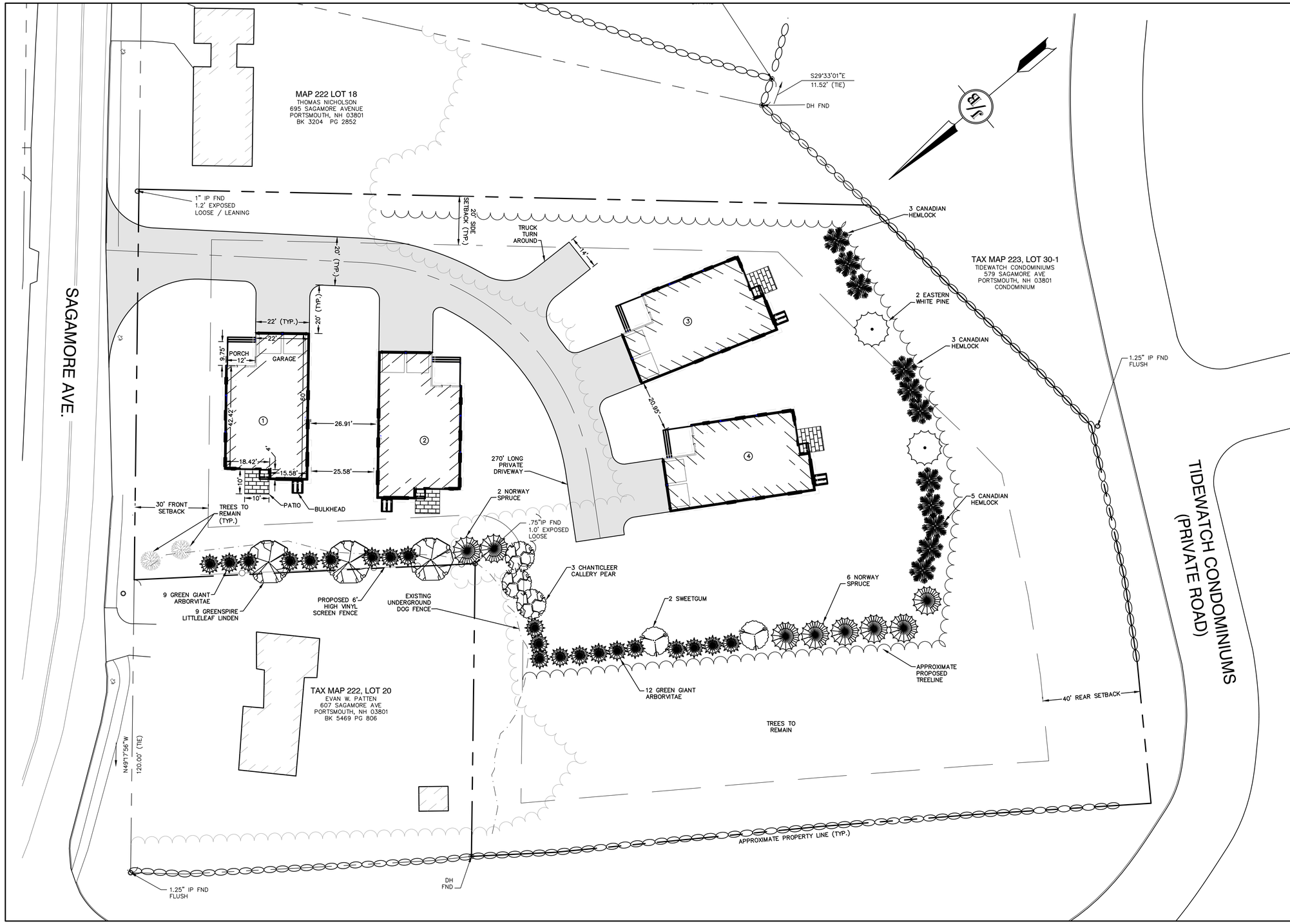
Designed and Produced in NH
Jones & Beach Engineers, Inc.
Civil Engineering Services
85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

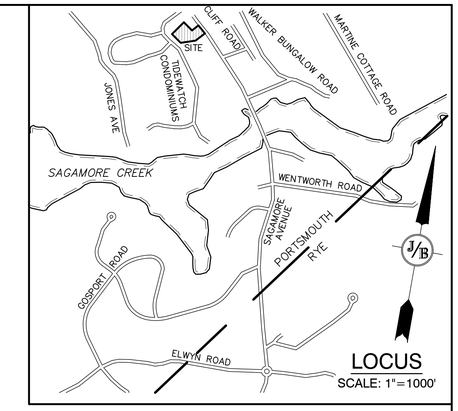
Plan Name: EXISTING CONDITIONS PLAN

Project: 4-UNIT RESIDENTIAL SITE
635 SAGAMORE AVE., PORTSMOUTH, NH

Owner of Record: 635 SAGAMORE DEVELOPMENT, LLC
3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.
C1
SHEET 1 OF 3
JBE PROJECT NO. 18134.1





ABUTTERS ACROSS SAGAMORE AVE.:

TAX MAP 222, LOT 14
JOHN O'SULLIVAN
DENISE BROWN
692 SAGAMORE AVE
PORTSMOUTH, NH 03801
BK 2350 PG 181

TAX MAP 222, LOT 14-1
BROWN FAMILY REV. TRUST
VINCENT A. & LINDA M. BROWN, TRUSTEES
DENISE BROWN
650 SAGAMORE AVE
PORTSMOUTH, NH 03801
BK 6074 PG 238

SITE NOTES:

1. THE INTENT OF THIS PLAN IS TO REMOVE EXISTING STRUCTURES AND CONSTRUCT A 4-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT.

2. ZONING DISTRICT: SINGLE RESIDENCE A (SRA)
LOT AREA MINIMUM = 1 ACRE
LOT FRONTAGE MINIMUM = 150'
LOT DEPTH MINIMUM = 200'
BUILDING SETBACKS (MINIMUM):
FRONT SETBACK = 30'
SIDE SETBACK = 20'
REAR SETBACK = 40'
WETLAND SETBACK = 100' FROM WETLANDS GREATER THAN 10,000 S.F.
MAX. BUILDING HEIGHT = 35' FOR SLOPED ROOF; 30' FOR FLAT ROOF
MAX. BUILDING COVERAGE = 10%
BUILDING COVERAGE PROPOSED = 7,840 S.F. = 9.2% ±
MAX. DENSITY = 1 DWELLING UNIT / ACRE
DENSITY PROPOSED = 4 DWELLING UNITS / 1.947 AC. = 2.06 UNITS / ACRE
(1 UNIT / 21,198 S.F.)
MIN. OPEN SPACE = 50%
OPEN SPACE PROPOSED = 68,900 S.F. = 81.3% ±

3. PARKING CALCULATIONS:
DWELLING UNIT FLOOR AREA OVER 750 S.F. – 1.3 SPACES REQUIRED PER UNIT
1.3 * 4 DWELLING UNITS = 5.2 SPACES REQUIRED
2 SPACES IN GARAGE + 2 SPACES IN DRIVEWAY PER UNIT = 4 SPACES PER UNIT * 4 UNITS
16 SPACES PROVIDED

4. WITH APPROVAL OF THE PORTSMOUTH, NH ZONING BOARD OF ADJUSTMENT, THE FOLLOWING VARIANCES ARE REQUESTED FROM THE ZONING ORDINANCE:
A) SECTION 10.513 – TO PERMIT MORE THAN ONE FREE-STANDING DWELLING ON A LOT
B) SECTION 10.521 – TO PERMIT LESS THAN ONE ACRE PER DWELLING UNIT

5. SUBJECT PROPERTY IS NOT LOCATED WITHIN FEDERALLY DESIGNATED 100 YEAR FLOOD HAZARD ZONE. REFERENCE FEMA COMMUNITY PANEL NO. 33015C0270F, DATED JANUARY 29, 2021.

6. NO WETLANDS WERE OBSERVED WITHIN 100' OF THE PROPERTY BOUNDARY. SEE LETTER FROM GOVE ENVIRONMENTAL SERVICES, INC.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 222, LOT 19

TOTAL LOT AREA
84,795 SQ. FT.
1.95 ACRES

Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT-8.dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
6	10/25/22	REVISED PLAN NAME	DJM
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4	6/2/22	ADDED UTILITY INFORMATION	DJM
3	3/21/22	REVISED CONCEPTUAL LAYOUT	DJM
2	2/10/22	REVISED CONCEPTUAL LAYOUT	DJM

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Civil Engineering Services
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PO Box 219
Stratham, NH 03885
603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: ZBA SITE PLAN

Project: 4-UNIT RESIDENTIAL SITE
635 SAGAMORE AVE., PORTSMOUTH, NH

Owner of Record: 635 SAGAMORE DEVELOPMENT, LLC
3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.
C2
SHEET 2 OF 3
JBE PROJECT NO. 18134.1

PROJECT PARCEL
CITY OF PORTSMOUTH
TAX MAP 222, LOT 19

TOTAL LOT AREA
84,795 SQ. FT.
1.95 ACRES

Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
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85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885
603-772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: ZBA TOPOGRAPHIC SITE PLAN

Project: 4-UNIT RESIDENTIAL SITE
635 SAGAMORE AVE., PORTSMOUTH, NH

Owner of Record: 635 SAGAMORE DEVELOPMENT, LLC
3612 LAFAYETTE RD., DEPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.
C3
SHEET 3 OF 3
JBE PROJECT NO. 18134.1

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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Artform Home Plans

603-431-9559

Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings'). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.ArtformHomePlans.com to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Artform Home Plans ("Artform") requires that our Drawings be built substantially as designed. Artform will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Drawing updated by Artform prior to attaching any Drawing to any builder agreement. Artform shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

Facade Changes:

• To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Artform.

• Increasing ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

• Structural changes always require the express written consent of Artform

• If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

EXHIBIT B

Sea Watch

419.126.v14 GL (1/27/2022)

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Artform Home Plans
603-431-9559

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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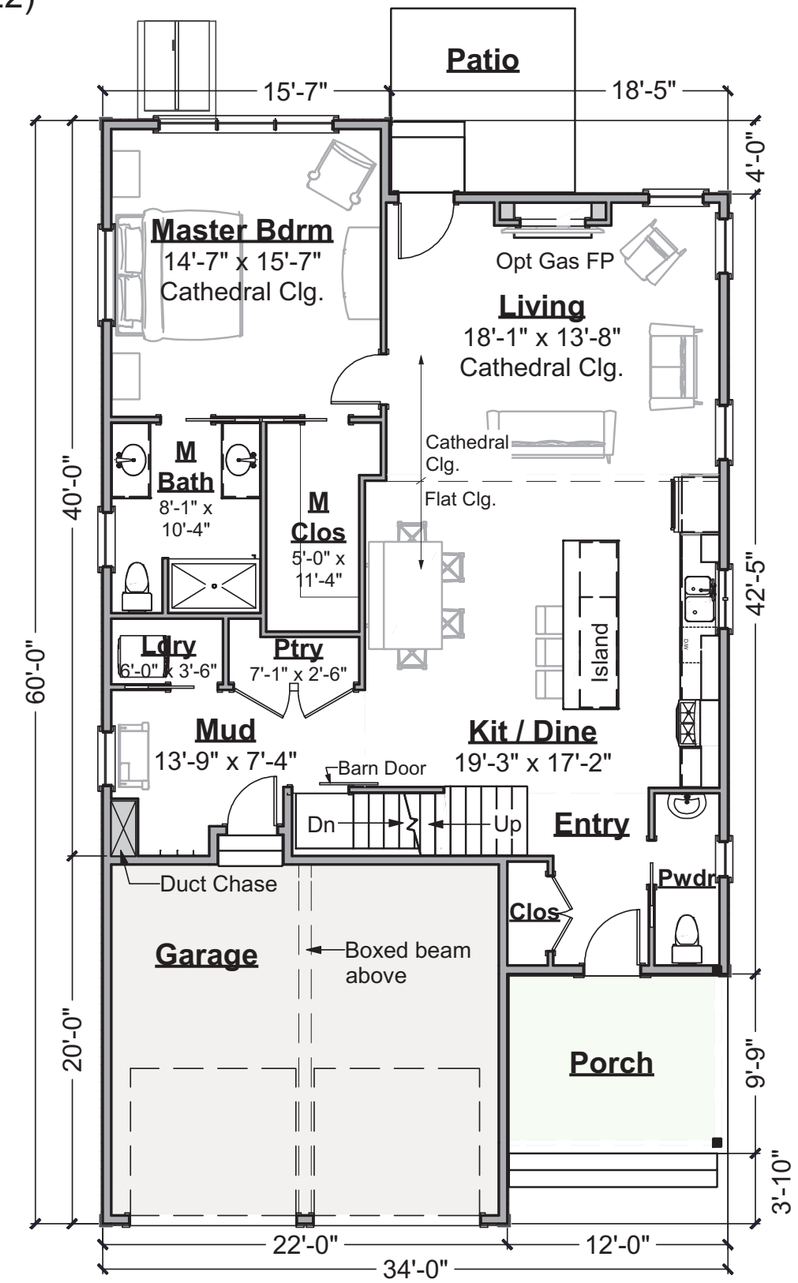
Artform Home Plans
603-431-9559



Living Area This Floor: 1370 sq ft

9 ft Ceilings, unless noted otherwise

First Floor Plan

Scale: 3/32" = 1'-0"

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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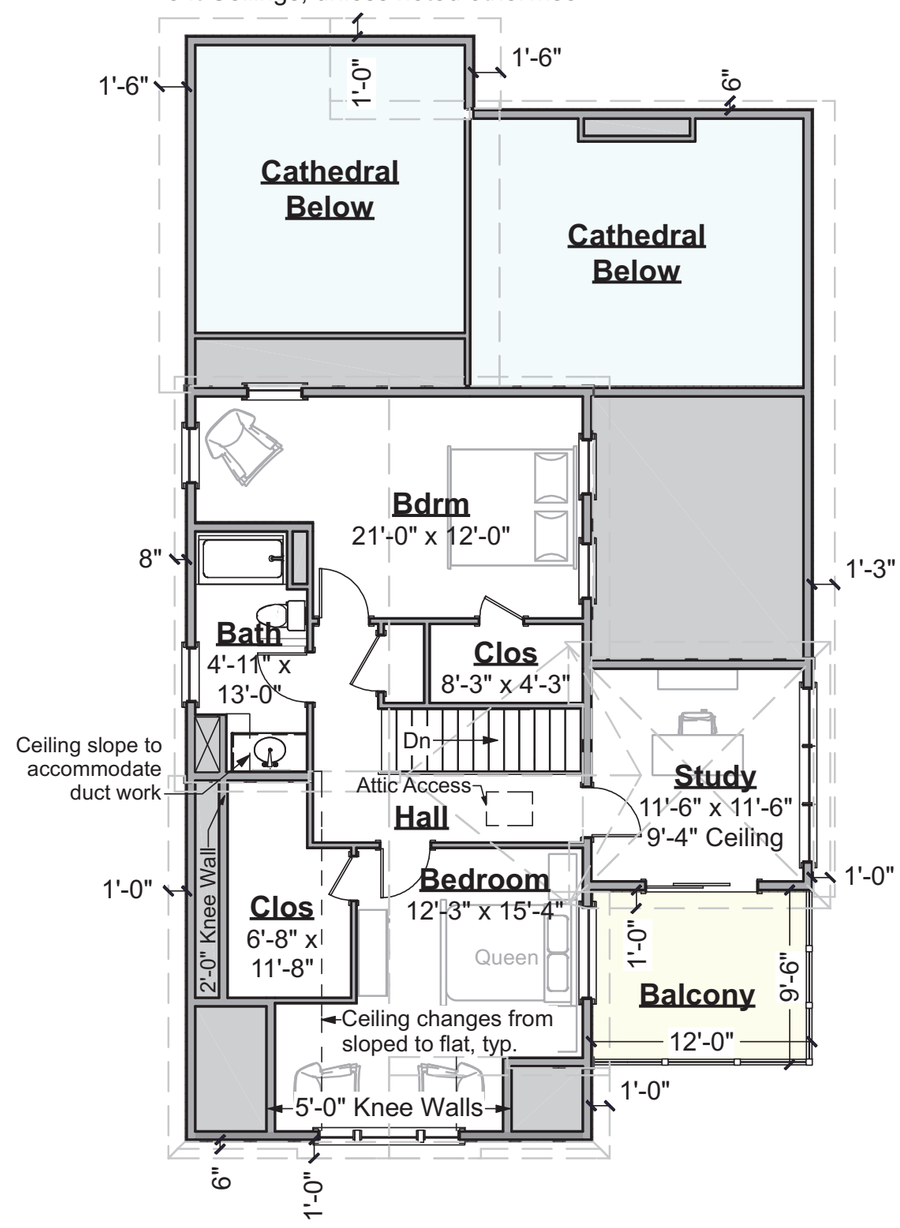
Artform Home Plans
603-431-9559

Living Area This Floor: 979 sq ft

8 ft Ceilings, unless noted otherwise



Second Floor Plan

Scale: 3/32" = 1'-0"

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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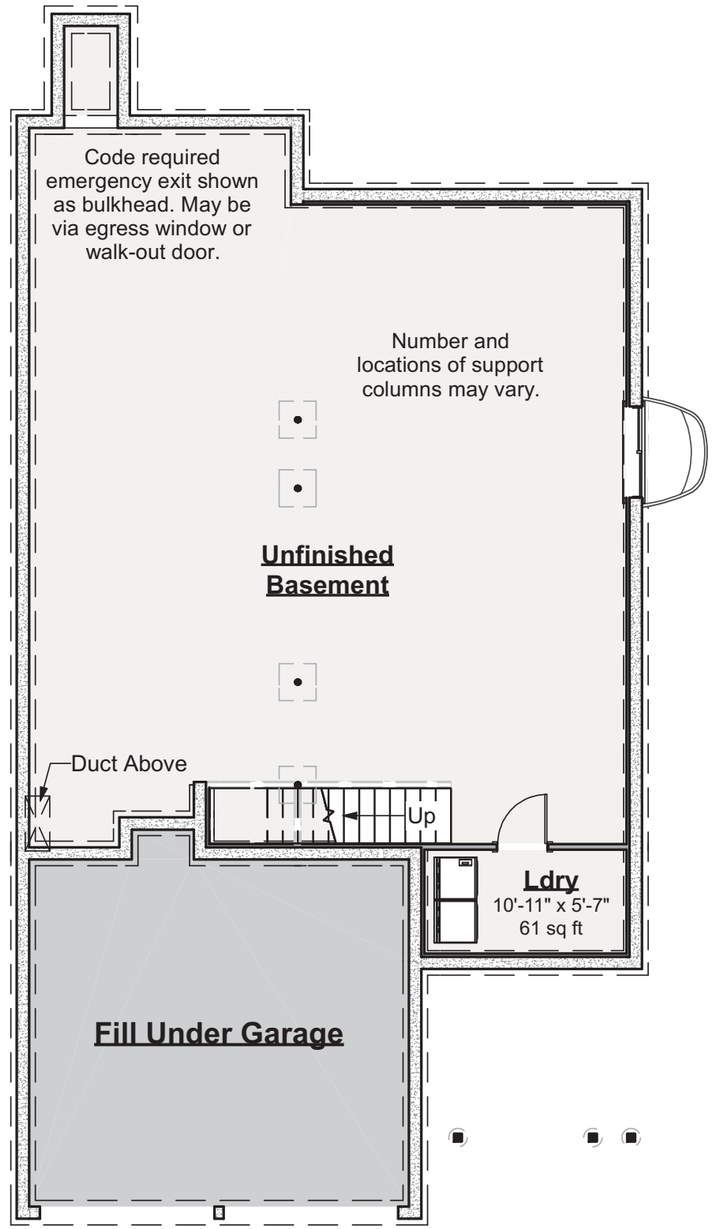
Artform Home Plans
603-431-9559



Foundation Plan

Scale: 3/32" = 1'-0"

1/27/2022

Sea Watch

419.126.v14 GL (1/27/2022)

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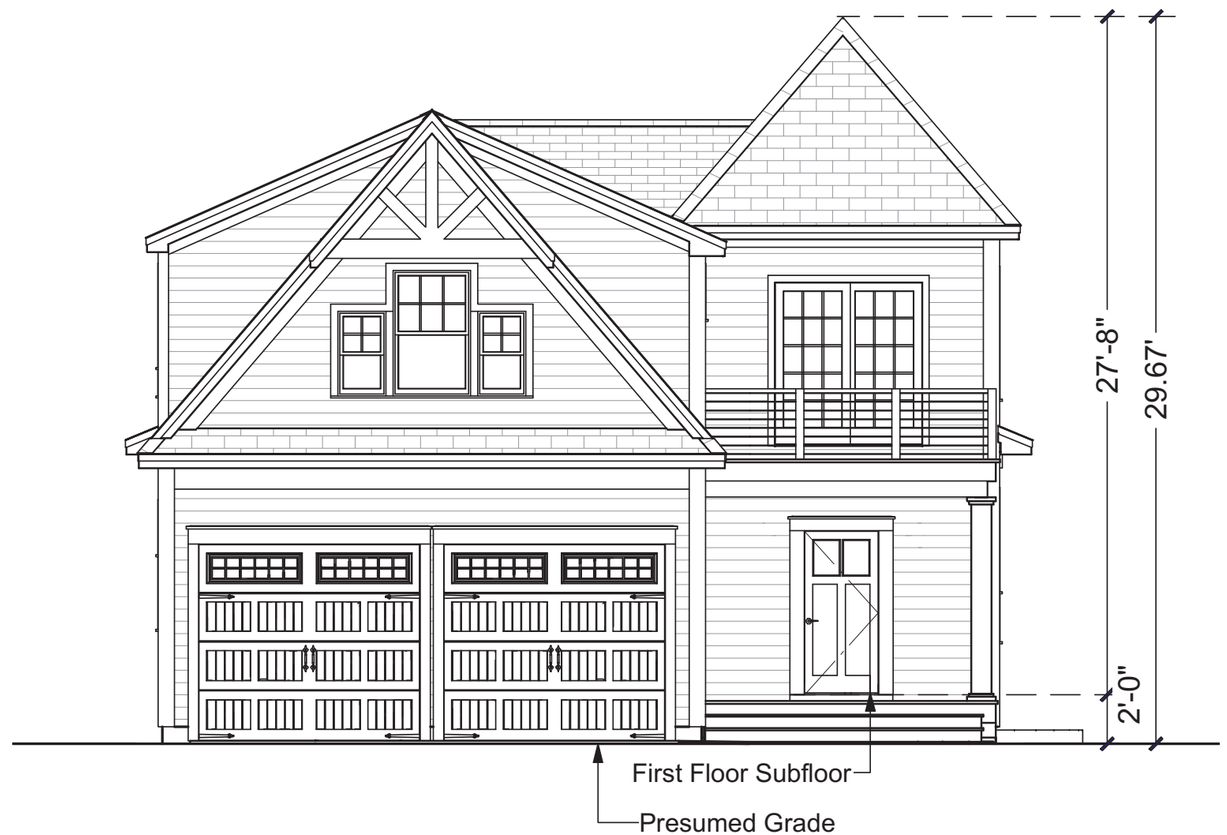
Artform Home Plans
603-431-9559



Front Elevation

Scale: 1/8" = 1'-0"

Sea Watch

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Artform Home Plans
603-431-9559

Right Elevation

Scale: 1/8" = 1'-0"

1/27/2022

Sea Watch

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Artform Home Plans
603-431-9559

Rear Elevation

Scale: 1/8" = 1'-0"

1/27/2022

Sea Watch

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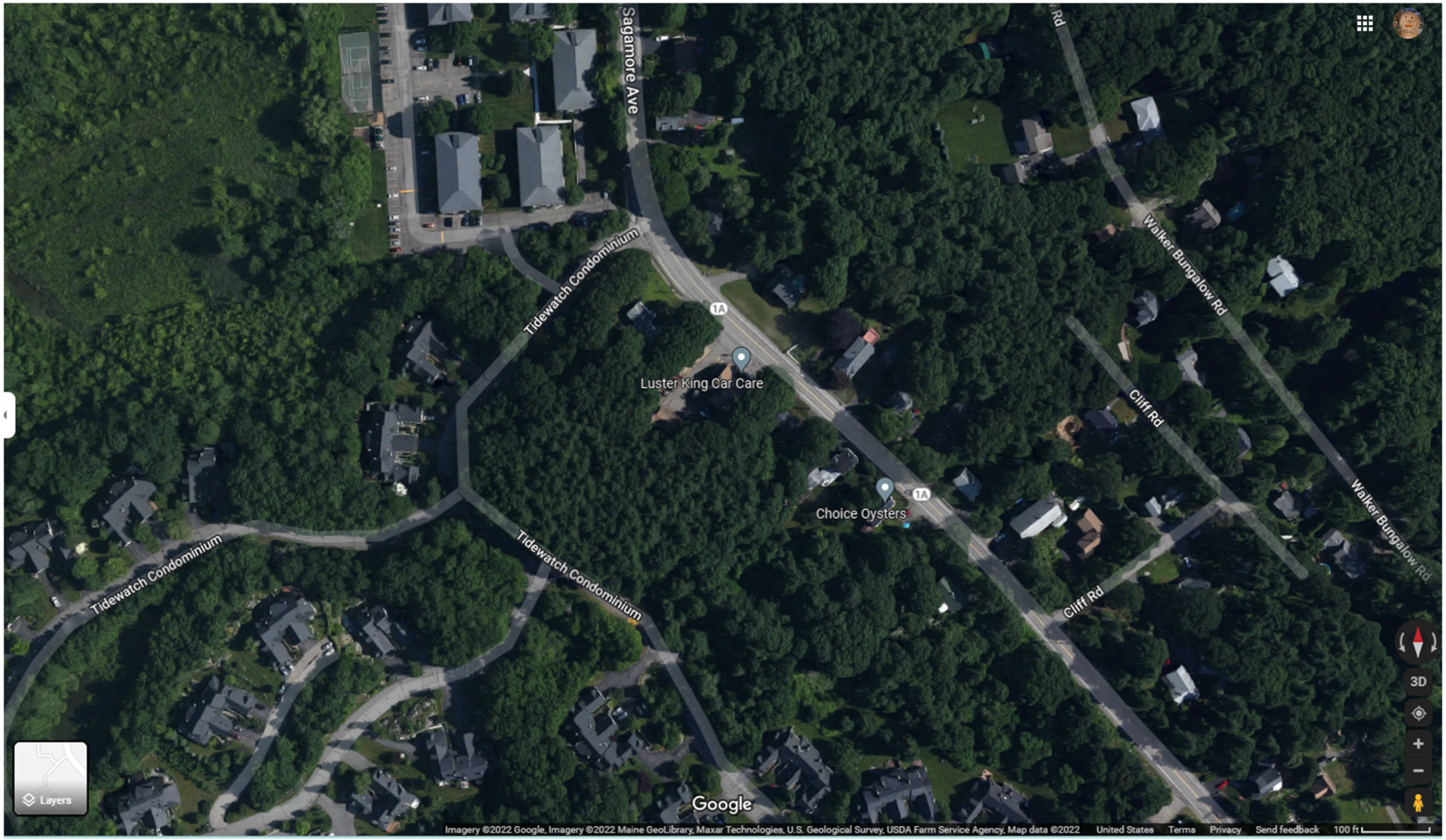
Artform Home Plans
603-431-9559

Left Elevation

Scale: 1/8" = 1'-0"



Aerial view of Property

EXHIBIT C

Front View of Property (Sagamore Ave)

Front View of Property

Front View of Property

Side View of Property

View of Service Garage and Shed

Rear View of Property

Sea Watch

419.126.v14 GL (1/27/2022)

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Artform Home Plans
603-431-9559

Interior Views

EXHIBIT D

635 SAGAMORE AVE

Location	635 SAGAMORE AVE	**Mblu**	0222/ 0019/ 0000/ /
Acct#	35416	**Owner**	635 SAGAMORE DEVELOPMENT LLC
PBN		**Assessment**	$682,800
Appraisal	$682,800	**PID**	35416
Building Count	2		

Current Value

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$407,600	$275,200	$682,800
Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$407,600	$275,200	$682,800

Owner of Record

Owner	635 SAGAMORE DEVELOPMENT LLC	**Sale Price**	$387,133
Co-Owner		**Certificate**	
Address	3612 LAFAYETTE RD DEPT 4 PORTSMOUTH, NH 03801	**Book & Page**	6332/1158
		Sale Date	09/24/2021

Ownership History

Ownership History				
Owner	**Sale Price**	**Certificate**	**Book & Page**	**Sale Date**
635 SAGAMORE DEVELOPMENT LLC	$387,133		6332/1158	09/24/2021
HINES FAMILY REVO TRUST	$0		4885/1538	02/11/2008

Building Information

Building 1 : Section 1

Year Built:	1950
Living Area:	4,477

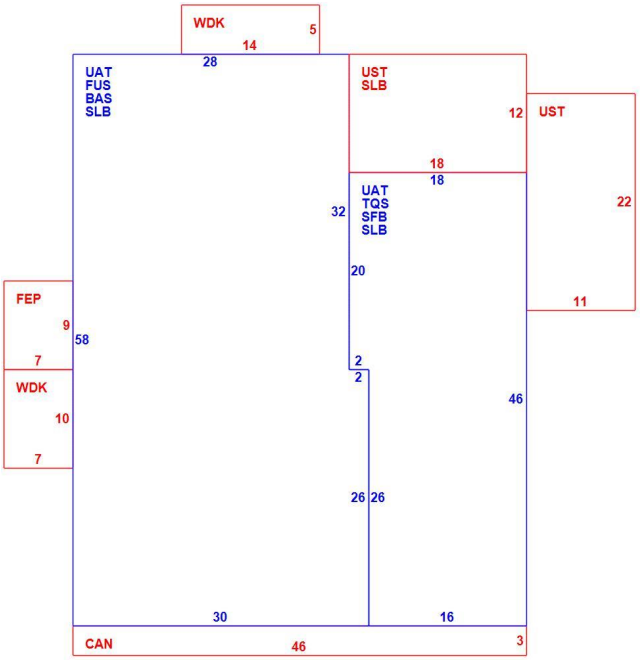
Replacement Cost: $513,721
Building Percent Good: 54
Replacement Cost Less Depreciation: $277,400

Building Attributes	
Field	Description
Style:	Retail/Apartment
Model	Commercial
Grade	C
Stories:	2
Occupancy	3.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	Pre-Fab Wood
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Inlaid Sht Gds
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	Unit/AC
Bldg Use	PRI COMM
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	10.00
% Comn Wall	
1st Floor Use:	
Class	

Building Photo

Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01732_

Building Layout



(ParcelSketch.ashx?pid=35416&bid=35416)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,676	1,676
FUS	Upper Story, Finished	1,676	1,676
TQS	Three Quarter Story	776	582
SFB	Base, Semi-Finished	776	543
CAN	Canopy	138	0
FEP	Porch, Enclosed	63	0
SLB	Slab	2,668	0
UAT	Attic	2,452	0
UST	Utility, Storage, Unfinished	458	0
WDK	Deck, Wood	140	0
		10,823	4,477

Building 2 : Section 1

Year Built: 2000
Living Area: 1,650
Replacement Cost: $153,450

Building Percent Good: 84

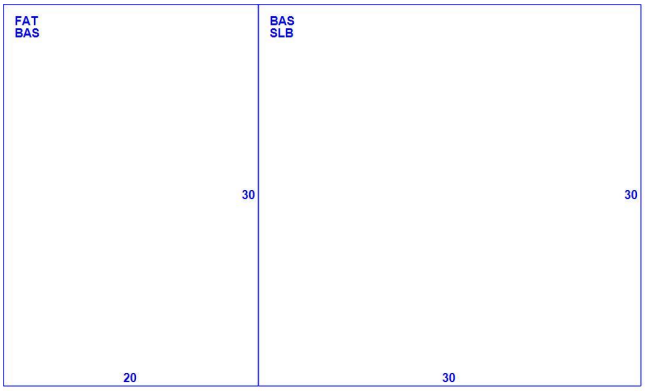
Replacement Cost Less Depreciation: $128,900

Building Attributes : Bldg 2 of 2	
Field	**Description**
Style:	Service Shop
Model	Commercial
Grade	C
Stories:	1
Occupancy	1.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Concr-Finished
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	None
Bldg Use	AUTO S S&S
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	12.00
% Comn Wall	
1st Floor Use:	
Class	

Building Photo

Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01731_

Building Layout



(ParcelSketch.ashx?pid=35416&bid=40140)

Building Sub-Areas (sq ft)			Legend
Code	**Description**	**Gross Area**	**Living Area**
BAS	First Floor	1,500	1,500
FAT	Attic	600	150
SLB	Slab	900	0
		3,000	1,650

Extra Features

Extra Features	Legend

No Data for Extra Features

Land

Land Use

Use Code	0310
Description	PRI COMM
Zone	SRA
Neighborhood	306
Alt Land Appr	No
Category	

Land Line Valuation

Size (Acres)	1.93
Frontage	
Depth	
Assessed Value	$275,200
Appraised Value	$275,200

Outbuildings

Outbuildings						Legend
Code	**Description**	**Sub Code**	**Sub Description**	**Size**	**Value**	**Bldg #**
PAV1	PAVING-ASPHALT			1344.00 S.F.	$1,200	1
SHD1	SHED FRAME			96.00 S.F.	$100	1

Valuation History

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$418,400	$275,200	$693,600
2019	$418,400	$275,200	$693,600
2018	$391,100	$254,800	$645,900

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$418,400	$275,200	$693,600
2019	$418,400	$275,200	$693,600
2018	$391,100	$254,800	$645,900

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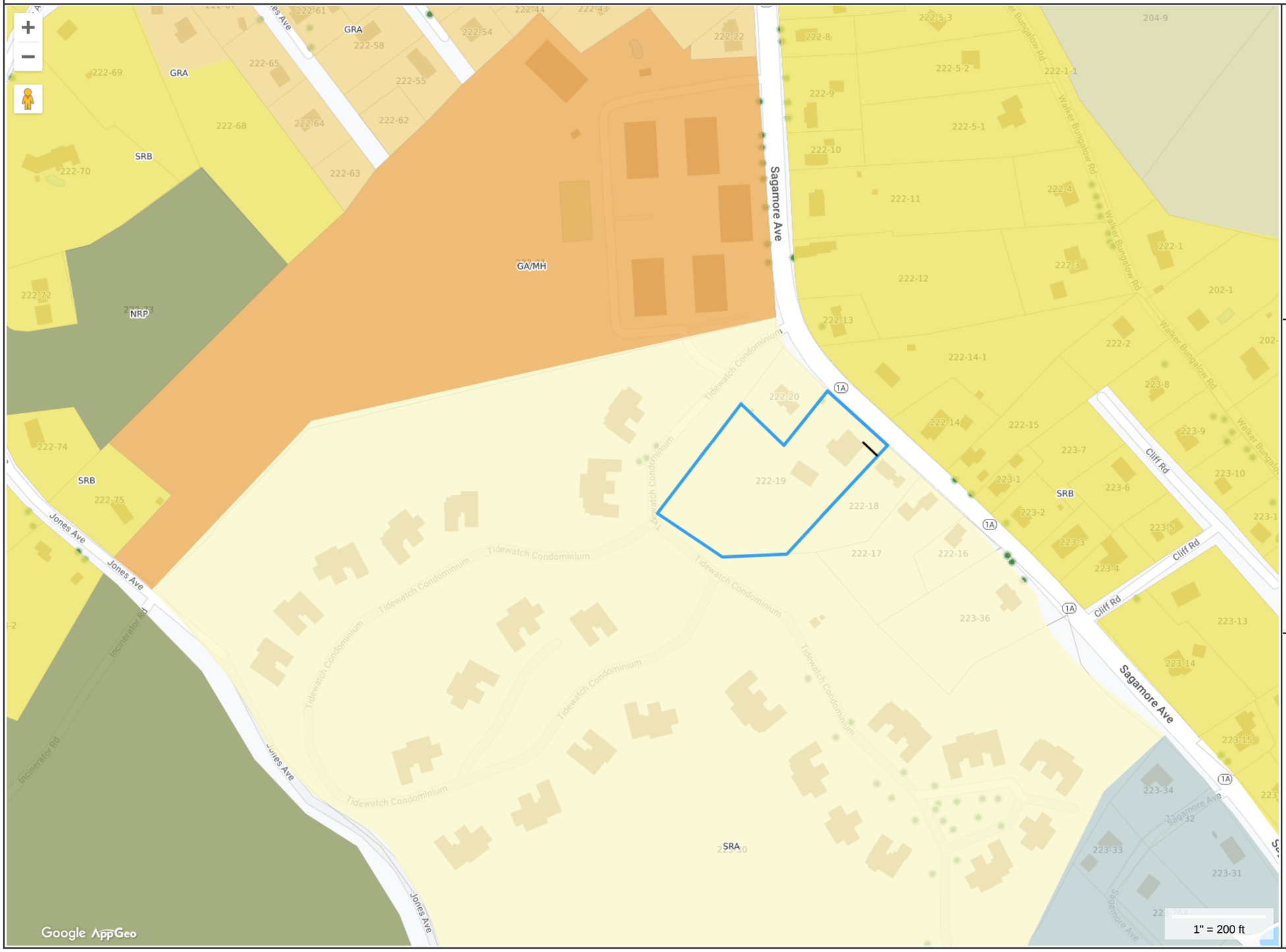
635 Sagamore Avenue



Property Information

Property ID	0222-0019-0000
Location	635 SAGAMORE AVE
Owner	635 SAGAMORE DEVELOPMENT LLC

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 3/9/2022
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

EXHIBIT E

WHITE APPRAISAL

REAL ESTATE APPRAISING & CONSULTING ***Brian W. White, MAI, SRA***

October 28, 2022

EXHIBIT F

Timothy Phoenix, Esquire
Hoefle, Phoenix, Gormley & Roberts, PLLC
127 Parrott Avenue
P.O. Box 4480
Portsmouth, NH 03802-4480

RE: The Variance application for a four-unit freestanding single-family development to be located on 635 Sagamore Avenue in Portsmouth, New Hampshire.

Attorney Phoenix:
At your request, I have been asked to investigate the impact on the value of the abutting properties for the proposed four-unit freestanding single-family development to be located on 635 Sagamore Avenue (Map 222, Lot 19) and to prepare an analysis and opinion on the matter. I have reviewed the Portsmouth Zoning Ordinance that addresses the standards for the requested variance. To prepare this letter, I have completed research on the proposed subject property, the neighborhood and the Portsmouth marketplace. The following letter summarizes my analysis, findings and conclusions:

1. ***The Existing Development:***

   The subject property is a 1,947-acre parcel of land located on the southern side of Sagamore Avenue in the Single Residence A (SRA) zone. The subject property is currently improved with an older 4,477 square-foot, mixed-use, building that contains a first-floor commercial garage unit and two upper-level apartments and an older 1,650 square-foot, one-story, two-bay, garage building. The improvements were constructed in 1950 and 2000 and they appear to be in below average overall condition for the Sagamore Avenue area. The front portion of the parcel has paved drive and parking areas. The existing development utilizes approximately the front third of the parcel with the central and rear areas of the parcel being treed with a large number of evergreens and some deciduous trees. The terrain for the parcel has a natural downward slope in a northeast to southwest direction. The parcel is serviced with municipal water, electricity, telephone, natural gas, cable and internet. The central and rear portions of the parcel have several rock outcroppings. There are no wetland areas located on the parcel.

2. ***The Proposed Development:***

   The two older wood-frame buildings will be razed and a new paved drive will be installed off of Sagamore Avenue in the northeastern portion of the subject's parcel. This paved drive will extend into the central portion of the parcel providing access to four freestanding single-family residences. There will be a vehicle turn-around located at the end of the drive area.

Each of the single-family residences will have a front paved driveway that will provide access to a two-car garage. The residences will each contain two levels of finished living area with the three centrally located residences having a walk-out basement area given the natural sloping terrain. The units will have quality interior and exterior finishes that are commensurate with other similar new construction residences located in Portsmouth. Based on the proposed building plans, the proposed single- family residences will contain from 2,111 square feet to 2,349 square feet (2,230 SF average). The single-family homes will be surrounded by landscaped and grassed areas and there will be a rear patio area. There will be plantings located to the rear of the residences providing additional screening from abutting properties. According to Michael Garrepy, Consultant to the ownership of 635 Sagamore Development, LLC, the anticipated retail prices for the four proposed single-family residences will range from approximately $1,000,000 to $1,200,000.

3. Neighborhood & Abutting Properties:

The subject property is located in a large Single Residence A (SRA) zone and the land located directly across from the subject property on Sagamore Avenue is zoned Single Residence B (SRB). Both of these zones allow for single-family dwellings with a few other uses allowed as a conditional use or a special exception. Directly abutting the subject property on Sagamore Avenue are two single-family residences (Circa 1940 & 1964) that are small two-bedroom residences with a one-car garage. There are three single-family residences (Circa 1890, 1940 & 1985) located across Sagamore Avenue from the subject property. These residences range in size from a 1,248 square foot one-bedroom residence to a 2,861 square foot three-bedroom residence. In general, these abutting and nearby single-family residences are in average to above average overall condition. None of these nearby single-family residences have sold within the past several years. The average assessment for these five nearby single-family residences is approximately $460,000. The Tidewatch Condominium development is a 116-unit single-family condominium development located at 579 Sagamore Avenue. The entry road for this development abuts the rear portion of the subject property to the south of the subject property. These townhouse style units were constructed beginning in the late 1980s and they are generally in above average to good overall condition. Over the past two years, units in this development have sold from $650,000 to $1,240,000 with an average sale price of approximately $815,000.

4. Factors that impact Value and the Application to the Subject Property:

For the subject property, there are three potential factors that could directly impact the market value of the abutting properties. These factors are noise, view and use.

Noise:

It was previously noted that the proposed subject property will contain a single-entry drive and four freestanding single-family residences. Two of the subject's proposed residences will be located in the front third of the parcel along Sagamore Avenue while three of the proposed residences will be located in the center portion of the parcel. The rear third of the parcel will remain undeveloped and treed. At the present time, the subject's improvements contain a mixture of apartment units and two commercial units each containing garage space along with supporting drive and parking areas for business related vehicles. At the present time, the noises emitted from the subject property are from residential tenants entering and

exiting their apartment units and from vehicular traffic entering and exiting from the parking area. There are also likely noises from the car doors opening and closing. In addition, there are noises from the commercial garage work being completed along with the garage doors opening and closing. The subject's proposed residential development will contain a single paved drive (ingress and egress) that will extend into the center portion of the parcel. It is noted that given the sloping terrain of the parcel, the developed areas of the parcel will be located approximately 20 to 30 feet higher than the Tidewatch Condominium access road which is located to the rear of the subject's parcel. The vehicle noise from the proposed development will likely be somewhat similar to that currently emitted by the existing development. One difference is that the subject's proposed development will have a road extending into the center portion of the parcel and another difference is that each residential unit will have a two-car garage. The longer entry drive will bring vehicles into the center portion of the parcel which will likely slightly increase vehicle noise. The fact that each residential unit has a two-car garage will likely decrease the noise from opening and closing of car doors as they will largely be contained in garage areas as opposed to the current situation of many vehicles being parked outside. These differences will likely be off-setting. There will obviously be additional noise from the use and maintenance of the four single-family residences. However, these noises are no different than what is currently heard from the abutting and surrounding residences. The typical buyer of a property located in close proximity to the subject property would be aware of this potential. Considering all of these factors, it is reasonable to conclude that the proposed four-unit single-family development of the subject property will be configured in such a manner that there would not be an increase in non-residential noises that would be over and above that of any other permitted uses in the "SRA" and "SRB" zones.

View:

At the present time, the subject's combined mixed-use (commercial garage, apartments and exterior parking areas) development is very visible from the road traffic and the abutting residences located along Sagamore Avenue. It is visible in the distance with a heavy wooded screen from the Tidewatch Condominium access road and from the front areas of several townhouse-style condominium units in the development. From the front and central portions of the subject property, the two abutting older single-family residences area visible along with the three residences located across Sagamore Avenue to the north, east and west. To the south, the access road for the Tidewatch Condominium development is visible in the distance with a heavy wooded screen.

The existing mixed-use development of the subject property is an average condition development that some would consider to be an eyesore for the mostly above average to good condition residential neighborhood of the subject property. There is no screening of these mixed-use buildings and the supporting drive and parking areas from Sagamore Avenue. The proposed four-unit residential development will have a single paved drive located in the eastern portion of the parcel. The front building will be setback further from Sagamore Avenue than the existing mixed-use building and it will be surrounded by grassed and landscaped areas. A second single-family residence will be located approximately 25' to the rear of the front residence. The proposed subject property will greatly enhance the views from the neighboring single-family residences located along Sagamore Avenue. The subject's two rear detached single-family residences will be located in the central portion of the parcel which is currently undeveloped woods. These two detached residences will be

visible from the rear yard areas of the two abutting single-family residences and they will be visible in the distance from the front parking and building areas of several townhouse-style condominium units located in the Tidewatch Condominium development. The front portion of the development that abuts 607 Sagamore Avenue will contain a new 6' vinyl fence and new screening that will include Giant Arborvitae and Greenspire Littleleaf Linden trees. The western and southern developed areas that face the Tidewatch condominium access road will have additional screening that will include Canadian Hemlock, Eastern White Pine, Norway Spruce, Chanticleer Callery Pear, Sweetgum and Cherry trees. This fencing along with the proposed enhanced screening has been designed to provide additional screening from neighboring properties. Additionally, the rear portion of the property will remain undeveloped leaving the natural wooded screen in place. The views of several nearby residential properties will change but not to the extent that any negative impact will result. It could be argued that the views of the neighboring properties will be enhanced by replacing the older average condition mixed-use development and asphalt drive and parking lot with new construction freestanding single-family residences that will be in very good condition with retail values that will exceed that of all the neighboring properties.

Use:

The subject property is proposed for use as a four-unit freestanding single-family development. In the surrounding neighborhood, the Sagamore Avenue area is developed with a variety of residential uses (single-family, residential condominiums and apartments) and several scattered commercial and mixed-use developments. The interior streets located off of Sagamore Avenue are largely developed with residential uses. The proposed single-family development of the subject property will be in-line with that of the surrounding uses. In the Variance application, it is pointed out that the abutting Tidewatch Condominium development to the south and west is also located in the SRA zone. This townhouse-style condominium development contains 116 units located on 53.59 acres of land. This translates into a density of 2.16-units per acre. Sagamore Court Condominiums to the north of the subject property on Sagamore Avenue is a 144-unit development on 15.01-acres (9.59-units/acre). The subject's proposed 4 units will be located on a 1.947-acre parcel (2.05-units/acre). Considering the density of these abutting and nearby residential condominium developments, the subject's proposed density is reasonably in-line with the existing density in the immediate area. It can reasonably be concluded that the proposed use of the subject property as a four-unit freestanding single-family development is a use that will be compatible with the surrounding neighborhood.

5. ***Specific Standards – Variances:***

The owners are requesting a Variance from the following – Portsmouth Zoning Ordinance – 10.513 - Permitting one freestanding dwelling per lot, where four freestanding single-family units are proposed) and Portsmouth Zoning Ordinance – Table of Dimensional Standards – permitting one dwelling unit per acre, where four dwelling units on a 1.947-acre parcel is proposed (2.05 dwelling units per acre). As Rosann Maurice-Lentz was unavailable for comment, I spoke with Scott Scott, Tax Assessor II for the City of Portsmouth. I wanted to get his opinion on the subject's proposed freestanding single-family development and that of several other recently proposed or recently constructed multi-unit residential developments located in the Sagamore Avenue area. He stated that he is very familiar with the Sagamore Avenue area. He indicated that the fact that the subject's units are freestanding units, and not

multi-unit buildings, makes them more attractive overall. Additionally, he stated that he doesn't "think that this development would bring down the surrounding values and it would more likely bring them up". I have attempted to gather market sales data from the Portsmouth area that would speak to the change in permitted units where freestanding single-family homes were permitted and possible value changes. In the greater Portsmouth area, there is no exactly similar property from which to extract paired-sales. Therefore, only general observations can be made based on my experience in the marketplace. Over the past several years in the greater Sagamore Avenue area of Portsmouth, several new multi-unit residential developments have been constructed or are currently proposed. In general, the addition of these new residential developments has resulted in upgrading the overall condition of the neighborhood and therefore enhancing the overall desirability of the area.

It is my opinion that granting the requested variance for the subject property to be improved with a four-unit freestanding single-family development would not result in the diminution in value of the abutting property values in the immediate vicinity of the subject property and the proposed subject property would not change the characteristics of the neighborhood. In fact, the addition of the proposed subject property will add several attractive and modern single-family residences to the neighborhood that very well could enhance the value of the surrounding properties as it will add a new residential units to a location that is currently under improved for the area.

Respectively submitted,

Brian W. White, MAI, SRA NHCG-#52

ADDENDA

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PHOTOGRAPHS OF THE SUBJECT PROPERTY

Street Scene - Front of the Subject Property
Looking Southeast on Sagamore Avenue - (5/22)

Street Scene - Front of the Subject Property
Looking Southeast on Sagamore Avenue - (5/22)

PHOTOGRAPHS OF THE SUBJECT PROPERTY

Street Scene - Rear of the Subject Property
Looking Southeast on Tidewatch Condominium Access Road - (2/22)

Street Scene - Rear of the Subject Property
Looking Northwest on Tidewatch Condominium Access Road - (5/22)

PHOTOGRAPHS OF THE SUBJECT PROPERTY

Subject Property – Front of the Property
Looking Southwest from across Sagamore Avenue – (5/22)

Subject Property – Front of the Property and the Front Mixed-use Building
Looking Southeast from High Street – (5/22)

PHOTOGRAPHS OF THE SUBJECT PROPERTY

Subject Property – Rear of the Front Mixed-use Building
Looking East from Rear Paved Area – (5/22)

Subject Property – Front of the Rear Garage Building
Looking Southwest from Paved Drive Area – (5/22)

PHOTOGRAPHS OF THE SUBJECT PROPERTY

Subject Property – Rear of the Rear Garage Building
Looking Northeast from Rear Wooded Area – (5/22)

View of the Rear of the Subject Property from Tidewatch Condominium Access Road
Looking Northeast - (5/22)

PHOTOGRAPHS OF THE SUBJECT/SURROUNDING PROPERTIES

View of the Rear of the Subject Property from Tidewatch Condominium Access Road
Looking East - (5/22)

View of Typical Tidewatch Condominium Building
Looking South from Access Road - (5/22)

PHOTOGRAPHS OF THE SUBJECT/SURROUNDING PROPERTIES

View of Tidewatch Access Road from rear of Proposed Residences
Looking South - (5/22)

View of Tidewatch Access Road from rear of Proposed Residences
Looking Southwest - (5/22)

PHOTOGRAPHS OF THE SURROUNDING PROPERTIES

View of Abutting Residence at 607 Sagamore Road
Looking Southwest from Front of the Subject Property - (5/22)

View of Abutting Residence at 695 Sagamore Road
Looking Southeast from Sagamore Road to the Front of the Subject Property - (5/22)

PHOTOGRAPHS OF THE SURROUNDING PROPERTIES

View of Residence located across Sagamore Road - 594 Sagamore Road
Looking North from Sagamore Road to the Front of the Subject Property - (5/22)

View of Residence located across Sagamore Road - 650 Sagamore Road
Looking Northeast from Sagamore Road to the Front of the Subject Property - (5/22)

PHOTOGRAPHS OF THE SURROUNDING PROPERTIES

View of Residence located across Sagamore Road - 692 Sagamore Road
Looking East from Sagamore Road to the Front of the Subject Property - (5/22)

Property Location 635 SAGAMORE AVE
Vision ID 35416 Account # 35416
Map ID 0222/ 0019/ 0000/ /
Bldg # 1
Bldg Name
Sec # 1 of 1 Card # 1 of 2
State Use 0310
Print Date 11/23/2021 9:11:13 A

CURRENT OWNER

635 SAGAMORE DEVELOPMENT LL

3612 LAFAYETTE RD DEPT 4

PORTSMOUTH NH 03801

TOPO	UTILITIES	STRT / ROAD	LOCATION
1 Level	1 Public Sewer	1 Paved	2 Suburban

SUPPLEMENTAL DATA

Alt Prcl ID 0222-0019-0000-0000
OLDACTN 9000
PHOTO
WARD
PREC.
1/2 HSE
GIS ID 35416

CONDO C
INI_AW Y/
LOT SPLIT
2015 Reval V JM
Ex/Cr Appl
Assoc Pid#

CURRENT ASSESSMENT

Description	Code	Appraised	Assessed
COMMERC.	0310	406,300	406,300
COM LAND	0310	275,200	275,200
COMMERC.	0310	1,300	1,300
	Total	682,800	682,800

2229

PORTSMOUTH, NH

VISION

RECORD OF OWNERSHIP

	BK-VOL/PAGE		SALE DATE	Q/U	V/I	SALE PRICE	VC
635 SAGAMORE DEVELOPMENT LLC	6332	1158	09-24-2021	U	I	387,133	
HINES FAMILY REVO TRUST	4885	1538	02-11-2008	U	I	0	44

PREVIOUS ASSESSMENTS (HISTORY)

Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
2020	0310	416,600	2019	0310	284,600	2018	0310	284,600
	0310	275,200		0310	275,200		0310	275,200
	0310	1,800		0310	1,800		0310	1,800
				3310	132,000		3310	132,000
	Total	693,600		Total	693,600		Total	693,600

EXEMPTIONS

Year	Code	Description	Amount
		Total	0.00

OTHER ASSESSMENTS

Code	Description	Number	Amount	Comm Int

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD

Nbhd	Nbhd Name	STREET INDEX NAME	Tracing	Batch
306				

NOTES

LUSTER KING AUTO DETAILING
11/09 - APTS UP
INCOMPATIBLE USES = FUNC
09/13- 1- 2BED; 1- STUDIO; LOTS OF ROT
TO TRIM; 12' & 8' WALLS AVG= 10'; DIDN'T
VIEW APTS, CHNG OCCUPANCY TO 3; CHNG
TO OIL & FHW
CHECK FOR ATTIC SPACE (LOOKS TO SMALL)

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)	406,300
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	1,300
Appraised Land Value (Bldg)	275,200
Special Land Value	0
Total Appraised Parcel Value	682,800
Valuation Method	C
Total Appraised Parcel Value	682,800

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpose/Result
05-22-2017	ST			ER	Exterior Review
09-15-2016	VS			DE	Data Entry
03-13-2015	ST			ER	Exterior Review
08-26-2013	JM			08	Measur+Listed INACTIVE
02-12-2010	ST			ER	Exterior Review
11-10-2009	RK	02		01	Measur+Visit INACTIVE
07-24-2006	JRL		0	9	Conv INACTIVE

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Adj	Site	Cond.	ST Idx	SJ Adj	Notes- Adj	Special Pricing	Adj Unit P	Land Value
1	0310	PRI COMM	SRA			84,07	SF	24.8	1.0000	1	0.65	306	0.220	-60% SHAPE, SIZE	1.0000	3.27	275,200
		Total Card Land Units				2	AC	Parcel Total Land Area			2				Total Land Value		275,200

Property Location 635 SAGAMORE AVE
Vision ID 35416 Account # 35416

Map ID 0222/ 0319/ 0000/ /
Bldg # 1

Bldg Name
Sec # 1 of 1 Card # 1 of 2

State Use 0310
Print Date 11/03/2021 9:11:13 A

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	80	Retail/Apartment
Model	94	Commercial
Grade	C	C
Stories:	2	
Occupancy	3.00	
Residential Unit		
Exterior Wall 1	25	Vinyl Siding
Exterior Wall 2	13	Pre-Fab Wood
Roof Structure	03	Gable/Hip
Roof Cover	03	Asph/F Gls/Cmp
Interior Wall 1	06	Drywall/Sheet
Interior Wall 2		
Interior Floor 1	06	Inlaid Sht Gds
Interior Floor 2	14	Carpet
Heating Fuel	02	Oil
Heating Type	05	Hot Water
AC Type	04	Unit/AC
Bldg Use	0310	PRI COMM
Total Rooms		
Total Bedrms		
Total Baths		
Kitchen Grd		
Heat/AC	00	NONE
Frame Type	02	WOOD FRAME
Baths/Plumbing	02	AVERAGE
Ceiling/Wall	06	CEIL & WALLS
Rooms/Prtns	02	AVERAGE
Wall Height	10.00	
% Comm Wall		
1st Floor Use:		
Class		

CONSTRUCTION DETAIL (CONTINUED)

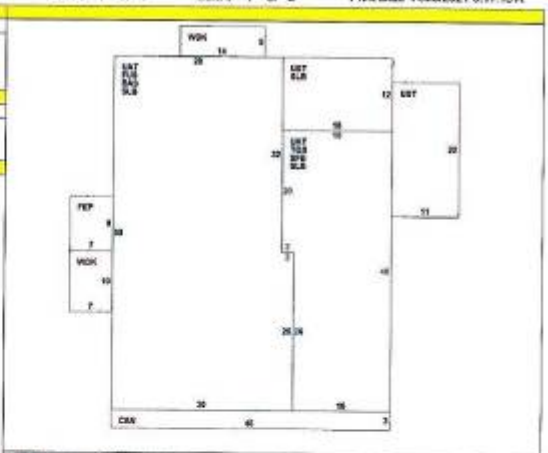
Element	Cd	Description

MIXED USE

Code	Description	Percentage
0310	PRI COMM	100
		0
		0

COST / MARKET VALUATION

Adj. Base Rate	103.95
RCN	513,721
Year Built	1990
Effective Year Built	1993
Depreciation Code	A
Remodel Rating	
Year Remodeled	
Depreciation %	36
Functional Obsol	10
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	54
RCNLD	277,400
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Blt	Cond	% Gd	Gr	Gr Adj.	Appr. Value
PAV1	PAVING-ASPHALT	L	1,344	1.75	1985	3	50	C	1.00	1,200
SH01	SHED FRAME	L	96	13.00	1990	P	10	D	0.90	100

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,676	1,676	1,676	103.95	174,220
CAN	Canopy	0	138	28	21.09	2,911
FEP	Porch, Enclosed	0	63	41	67.65	4,262
FUS	Upper Story, Finished	1,676	1,676	1,676	103.95	174,220
SFB	Base, Semi-Finished	543	776	543	72.74	56,445
SLS	Slab	0	2,668	0	0.00	0
TQS	Three Quarter Story	582	776	582	77.98	65,499
UAT	Attic	0	2,452	245	10.39	25,468
UST	Utility, Storage, Unfinished	0	458	137	31.09	14,241
WDK	Deck, Wood	0	140	14	10.40	1,456
	TS Gross Liv / Lease Area	4,477	10,823	4,942		513,721

Property Location 635 SAGAMORE AVE
Vision ID 35416 Account # 35416
Map ID 0222/ 0019/ 0000/ /
Bldg # 2
Bldg Name
Sec # 1 of 1 Card # 2 of 2
State Use 0310
Print Date 11/23/2021 9:11:14 A

CURRENT OWNER

635 SAGAMORE DEVELOPMENT LL

3612 LAFAYETTE RD DEPT 4

PORTSMOUTH NH 03801

TOPO	UTILITIES	STRT / ROAD	LOCATION
1 Level	1 Public Sewer	1 Paved	2 Suburban

SUPPLEMENTAL DATA

Alt Prcl ID 0222-0019-0000-0000
OLDACTN 9000
PHOTO
WARD
PREC.
1/2 HSE
GIS ID 35416

CONDO C
INLAW Y/
LOT SPLIT
2015 Reval V JM
Ex/Cr Appli
Assoc Pid#

CURRENT ASSESSMENT

Description	Code	Appraised	Assessed
COMMERC.	0310	406,300	406,300
COM LAND	0310	275,200	275,200
COMMERC.	0310	1,300	1,300
Total		682,800	682,800

2229

PORTSMOUTH, NH

VISION

RECORD OF OWNERSHIP

	BK-VOL/PAGE		SALE DATE	Q/U	V/I	SALE PRICE	VC
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HINES FAMILY REVO TRUST	4885	1538	02-11-2008	U	I	0	44

PREVIOUS ASSESSMENTS (HISTORY)

Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
2020	0310	416,600	2019	0310	284,600	2018	0310	284,600
	0310	275,200		0310	275,200		0310	275,200
	0310	1,800		0310	1,800		0310	1,800
				3310	132,000		3310	132,000
	Total	693,600		Total	693,600		Total	693,600

EXEMPTIONS

Year	Code	Description	Amount
		Total	0.00

OTHER ASSESSMENTS

Code	Description	Number	Amount	Comm Int

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD

Nbhd	Nbhd Name	STREET INDEX NAME	Tracing	Batch
308				

NOTES

LUSTER KING AUTO DETAILING
11/09 - UC-UNFIN APT LEST SIDE/CK 2010
08/13- CHNG TO FHW; ADD PHOTO 107-0234

APPRAISED VALUE SUMMARY

Appraised Bldg. Value (Card)	406,300
Appraised Xf (B) Value (Bldg)	0
Appraised Ob (B) Value (Bldg)	1,300
Appraised Land Value (Bldg)	275,200
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Total Appraised Parcel Value	682,800
Valuation Method	C
Total Appraised Parcel Value	682,800

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

VISIT / CHANGE HISTORY

Date	Id	Type	Is	Cd	Purpose/Result
05-04-2021	JW	02	1	50	Building Permit

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Adj	Site	Cond.	ST Idx	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value
2	0310	PRI COMM				0.000	AC 0	1.0000	0	1.00		1.000		0.0000	0	0
		Total Card Land Units				0	AC	Parcel Total Land Area	2						Total Land Value	275,200

Property Location 695 SAGAMORE AVE
Vision ID 35416 Account # 35416
Map ID 0222/ 0019/ 0000/ / Bldg # 2
Bldg Name
Sec # 1 of 1 Card # 2 of 2
State Use 0310
Print Date 11/23/2021 9:11:14 A

CONSTRUCTION DETAIL

Element	Cd	Description
Style:	25	Service Shop
Model	94	Commercial
Grade	C	C
Stories:	1	
Occupancy	1.00	
Residential Unit		
Exterior Wall 1	25	Vinyl Siding
Exterior Wall 2		
Roof Structure	03	Gable/Hip
Roof Cover	03	Asph/F Gls/Cmp
Interior Wall 1	05	Drywall/Sheet
Interior Wall 2		
Interior Floor 1	03	Concr-Finished
Interior Floor 2	14	Carpet
Heating Fuel	02	Oil
Heating Type	05	Hot Water
AC Type	01	None
Bldg Use	3310	AUTO S S&S
Total Rooms		
Total Bedrms		
Total Baths		
Kitchen Grd		
Heat/AC	00	NONE
Frame Type	02	WOOD FRAME
Baths/Plumbing	02	AVERAGE
Ceiling/Wall	06	CEIL & WALLS
Rooms/Prins	02	AVERAGE
Wall Height	12.00	
% Comm Wall		
1st Floor Use:		
Class		

CONSTRUCTION DETAIL (CONTINUED)

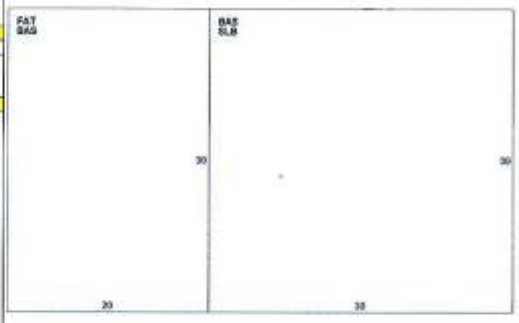
Element	Cd	Description

MIXED USE

Code	Description	Percentage
0310	PRI COMM	100
		0
		0

COST / MARKET VALUATION

Adj. Base Rate	93.00
RCN	153,450
Year Built	2000
Effective Year Built	2003
Depreciation Code	A
Remodel Rating	
Year Remodeled	
Depreciation %	16
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	84
RCNLD	128,900
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Blt	Cond	% Gd	Gr	Gr Adj	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,500	1,500	1,500	93.00	139,500
FAT	Attic	150	600	150	23.25	13,950
SLB	Slab	0	500	0	0.00	0
	TE Gross Liv / Lease Area	1,650	3,600	1,650		153,450

E # 21060614 09/24/2021 09:32:59 AM
Book 6332 Page 1158 Page 1 of 2
Register of Deeds, Rockingham County

Return to:

LCHIP	ROA585829	25.00
TRANSFER TAX	RO109828	5,807.00
RECORDING		14.00
SURCHARGE		2.00

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that I, **WILLIAM A. HINES**, married person, **TRUSTEE OF THE WILLIAM A. HINES FAMILY REVOCABLE TRUST** a/k/a The Hines Family Revocable Trust of 2006, of 635 Sagamore Avenue, Portsmouth, New Hampshire 03801, for consideration paid, hereby grant to **635 SAGAMORE DEVELOPMENT, LLC**, a New Hampshire limited liability company with a mailing address of 3612 Lafayette Road, Dept. 4, Portsmouth, New Hampshire 03801 with WARRANTY COVENANTS, the following described premises:

A certain tract of land with the buildings thereon, situate on Sagamore Avenue in said Portsmouth, more particularly described as follows:

Beginning at a point on Sagamore Avenue at land now or formerly of Arnold, thence running Westerly by said Arnold land three hundred (300) feet, more or less, to land now or formerly of W.W. and D.M. Johnston; thence turning and running Northwesterly by said Johnston land one hundred and twenty-four (124) feet; thence turning and running Northerly also by said Johnston land one hundred sixty-two (162) feet to land now or formerly of C.W. Walker; thence turning and running Easterly by said Walker land four hundred nineteen (419) feet to Sagamore Avenue; thence turning and running Easterly one hundred forty (140) feet; thence turning and running along said Sagamore Avenue thirty (30) feet to land of one Smith; thence turning and running Westerly one hundred forty (140) feet; thence turning and running Southerly ninety (90) feet; thence turning and running Easterly one hundred forty (140) feet to Sagamore Avenue; the last three bounds being land of Smith; thence turning running Southerly by said Sagamore Avenue one hundred sixty (160) feet to the point of beginning.

EXCEPTING AND RESERVING to the said William A. Hines and his wife Bonnie Hines a life estate in the above-described property permitting them to reside in the existing residential apartment on the property for the remainder of William A. Hines natural life, plus one year unless Bonne Hines shall have predeceased.

Meaning and intending to convey the same premises conveyed to the Grantor by deed of William A. Hines dated February 11, 2008 and recorded in the Rockingham County Registry of Deeds at Book 4885, Page 1538.

BY SIGNING BELOW, William A. Hines and Bonnie Hines release all homestead rights to the Premises.

TRUSTEE CERTIFICATE

I, William A. Hines, Trustee of the William A. Hines Family Revocable Trust A/K/A The Hines Family Revocable Trust of 2006, hereby covenant that said Trust is duly organized under the laws of the State of New Hampshire; that I am the sole trustee pursuant to said Declaration of Trust; that said Trust is still in full force and effect; that I have the power thereunder to convey as aforesaid; and that, in making this conveyance, I have, in all respects, acted pursuant to the authority vested in and granted to me therein and no purchaser or third party shall be bound to inquire whether the Trustee has said power or are properly exercising said power or to see to the application of any trust assets paid to the Trustee for a conveyance thereof.

Signed this 3rd day of September, 2021.

William A. Hines, Trustee of the William A. Hines Family Revocable Trust A/K/A The Hines Family Revocable Trust of 2006

Bonnie Hines

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this, the 3rd day of September, 2021, before me, the undersigned Officer, personally appeared William A. Hines, Trustee of the William A. Hines Family Revocable Trust A/K/A The Hines Family Revocable Trust of 2006, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes set forth therein.

Justice of the Peace/Notary Public
My commission expires:

LAURA H. RAMSDELL
MY COMMISSION EXPIRES MAY 20, 2025
NOTARY PUBLIC
NEW HAMPSHIRE

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this, the 3rd day of September, 2021, before me, the undersigned Officer, personally appeared Bonnie Hines, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes set forth therein.

Justice of the Peace/Notary Public
My commission expires:

LAURA H. RAMSDELL
MY COMMISSION EXPIRES MAY 20, 2025
NOTARY PUBLIC
NEW HAMPSHIRE

City of Portsmouth, NH

May 24, 2022

AERIAL VIEW

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

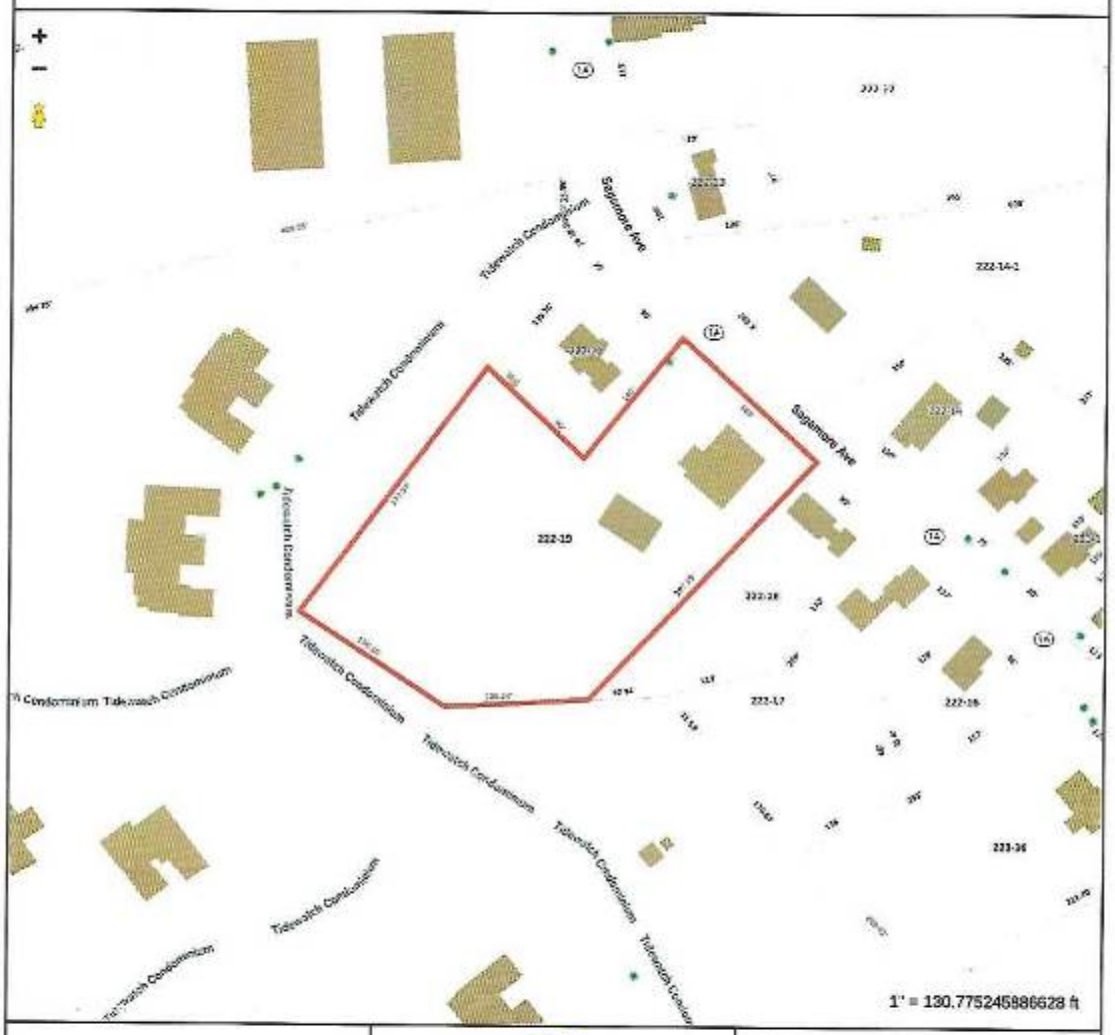
Geometry updated 3/9/2022
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

City of Portsmouth, NH

May 24, 2022

ASSESSOR'S MAP



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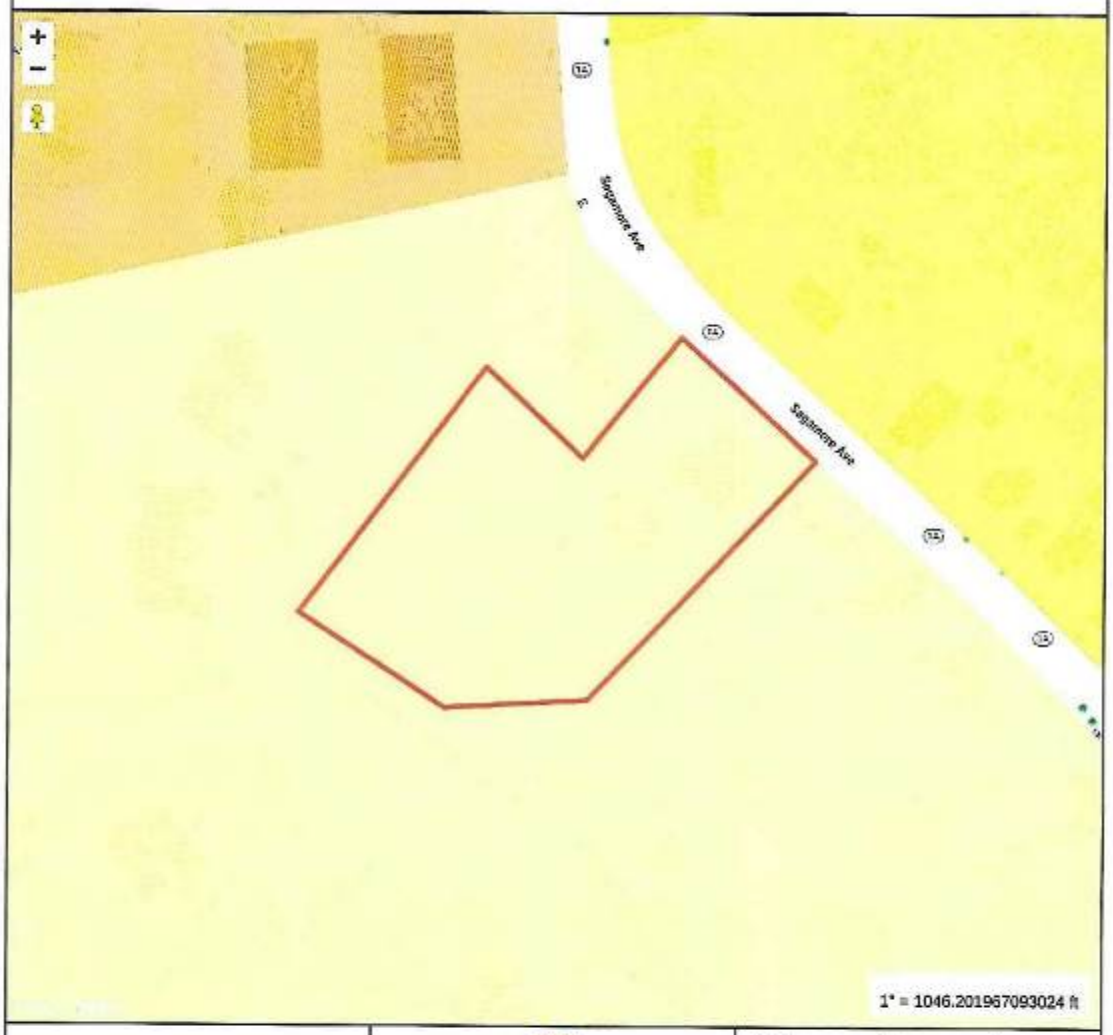
City of Portsmouth, NH

May 24, 2022

ZONING MAP



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Map Theme Legends

Zoning

Residential Districts

- R Rural
- SRA Single Residence A
- SRB Single Residence B
- GRA General Residence A
- GRB General Residence B
- GRC General Residence C
- GAMH Garden Apartment/Mobile Home Park

Mixed Residential Districts

- MRO Mixed Residential Office
- MRB Mixed Residential Business
- G1 Gateway Corridor
- G2 Gateway Center

Business Districts

- GB General Business
- B Business
- WB Waterfront Business

Industrial Districts

- OR Office Research
- I Industrial
- WI Waterfront Industrial

Airport Districts

- AIR Airport
- AI Airport Industrial
- PI Pease Industrial
- ABC Airport Business Commercial

Conservation Districts

- M Municipal
- NRP Natural Resource Protection

Character Districts

- CD5 Character District 5
- CD4 Character District 4
- CD4W Character District 4-W
- CD4-L1 Character District 4-L1
- CD4-L2 Character District 4-L2

Civic District

- Civic District

Municipal District

- Municipal District

Overlay Districts

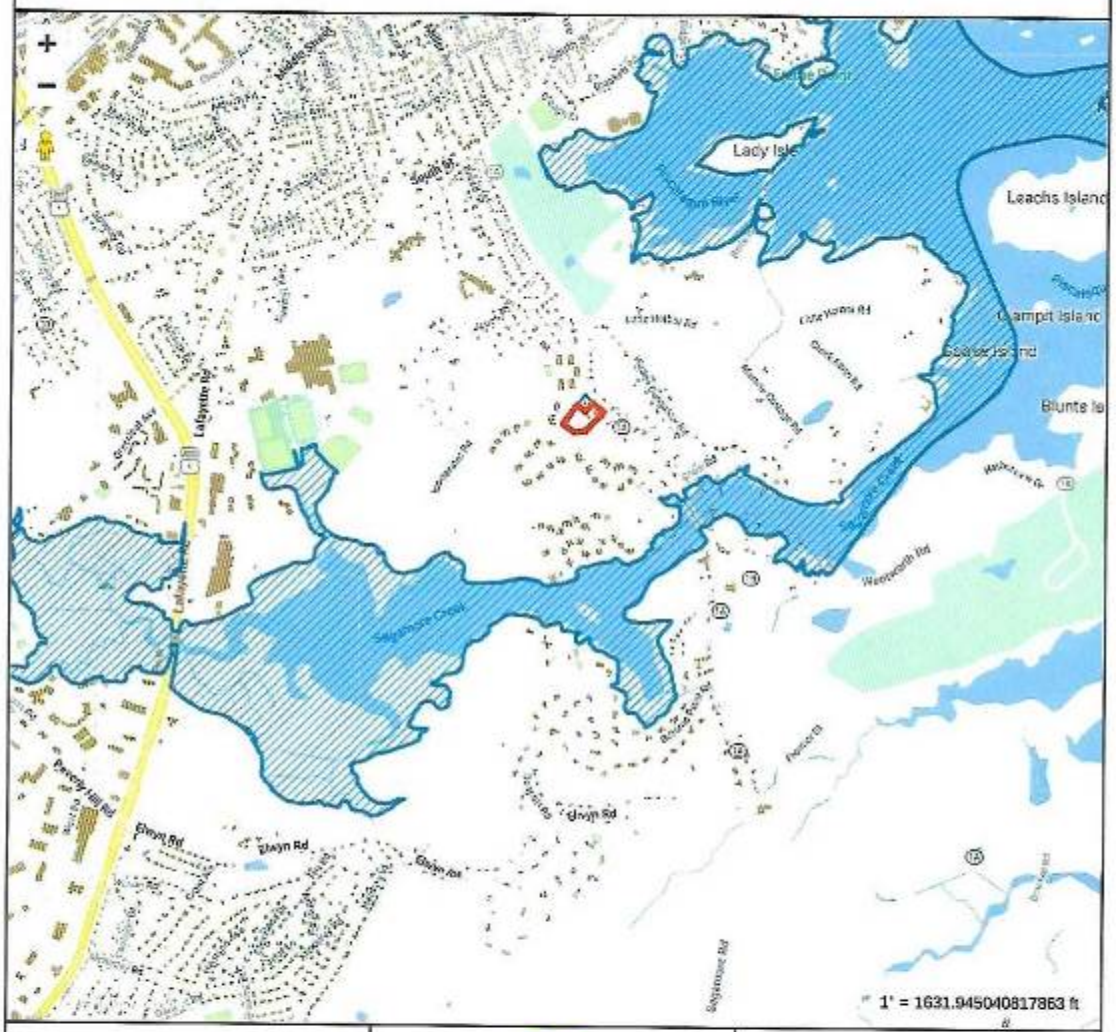
- OLDD Osprey Landing Overlay District
- Downtown Overlay District
- Historic District

City of Portsmouth

City of Portsmouth, NH

May 24, 2022

FLOOD MAP



Property Information

Property ID 0222-0020-0000
Location 607 SAGAMORE AVE
Owner PATTEN EWAN W

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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Article 4 Zoning Districts and Use Regulations

Section 10.410 Establishment and Purpose of Districts
Section 10.420 District Location and Boundaries
Section 10.430 Use Regulations
Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts
Section 10.450 Table of Uses – Pease/Airport Districts
Section 10.460 Table of Uses – Municipal and Conservation Districts
Section 10.470 Uses Permitted in the Transportation Corridor District

Section 10.410 Establishment and Purpose of Districts

The City of Portsmouth is hereby divided into the following zoning districts (the statements of purpose are for descriptive purposes and are not regulatory):

District		Purpose
Residential Districts		
Rural Residential	R	To provide areas for **single-family dwellings** and appropriate **accessory uses** at rural densities (up to one **dwelling** per five acres), and limited agricultural **uses**.
Single Residence A Single Residence B	SRA SRB	To provide areas for **single-family dwellings** at low to medium densities (approximately 1 to 3 **dwellings** per acre), and appropriate **accessory uses**.
General Residence A General Residence B General Residence C	GRA GRB GRC	To provide areas for **single-family, two-family and multifamily dwellings**, with appropriate **accessory uses**, at moderate to high densities (ranging from approximately 5 to 12 **dwelling units** per acre), together with appropriate **accessory uses** and limited services.
Garden Apartment/ Mobile Home Park	GA/MH	To provide areas for garden apartment **development** at moderate densities (up to 4 **dwelling units** per acre), and to accommodate existing developed mobile home parks.
Mixed Use Districts		
Mixed Residential Office	MRO	To provide areas where a limited range of business **establishments**, including **live/work units**, can be located near or **adjacent** to residential **development**, providing a transition between residential neighborhoods and commercial districts.
Mixed Residential Business	MRB	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
1. Residential Uses																		
1.10 **Single family dwelling**	P	P	P	P	N	P	P	P	P	N	P	P	N	N	N	N	N	
1.20 **Accessory dwelling unit**																		10.814 (Accessory Dwelling Units)
1.21 **Attached**	CU	CU	CU	CU	N	CU	CU	CU	CU	N	CU	CU	N	N	N	N	N	
1.22 **Detached**	CU	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.25 **Garden Cottage**	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N	N	N	N	N	N	N	10.815 (Garden Cottages)
1.30 **Two-family dwelling**	N	N	P	P	P	P	P	P	P	N	P	P	N	N	N	N	N	10.640 (Downtown Overlay district)
1.40 **Townhouse**	N	N	S	P	P	P	P	P	P	N	P	P	P	N	N	N	N	10.640 (Downtown Overlay district)
1.50 **Multifamily dwelling**																		10.5A32 (Character district permitted uses) 10.640 (Downtown Overlay district) 10.813 (Multifamily Dwellings in the Business District)
1.51 3 or 4 **dwelling units**	N	N	S	P	P	P	P	P	P	N	P	P	P	N	N	N	N	
1.52 5 to 8 **dwelling units**	N	N	N	S	P	P	P	P	P	N	P	P	P	N	N	N	N	
1.53 More than 8 **dwelling units**	N	N	N	N	P	N	N	N	P	N	P	P	P	N	N	N	N	
1.60 Conversion of a **building** existing on January 1, 1980, with less than the required minimum **lot area** per **dwelling unit** specified in Article 5																		10.640 (Downtown Overlay District) 10.812 (Conversion of Existing Dwelling to Multifamily Dwelling)
1.61 To 2 **dwelling units**	N	N	S	S	N	P	P	P	S	N	N	N	N	N	N	N	N	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
1.62 To 3 or 4 **dwelling units**	N	N	S	S	N	P	P	P	S	N	N	N	N	N	N	N	N	
1.63 To 5 to 8 **dwelling units**	N	N	N	S	N	S	S	S	S	N	N	N	N	N	N	N	N	
1.64 To more than 8 **dwelling units**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.70 **Live/work unit**	N	N	N	N	N	P	P	P	P	N	P	P	P	N	N	N	N	
1.80 **Manufactured housing park**	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	10.816 (Manufactured Housing Park Dimensional Standards)
1.90 **Planned unit development (PUD)**																		10.720 (Planned Unit Developments)
1.91 **Open space PUD**	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.92 **Residential density incentive PUD**	N	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
2. Institutional Residence or Care Facilities																		
2.10 **Assisted living facility**																		
2.11 **Assisted living center**	N	N	N	N	N	N	N	N	P	P	S	S	P	N	N	N	N	
2.12 **Assisted living home**	S	S	S	S	S	S	S	S	N	N	S	S	N	N	N	N	N	
2.20 **Residential care facility**																		
2.21 5 or fewer residents	S	S	S	S	S	S	S	S	N	N	S	S	S	N	N	N	N	
2.22 More than 5 residents	N	N	N	N	N	S	S	S	P	S	S	S	S	N	S	N	N	

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD6	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
3. Educational, Religious, Charitable, Cultural and Public Uses																		
3.10 **Place of assembly**																		
3.11 Religious	S	S	S	N	N	S	S	S	S	S	S	S	S	N	N	N	N	
3.12 Other nonprofit	N	N	N	N	N	S	S	S	S	S	S	S	S	N	N	N	N	
3.20 School																		
3.21 Primary or secondary	N	N	N	N	N	S	S	P	P	P	S	S	P	P	N	N	N	
3.30 Post-secondary	N	N	N	N	N	S	S	P	P	P	S	S	P	N	P	P	N	
3.30 **Historic preservation building**	S	S	S	S	S	P	P	P	P	P	P	P	P	N	P	N	N	10.821 (Historic Preservation Buildings and Museums)
3.40 **Museum**	N	N	N	N	N	P	P	N	P	P	S	S	P	N	P	N	N	10.821 (Historic Preservation Buildings and Museums)
3.50 **Performance facility**																		
3.51 **Indoor performance facility**																		10.592 (location)
3.511 Occupancy up to 500 **persons**	N	N	N	N	N	N	N	N	P	P	S	S	S	N	N	N	N	10.860 (hours of operation)
3.512 Occupancy more than 500	N	N	N	N	N	N	N	N	S	P	N	N	N	N	N	N	N	
3.52 **Outdoor performance facility**																		10.592 (location)
3.521 Occupancy up to 500 **persons**	N	N	N	N	N	N	N	N	S	S	S	S	N	N	N	N	N	10.822 (yards)
3.522 Occupancy more than 500	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	10.860 (hours of operation)

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
3.60 Cemetery	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
3.70 **Club, fraternal or service organization**	N	N	N	N	N	N	S	S	P	S	S	S	S	N	N	N	N	
3.80 Municipally operated park and related activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	For other municipal uses see Section 10.460 (Municipal districts)
4. Recreational Uses																		
4.10 Religious, sectarian or private non-profit recreational use	N	S	N	N	N	S	S	N	P	P	S	S	P	N	N	N	N	
4.20 Cinema or similar indoor amusement **use** with no live performance	N	N	N	N	N	N	N	N	P	P	S	S	P	N	N	N	N	10.825 (noise) 10.860 (hours of operation)
4.30 Indoor recreation **use**, such as bowling alley or arcade	N	N	N	N	N	N	N	N	P	P	S	S	P	N	N	N	N	10.825 (noise) 10.860 (hours of operation)
4.40 Health club, yoga studio, martial arts school, or similar **use**																		
4.41 Up to 2,000 sq. ft. GFA*	N	N	N	N	N	S	S	P	P	P	P	P	P	N	N	S	N	
4.42 More than 2,000 sq. ft. GFA	N	N	N	N	N	N	N	N	S	P	S	S	S	N	N	S	N	
4.50 **Outdoor recreation use**	N	N	N	N	N	N	N	N	N	S	P	P	N	N	N	N	N	10.592 (location) 10.860 (hours of operation)
4.60 **Amusement park, water park** or **theme park**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

*GFA = gross floor area.

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
5. Office Uses, Non-Medical																		
5.10 Professional office	N	N	N	N	N	P	P	S	P	P	P	P	P	N	P	P	N	10.833 (Mixed Residential districts)
5.20 Business office (incl. real estate office)	N	N	N	N	N	P	P	P	P	P	P	P	P	N	P	P	N	10.833 (Mixed Residential districts)
5.30 **Financial institution**																		
5.31 **Financial services office**	N	N	N	N	N	P	P	P	P	P	P	P	P	N	P	P	N	
5.32 **Retail bank**	N	N	N	N	N	N	S	P	P	P	P	P	P	N	S	N	N	
5.40 **Social service campus**																		10.823
5.41 Nonresidential	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
5.42 **Residential**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
5.50 Media studio																		
5.51 Excluding any transmitting antenna tower	N	N	N	N	N	S	S	S	P	P	S	S	P	N	N	P	N	
5.52 Including accessory transmitting antenna tower	N	N	N	N	N	N	N	N	N	S	N	N	S	N	N	S	N	10.834
5.60 Publishing facility or similar electronic production operation	N	N	N	N	N	S	S	S	P	P	P	P	P	N	P	P	N	
5.70 **Call Center**	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	S	N	
6. Medical Services and Health Care																		
6.10 **Hospital**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	

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6.20 **Medical offices** and **clinics** (outpatient only)	N	N	N	N	N	S	S	S	P	P	P	P	P	N	P	N	N	
6.30 **Clinics** with inpatient care	N	N	N	N	N	N	N	N	N	S	S	N	S	N	S	N	N	
6.40 Ambulatory surgical center	N	N	N	N	N	N	N	N	N	S	S	N	S	N	S	N	N	
6.50 **Substance abuse treatment facility**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
6.60 Psychiatric hospital for the criminally insane	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
7. Services, Other Than Health Care																		
7.10 Day Care																		
7.11 **Family day care facility**	P	P	P	N	N	P	P	P	N	N	P	P	N	N	N	N	N	
7.12 **Group day care facility** including private preschool and kindergarten	S	S	S	S	N	S	S	P	P	P	S	S	P	N	N	N	N	10.824 (group day care facilities) 10.860 (hours of operation)
7.20 **Personal services**	N	N	N	N	N	N	S	S	P	P	P	S	P	N	N	N	N	
7.30 Consumer services such as copy shop, bicycle repair, and pet grooming	N	N	N	N	N	N	S	S	P	P	P	S	P	N	N	N	N	
7.40 Trade, craft and general service **establishments**, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers	N	N	N	N	N	N	N	S	P	P	P	S	P	N	P	P	P	All storage of materials and equipment shall be located within a building

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MII	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
7.50 **Veterinary Care**	N	N	N	N	N	N	N	S	N	S	S	S	S	N	S	S	N	10.832
7.60 Laundry and dry cleaning **establishments**																		
7.61 Drop-off/pick-up only for items to be dry cleaned or laundered off site	N	N	N	N	N	P	P	P	P	P	P	P	P	N	S	N	N	
7.62 Self-service laundry for **use** by the general public	N	N	N	N	N	S	S	P	S	P	P	S	P	N	N	N	N	
7.63 Dry cleaning **establishment** with on-site cleaning facilities.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
7.70 Undertaking **establishment**, funeral parlor or mortuary chapel, excluding crematorium	N	N	N	N	N	N	N	P	N	P	S	S	P	N	N	N	N	
8. Retail Trade																		
8.10 **Convenience goods**																		10.860 (hours of operation)
8.11 **Convenience 'goods 1**																		
8.111 Hours of operation between 6:00 AM and 11:00 PM	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N	N	N	
8.112 24 hours per day operation	N	N	N	N	N	N	N	N	P	P	S	N	S	N	N	N	N	
8.12 **Convenience goods 2**																		
8.121 Hours of operation between 6:00 AM and 11:00 PM	N	N	N	N	N	N	P	S	P	P	P	P	P	N	N	N	N	

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
8.122 24 hours per day operation	N	N	N	N	N	N	N	N	S	S	S	N	S	N	N	N	N	
8.30 **Retail sales** conducted within a **building**																		
8.31 Not **marine-related**	N	N	N	N	N	N	P	S	P	P	P	P	P	N	N	N	N	
8.32 **Marine-related**	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N	
8.40 **Shopping center**	N	N	N	N	N	N	N	N	P	P	P	P	S	N	N	N	N	
8.50 **Retail sales, large format**	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	
8.60 **Fish market**	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N	10.860 (hours of operation)
8.70 Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods	N	N	N	N	N	N	S	S	P	P	P	P	P	N	N	P	N	Maximum of 5 persons employed in manufacture
8.80 **Sexually oriented business**	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	N	N	10.930 (Sexually Oriented Businesses)
9. Eating and Drinking Places																		
9.10 **Nightclub** or **bar**																		10.590 (location)
9.11 **Occupant load** less than 250	N	N	N	N	N	N	N	N	P	P	P	S	N	N	N	N	N	
9.12 **Occupant load** from 250 to 500	N	N	N	N	N	N	N	N	S	S	S	S	N	N	N	N	N	
9.13 **Occupant load** greater than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
9.20 **Restaurant**, take-out only	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N	
9.30 **Restaurant, fast food**	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N	

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9.40 **Restaurant**, place of public assembly or function room																		10.590 (location) 10.860 (hours of operation)
9.41 **Occupant load** less than 50	N	N	N	N	N	N	P	N	P	P	P	P	P	N	N	N	N	
9.42 **Occupant load** from 50 to 250	N	N	N	N	N	N	N	N	P	P	P	S	S	N	N	N	N	
9.43 **Occupant load** from 250 to 500	N	N	N	N	N	N	N	N	P	S	S	S	N	N	N	N	N	
9.44 **Occupant load** greater than 500	N	N	N	N	N	N	N	N	S	S	N	N	N	N	N	N	N	
9.50 **Permanently moored vessel** used as **restaurant** or **bar**, with **occupant load** less than 250	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
10. Lodging Establishments																		
10.10 **Boarding house**	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	N	N	
10.20 **Bed and breakfast**																		
10.21 **Bed and Breakfast 1**	N	N	S	N	N	S	S	P	P	N	S	S	P	N	N	N	N	
10.22 **Bed and Breakfast 2**	N	N	N	N	N	S	S	P	P	N	S	S	P	N	N	N	N	
10.30 **Inn**	N	N	N	N	N	N	S	S	P	P	S	S	P	N	N	N	N	
10.40 **Hotel** or **motel**																		10.836 (Office Research districts)
10.41 Up to 125 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	P	N	N	
10.42 126 to 250 rooms	N	N	N	N	N	N	N	N	P	S	S	S	N	N	S	N	N	
10.42 251 to 500 rooms	N	N	N	N	N	N	N	N	P	S	S	N	N	N	N	N	N	
10.43 More than 500 rooms	N	N	N	N	N	N	N	N	P	S	S	N	N	N	N	N	N	

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10.50 Conference **hotel**	N	N	N	N	N	N	N	N	P	P	S	N	N	N	N	N	N	
10.60 Conference center	N	N	N	N	N	N	N	N	P	P	S	N	N	N	N	N	N	
11. Motor Vehicle-Related Uses																		
11.10 Sales, renting or leasing of passenger cars and **light trucks**, motorcycles, tractors, snowmobiles and small power equipment (e.g., lawnmowers), including accessory repair services	N	N	N	N	N	N	N	N	N	P	S	N	S	N	N	N	N	10.592 (location) 10.843 (motor vehicle related uses)
11.20 **Motor vehicle service station, motor vehicle repair** or washing facility for passenger cars and **light trucks**	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	S	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)
11.30 Sales, rental, leasing, distribution, and repair of trucks over 10,000 lb gross vehicle weight (GVW), **recreational vehicles**, marine craft or **manufactured housing**, and related equipment	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	S	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)
11.40 **Impound lot** (principal or **accessory use**)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
11.50 **Truck fueling facility**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)

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11.60 **Truck terminal**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.592 (location) 10.843 (motor vehicle related uses)
12. Marine Craft Related Uses																		
12.10 Boat landings, boat docks, boathouses and associated marine **uses**																		
12.11 Non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	
12.12 **Fishing boat landing 1**	N	S	S	N	N	N	N	N	P	P	N	N	N	P	N	N	P	10.837.10 (Residential districts)
12.13 **Fishing boat landing 2**	N	N	N	N	N	N	N	N	N	S	N	N	N	S	N	N	P	
12.20 **Marina**																		
12.21 With no repair, servicing or fueling facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	
12.22 With repair, servicing or fueling facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	N	N	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)
12.30 Repair of commercial marine craft and **marine-related structures**	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	S	P	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)
12.40 **Landside support facility** for **commercial passenger vessel**	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	

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13. Wholesale Trade, Warehousing and Distribution																		
13.10 **Wholesale use**																		
13.11 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
13.12 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	
13.20 **Wholesale sales** devoted to, and in the same **establishment** as, a permitted retail use																		
13.21 Occupying up to 20% of **gross floor area** of **establishment**	N	N	N	N	N	N	N	N	P	P	S	N	P	N	N	N	N	
13.22 Occupying 21% to 40% of **gross floor area** of **establishment**	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N	N	N	
13.30 Wholesale lumber yards, lumber and contractor sales																		
13.31 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
13.32 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	S	
13.40 Warehousing or distribution of non-flammable, non-hazardous materials, not classified as a **high hazard use**																		
13.41 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	

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13.42 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	
14. Industrial Uses																		
14.10 **Light industry**																		
14.11 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	S	S	S	N	N	N	P	N	
14.12 **Marine-dependent**	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	P	P	
14.20 **Research and development**																		
14.21 Not **marine-dependent**	N	N	N	N	N	N	N	P	N	S	S	N	S	N	S	P	N	
14.22 **Marine-dependent**	N	N	N	N	N	N	N	N	N	S	N	N	S	P	S	P	P	
14.30 **Food processing**																		10.592 (location) 10.851 (use contained in building)
14.31 Not including seafood processing	N	N	N	N	N	N	N	N	N	P	S	N	N	N	N	P	P	
14.32 Including seafood processing	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	S	S	
14.40 **Electronics manufacturing**	N	N	N	N	N	N	N	N	N	S	S	N	S	N	N	P	N	
14.50 **General manufacturing**																		
14.51 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	S	S	N	N	N	P	N	
14.52 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	S	
14.60 Biological or chemical laboratory																		

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Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
14.61 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
14.62 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	S	
14.70 **Recycling facility** or **recycling plant**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.592 (location) 10.853
14.80 **High hazard use**, including other **uses** listed in this section but not including **uses** described in 14.90	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	10.593 (location)
14.90 Storage (other than normal **accessory use**), processing, disposal, or transfer of petroleum, petrochemicals, natural gas and liquid petroleum products, coal, alcohol, wood pulp, solid or liquid waste, **junk** or hazardous waste as classified by Federal or State law	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
15. Transportation and Utilities																		
15.10 Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any **business office**, storage yard or storage **building**																		
15.11 Essential to service the area in which it is located	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
15.12 Providing community-wide or regional service	N	N	N	N	N	N	N	N	N	S	N	N	N	N	N	S	S	
15.20 **Heliport** or **helipad**																		
15.21 **Helipad**, as an **accessory use** to a permitted **hospital use**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	S	S	
15.22 **Heliport**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
16. Wireless Telecommunications Facilities																		
16.10 Satellite dish receiver 42 inches or less in diameter:																		
16.11 **Building**-mounted, maximum height less than or equal to 4 feet from the roof surface	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
16.12 Ground-mounted, complying with all **yard** requirements for the district	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
16.20 Satellite dish receiver more than 42 inches in diameter:																		
16.21 **Building**-mounted, maximum height less than or equal to 4 feet from the roof surface	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
16.22 Ground-mounted, complying with all **yard** requirements for the district	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
16.30 Whip antenna not more than 30 feet in height	S	S	S	S	S	S	S	S	P	P	S	S	P	P	P	P	P	
16.40 Other **wireless telecommunications facility** not included above	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.460 (Municipal districts) 10.920 (Wireless telecommunications facilities)
17. Agricultural Uses																		
17.10 Farm, not including the keeping of **farm animals**	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
17.20 Keeping of **farm animals**	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
18. Temporary Uses																		
18.10 **Construction trailer**	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
18.20 **Temporary structure**																		
18.21 Up to 30 days	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
18.22 31 to 90 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	
18.23 91 to 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	S	S	
18.24 More than 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRH	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
18.30 **Manufactured housing** not on a foundation, as temporary replacement housing for a **dwelling** on the same **lot** destroyed by natural causes, provided that there is an active **building permit** for rebuilding the destroyed **dwelling**																		
18.31 Up to 180 days	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
18.32 More than 180 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	
18.40 Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food	N	N	N	N	N	N	N	N	P	P	S	N	P	N	P	P	P	
19. Accessory Uses																		
19.10 **Accessory use** to a permitted **principal use**, but not including any **outdoor storage**	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.811 (residential accessory uses)
19.20 **Home occupation**																		
19.21 **Home occupation 1**	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	
19.22 **Home occupation 2**	S	S	S	S	N	S	S	P	P	P	P	P	P	N	N	N	N	
19.30 Concessions and services located within the **principal building**	N	N	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
19.40 **Drive-through facility**, as **accessory use** to a permitted **principal use**	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	N	CU	N	N	10.835 (accessory drive-through uses)
19.50 Outdoor dining or drinking area, as **accessory use** to a permitted **principal use**	N	N	N	N	N	N	CU	N	P	P	P	P	CU	N	N	N	N	
20. Accessory Storage																		
20.10 Indoor storage of motor vehicles or boats as an **accessory use**	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.20 **Outdoor storage** of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one **commercial vehicle**, which shall be limited to no more than 2 axles and 6 wheels.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.30 **Outdoor storage** for not more than 9 consecutive months of boats owned by residents of the property:																		
20.31 Not more than one motorboat or sailboat longer than 12 feet	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
20.32 Any number of (a) motorboats or sailboats up to 12 feet in length, or (b) hand-powered craft (canoes and kayaks) without restriction as to length	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4-L1	CD4-L2	MRB	CD5 CD4	GB	G1	G2	B CD4-W	WB	OR	I	WI	Supplemental Regulations
20.40 **Outdoor storage** of lobster traps, lobster buoys and associated rope	P	P	P	P	P	P	P	P	N	P	P	P	P	P	N	P	P	10.811.20
20.50 **Outdoor storage** of raw or partially finished material																		
20.51 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
20.52 **Marine-dependent**	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	S	S	
20.60 **Outdoor storage** of machinery, equipment and vehicles																		
20.61 Not **marine-dependent**	N	N	N	N	N	N	N	N	N	S	N	N	S	N	N	S	N	
20.62 **Marine-dependent** (other than allowed by 20.30 or 20.40 above)	N	N	N	N	N	N	N	N	N	S	N	N	S	S	N	S	S	

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC
ATTORNEYS AT LAW
127 Parrott Avenue, P.O. Box 4480 | Portsmouth, NH, 03802-4480
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

October 26, 2022

HAND DELIVERED

Peter Stith, Principal Planner
Portsmouth Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

Re: 635 Sagamore Development, LLC, Owner/Applicant
Project Location: 635 Sagamore Avenue
Tax Map 222, Lot 19
General Residence A (GRA Zone)

Dear Mr. Stith and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC, applicant, enclosed please find the following documents in support of a request for zoning relief:

- Portsmouth Land Use Application uploaded to Viewpoint today.
- Owner Authorization.
- 10/26/2022 – Memorandum and exhibits in support of zoning relief.

Very truly yours,

R. Timothy Phoenix
Monica F. Kieser

Enclosures

cc 635 Sagamore Development, LLC
Jones & Beach Engineers, Inc.
Artform Architecture, Inc.

DANIEL C. HOEFLE
R. TIMOTHY PHOENIX
LAWRENCE B. GORMLEY
STEPHEN H. ROBERTS
R. PETER TAYLOR
KEVIN M. BAUM
GREGORY D. ROBBINS
MONICA F. KIESER
JACOB J.B. MARVELLEY
DUNCAN A. EDGAR
STEPHANIE J. JOHNSON
OF COUNSEL:
SAMUEL R. REID
JOHN AHLGREN

Letter of Authorization

635 Sagamore Development, LLC, owner of property located at 635 Sagamore Avenue in Portsmouth, NH, known as Tax Map 222, Lot 19, do hereby authorize Jones & Beach Engineers, Inc. ("JBE"), Garrepy Planning Consultants, LLC ("GPC"), and Hoefle, Phoenix, Gormley & Roberts, PLLC ("HPGR") to act on its behalf concerning the previously mentioned property.

I hereby appoint JBE, GPC and HPGR as agents to act on behalf of 635 Sagamore Development, LLC in the Planning Board and Zoning Board application process, to include any required signatures.

635 Sagamore Development, LLC

Timothy J. Black, Duly Authorized

January 5, 2022
Date

MEMORANDUM

To: Portsmouth Zoning Board of Adjustment ("ZBA")
From: R. Timothy Phoenix, Esq.
Monica F. Kieser, Esq.
Date: October 26, 2022
Re: 635 Sagamore Development, LLC, Owner/Applicant
Project location: 635 Sagamore Avenue
Tax Map 222, Lot 19
Single Residence A (SRA) District

Dear Chairman Parrott and Zoning Board Members:

On behalf of 635 Sagamore Development, LLC ("635 Sagamore" or "Applicant") we are pleased to submit this memorandum and the attached exhibits in support of zoning relief to be considered by the ZBA at its November 15, 2022 meeting.

I. EXHIBITS

A. Plan Set – by Jones and Beach Engineers
- C1 – Existing Conditions Plan
- C2 – ZBA Site Plan
- C3 – Topographic Site Plan

B. Architectural Elevations and Floor Plans-by ArtForm Architecture, Inc.
- Renderings
- First Floor
- Second Floor
- Foundation Plan
- Elevations

C. Site photographs
D. Tax Assessors Card
E. City GIS Map – identifying nearby zoning districts and surrounding area

II. PROPERTY/BACKGROUND

635 Sagamore Avenue is an 84,795 s.f lot with 150 ft. of frontage containing two buildings in poor condition; the front building contains Luster King, an automobile detailing shop and upstairs apartment, and behind a large service garage (the "Property"). The Luster King building is located partially within the front yard setback, access to it is over the entire frontage, and the use of the Property does not conform to the requirements of the Single Residence A District. 635 Sagamore proposes to remove the existing commercial building and garage and redevelop the Property with four new single-family homes with access via a private roadway from Sagamore Avenue (the "Project"). **(Exhibit A)**. The Project is more compatible

with the neighborhood which includes the westerly abutter, Tidewatch Condominiums with 122 Units, and the Sagamore Court Condominium with 144 Units. **(Exhibit D).** Other nearby abutters are largely developed with single family residences with similar density as the proposed project. The Luster King building is still served by septic, but municipal sewer service has been extended to the Property which will serve the proposed dwellings.

In March of this year, 635 Sagamore filed a variance application seeking relief from §10.513 and §10.521 (Dimensional Table) to permit five dwellings on the Property where one dwelling is required and 16,959 s.f. per dwelling unit where 43,560 s.f. per dwelling is required. Thereafter, Tidewatch Condominium Association ("Tidewatch") objected, through Counsel Brian Bouchard. 635 Sagamore withdrew the previous application in order to spend time working with Tidewatch to address its concerns. 635 Sagamore now proposes a twenty percent (20%) reduction four-unit residential development which retains a significant tree buffer and adds a mix of trees on the south and west side of the lot (the "Revised Project"). Given the reduction in units and generous plantings, Tidewatch Condominium Association has withdrawn its objection to the Revised Project, provided 635 Sagamore continues to coordinate with Tidewatch on issues related to landscaping and stormwater management.

The Revised Project requires similar relief as before as four dwelling units are proposed on a ±1.947 acre lot (2.06 units per acre or 21,198 s.f. per dwelling). This density is less than nearby densely developed Sagamore Court Condominium (144 units/15.01 acre = 9.59 units per acre or 4,542 s.f. per dwelling) to the north and Tidewatch Condominium (122 units/53.59 acre = 2.27 units per acre or 19,189 s.f. per dwelling) directly to the west. Notably, the SRB Zone, located across Sagamore Avenue, permits a lot area of 15,000 square feet per dwelling unit or approximately 2.9 units per acre. The proposal at 21,198 s.f. square feet per unit falls between the single-family homes opposite the lot and the more densely developed condominium associations. Thus, in addition to cleaning up a long distressed and non-conforming site, including narrowing the current open frontage curb cut, the proposal creates a natural transition between the SRB Zone across Sagamore, the existing multi-building condominium developments to the north and west (rear) of the Property and the nearby single-family home lots.

III. RELIEF REQUIRED

The Project meets setback, lot coverage, and open space requirements. **(Exhibit A).** Relief is required to allow the proposed structures on a single lot and for lot area per dwelling unit.

1.) **PZO §10.513 One Freestanding Dwelling/Lot** – to permit four dwellings on a 1.947 acre lot.
2.) **PZO §10.521 (Table of Dimensional Standards) Lot Area Per Dwelling Unit** – to permit four dwellings on 1.947 acres (21,198 s.f./dwelling area) where 43,560 s.f. is required for each dwelling.

IV. VARIANCE REQUIREMENTS

1. **The variance will not be contrary to the public interest**
2. **The spirit of the ordinances observed**

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc v. Town of Chichester, 155 NH 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinances basic zoning objectives." Id. "Mere conflict with the ordinance is not enough." Id.

The Portsmouth Zoning Ordinance was enacted for the general purpose (PZO§10.121) of promoting the health, safety and welfare in accordance with the Master plan by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The Property currently houses a non-conforming commercial auto detailing business and service garage. **(Exhibit C).** The proposal would replace those buildings with brand new, to code, residences consistent with surrounding uses.

2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – The Project complies with building coverage, height, yards and open space requirements. The reduced proposal with four dwellings on a single lot, at 2.06 dwelling units per acre is consistent with surrounding properties and less than the density permitted by right across Sagamore Avenue.

3. The design of facilities for vehicular access, circulation, parking and loading- The Project will be served by a private roadway from Sagamore Avenue. **(Exhibit A).** There is currently no defined curb cut on the property so the redevelopment will improve driveway distances, site lines, and overall traffic safety from the Property compared to the existing commercial and residential use. **(Exhibit D).** The driveway will undergo further review as part of the Planning Board and NHDOT review processes.

4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – The Property is currently used as a commercial auto detailing facility in the middle of a residential area. The Project will convert the Property to residential use with lighting, noise, and other conditions more appropriate for the neighborhood. A generous buffer will be preserved between the Project and Tidewatch Condominium. The Project maintains 81.3% open space. Stormwater runoff will be improved over the current development which is significantly paved and use of commercial cleaning chemicals will cease.

5. The preservation and enhancement of the visual environment – The Project vastly improves the visual environment for the immediate abutters on either side and across the street. In addition, a generous vegetated buffer is retained for the south/west abutters. Sagamore further screens the developed area with the addition of a significant tree buffer. **(Exhibit A)**.

6. The preservation of historic districts buildings and structures of historic or architectural interest – The Property and the existing structures to be removed are of no known historic or architectural interest.

7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The Project will significantly improve conditions by terminating the use of commercial grade cleaning chemicals in favor of a compatible residential uses served by municipal sewer.

In considering whether variances "in a marked degree conflict with the ordinance such that they violate the ordinances basic zoning objectives." Malachy Glen, supra, the New Hampshire Supreme Court also held:

> One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality. Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (Emphasis Added)

The Property is located on a busy street in a densely developed residential area. While there are some other nearby commercial use properties, they are located closer to Sagamore Creek in the Waterfront Business Zone, are largely less impactful and are more buffered from nearby residences than the current business operations on the Property. The Project would convert a long-standing commercial use that is grossly incompatible with the character of the locality to a residential use consistent with the surrounding area including two large condominium developments. The commercial traffic and the use of commercial grade cleaning chemicals will cease, thus improving the public health, safety and welfare. The wide open curb

cut accessing the lot will be reduced to a controlled entry/exit. The Project creates a natural transition between these condominium developments and the adjoining GRB zone. Thus, permitting four code compliant, single-family dwellings on ±1.947 acres does not alter the essential character of the locality nor will it threaten the public health, safety or welfare.

3. **Granting the variances will not diminish surrounding property values**

The commercial buildings currently located on the Property are distressed, incongruent with the surrounding residential neighborhood and frankly an eyesore. The Project cleans up the site, removes commercial buildings/uses and replaces them with brand new tastefully designed residences. In consultation with Tidewatch, a generous vegetated buffer is retained, which is supplemented by the addition of a robust landscape buffer plan. Given the termination of the commercial use, removal of the distressed structures, and efforts to screen the residential structures, the Project will increase the value of surrounding properties. Accordingly, this element of the variance criteria is satisfied.

4. **Denial of the variances results in an unnecessary hardship**

a. Special conditions distinguish the property/project from others in the area-

This portion of the SRA District on the north side of Sagamore Creek is comprised of only seven properties. **(Exhibit E)**. Discounting Tidewatch with 122 units on 53.59 acres, the 1.947 acre L-shaped lot significantly larger than the remaining five properties, yet contains just over the required frontage. Although zoned SRA and subject to a 43,560 s.f. minimum lot area and lot area/dwelling unit requirement, this neighborhood is bounded by the Sagamore Condominium Development with 144 Units on 15.01 acres, a handful of lots in the Waterfront Business District, and the SRB district across Sagamore Avenue with its reduced density requirement of just 15,000 s.f./dwelling unit. See Walker v. City of Manchester, 107 N.H. 382, 386 (1966) (hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use will have no adverse effect on the neighborhood). The parcel size, shape, and location near other densely developed residential parcels combine to create special conditions.

b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

The purpose of the requirements for one free standing dwelling per lot and lot area per dwelling unit is to prohibit overcrowding, allow for air, light, and separation between neighbors,

and to permit stormwater treatment. The Project meets all lot area, building and open space coverage, height and external setback requirements. Additionally, the proposal provides for voluntary setbacks between each of the four new buildings of at least 20 feet, consistent with the side setback requirement for the district. Thus, adequate area for air, light, separation between neighbors and stormwater treatment is provided. The proposed density is also consistent with the surrounding area, which includes many smaller sized lots with homes located in relatively close proximity. **(Exhibit E)**. Moreover, granting the requested variances will significantly improve the Property and surrounding area by removing two blighted, non-conforming commercial structures and replacing them with four brand new, homes where housing is sorely needed. The Property will be completely redeveloped, thus it follows that there is no reason to apply the strict requirements of the ordinance. This transitional location, located near and adjoining two densely development condominiums and across Sagamore Avenue from the SRB Zone is well suited for the proposed four building single-family development.

c. The proposed use is reasonable

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson,151 NH 747 (2005). The proposal is a residential use in a residential zone and thus is reasonable Accordingly denial would result in an unnecessary hardship.

5. Substantial justice will be done by granting the variance.

If "there is no benefit to the public that would outweigh the hardship to the applicant" this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, "any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice." Malachy Glen, supra at 109.

"The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions." N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that "no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people." Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. L. Grossman & Sons, Inc. v. Town of Gilford, 118 N.H. 480, 482 (1978). "Property" in the constitutional sense has been interpreted to

mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it.* Burrows v. City of Keene, 121 N.H. 590, 597 (1981) (emphasis added). Sagamore is constitutionally entitled to the use of the lot as it sees fit subject only to the effect of the lot size and density requirements.

The Project: removes blighted buildings and a nonconforming commercial use; complies with all other dimensional requirements; maintains generous open space and vegetated buffers; provides additional screening with a robust planting plan, there will be no benefit to the public from denial and no harm to the public by granting the variances. Conversely, denial of the variances causes great harm to 635 Sagamore and its abutters by continuing the nonconforming commercial use of the Property. Accordingly, substantial justice is done by granting the variances.

V. CONCLUSION

For all of the reasons herein stated, Sagamore respectfully requests that the Portsmouth Zoning of Adjustment grant the requested variances.

Respectfully submitted,
635 Sagamore Development, LLC

By: _____
R. Timothy Phoenix, Esq.
Monica F. Kieser, Esq.

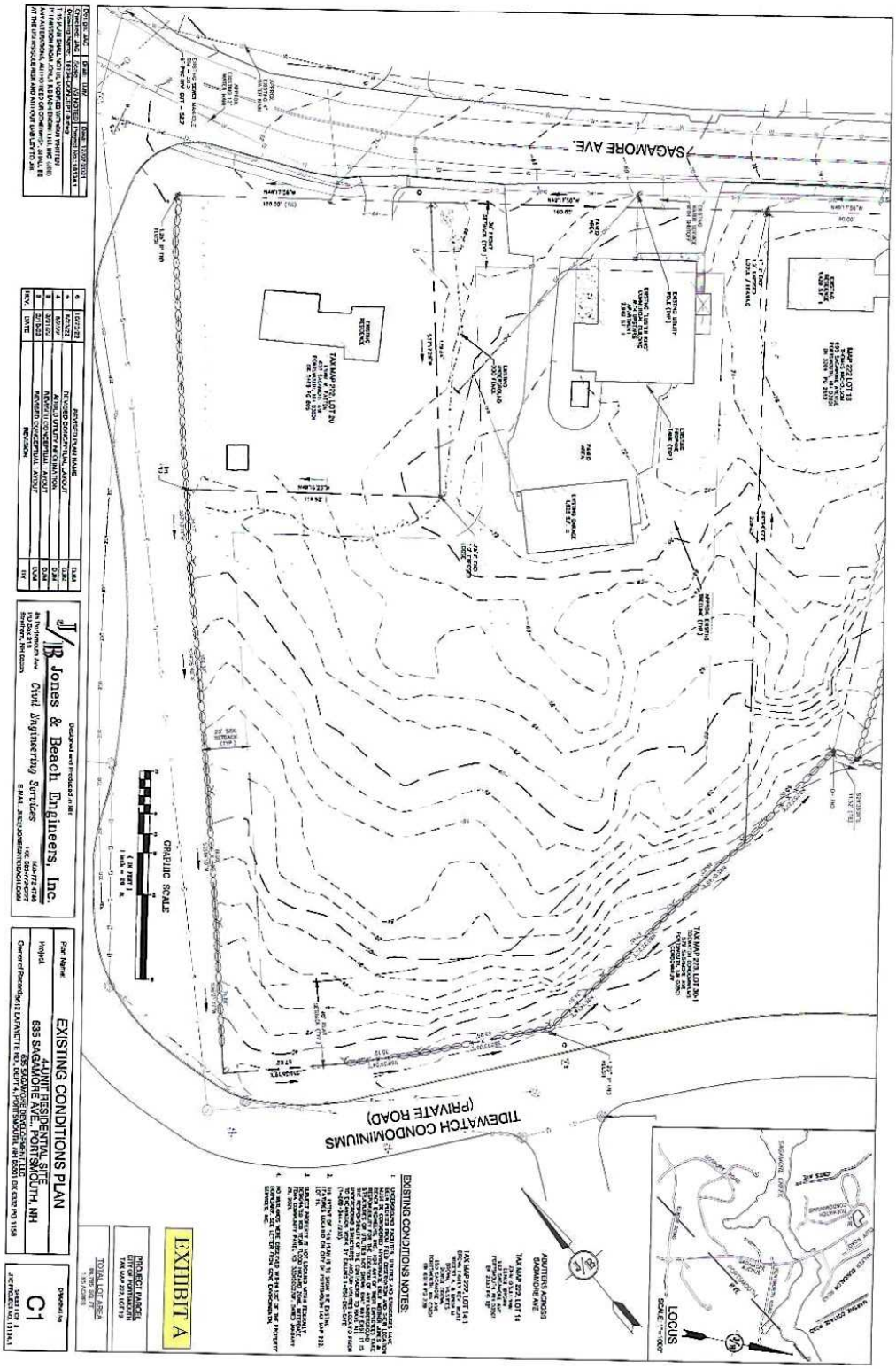
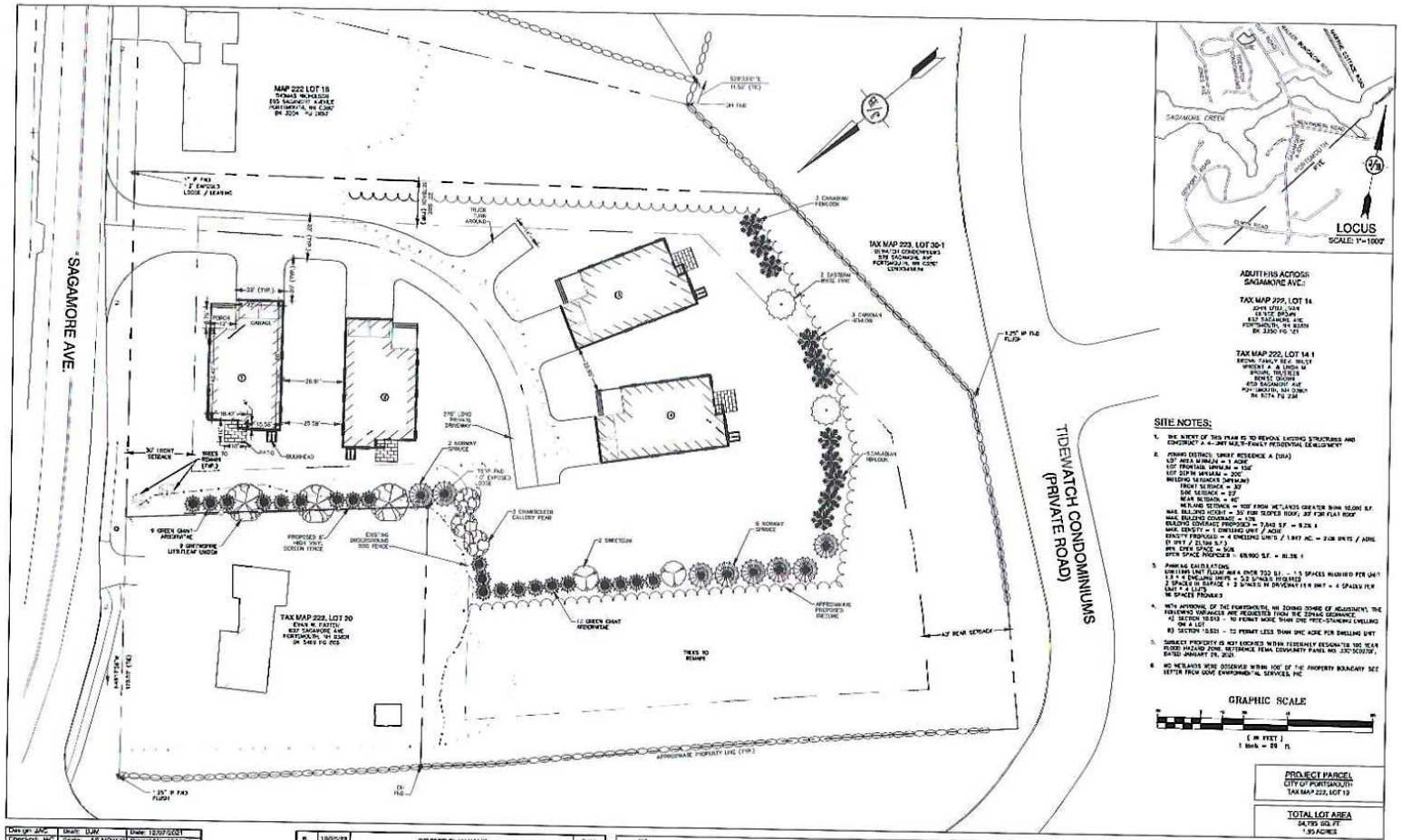


EXHIBIT A
EXISTING CONDITIONS PLAN
635 SAGAMORE ESTATES
SAGAMORE AVE.
TIDEWATCH CONDOMINIUMS
(PRIVATE ROAD)
GRAPHIC SCALE
LOCUS
SCALE 1"=1000'
Jones & Beach Engineers, Inc.
Civil Engineering Services
C1



Design: JAC	Draft: DJM	Date: 12/07/2021
Checked: JAC	Scale: AS NOTED	Project No.: 18134.1
Drawing Name: 18134-CONCEPT.dwg		

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, UNAUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
6	10/05/22	REVISED PLAN NAME	DJM
5	6/23/22	REVISED CONCEPTUAL LAYOUT	DJM
4	6/2/22	ADDED UTILITY INFORMATION	DJM
3	5/31/22	REVISED CONCEPTUAL LAYOUT	DJM
2	5/13/22	REVISED CONCEPTUAL LAYOUT	DJM
1			

Designed and Produced in NH

Jones & Beach Engineers, Inc.

Civil Engineering Services

85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885

603 772-4746
FAX: 603-772-0227
E-MAIL: JBE@JONESBEACH.COM

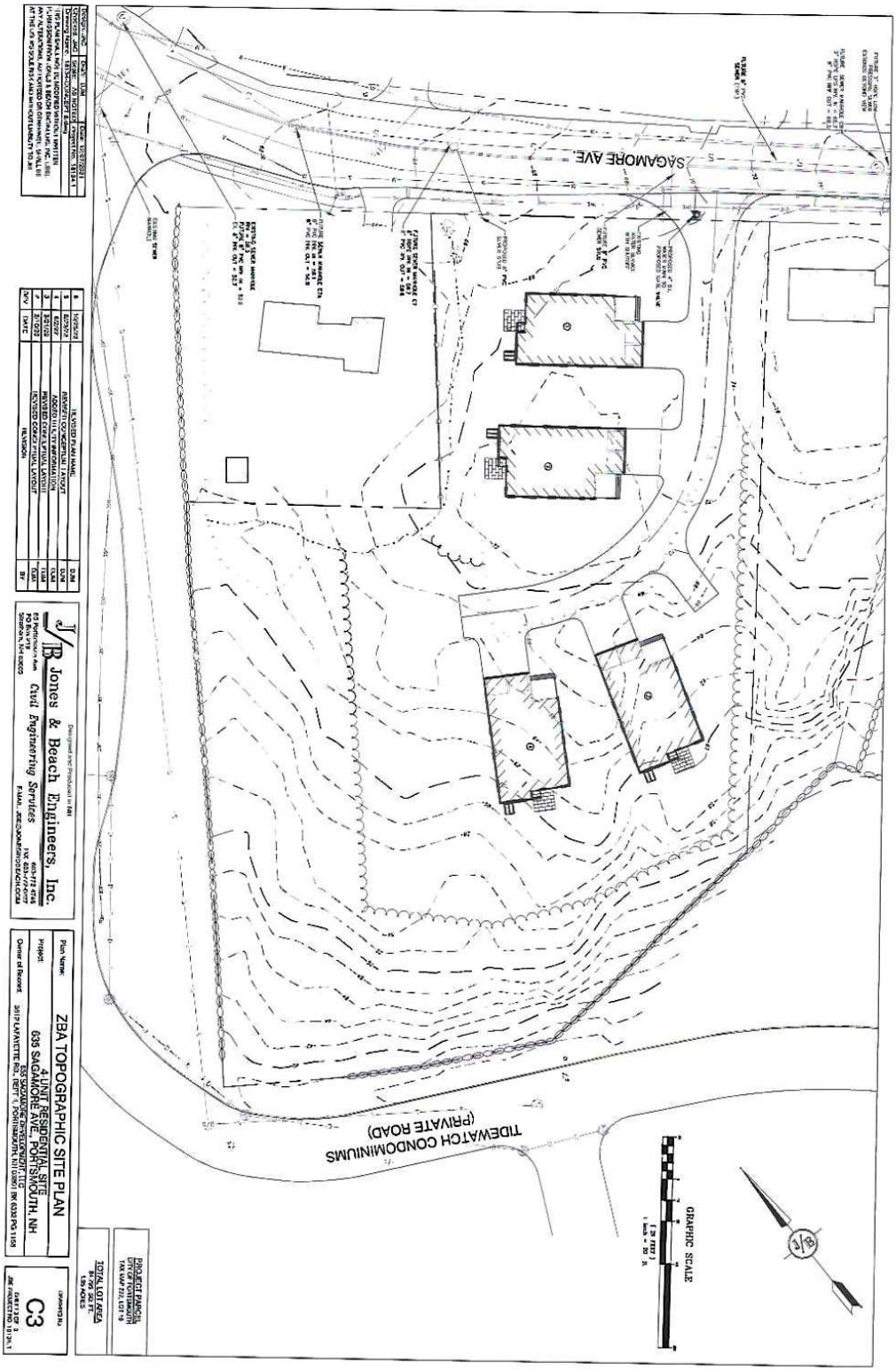
Plan Name:	ZBA SITE PLAN
Project:	4-UNIT RESIDENTIAL SITE 635 SAGAMORE AVE., PORTSMOUTH, NH
Owner of Record	635 SAGAMORE DEVELOPMENT, LLC 3612 LAFAYETTE RD., DCPT 4, PORTSMOUTH, NH 03801 BK 6332 PG 1158

DRAWING No.

C2

SHEET 2 OF 3

JBE PROJECT NO. 18134.1


SAGAMORE AVE.
TIDEWATCH CONDOMINIUMS
(PRIVATE ROAD)
GRAPHIC SCALE
1 in. = 10 ft.
ZBA TOPOGRAPHIC SITE PLAN
4-UNIT RESIDENTIAL SITE
639 SAGAMORE AVE, PORTSMOUTH, NH
Jones & Beach Engineers, Inc.
Civil Engineering Services
C3

Sea Watch

419.126.v14 GL (1/27/2022)

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Artform Home Plans
603-431-9559

Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings"). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.ArtformHomePlans.com to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Artform Home Plans ("Artform") requires that our Drawings be built substantially as designed. Artform will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Drawing updated by Artform prior to attaching any Drawing to any builder agreement. Artform shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

Facade Changes:

• To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Artform.

• Increasing ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

• Structural changes always require the express written consent of Artform

• If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

EXHIBIT B

Sea Watch
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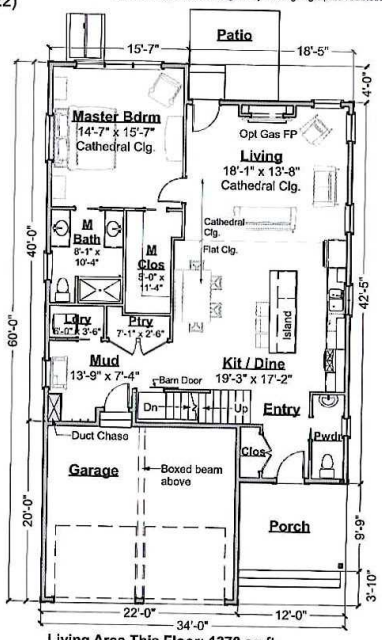

Living Area This Floor: 1370 sq ft
9 ft Ceilings, unless noted otherwise

First Floor Plan
Scale: 3/32" = 1'-0"

Sea Watch

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Artform Home Plans
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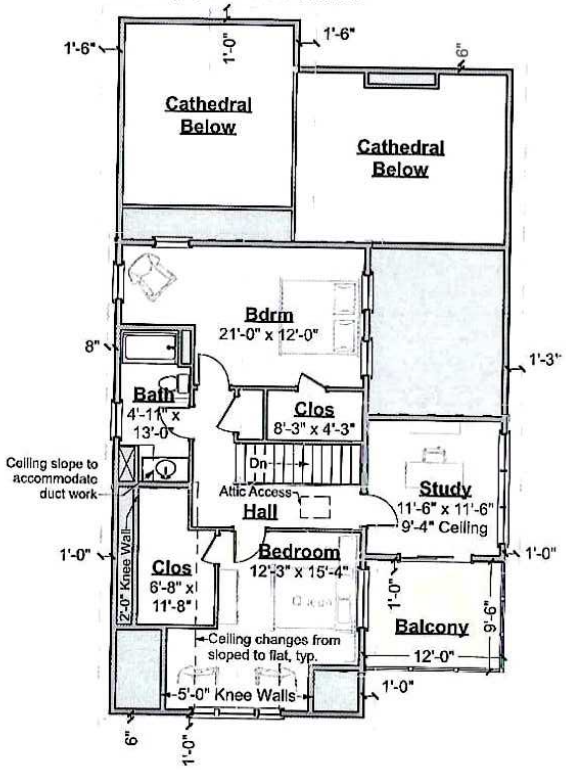
Living Area This Floor: 979 sq ft
8 ft Ceilings, unless noted otherwise



Second Floor Plan

Scale: 3/32" = 1'-0"

Sea Watch
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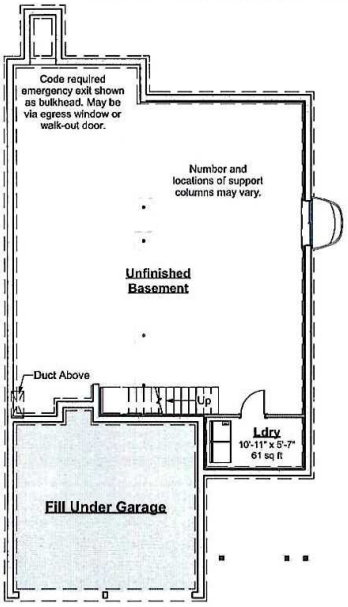
603-431-9559



Foundation Plan
Scale: 3/32" = 1'-0"

Sea Watch
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Artform Home Plans
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Front Elevation
Scale: 1/8" = 1'-0"

Sea Watch
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Artform Home Plans
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Right Elevation
Scale: 1/8" = 1'-0"

Sea Watch
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Artform Home Plans
603-431-9559

Rear Elevation
Scale: 1/8" = 1'-0"

Sea Watch
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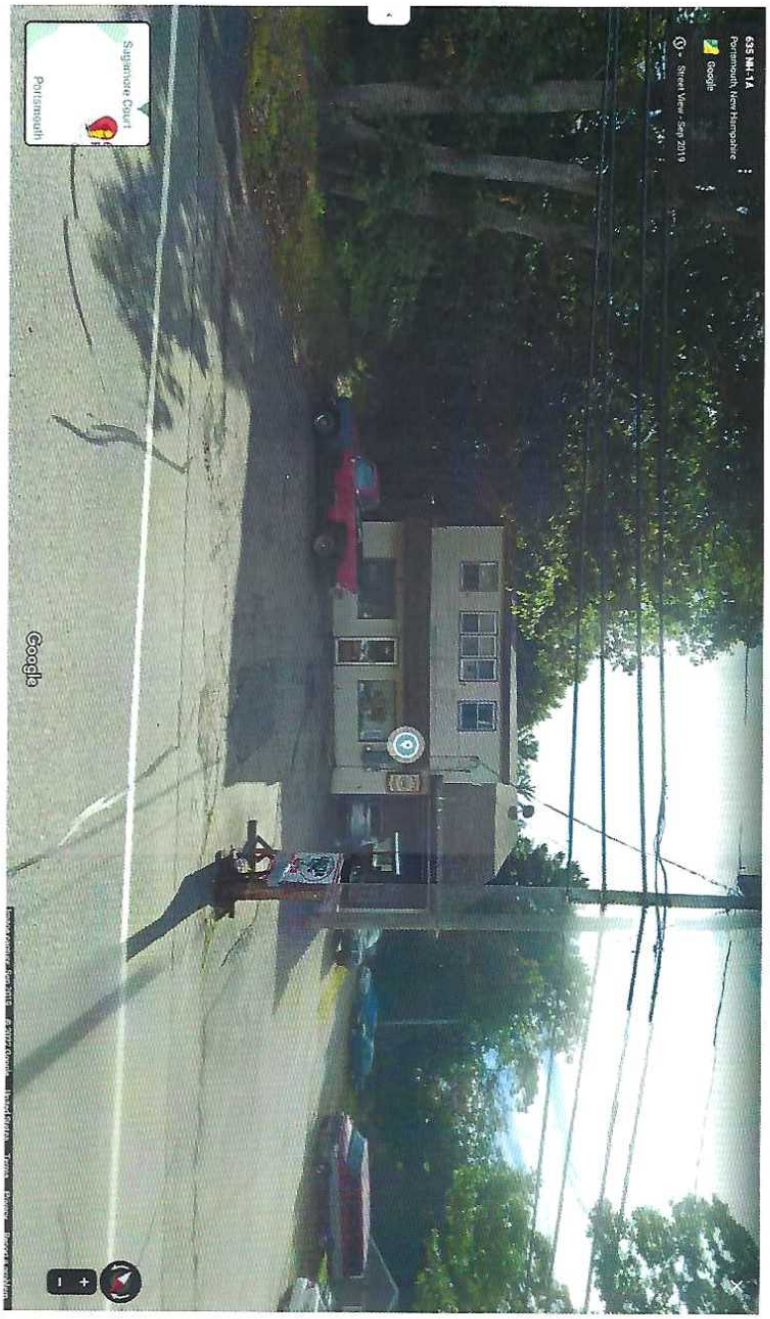
Artform Home Plans
603-431-9559

Left Elevation
Scale: 1/8" = 1'-0"

Aerial view of Property

EXHIBIT C



Front View of Property (Sagamore Ave)

Front View of Property

Front View of Property

Side View of Property

View of Service Garage and Shed

Rear View of Property

Sea Watch
419.126.v14 GL (1/27/2022)

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Artform Home Plans
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Interior Views

EXHIBIT D

635 SAGAMORE AVE

Location	635 SAGAMORE AVE	**Mblu**	0222/ 0019/ 0000/ /
Acct#	35416	**Owner**	635 SAGAMORE DEVELOPMENT LLC
PBN		**Assessment**	$682,800
Appraisal	$682,800	**PID**	35416
Building Count	2		

Current Value

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$407,600	$275,200	$682,800

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$407,600	$275,200	$682,800

Owner of Record

Owner	635 SAGAMORE DEVELOPMENT LLC	**Sale Price**	$387,133
Co-Owner		**Certificate**	
Address	3612 LAFAYETTE RD DEPT 4 PORTSMOUTH, NH 03801	**Book & Page**	6332/1158
		Sale Date	09/24/2021

Ownership History

Ownership History				
Owner	**Sale Price**	**Certificate**	**Book & Page**	**Sale Date**
635 SAGAMORE DEVELOPMENT LLC	$387,133		6332/1158	09/24/2021
HINES FAMILY REVO TRUST	$0		4885/1538	02/11/2008

Building Information

Building 1 : Section 1

Year Built:	1950
Living Area:	4,477

Replacement Cost: $513,721
Building Percent Good: 54
Replacement Cost Less Depreciation: $277,400

Building Attributes	
Field	**Description**
Style:	Retail/Apartment
Model	Commercial
Grade	C
Stories:	2
Occupancy	3.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	Pre-Fab Wood
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Inlaid Sht Gds
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	Unit/AC
Bldg Use	PRI COMM
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	10.00
% Comn Wall	
1st Floor Use:	
Class	

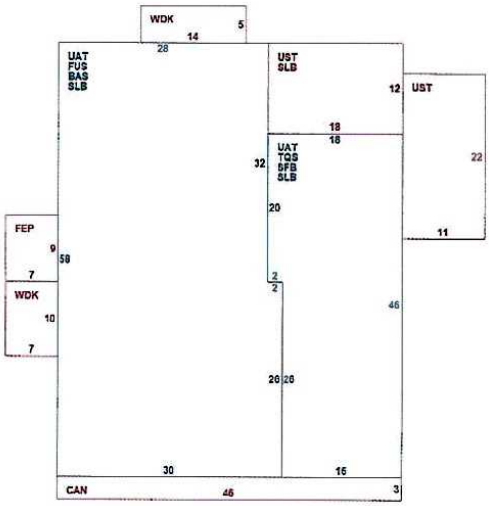
Building 2 : Section 1

Year Built: 2000
Living Area: 1,650
Replacement Cost: $153,450

Building Photo

Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01732_:

Building Layout



(ParcelSketch.ashx?pid=35416&bid=35416)

Building Sub-Areas (sq ft) Legend			
Code	**Description**	**Gross Area**	**Living Area**
BAS	First Floor	1,676	1,676
FUS	Upper Story, Finished	1,676	1,676
TQS	Three Quarter Story	776	582
SFB	Base, Semi-Finished	776	543
CAN	Canopy	138	0
FEP	Porch, Enclosed	63	0
SLB	Slab	2,668	0
UAT	Attic	2,452	0
UST	Utility, Storage, Unfinished	458	0
WDK	Deck, Wood	140	0
		10,823	4,477

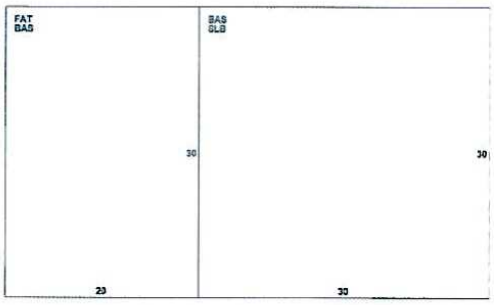
Building Percent Good: 84
Replacement Cost
Less Depreciation: $128,900

Building Attributes : Bldg 2 of 2	
Field	Description
Style:	Service Shop
Model	Commercial
Grade	C
Stories:	1
Occupancy	1.00
Residential Units	
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Concr-Finished
Interior Floor 2	Carpet
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	None
Bldg Use	AUTO S S&S
Total Rooms	
Total Bedrms	
Total Baths	
Kitchen Grd	
Heat/AC	NONE
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	12.00
% Comn Wall	
1st Floor Use:	
Class	

Building Photo

Building Photo
(http://images.vgsi.com/photos2/PortsmouthNHPhotos///0033/DSC01731_:

Building Layout



(ParcelSketch.ashx?pid=35416&bid=40140)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,500	1,500
FAT	Attic	600	150
SLB	Slab	900	0
		3,000	1,650

Extra Features

Extra Features	Legend

No Data for Extra Features

Land

Land Use

Use Code	0310
Description	PRI COMM
Zone	SRA
Neighborhood	306
Alt Land Appr	No
Category	

Land Line Valuation

Size (Acres)	1.93
Frontage	
Depth	
Assessed Value	$275,200
Appraised Value	$275,200

Outbuildings

Outbuildings						Legend
Code	**Description**	**Sub Code**	**Sub Description**	**Size**	**Value**	**Bldg #**
PAV1	PAVING-ASPHALT			1344.00 S.F.	$1,200	1
SHD1	SHED FRAME			96.00 S.F.	$100	1

Valuation History

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$418,400	$275,200	$693,600
2019	$418,400	$275,200	$693,600
2018	$391,100	$254,800	$645,900

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2020	$418,400	$275,200	$693,600
2019	$418,400	$275,200	$693,600
2018	$391,100	$254,800	$645,900

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City of Portsmouth, NH

March 28, 2022

635 Sagamore Avenue

Property Information

Property ID 0222-0019-0000

Location 635 SAGAMORE AVE

Owner 635 SAGAMORE DEVELOPMENT LLC

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 3/9/2022
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

EXHIBIT E

CERTIFICATE

I do hereby certify that, except as otherwise noted in this report:

1. the statements of fact contained in this report are true and correct;
2. the reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, unbiased professional analyses, opinions and conclusions;
3. I have no present or prospective interest in the property which is the subject of this report and I have no personal interest or bias with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. my engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;
7. my analysis, opinions, and conclusions, were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice;
8. Brian W. White, MAI, SRA a made a personal inspection of the property that is the subject of this report;
9. no one has provided significant real property appraisal assistance to the persons signing this certification;
10. I have prepared no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment;
11. the reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute;
12. the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
13. as of the date of this report, Brian W. White, MAI, SRA, has completed the continuing education program for Designated Members of the Appraisal Institute.

Respectively submitted,

Brian W. White, MAI, SRA NHCG-#52

130 VARNEY ROAD ▪ DOVER, NEW HAMPSHIRE 03820 ▪ BRIANWMAI@AOL.COM ▪ (603) 742-5925

Professional Designations:

Member, Appraisal Institute (***MAI***) – Awarded by the Appraisal Institute. MAI #9104
Senior Residential Appraiser (***SRA***)

Employment:

1989 to Present — White Appraisal – Dover, NH
President – Senior Appraiser
Owner of White Appraisal, a commercial and residential real estate appraisal firm. Complete appraisals on all types of commercial and residential properties. Consulting.

1988 — Finlay Appraisal Services – Portsmouth, NH
Senior Vice President/Chief Operations Officer
Oversaw the operation of four appraisal offices. Completed commercial and residential appraisals on all types of properties.

1985 — Finlay Appraisal Services – Portsmouth, NH
and Appraisal Services Manager – South Portland, ME.
Completed commercial and residential appraisals on all types of properties.

Education:

Mitchell College
Associate of Arts, Liberal Studies, 1979

University of Southern Maine
Bachelors of Science, Business Admin., 1984
Bus 022 Real Estate Law
Bus 023 Real Estate Practice
Bus 025 Real Estate Valuation

American Institute of Real Estate Appraisers
1A-1 Real Estate Appraisal Principles, 1985
1A-2 Basic Valuation Procedures, 1985
1B-A Cap. Theory and Technique (A), 1985
1B-B Cap. Theory and Technique (B), 1985
2-3 Standards of Pro. Practice, 1985
Exam #7 Industrial Valuation, 1986

Society of Real Estate Appraisers
101 Intro. To Appraising Real Property, 1986
102 Applied Residential Property Val., 1987
201 Prin. Of Income Property Appraising, 1985
202 Applied Income Property Valuation, 1985

Education (Continued):

USPAP Update- 2017
USPAP Update- 2019
Business Practices & Ethics- 2021
USPAP 2022/2023 Update- 2021

Recent Seminars:

Current Use - 2018
Real Estate Damages Overview - 2018
Understanding and Using Public Data - 2018
Appraising Energy Efficient Residential Properties – 2018
Commercial Real Estate Roundtable – 2019
Appraiser Essentials with CRS and Green Fields – 2019
Land Development & Residential Building Costs – 2019
Myths in Appraiser Liability – 2019
Appraising in Uncertain Times – 2019
Market Trends in NH Real Estate – 2020
Appraising Commercial Properties during a Pandemic – 2020
Defining the Appraisal Problem: Sleuthing for the Approaches to Value- 2021
Forest Valuation- 2021
Appraiser Essentials Paragon MLS- 2021
Residential Building Systems- 2021
2021-2022 NH Market Insights- 2021
Implications for Appraisers of Conservation Easement Appraisals- 2022
NH's Housing Market & Covid: What a Long, Strange Road It's Been!- 2022

Appointments:

Board of Directors – New Hampshire Chapter of the Appraisal Institute - 1991 to 1993; 2000 to 2010 and 2015-2018
Vice President - New Hampshire Chapter of the Appraisal Institute – 2011-2012 & 2019
President – New Hampshire Chapter of the Appraisal Institute – 2013 & 2014

Experience:

Review Chairperson – New Hampshire Chapter of the Appraisal Institute – 1994 to 2010

Licenses:

N.H. Certified General Appraiser #NHCG -52, Expires 4/30/2023

Partial List of Clients:

Banks:	***Attorneys:***	***Others:***
Androscoggin Bank	John Colliander	City of Dover
Granite Bank	Karyn Forbes	Town of Durham
Federal Savings Bank	Michael Donahue	University of New Hampshire
Sovereign Bank	Richard Krans	Wentworth-Douglass
Eastern Bank	Simone Massy	The Homemakers
Century Bank	Samuel Reid	Strafford Health Alliance
TD Bank	Daniel Schwartz	Goss International
Kennebunk Savings Bank	Robert Shaines	Chad Kageleiry
Northeast Federal Credit Union	William Shaheen	Gary Levy
Profile Bank	Steve Soloman	Stan Robbins
Peoples United Bank	Gerald Giles	Daniel Philbrick
Key Bank	Ralph Woodman	Keith Frizzell
Optima Bank and Trust	Gayle Braley	Chuck Cressy
Provident Bank	Fred Forman	John Proulx

State of New Hampshire

Real Estate Appraisers Board

Authorized as
Certified General Appraiser

Issued To

BRIAN W WHITE

License Number: NHCG-52

Issue Date: 01/01/1992
Expiration Date: 04/30/2023