



FOUNDED DECEMBER 15, 1727

CHARTERED JANUARY 1, 1991

NEWMARKET ZONING BOARD OF ADJUSTMENT

MONDAY, APRIL 26, 2021

7:00 PM MEMBERS OF THE PUBLIC MAY ATTEND THE MEETING IN PERSON AT THE TOWN HALL AUDITORIUM OR ATTEND REMOTELY USING ZOOM. IF ATTENDING IN PERSON, PLEASE WEAR A MASK AND MAINTAIN SOCIAL DISTANCE. IF ATTENDING BY TELEPHONE, THE BOARD WILL BE USING ZOOM. USE THE FOLLOWING INFORMATION TO JOIN THE MEETING: [HTTPS://ZOOM.US/J/95401334499](https://zoom.us/j/95401334499) CALL THIS NUMBER: 1 646 558 8656 MEETING ID CODE 954 0133 4499 ANY PROBLEMS CALL 603-659-3617 EXT 1321

7:00 PM

AGENDA

- 1. Pledge of Allegiance**
- 2. Review and Approval of Minutes**
- 3. Regular Business**
 - a.** Robert Lang/Brian & Diana Leary - There will be a public hearing for an application for a Special Exception, reference Section 32-234, Accessory Apartments, of the Newmarket Zoning Ordinance, requested by Robert Lang/Brian & Diana Leary, to permit a 990 sq. ft. accessory apartment addition to the existing single family home. The property is located at 14 Durell Drive, Tax Map R5, Lot 159, R2 Zone.
 - b.** CC 86 Main LLC - There will be a public hearing for an application for a Special Exception, reference Section 32-46(b)(2)(a) and a Variance reference Section 32-86 Residential Density and Table 32-89 Dimensional Table, of the Newmarket Zoning Ordinance, requested by CC 86 Main LLC, to permit the conversion of the second and third (3980 sq. ft.) into six residential units. The building would continue to contain mixed use. A variance from residential density requirements calling for six units per acre is necessary, as this application for six units is on a lot which is approximately .05 acres according to Town records. The property is located at 86 Main Street, Tax Map U2, Lot 51, M2 Zone.
- 4. New/Old Business**
- 5. Adjourn**



Town Hall
186 Main Street
Newmarket, NH 03857

Tel: (603) 659-3617
Fax: (603) 659-8508

Founded December 15, 1727
Chartered January 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE

ATTACHMENTS:

Description	Upload Date	Type
Public Notice, Application, Letter of Denial, Site Plan, Floor Plan	4/1/2021	Backup Material

FOUNDED DECEMBER 15, 1727

CHARTERED JANUARY 1, 1991



TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE of the ZONING BOARD OF ADJUSTMENT

LEGAL NOTICE

NEWMARKET ZONING BOARD OF ADJUSTMENT

**MONDAY, APRIL 26, 2021
7:00 P.M.**

MEETING HELD IN TOWN HALL AUDITORIUM OR USING ZOOM (SEE BELOW)

There will be a public hearing for an application for a Special Exception, reference Section 32-234, Accessory Apartments, of the Newmarket Zoning Ordinance, requested by Robert Lang/Brian & Diana Leary, to permit a 990 sq. ft. accessory apartment addition to the existing single family home. The property is located at 14 Durell Drive, Tax Map R5, Lot 159, R2 Zone.

Members of the public may attend the meeting in person at the Town Hall auditorium or attend remotely using Zoom. If attending in person, please wear a mask and maintain social distance. If attending by telephone/Zoom, use the following information to join the meeting:

Join Zoom Meeting

<https://zoom.us/j/95401334499>

Call this number: 1-646-558-8656 US

Meeting ID Code: 954 0133 4499

Any problems call: 603-659-3617 extension 1321

THIS NOTICE WAS POSTED ON

4/1/21

AT

TOWN HALL ☒ REC DEPT ☒

POST OFFICE ☒ LIBRARY ☒

WEBSITE ☒ NEWSPAPER ☒

SIGNED S. Anderson

pd 3/12/00

Applicant: Robert Lang STRATH

Mailing Address: 20 Portsmouth Ave COMCAST

Email Address: ibowhuan12@comcast.net

Property owner: Brian-Diane Leary

Mailing Address: 14 Dorrill

Do not write in
this space

Date filed

3/30/21

Initials SL

Home Phone: 603 659 4569 Cell Phone: 603 702 5652

Email address: bdleary@msn.com

Location of property: 14 Dorrill Map 45 Lot 159 Zone R2

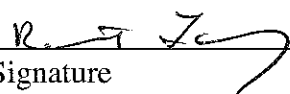
Description of property: corner LOT on end of Dorrill

Proposed use or existing use affected: Mother-in-law Apt

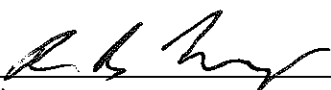
under 1000 sqft living area,

~~~~~  
**The following pages contain forms for Appeal from Administrative Decision, Special Exception, Variance, & Equitable Waiver. Please fill out appropriate request sheet. All applications will need completed abutters list.**

Please sign below for all applications:

Applicant   
Signature

Applicant Robert Leary  
Please Print

Owner   
Signature

Owner Brian Leary  
Please Print

Date 3-6-21

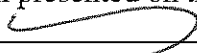
## ABUTTERS LIST

1. List the tax map, lot number, name(s) and mailing address of the **property owner(s), applicant (if different from property owners) and all abutters and any others requiring notification**, as shown in Town records, not more than five days prior to submittal per RSA 676:4,I(b). This may be done on a separate sheet. Please indicate the date of preparation and sign your name on each sheet.
2. As applicable, list the name, mailing address, daytime phone number, and email address of the Applicant's Authorized Representative and any surveyor, engineer, architect or soil scientist whose stamp and signature appear in the application materials. Use a separate piece of paper if needed.
3. **Fill out two adhesive mailing labels for EVERY entry on the list. Labels must not exceed 1" tall by 2.75" long in order to fit on the certified mail tags.**
4. **The determination of abutters is the responsibility of the applicant.** This list will not be reviewed for compliance with statutory requirements. Use abutters information available at Town Hall Assessing Office. Do not use information from any other source to determine abutters (online, website, memory, etc.)

| Map                                                         | Lot | Owner               | Mailing Address            |
|-------------------------------------------------------------|-----|---------------------|----------------------------|
| R-5                                                         | 159 | Brian + Diane Leary | 14 Durall Dr.              |
| <b><u>PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW</u></b> |     |                     |                            |
| —                                                           | —   | Robert Lang         | 20 Portsmouth Ave Stratton |
| <b><u>APPLICANT, IF DIFFERENT FROM PROPERTY OWNER</u></b>   |     |                     |                            |
| —                                                           | —   | WA                  |                            |
| <b><u>AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW</u></b> |     |                     |                            |

All abutters (use separate sheet, if necessary):

|     |     |                          |              |
|-----|-----|--------------------------|--------------|
| R-5 | 100 | Frank Olms               | 9 Durall Dr  |
| R-5 | 101 | Brian Knox/Andrea Bitcho | 11 Durall Dr |
| R-5 | 152 | Karen + Kent Baswell     | 1 Edson Lane |
| R-5 | 153 | Joe Naplatano            | 3 Edson Lane |

Date of preparation: 3-10-21  
 I hereby certify that all information presented on this form is, to the best of my knowledge, correct. 

Signature of preparer

Page 1

page 2

### ABUTTERS LIST

1. List the tax map, lot number, name(s) and mailing address of the **property owner(s), applicant (if different from property owners) and all abutters and any others requiring notification**, as shown in Town records, not more than five days prior to submittal per RSA 676:4, I(b). This may be done on a separate sheet. Please indicate the date of preparation and sign your name on each sheet.
2. As applicable, list the name, mailing address, daytime phone number, and email address of the Applicant's Authorized Representative and any surveyor, engineer, architect or soil scientist whose stamp and signature appear in the application materials. Use a separate piece of paper if needed.
3. **Fill out two adhesive mailing labels for EVERY entry on the list. Labels must not exceed 1" tall by 2.75" long in order to fit on the certified mail tags.**
4. **The determination of abutters is the responsibility of the applicant.** This list will not be reviewed for compliance with statutory requirements. Use abutters information available at Town Hall Assessing Office. Do not use information from any other source to determine abutters (online, website, memory, etc.)

| Map | Lot | Owner | Mailing Address |
|-----|-----|-------|-----------------|
|-----|-----|-------|-----------------|

|       |       |                                                      |  |
|-------|-------|------------------------------------------------------|--|
| _____ | _____ | <u>PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW</u> |  |
|-------|-------|------------------------------------------------------|--|

|       |       |                                                    |  |
|-------|-------|----------------------------------------------------|--|
| _____ | _____ | <u>APPLICANT, IF DIFFERENT FROM PROPERTY OWNER</u> |  |
|-------|-------|----------------------------------------------------|--|

|       |       |                                                      |  |
|-------|-------|------------------------------------------------------|--|
| _____ | _____ | <u>AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW</u> |  |
|-------|-------|------------------------------------------------------|--|

All abutters (use separate sheet, if necessary):

|       |       |                                  |  |
|-------|-------|----------------------------------|--|
| _____ | _____ | David Nicky McDermid 16 Duran Dr |  |
| _____ | _____ |                                  |  |
| _____ | _____ |                                  |  |
| _____ | _____ |                                  |  |

[EXT]:Fwd: 14 Durrell Dr.

HAPPINESS <ibowhunt12@comcast.net>

Mon 3/8/2021 4:07 PM

To: Print & Marketing Services 1124 <print.marketing1124@Staples.com>

Sent from Xfinity Connect Application

-----Original Message-----

From: ibowhunt12@comcast.net

To: ibowhunt12@comcast.net

Sent: 2021-03-08 1:06:49 PM

Subject: Fwd: 14 Durrell Dr.

Sent from Xfinity Connect Application

-----Original Message-----

From: mhoffman@newmarketnh.gov

To: ibowhunt12@comcast.net

Cc: dhardy@newmarketnh.gov, sjordan@newmarketnh.gov

Sent: 2021-01-19 11:24:30 AM

Subject: 14 Durrell Dr.

Hi Bob,

As mentioned, accessory dwelling units (ADU's) in Newmarket require a Special Exception from the Zoning Board of Adjustment (ZBA). The first requirement of obtaining a Special Exception is that your request to build an ADU must be denied.

Please accept this email as your formal LETTER of DENIAL to construct the ADU at 14 Durrell Dr.

The application for the Special Exception can be found [HERE](#). Only the general information, Section 2 and the Abutter information need to be completed. Sections 1, 3 and 4 are not applicable to Special Exceptions.

We realize you are aware of the requirements for an ADU in Newmarket, however if you need any reference a quick link is [HERE](#).

Also, please be aware that your building permit application did not illustrate compliance with setback requirements as no setback dimensions were shown on the site plan and the site plan was not signed. We will need those before issuing the permit ( along with the ZBA's Notice of decision on the Special Exception).

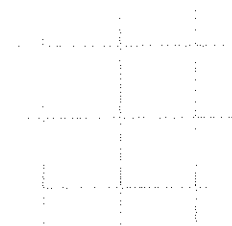
The building permit fee is based on the value of the construction, however, electrical, mechanical and plumbing costs should be backed out as the licensed trades will be required to obtain trade permits. If the \$175,000 is the cost estimate for the code required work without the trades work included, the Building Permit fee would be \$925.

Please contact us if you have any questions.

Michael Hoffman  
Building Safety, Health & Zoning Officer  
Town of Newmarket, NH

Appointments 603.659.8501 ext 1310  
Direct line 603.292.1230

[Building Safety Web Page](#)





TOWN OF NEWMARKET, NEW HAMPSHIRE

Brian and Diana Leary  
c/o Bob Lang  
VIA EMAIL  
Newmarket, NH 03857

March 15, 2021

Re: Accessory Dwelling Unit – Durell Drive – Map R5 Lot 159

Dear Brian and Diana,

As discussed, the this office must DENY your building permit application to create an accessory dwelling unit until such time as you have been granted a Special Exception from the Newmarket Zoning Board of Adjustment, per **Section 32-234** of the Newmarket Municipal Code.

Below are the current requirements to obtain the required Special Exception:

***Sec. 32-234. - Accessory apartments.***

*(a)Purpose. Accessory apartments are permitted in all zoning districts that permit single-family residential uses to ensure adequate provision of small, affordable residential units for various segments of the population, to help homeowners utilize excess space to generate revenue to help offset the costs of home ownership, and to encourage the adaptive reuse of historic homes.*

*(b)One accessory apartment shall be permitted per detached single-family residence if granted a special exception by the zoning board of adjustment. The accessory apartment shall be contained entirely within or attached to the detached single-family residence. The zoning board of adjustment shall grant the special exception if the following conditions are met:*

*(1)The accessory apartment shall be a minimum of 300 square feet and a maximum of 1,000 square feet of finished living area.*

*(2)The accessory apartment shall either be an efficiency apartment (without a separate bedroom), or a one-bedroom or two bedroom apartment.*

*(3)One of the dwelling units must be owner-occupied.*

*(4)There shall be a minimum of two parking spaces for each dwelling unit. A parking space shall be defined as a rectangular space nine feet by 18 feet. Parking spaces shall be permitted within the setbacks if the location is over 50 feet from abutting dwelling units.*

*(5) No exterior changes shall be made unless they maintain the aesthetic continuity of the accessory dwelling unit with the principal dwelling unit as a single-family dwelling.*

*(6) Adequate water supply and sewage disposal shall be provided. If town water and sewer services the site, tie-in fees shall be paid.*

*(7) Granting of the special exception would be consistent with section 32-5(1)b.*

*(8) An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit; however, it shall not be required to remain unlocked.*

*(c) Subdivision and site plan review approval are not required.*

Thank you for the foundation certification with the building permit application. As noted in the telephone conversation with your contractor, this property is in an early day 'innovative land-use subdivision'. As such, it contained a thirty foot (30') rear property line setback. Your proposal meets the requirement, however, we have asked the foundation certification be corrected to show the proper setback requirement.

We look forward to your applying for a Special Exception. Please contact Sue Jordan in our office for proper forms and application process. We apologize for the inconvenience, however this process serves to protect the integrity and desirability of our neighborhoods.

Sincerely,

Mike Hoffman, Building Safety Officer

C: D. Hardy

Dear Neighbor

January 22, 2021

Brian and Diana Leary at 14 Durell Drive Newmarket, NH are in the process of planning and constructing a mother-in-law addition. This addition will allow us to have our parents closer to us and extended family as well as let us aid with their physical needs as they age.

We are looking for your support of this effort and the addition to our property.

Thank You

|                       |                    |                |
|-----------------------|--------------------|----------------|
| <u>Kevin Bosworth</u> | <u>[Signature]</u> | <u>1-25-21</u> |
| Print Name            | Signature          | Date           |

|                      |
|----------------------|
| <u>#1 Edwin Lane</u> |
| Address              |

Dear Neighbor

January 22, 2021

Brian and Diana Leary at 14 Durell Drive Newmarket, NH are in the process of planning and constructing a mother-in-law addition. This addition will allow us to have our parents closer to us and extended family as well as let us aid with their physical needs as they age.

We are looking for your support of this effort and the addition to our property.

Thank You

David McDermid  1/23/21

Print Name Signature Date

16 Durell Drive, Newmarket, NH 03857

Address

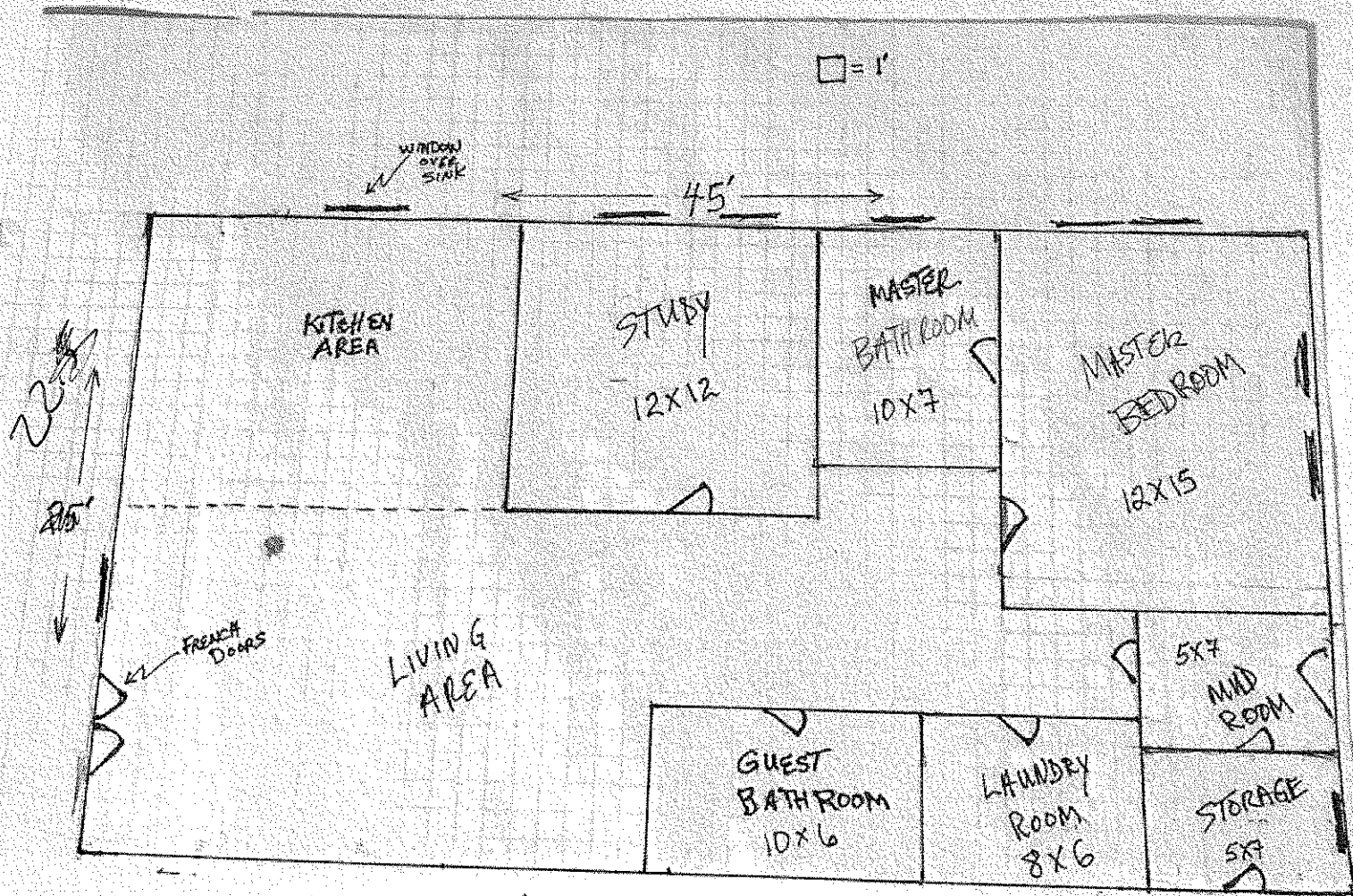
Brian and Diana Leary

14 Durell Drive Newmarket, NH 03857

Municipal Code 32-234

We would like to address the accessory criteria regarding our application for building a mother-in-law addition variance. The structure will be less than 1000 sq ft living space (990 sq ft) with a 30ft. set back from the closest property line. The main structure will be owner occupied. The addition is to enable us to provide and allow maximum support and independence for our elderly family members. The addition will maintain the aesthetic contingencies of the neighborhood. The added garage will provide ample parking area to accommodate 2 parking spaces. There will also be adequate water and sewer added with this addition.

~~125 SF~~ WOODS



GARAGE

LEARY PLANS





Town Hall  
186 Main Street  
Newmarket, NH 03857

Tel: (603) 659-3617  
Fax: (603) 659-8508

Founded December 15, 1727  
Chartered January 1, 1991

## TOWN OF NEWMARKET, NEW HAMPSHIRE

### **ATTACHMENTS:**

| Description                                                              | Upload Date | Type            |
|--------------------------------------------------------------------------|-------------|-----------------|
| Legal Notice                                                             | 4/1/2021    | Backup Material |
| Application, Market Analysis, Fiscal Impact Analysis,<br>Renovation Plan | 4/1/2021    | Backup Material |

FOUNDED DECEMBER 15, 1727

CHARTERED JANUARY 1, 1991



TOWN OF NEWMARKET, NEW HAMPSHIRE  
OFFICE *of the* ZONING BOARD OF ADJUSTMENT

**LEGAL NOTICE**

**NEWMARKET ZONING BOARD OF ADJUSTMENT**

**MONDAY, APRIL 26, 2021  
7:00 P.M.**

**MEETING HELD IN TOWN HALL AUDITORIUM OR USING ZOOM (SEE BELOW)**

There will be a public hearing for an application for a Special Exception, reference Section 32-46(b)(2)(a) and a Variance reference Section 32-86 Residential Density and Table 32-89 Dimensional Table, of the Newmarket Zoning Ordinance, requested by CC 86 Main LLC, to permit the conversion of the second and third (3980 sq. ft.) into six residential units. The building would continue to contain mixed use. The property is located at 86 Main Street, Tax Map U2, Lot 51, M2 Zone.

Members of the public may attend the meeting in person at the Town Hall auditorium or attend remotely using Zoom. If attending in person, please wear a mask and maintain social distance. If attending by telephone/Zoom, use the following information to join the meeting:

Join Zoom Meeting

<https://zoom.us/j/95401334499>

Call this number: 1-646-558-8656 US

Meeting ID Code: 954 0133 4499

Any problems call: 603-659-3617 extension 1321

**APPLICATION – ZONING BOARD OF ADJUSTMENT  
TOWN OF NEWMARKET, NH**

*pd 170.00  
scg*

Applicant: CC 86 Main LLC

Mailing Address: PO Box 571, Greenland, NH 03840

Email Address: bstebbins@condorcapitalllc.com

Property owner: CC 86 Main LLC

Mailing Address: PO Box 571, Greenland, NH 03840

Cell Phone: 603-801-3351

Email address: PO Box 571, Greenland, NH 03840

Location of property: 86 Main Street      Map U-2 Lot 51 Zone M-2

Description of property: The former Masonic Temple, a historic 3 ½ story brick building located in the center of downtown Newmarket.

Proposed use or existing use affected: Presently the first floor is occupied by Crackskull's Coffee and Books , and the second and third floors and the unfinished attic are vacant. Our proposal is to convert the second and third floors (3980 square feet) into six residential units as part of the rehabilitation of this historic building. The building would continue to contain mixed-uses.

|                               |
|-------------------------------|
| Do not write in<br>this space |
| Date filed<br><u>3/26/21</u>  |
| Initials <u>SCG</u>           |

## ABUTTERS LIST

1. List the tax map, lot number, name(s) and mailing address of the **property owner(s), applicant (if different from property owners) and all abutters and any others requiring notification**, as shown in Town records, not more than five days prior to submittal per RSA 676:4,I(b). This may be done on a separate sheet. Please indicate the date of preparation and sign your name on each sheet.
2. As applicable, list the name, mailing address, daytime phone number, and email address of the Applicant's Authorized Representative and any surveyor, engineer, architect or soil scientist whose stamp and signature appear in the application materials. Use a separate piece of paper if needed.
3. **Fill out two adhesive mailing labels for EVERY entry on the list. Labels must not exceed 1" tall by 2.75" long in order to fit on the certified mail tags.**
4. **The determination of abutters is the responsibility of the applicant.** This list will not be reviewed for compliance with statutory requirements. Use abutters information available at Town Hall Assessing Office. Do not use information from any other source to determine abutters (online, website, memory, etc.)

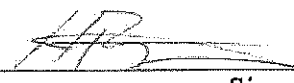
| Map                                                  | Lot | Owner                                                                   | Mailing Address                                                              |
|------------------------------------------------------|-----|-------------------------------------------------------------------------|------------------------------------------------------------------------------|
| U2                                                   | 51  | CC 86 Main LLC,<br><u>PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW</u> | PO Box 571, Greenland, NH 03840                                              |
| <hr/>                                                |     |                                                                         |                                                                              |
| <u>APPLICANT, IF DIFFERENT FROM PROPERTY OWNER</u>   |     |                                                                         |                                                                              |
|                                                      |     | Atty. Henry B. Stebbins                                                 | 899 Elm Street 6 <sup>th</sup> Floor, Manchester, NH 03101<br>(603) 627-3700 |
| <u>AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW</u> |     |                                                                         |                                                                              |

All abutters (use separate sheet, if necessary):

**SEE ATTACHED SHEET**

Date of preparation: 3/9/2021

I hereby certify that all information presented on this form is, to the best of my knowledge, correct.

  
\_\_\_\_\_  
Signature of preparer

## **SECTION 2 APPLICATION FOR SPECIAL EXCEPTION**

The undersigned hereby requests a Special Exception as provided in Section 32-46 (b) (A) of the Newmarket Zoning Ordinance.

Explain how the proposal meets the special exception criteria as specified (list responses to all criteria from the ordinance. For example, "Criterion 1: then your response", etc.) Use a separate sheet if necessary:

**Criterion 1:** Fiscal impact statement which, in addition to analyzing general impacts, assesses school impacts in particular.

Please see attached **Fiscal Impact Analysis for 86 Main Street by FOUGERE PLANNING & DEVELOPMENT Inc.**

**Criterion 2:** A market analysis which demonstrates the feasibility of added multifamily housing in a community which already has an over-abundance of multifamily housing, sufficient to ensure reasonable expectation of ongoing occupancy of units to support maintenance and upkeep of the property.

The Town of Newmarket Master Plan 2001, as amended, states clearly that as of 2015 ten percent of Newmarket's rental housing units had 'sever housing problems', such as incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, or too great a cost burden.<sup>1</sup> The need for updated rental units has increased since the Master Plan was written. Since 2015, housing availability in the region has grown increasingly worse. Housing demand and prices have skyrocketed in the general Seacoast area.

A recent report from the New Hampshire Housing Finance Authority reviewed the scope of the state's rental housing market, finding that the state vacancy rate is a staggering 1.8%, with Rockingham County specifically posting a 0.9% vacancy rate.

A balanced market, the NHHFA wrote, is between a 4-5% vacancy rate. The United States average stood at 6.6% at the time of the report, and the northeast region's rate was registered at 5.5%.

In the past five years, vacancy rates have plummeted in Rockingham County and there has been close to a 30% increase in the median rent for a two-bedroom unit. Currently, the average rent of a two-bedroom unit in Rockingham County is \$1,623.

"We are the 12th most expensive rental market in the country," Senator Maggie Hassan said during a roundtable talk about the problem.

In July 2020, the Seacoast Board of Realtors announced that the cost of residential real estate in its market (Exeter, Greenland, Hampton, Hampton Falls, New Castle, Newfields,

---

<sup>1</sup> Town of Newmarket Master Plan 2001 With Amendments, Chapter 6, Housing & Demographics amended 2015, Sever Housing Problems.

Newington, North Hampton, *Newmarket*, Portsmouth, Rye, Seabrook and Stratham) had reached new highs.

Concern about the availability of housing has led to the enactment of a number of new laws in our State. One such law, New Hampshire Revised Statutes Annotated (RSA) 674:59, Workforce Housing Opportunities, states the following:

*“...ordinances and regulations shall provide reasonable and realistic opportunities for the development of workforce housing, including multifamily housing. In order to provide such opportunities, lot size and overall density requirements for workforce housing shall be reasonable. A municipality that adopts land use ordinances and regulations shall allow workforce housing to be located in a majority, but not necessarily all, of the land area that is zoned to permit residential uses within the municipality.”*

Condor Capitol LLC, a company that has invested heavily in Newmarket, would like to work with the Town on the development of attractive updated housing in the Town’s center. As stated above, preliminary plans call for the construction 6 new, up-to-date rental units as part of the renovation and rehabilitation of a historic building in the Town’s downtown with access to existing public transportation.

The proposed use of two floors of the Property for multi-family housing would not cause any significant increase in Town services as the make-up of the proposed units is limited to studio and one-bedroom apartments.

Please see attached independent **Market Analysis for 86 Main Street by FOUGERE PLANNING & DEVELOPMENT Inc.**

# FOUGERE PLANNING & DEVELOPMENT, Inc.

## Mark J. Fougere, AICP

253 Jennison Road Milford, New Hampshire 03055  
phone: 603-315-1288 email: Fougereplanning@comcast.net

### 86 Main Street Market Analysis

March 29, 2021

#### Introduction

CC 86 Main LLC is proposing renovating this existing commercial building into a mixed use site, adding six apartment units (four one-beds and two studio lofts) replacing the existing office space and a rental hall. The renovated area totals approximately 3,980 square feet. An existing coffee shop on the first floor will remain and no changes are proposed for this space. Fougere Planning and Development has been engaged by CC 86 Main LLC to undertake this Market Analysis to outline the Newmarket housing market relative to the proposal to expand the subject site by adding six apartment units.

The requirements of a Market Analysis are outlined in the Zoning Ordinance, Section 32-46, M-2-District (b) Permitted Uses, (2) 2. ***Preparation and acceptance by the zoning board of adjustment of a market analysis which demonstrates the feasibility of added multifamily housing in a community which already has an overabundance of multifamily housing, sufficient to ensure reasonable expectation of ongoing occupancy of units to support maintenance and upkeep of the property.*** Relative to the proposed project's impact on the town's multi-family housing market, I offer the following:

#### Local Trends

Census figures report that from 2010 to 2019 Newmarket's population increased from 8,936 to 9,460, showing a 5.86% growth rate over the 9 year period. This growth rate is in the middle range compared to area communities, with Durham have the highest growth rate in the region as detailed in Table 1.

Table 1  
Region Census 2010 – 2019

|                  | 2010         | 2019         | % change 2010 - 2019 |
|------------------|--------------|--------------|----------------------|
| <b>Newmarket</b> | <b>8,936</b> | <b>9,460</b> | <b>5.86%</b>         |
| Durham           | 14,638       | 16,085       | 9.88%                |
| Epping           | 6,411        | 7,031        | 9.67%                |
| Exeter           | 14,306       | 15,382       | 7.52%                |
| Lee              | 4,330        | 4,483        | 3.53%                |
| Newfields        | 1,680        | 1,723        | 2.5%                 |
| Stratham         | 7,225        | 7,559        | 4.62%                |

The Covid pandemic over the last year has created economic uncertainties for many sectors of the economy. Restaurants and tourist related industries have been hit particularly hard. Other sectors of the economy have remained strong, including the real estate market. Although the New Hampshire economy experienced a major downturn at the start of the pandemic, it quickly recovered and continues to experience positive growth trends. With the vaccine deployment fully engaged, it is anticipated that a majority of the population will be fully vaccinated by the third quarter this year, allowing a return to normalcy and greater positive impacts in all aspects of the economy. Newmarket, located in the seacoast area, has been able to withstand these recent headwinds and benefits from a diversified local economy including UNH and Pease. The unemployment rate for New Hampshire remains low at 3.3%<sup>1</sup> for the month of February; the local unemployment rate is equally strong in the Dover-Durham area reporting 3.8% and the Portsmouth area at 3.7%. The Nation's unemployment rate is 6.2% which highlights the strength of not only New Hampshire's but the local economy as well. (See Table 2)

Table 2  
Unemployment Rate

| Unemployment Rate | Feb. 2021 |
|-------------------|-----------|
| U.S.              | 6.2%      |
| New Hampshire     | 3.3%      |
| Dover-Durham      | 3.8%      |
| Portsmouth        | 3.7%      |

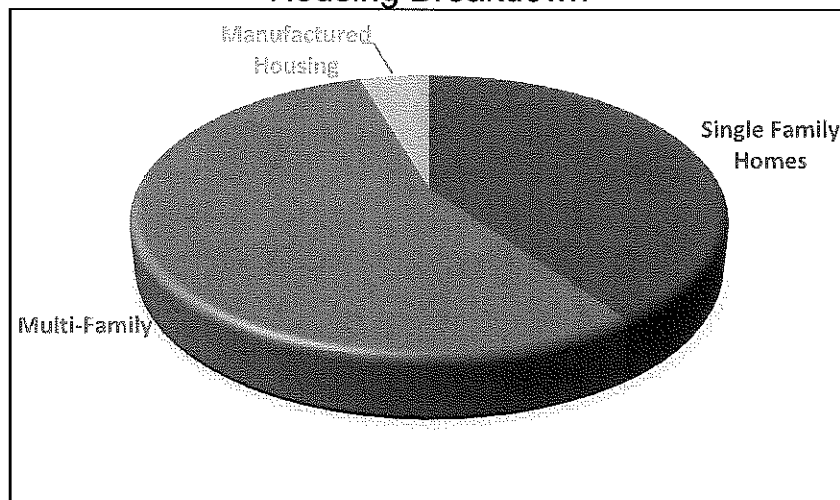
## Local Housing Market

---

<sup>1</sup> New Hampshire Employment Securities

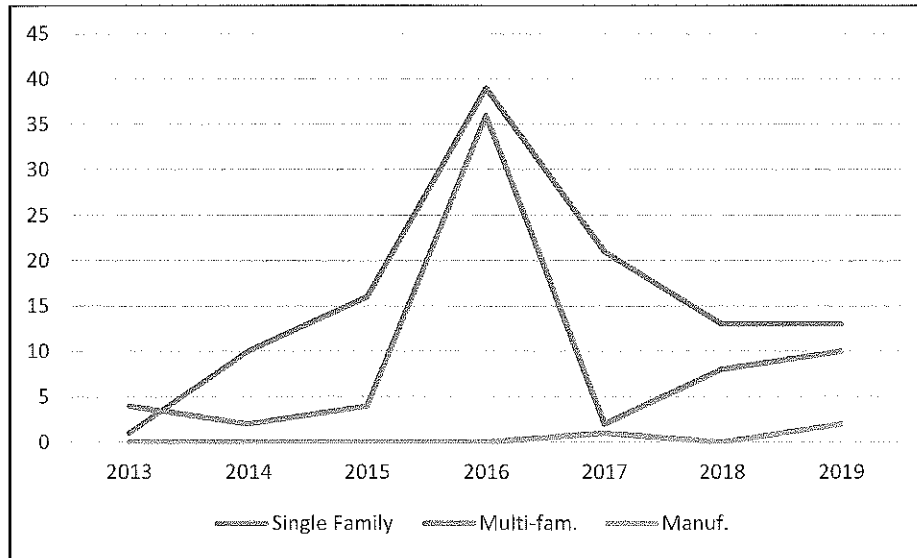
A majority of Newmarket's housing stock consists of multi-family housing units, with the most recent data from the New Hampshire Office of Energy and Planning (OEP) reporting that out of a total housing stock of 4,446 units, 2,444 are multi-family. (Figure 1)

Figure 1  
Housing Breakdown



Since 2013, single family home construction has been modest, with 113 homes constructed over the last seven years. Recent multi-family construction peaked in 2012 with the addition of 112 apartment units at the downtown Mill. (Figure 2).

Figure 2  
Residential Building Permits 2013 – 2019



Newmarket's multi-family market consists both large complexes and smaller projects including large old homes with 3 -4 units. A majority of the larger apartment complexes were constructed in the 70's and 80's; Mead Hill is eight to ten years old. The Newmarket Mills is one of the newest apartment complex in the community and consists of a wide range of unit types located in the old downtown mill.

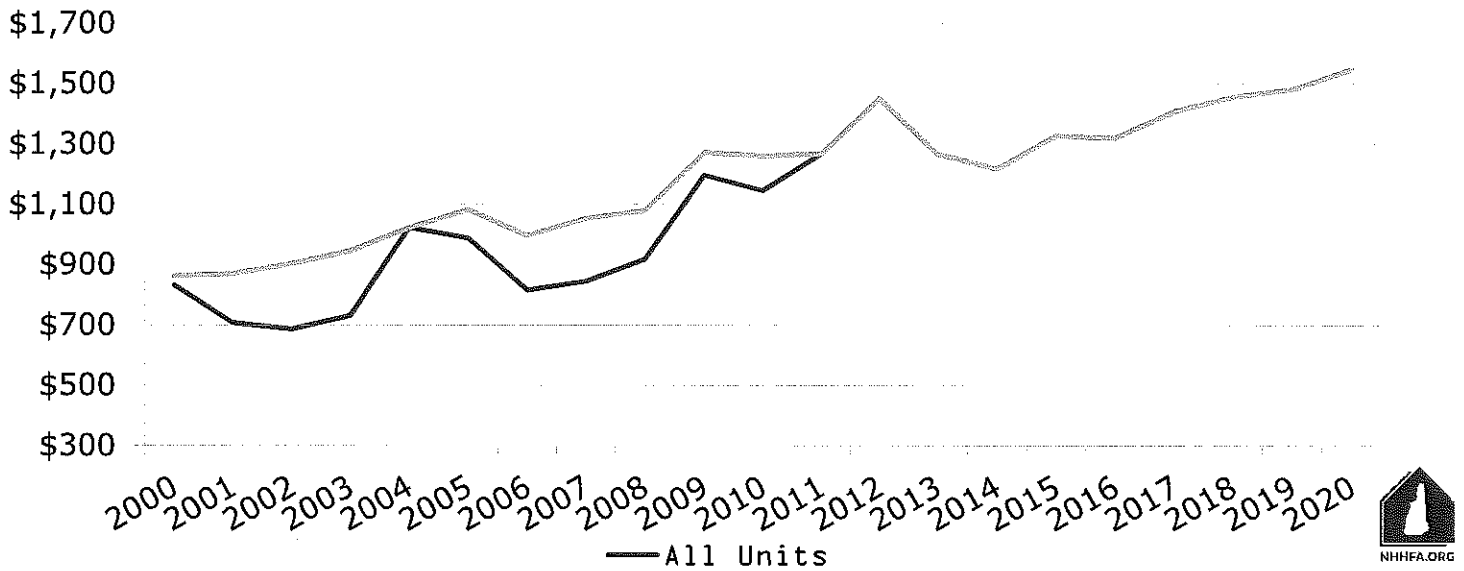
The New Hampshire Housing Finance Authority (NHHFA) tracks apartment rental rates in larger markets throughout the State. Attached is the Median Gross Rental Cost<sup>2</sup> since 2000 for Newmarket. The 2020 median rent for all units is \$1,550. In addition, NHHFA data reports that current vacancy rates are .0% (attached) for all units, indicating that the local rental housing market remains robust.

## Conclusion:

<sup>2</sup> Rent cost includes a provision for utilities.

- The local economy is strong, with low unemployment rates both locally and regionally. The subject site's location in the seacoast area and its numerous amenities creates a high quality of life.
- The community's population has been increasing since 2010.
- The local apartment vacancy rate is well under 1%, with limited turnover and waiting lists occurring at some complexes.
- The proposed project will increase the rental housing supply fractionally (.002%).
- The proposed new housing units will enhance site value and strengthen the economic conditions of the property, as well as provide additional positive influences on the downtown area.
- Home values in the region have increased over the past year.
- Given these factors it is my professional opinion that that the proposed apartment rental project Will Not have a negative impact on the town's housing market.

## Median Gross Rental Cost



## Vacancy Rate of Rental Housing Units



# **FOUGERE PLANNING & DEVELOPMENT Inc.**

## **Mark J. Fougere, AICP**

253 Jennison Road Milford, New Hampshire 03055

phone: 603-315-1288 email: Fougereplanning@comcast.net

### **Fiscal Impact Analysis**

#### **86 Main Street**

CC 86 Main LLC is proposing renovating the upper two floors of the existing Main Street building into 4 one-bedroom units and 2 studio units. This existing 3,980 square foot area is presently occupied by office space and a rental hall. The first floor contains a coffee shop which will remain. This site is privately maintained including the disposal of all refuse. This fiscal report will estimate municipal revenues and expenses related to this new use.

#### **Local Trends**

The NH Office of Strategic Initiatives (OSI) reports that from 2010 to 2019 Newmarket's population increased from 8,936 to 9,460, showing a 5.8% growth rate over the 9 year period.

#### **Budgets**

Town Department budgets categories are detailed in Table One. In reviewing all municipal departments, the police and fire departments most often see measurable impacts as the result of residential changes to land uses and along with schools. These departments are the most sensitive as growth occurs in a community. As a result, particular attention to these departments will be addressed in this Report.

**Table One  
2021 Budget**

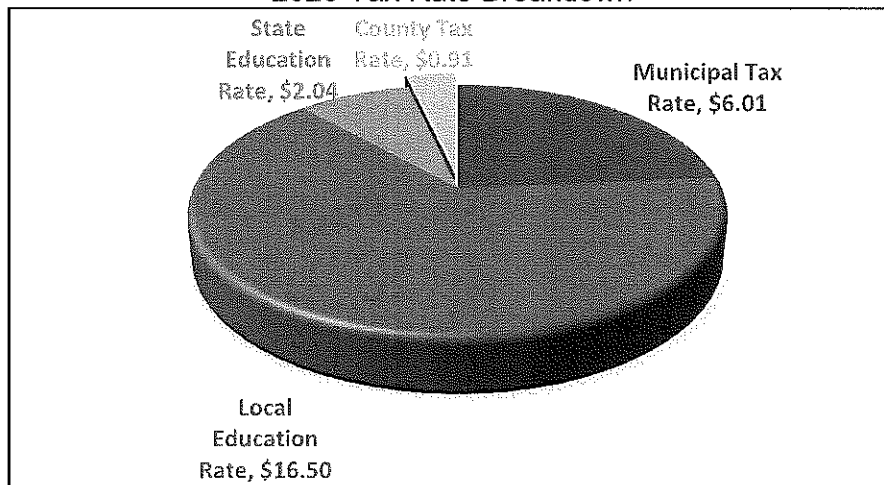
| <b>Departments</b>       |              |
|--------------------------|--------------|
| General                  | \$4,021,589  |
| Police                   | \$1,764,146  |
| Fire                     | \$503,432    |
| Public Safety            | \$84,957     |
| Highway & Streets        | \$1,218,062  |
| Sanitation               | \$747,443    |
| Welfare                  | \$88,430     |
| Culture/Recreation/Cons. | \$1,021,216  |
| Capital Outlay & Debt    | \$270,332    |
| Schools                  | \$23,137,482 |

## **Local Revenues from Development**

### **A) Property Taxes**

Local property taxes provide the bulk of municipal revenues for New Hampshire communities. The 2020 Tax Rate for Newmarket is \$25.46 as outlined in Figure One. For this analysis a local tax rate of \$24.55 will be used, removing the County tax rate.

**Figure One  
2020 Tax Rate Breakdown**



Based upon a review of the property's existing building assessment, occupied building space is assessed at \$82.96 per square feet. Analyzing existing mixed use sites in the area, as detailed in Table Two, demonstrates an average value of \$115.89 per square foot. Applying this value to the 86 Main Street site generates a value of \$688,366 and local property tax revenue of \$16,899. Existing taxes on the property total \$12,098; the proposed changes will increase tax payments to the community by 28.4%.

Table Two  
Estimated Future Value

|                     | Use | Assessment         | Area          | Assess./Sq. Ft. |
|---------------------|-----|--------------------|---------------|-----------------|
| 72 Main Street      | Mix | \$521,400          | 5,210         | \$100.08        |
| 96 Main Street      | Mix | \$402,900          | 3,264         | \$123.44        |
| 98 Main Street      | Mix | \$277,100          | 1,752         | \$158.16        |
| 141-143 Main Street | Mix | \$551,500          | 4,900         | \$112.55        |
| <b>Average</b>      |     | <b>\$1,752,900</b> | <b>15,126</b> | <b>\$115.89</b> |
| 86 Main Street      | Mix | <b>\$688,366</b>   | 5,940         |                 |
| Estimated Taxes     |     | <b>\$16,899</b>    |               |                 |

#### B) Miscellaneous Yearly Revenues

Another major revenue source for the community is from motor vehicle permit fees. In fiscal year 2020 the Town of Newmarket received a total of \$1,647,698<sup>1</sup> from this revenue source. Based on an average registration cost of \$180 and assuming six new registrations, **\$1,080** in revenue can be anticipated.

#### C) Total Project Revenues

The proposed new development is expected to generate \$17,979 in gross tax revenue to the community as outlined in Table Three.

<sup>1</sup> 2020 Town Report.

Table Three  
Projected Gross Revenue

|                                  | Est. Revenue |
|----------------------------------|--------------|
| Estimated Tax Revenue            | \$16,899     |
| Estimated Automotive Permit Fees | \$1,080      |
| Estimated Project Tax Revenue    | \$17,979     |

### **Municipal Costs**

Given the minimal nature of the proposed development project few impacts will be felt by Town Departments. Solid waste generated by the project will be removed by a private hauler. Any sewer and water expenses will be offset through user fees. In addition, impact fees will be collected for each new unit: school \$743, recreation \$279, wastewater \$791 and water supply \$475 (\$2,287 per unit); offsetting municipal capital costs that have been expended for these facilities. This is not to infer that no costs will occur as a result of this project. There is a potential for a small degree of measurable impact that may be felt by a few Town departments.

### **Police & Fire Departments**

For the most part, increased demands on public safety departments can be measured by reviewing call data. To gain a firm understanding of degree of impact this proposed project could have on these services, Fougere Planning's 2,400 apartment<sup>2</sup> unit data base of emergency calls was reviewed. This call data is reflected in ratios of calls per housing unit for all emergency services, for the Police Department the ratio is .360 calls per unit and for the Fire Department (fire/ambulance) the ratio is .097. Applying these calls ratios to the proposed six apartments generates two calls a year to the Police Department and one call to the Fire Department. Calculating a cost per call for both the Police and Fire Departments and applying that cost to the six apartments, generates an estimated cost of **\$736** as outlined in Table Four.

---

<sup>2</sup> Calls from the Mead Hill Road apartment complex are included in this database.

Table Four  
Emergency Service Costs

| Dept.        | 2021 Budget | 2020 Calls | Cost/call | Est. Calls | Est. Cost    |
|--------------|-------------|------------|-----------|------------|--------------|
| Police       | \$1,764,146 | 19,841     | \$89      | 2          | \$178        |
| Fire         | \$503,432   | 903        | \$558     | 1          | \$558        |
| <b>Total</b> |             |            |           |            | <b>\$736</b> |

### Other Departments and Schools

Limited impacts to other departments are anticipated. Given the location of the proposed apartment units, in the upper floors of a three story building, tenant demographics are expected to be younger adults. Given the mixed use nature of the building and that the units will be one bedroom and studios, it is anticipated that no school children will reside within the six apartments. To account for some potential other costs related to these new units, we will carry a **\$600 expense**<sup>3</sup>.

### Conclusion

The proposed addition of six apartment units is estimated to increase the property's value by \$195,566 and along with automotive permit fees, increasing annual municipal revenues from \$12,098 to \$17,979. Municipal expenses are anticipated to be minimal totaling \$1,336 annually, resulting in a positive fiscal impact of \$16,643 as outlined in Table Five. In addition, the addition of these apartments will increase the population in the downtown area, creating economic opportunities for area businesses.

Table Five  
Fiscal Summary

|                               |                  |
|-------------------------------|------------------|
| Estimated Annual Revenues     | \$17,979         |
| Estimated Costs               | -\$1,336         |
| <b>Positive Fiscal Impact</b> | <b>+\$16,643</b> |

---

<sup>3</sup> \$100 per unit.

### **SECTION 3 VARIANCE**

A variance is requested from Section 32.8, Residential Density, and Table 32-89, Dimensional Controls, of the Newmarket Zoning Ordinance to permit conversion of the second and third floors of the building to six dwelling units; four one bedroom and two loft apartments.

#### **VARIANCE CRITERIA**

The local ordinance cannot limit or increase the powers of the Board to grant variances under this authority, but this power must be exercised within bounds. In several decisions from 1952 to the present, the Supreme Court has declared that each of the following criteria must be found in order for a variance to be legally granted:

**CRITERION 1.** Granting the Variance would not be contrary to the public interest.

The Zoning Ordinance limits the number of residential units to six per acre in the downtown M-2 District. Currently, numerous properties in the downtown M-2 District are on small lots and contain nonconforming numbers of residential units. In fact, the Newmarket Zoning Ordinance itself states that purpose of the M-2 District is to provide for relatively high density mix of uses. The Town's Master Plan, in a Section dealing with Downtown revitalization (the continuance of which is one of the Master Plan's stated Objectives) reads as follows:

*"Newmarket has been involved in a multi-phase revitalization program in the downtown, which has spanned several decades. The Town has recently completed a \$6.8 million Main Street Reconstruction Project, which involved the replacement of water, sewer, and drainage facilities, the removal of unsightly overhead wires, installation of new lighting and underground utilities, new sidewalks, crosswalks, landscaping, and pedestrian and streetscape improvements. The overall purpose of this project was to enhance the live-ability and vitality of Newmarket's Business District"*

Other stated goals of the Master Plan include the following:

*Continue to promote mixed uses in the downtown...*

*Continue to encourage development in the downtown...*

Encourage new housing development and redevelopment in downtown mixed-use areas that promote live, work and play lifestyles...

Continue to revitalize downtown Newmarket...

**CRITERION 2.** If the variance were granted, the spirit of the ordinance would be observed because:

As stated above, the Zoning Ordinance states clearly that the purpose of the M-2 District is, "to enhance the village by providing for relatively high density, a mix of uses, public access to the Lamprey River, and design compatible with the pedestrian and historic nature of the area." Recognizing this, CC 86 Main LLC has put together a plan for the mixed-use rehabilitation of a historic building in the heart of downtown.

As with many other properties in the M-2 district, there is no on-site parking. The building covers the entire property and it's lack of parking is grandfathered from the Zoning Ordinance. Thus, parking should be, in accordance with Section 3.02 (A) (3) of the Zoning Ordinance, evaluated in a different manner.

"New or changing uses shall be evaluated shall be evaluated from the perspective of changes in the demand for on-site parking. Proposed changes, which decrease demand, shall be permitted." (Section 3.02 (A) (3))

Converting the use of a portion the property from Office/Business to 6 small residential units (the proposal is to construct four one-bedroom units and two loft apartments) would significantly decrease the otherwise required on-site parking requirements and thus are, per the Zoning Ordinance, permitted.

Fortunately, the Applicant also indirectly owns a number of neighboring properties, some of which have excess parking capacity which will be made available to residential tenants of the

86 Main Street on an as needed basis.

**CRITERION 3.** Granting the variance would do substantial justice because:

Section 3.2 of Newmarket' Zoning Ordinance states that among the specific objectives of the Ordinance is to: "Implement the policies of the Newmarket Master Plan, including, but not limited to: Enhancing the downtown village area by providing an appropriate mix of uses, improving its appearance, maintaining its traditional New England character..."

As shown above, the proposed rehabilitation of the historic property located at 86 Main Street seeks to address many of the goals and objectives of the Master Plan. Our proposal also comports with the Newmarket Zoning Ordinance's stated that purpose of the M-2 District which is to provide for relatively high-density mix of uses in Newmarket's downtown.

Further, granting the variance would comply with the NH Supreme Courts ruling that "Zoning ordinances must be consistent with the character of the neighborhoods they regulate."<sup>2</sup> Here, the conversion of two floors of 86 Main Street to residential units would be consistent with the many other properties in the M-2 District which are non-compliant with Section 32.86 and Table 32-89 of the Newmarket Zoning Ordinance.

**CRITERION 4.** If the variance were granted, the values of the surrounding properties would not be diminished.

As stated above, the conversion of the second and third floors of the 86 Main St. property would be consistent with the uses made of many other properties in the downtown's M-2 District and consistent with this Board's recent decision regarding the addition of two residential units to the property located at 72 Main Street. The plan is to rehabilitate an existing historic building while adding new up-to-date housing units to fill existing demand.

---

<sup>2</sup> See *Simplex Technologies, Inc. v Town of Newington*.

## **CRITERION 5. Unnecessary Hardship**

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

1. No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:

86 Main Street is an historic building in heart of downtown Newmarket, which takes up the entire parcel. It is badly in need of rehabilitation and restoration. The upper floors of almost all of the buildings in the neighborhood contain dwelling units, most of which are non-compliant grandfathered uses. The purpose of the M-2 District is clearly stated as to provide for relatively high density mix of uses in Newmarket's Downtown.

AND

2. The proposed use is a reasonable one because:

It advances the stated objectives of the Zoning Ordinance and the Master Plan.

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

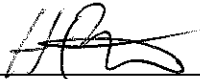
The Newmarket Master Plan makes clear that the historic town center is the driving economic engine of Newmarket and the Town has made preserving historic buildings in downtown a major part of its planning for the future. The \$6.8 million Main Street Reconstruction Project was undertaken to enhance the livability and vitality of Newmarket's Business District, and the Town has assisted with historic renovation and revitalization in many ways, including providing assistance to developers by granting Community Revitalization Tax Relief Incentives under Chapter 79-E. This proposal to update and renovate the historic building located at 86 Main Street is, and should be seen as, an important step in meeting the stated goals

of the Town's Master Plan.

Further, this historic three-story building fills the entire lot, and, as shown on the attached plot plan, was constructed such that it has always overflowed the lot lines. This long existing condition means the property cannot be reasonably used in strict conformance with the ordinance and a variance is therefore necessary to enable reasonable use of it.

This renovation and revitalization of a historic building in the heart of the Town's will not go forward unless the Town, as it has in the past, cooperates in making the project economically viable. Granting of this variance is necessary to enable reasonable use of this important historic structure.

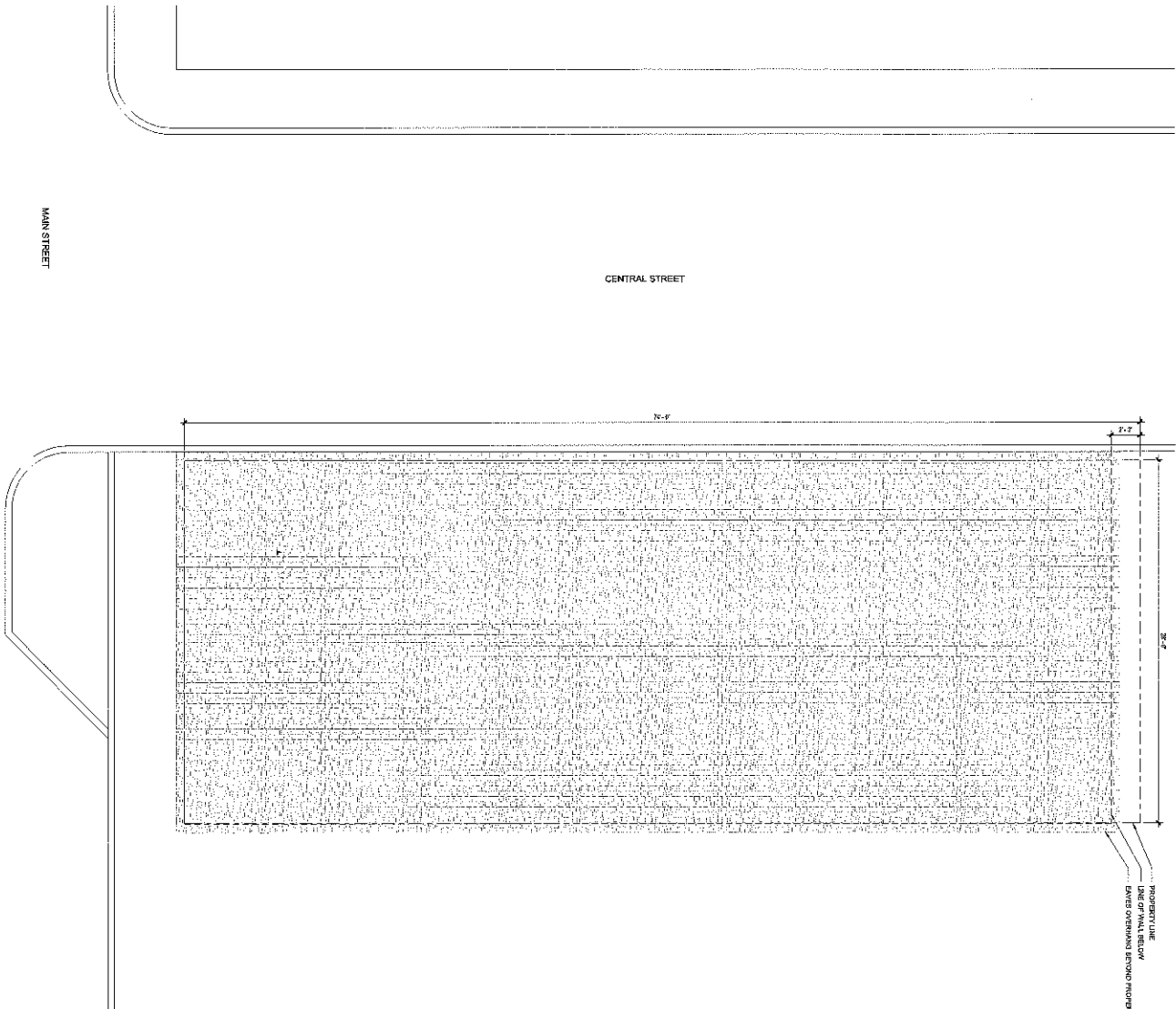
**CC 86 Main LLC** by its Manager  
Condor Capital LLC

SIGNED:  Date: \_\_\_\_\_ Fee Paid: \_\_\_\_\_  
Applicant Recd. \_\_\_\_\_

| Map | Lot | Owner                         | Mailing Address                      |
|-----|-----|-------------------------------|--------------------------------------|
| U2  | 52  | Bennett Jr. Randall           | 4 Alyce Dr Newmarket NH 03857        |
| U2  | 68  | Newmarket Holdings LLC        | 38 Francesca Way Nottingham NH 03290 |
| U2  | 32  | 88 Main St LLC                | 277 Main St Durham NH 03824          |
| U2  | 33  | Lulek Scot F                  | 3 Central St Newmarket NH 03857      |
| 42  | 51  | CC 86 Main St LLC             | PO Box 571 Greenland NH 03840        |
| 42  | 368 | Rivermoor Landing Association | 11 Court St Exeter NH 03833          |
| —   | —   | —                             | —                                    |
| —   | —   | —                             | —                                    |
| —   | —   | —                             | —                                    |
| —   | —   | —                             | —                                    |
| —   | —   | —                             | —                                    |

The application shall include the names and addresses of the applicant, all holders of conservation, preservation, or agricultural preservation restrictions as defined in RSA 477:45, and all abutters as indicated in the town records for incorporated towns or county records for unincorporated towns or unorganized places not more than 5 days before the day of filing. Abutters shall also be identified on any plat submitted to the board.

60 > 135  
75 38  
716 170



PROPERTY LINE  
LINE OF FINAL BELOW  
EASES OVERLAPPING BEYOND PROPERTY LINE

CENTRAL STREET

MAIN STREET

① PLOT PLAN  
1/16" = 1'-0"

PROJECT:

**MAIN STREET RENOVATION**  
84 MAIN STREET  
NEWMARKET, NH

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

FOR: [Signature]

SCALE: 1/16" = 1'-0"

PROJECT NO.: 20130001

DRAWING NO.: 101

DATE: 10/10/2013

TIME: 12:00 PM

BY: [Signature]

Department of  
1727  
Building Safety  
January 1, 1991

Founded December 15,

Chartered



TOWN OF NEWMARKET, NEW HAMPSHIRE

February 26, 2021

Dear Mr. Stebbins,

In review of your building permit application to renovate 86 Main Street, Tax Map U2 Lot 51, commonly known as the Masonic Temple building, we must DENY the building permit at this time.

As you are aware, the project requires some relief from the *Residential Density* requirements of the Newmarket Zoning Ordinance as well as a Site Plan Approval from the Planning Board.

Newmarket Zoning Section 32-86 Residential Density and Table 32-89 Dimensional Controls limit the number of residential units to 6 per acre in the downtown M-2 District. 86 Main Street is a surprisingly large building and covers most of the lot. Correspondingly the lot is relatively small in comparison to the building's square footage. Our records indicate the lot is .05 of an acre, which by our zoning would not even permit one residential unit where 6 are proposed.

We wish you the best obtaining the proper approvals and look forward to working with you.

Sincerely,

Michael Hoffman  
Building Safety, Zoning Enforcement and Health Officer