



FOUNDED DECEMBER 15, 1727

CHARTED JANUARY 1, 1991

NEWMARKET ZONING BOARD OF ADJUSTMENT

MONDAY, MARCH 8, 2021

JOIN ZOOM MEETING: [HTTPS://ZOOM.US/J/95401334499](https://zoom.us/j/95401334499) OR CALL THIS

NUMBER: 1-646-558-8656 US MEETING ID CODE: 954 0133 4499 ANY

PROBLEMS CALL: 603-659-3617 EXTENSION 1321

7:00 PM

AGENDA

- 1. Pledge of Allegiance**
- 2. Review and Approval of Minutes**
 - a. January 11, 2021 Edited Minutes
- 3. Regular Business**
 - a. Application of 11 Chapel Street, LLC for property at 11 Chapel Street, Map U2 Lot 3 Zone M-2 Zone for a variance to allow the proposed conversion of 620 square feet of an accessory barn structure for commercial/retail use pursuant to Sec 32-5 (1) and (3) to permit the expansion of a non-conforming use and structure on a lot that does not meet current dimensional and use requirements and a variance to Section 32-46 (6) © to allow parking within the front side yard.
 - b. Application for an Appeal of an Administrative Decision from William Ouelette/Ouelette Family Trust concerning clarification of a 2005 Zoning Board Decision and Administrative Decision of Diane Hardy, Zoning Administrator dated January 27, 2021 regarding 5,000 square foot vacant lot at 21/23 Ham Street Extension, Map U2, Lot 310 in the R2 zone.
 - c. Application of Elliott and Donna Reed at 1 Oak Knoll Drive, Newmarket, NH, Tax Map U1, Lot 1-23 R2 Zone for a Special Exception for an Accessory Dwelling Unit (ADU) from Section 234 of the Newmarket Zoning Ordinance.
- 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
January 11, 2021 Edited Meeting Minutes	2/23/2021	Cover Memo

1
2
3
4
5
6
7 **DRAFT MINUTES**

8 **NEWMARKET ZONING BOARD OF ADJUSTMENT**

9
10 **JANUARY 11, 2021**

11
12 **MINUTES**

13
14 Present: Bob Daigle (Chairman), Wayne Rosa (Vice Chairman) James Drago, Steven
15 Minutelli, Al Zink (Alternate)

16
17 Absent: Jonathan Sack (Alternate)

18
19 **1. Pledge of Allegiance –**

20
21 Bob Daigle opened the January 11, 2021 Meeting of the Zoning Board of Adjustment at
22 7:04 pm, followed by the Pledge of Allegiance.

23
24 **2. Review and Approval of Minutes**

25
26 **a. 11/16/2021**

27
28 Changes to typos on page 3 and change end-time of meeting to 8:04 pm.

29
30 **Action**

31 **Motion:** James Drago made a motion to approve all the minutes as
32 edited above

33 **Second:** Steven Minutelli

34 **Vote:** James Drago, Steven Minutelli, Bob Daigle in favor (*Wayne Rosa*
35 *arrived late*); Al Zink abstained. (Voted following a roll call vote.)

36
37 **3. Regular Business**

38
39 **Item A. Peter Bergeron – Public Hearing for an application for Special Exception**
40 **reference Section 32-5(2)b, of the Newmarket Zoning Ordinance, to permit the upward**
41 **expansion of a structure that is 8 feet from the property line, where 25 feet is permitted. The**
42 **property is located at 63 Packers Falls Road, Tax Map U1, Lot 18, R1 Zone.**
43

Bob Daigle said this an application for a Special Exception, and if the Applicant meets all 4 of the criteria, they have to grant the Special Exception because it reads:

b. Portions of structures within a setback may be enclosed or extended upwards if granted a special exception by the Zoning Board of Adjustment. The Zoning Board of Adjustment shall grant the special exception only if the following conditions are met:

- 1. If an upward expansion, it shall not have any adverse impact on any neighboring property, including but not limited to blocking of views and/or sunlight.***
- 2. If an upward expansion, it shall not exceed the maximum height limitations specified in this chapter.***
- 3. No part of the structure shall be located within the 100-year floodplain.***
- 4. The expansion shall not render the lot proportionately less adequate.***

Peter Bergeron of 63 Packers Falls Road said he is seeking a Special Exception to put a second story on the back of an existing structure which is 8 feet from the property line, and to go upwards he must meet the 4 criteria listed above. He stated that: (1) The property is not in a 100-year floodplain, (2) There are no adverse effects to any neighboring property; (3) the property will not be proportionately less adequate, and the existing structure will not be minimized in terms of height, width, and length; and (4) as far as height limit, he is only building up to 22'9" and the maximum height is 35 feet.

Bob Daigle said architectural renderings were provided and are part of the file.

Diane Hardy said all abutters had been notified and no written comments from abutters had been received.

Bob Daigle opened the public hearing.

Tom Thomas of 61 Packers Falls Road said he is one of the abutters and has no issues.

Bob Daigle closed the public hearing.

Al Zink said he had no doubt on any of the material submitted for approval.

Steven Minutelli stated that the house is in an R1 zone and is a legal non-conforming residence located 8' from the lot line where 25' is required, and this is just an upward expansion of the existing non-conforming structure. The applicant is intending to make the home more suitable for his growing family. He felt the Applicant sufficiently demonstrated no adverse impact on neighbors' properties, including on views or sunlight, since the applicant is seeking a horizontal expansion of the existing structure and the footprint is not changing.

Steven Minutelli said the record reflects the Applicant told the Zoning Board he is renovating the home and the expansion may increase the value of his home and have a favorable impact on the value of surrounding properties satisfying the first criteria; for the second criteria he is not going to exceed the maximum height restrictions; for the third criteria he is obviously not in a floodplain; and regarding the fourth criteria the applicant will be improving the value of his lot. He added that this is an application about an upward expansion of an existing structure and the proportionality of the lot is not changing and the final requirement is met.

Steven Minutelli said the law in cases of Special Exception is quite clear; the New Hampshire Supreme Court case of Shell Oil vs. City of Manchester at 101 NH, p 76 stands for the proposition that where all the criteria for a Special Exception are met, the Zoning Board of Adjustment must grant the Special Exception.

Action

Motion: Steve Minutelli made a motion to grant the special exception pursuant to Section 32-5, subsection (2)b, of the Newmarket Zoning Ordinance to permit the upward expansion of the existing structure at 63 Packers Falls Road.

Second: James Drago

Vote: James Drago, Steve Minutelli, Wayne Rosa, Bob Daigle all in favor, Al Zink abstaining.

4. New/Old Business

5. Adjourn

Action

Motion: James Drago made a motion to adjourn at 7:21 pm.

Second: Al Zink

Vote: All in favor, following a roll call vote.



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
PH Notice 11 Chapel Street	2/23/2021	Cover Memo
ZBA Variance Application 11 Chapel St	2/23/2021	Cover Memo
11 Chapel Street Plan	2/23/2021	Cover Memo

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, MARCH 8, 2021
7:00 P.M.**

MEETING USING ZOOM (SEE BELOW)

There will be a public hearing for an application requested by 11 Chapel Street, LLC for property at 11 Chapel Street, Map U2 Lot 3 Zone M-2 Zone, for: (1) a variance to allow the proposed conversion of 620 square feet of an accessory barn structure for commercial/retail use pursuant to Sec 32-5 (1) and (3) to permit the expansion of a non-conforming use and structure on a lot that does not meet current dimensional and use requirements and (2) a variance from Section 32-46 © 6 to permit on-site parking between the primary structure and street.

Members of the public may attend the meeting using zoom. If attending by telephone/Zoom, use the following information to join the meeting:

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

OR

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

Meeting ID Code: 954 0133 4499

Any problems call: 603-659-3617 extension 1321

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

February 18, 2021

VIA HAND DELIVERY and EMAIL

Diane Hardy, AICP
Town Planner and Zoning Administrator
Town of Newmarket
186 Main Street
Newmarket, NH 03857



John K. Bosen
Admitted in NH & MA

Christopher P. Mulligan
Admitted in NH & ME

Molly C. Ferrara
Admitted in NH & ME

Bernard W. Pelech
Admitted in NH & ME

RE: 11 Chapel Street, Newmarket, NH
Map U2, Lot 3

Dear Ms. Hardy:

Relative to the above-referenced property, enclosed please find a variance application with supporting materials, our check in the amount of \$205.00 and two sets of mailing labels.

Thank you for your attention. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be "Chris Mulligan", written over a horizontal line.

Christopher P. Mulligan

CPM/

Enclosures

cc: Keper Connell (w/ enclosures)

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

Applicant: 11 Chapel Street, LLC

Mailing Address: POB 4654, Portsmouth, NH 03802

Email Address: Kconnell@alandrealty.com

Property owner: same

Mailing Address: same

Home Phone: 501-0463 Cell Phone: 498-7577

Email address: same

Location of property: 11 Chapel Street Map U2 Lot 3 Zone M-2

Description of property: two stand alone residential dwellings with stand alone barn structure for accessory use.

Proposed use or existing use affected: Proposed conversion of 620 sf of barn structure to commercial use.

Do not write in
this space

Date filed

Initials

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.

SECTION 3 VARIANCE

A variance is requested from Section _____ of the Newmarket Zoning Ordinance to permit _____

Sec. 32-46(c)(6) to permit on-site parking between a primary structure and the street; and

Sec. 32-5(1) and (3) to permit the expansion of a non-conforming use where the lot does not meet the dimensional standards.

See attached pages for variance criteria

VARIANCE CRITERIA

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.

SEE ATTACHED NARRATIVE

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

SEE ATTACHED NARRATIVE

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

SEE ATTACHED NARRATIVE

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

SEE ATTACHED NARRATIVE

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:

SEE ATTACHED NARRATIVE

AND

2. The proposed use is a reasonable one because:

SEE ATTACHED NARRATIVE

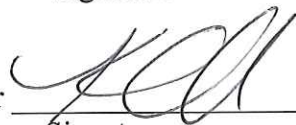
B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with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

N/A

Please sign below for all applications:

Applicant 
Signature

Applicant Keper Connell
Please Print

Owner 
Signature

Owner Keper Connell
Please Print

Date 2/18/21

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
U2	3	11 Chapel Street, LLC, POB 4654, Portsmouth, NH 03802 <u>PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW</u>	
<u>APPLICANT, IF DIFFERENT FROM PROPERTY OWNER</u>			
Bosen & Assocs. PLLC, 266 Middle Street, Portsmouth, NH 03801 <u>AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW</u>			

All abutters (use separate sheet, if necessary):

U2	2	5 Chapel Street, LLC, 2992 Lafayette Rd, #D, Portsmouth, NH 03801
U2	4	Town of Newmarket Hist. Society, 186 Main St, Newmarket NH 03857
U2	7	Erin Lee Horn, 281 Wallis Road, Rye, NH 03870
U2	8	Lawrence D. Yeaton, 19 Spring St, Newmarket, NH 03857
U2	45	Barbara H. Briggs, 20 Chapel St., Newmarket, NH 03857
U2	46	Curtis Brandt, 16 Chapel St., Newmarket, NH 03857

Date of preparation: 2-17-2021

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

Signature of preparer

CHECKLIST

Go over the list and make sure that you have included everything on it **BEFORE** submitting your application.

1. Letter of Violation/Denial - From the Administrative Officer. ☒
2. Plot map – As close to scale as possible showing
 - a. boundaries ☒
 - b. setbacks ☒
 - c. streets ☒
 - d. existing or proposed structures ☒
 - e. access roads ☒
 - f. abutters ☒
3. List of abutters – Every owner of every property, the owner of the property involved in the request, the applicant if different from the property owner, any authorized agent representing the owner or applicant at the meeting, with correct mailing addresses (see instruction sheet for full details). ☒
4. **Two adhesive mailing labels per everyone on the list, not to exceed 1" tall by 2.75" long.** ☒
5. Section number of the ordinance involved. ☒
6. Fees. ☒
7. Letter of permission from property owner(s) if someone is representing them at the meeting. ☒

APPLICATION OF 11 CHAPEL STREET, LLC
11 Chapel Street, Newmarket, Map U2, Lot 3

APPLICANT'S NARRATIVE

I. THE PROPERTY:

The applicant is the owner of the property identified above, at the corner of Chapel and Granite Streets. The proposal before you is to convert the existing two story "barn" structure, which has been approved for accessory use, into a single commercial use (bike shop) comprising the first story, 620+/- square feet, of the said structure.¹ The remainder of the structure shall be reserved for storage/accessory to the residential dwellings that share the property.

The property is in the M-2 zone. There are three structures on the property, two of which are presently occupied residential dwellings. Thus, a variance is needed from Sec. 32-5(1) and (3) to permit the expansion of a non-conforming use where the lot does not meet the dimensional standards. In addition, the project requires a variance from Sec. 32-46(c)(6) to permit on-site parking between a primary structure and the street.

The "barn" structure in question is the recent replacement for the previously existing and extremely dilapidated barn that was on site. This was part of major upgrades and renovations made to the entire property by the applicant.

The property in its existing condition is non-conforming as to lot area per dwelling, residential density and setbacks.

II. CRITERIA:

The applicant believes the within Application meets the criteria necessary for the Board to grant the requested variances.

Granting the requested variances will not be contrary to the spirit and intent of the ordinance nor will it be contrary to the public interest. The "public interest" and "spirit and intent" requirements are considered together pursuant to Malachy Glen Associates v. Chichester, 152 NH 102 (2007). The test for whether or not granting a variance would be contrary to the public interest or contrary to the spirit and intent of the ordinance is whether or not the variance being granted would substantially alter the characteristics of the neighborhood or threaten the health, safety and welfare of the public.

¹ Note that the site plan submitted makes reference to a proposed use of the barn structure as "Office Space." This is from an earlier concept that was under consideration by the applicant last fall and is NOT the use being proposed here. The plan is otherwise accurate.

In this case, were the variances to be granted, there would be no change in the essential characteristics of the neighborhood, nor would any public health, safety or welfare be threatened. The character of the neighborhood would not be altered in any way. The project will result in additional commercial opportunities in the neighborhood where there are already a number of pre-existing commercial uses and which is consistent with the purpose of the M-1 zone to provide for "relatively high-density, a mix of uses[.]" Sec. 32-46(a).

Substantial justice would be done by granting the variances. Whether or not substantial justice will be done by granting a variance requires the Board to conduct a balancing test. If the hardship upon the owner/applicant outweighs any benefit to the general public in denying the variance, then substantial justice would be done by granting the variance. It is substantially just to allow a property owner the reasonable use of his or her property. In this case, there is no benefit to the public in denying the variances that is not outweighed by the hardship upon the owner. The exterior of the buildings will not be altered in any way and the site provides sufficient parking to accommodate the proposed commercial use. The relatively modest size of the proposed commercial space will necessarily limit traffic in the vicinity.

The values of surrounding properties will not be diminished by granting the variance. The values of the surrounding properties will not be negatively affected in any way. The proposed use will not create an undue nuisance or hazard to vehicles or pedestrians. The designated commercial parking will not interfere with the existing residences or abutting uses. The exterior of the building will not be altered in any way significant way beyond appropriate and permitted signage. The project will require site plan review and approval from the planning board, further protecting the public.

There are special conditions associated with the property which prevent the proper enjoyment of the property under the strict terms of the zoning ordinance and thus constitute unnecessary hardship. The lot is non-conforming at least as to lot area, residential density and setbacks. It is immediately abutted by the Stone School, a completely non-residential use. There is ample parking, both on-site and publicly within the vicinity to support the proposed commercial use.

The use is a reasonable use. The proposed conversion is consistent with mixed use zone the property is in and is consistent with the purposes of the zone to promote high density and mixes of uses. Mixed residential/commercial development is specifically contemplated in this zone. Sec. 32-233.

There is no fair and substantial relationship between the purpose of the ordinance as it is applied to this particular property. The relief required to convert the existing space where proposed would be permitted if the commercial space were to be occupied by an owner/occupant from one of the other two existing buildings for their own use as a workshop/artist work space or as a home-based business. There is no fair and substantial relationship between the purpose of the ordinance prohibiting a modestly sized independent commercial bike shop and its application to this property.

III. Conclusion.

For the foregoing reasons, the applicant respectfully requests the Board grant the variances as requested and advertised.

Respectfully submitted,

Dated: 2-18-2019

By:

A handwritten signature in black ink, appearing to be 'John K. Bosen', written over a horizontal line.

John K. Bosen, Esquire
Christopher P. Mulligan, Esquire



TOWN OF NEWMARKET, NEW HAMPSHIRE

February 18, 2021

Christopher P. Mulligan, Esquire
Bosen and Associates
266 Middle Street
Portsmouth, NH 03801
cmulligan@bosenandassociates.com

Re: 11 Chapel Street
Newmarket, NH 03857
Tax Map U2, Lot 3, M-2 Zone

Dear Attorney Mulligan, Esq,

Thank you for your inquiry concerning the property at 11 Chapel Street that is owned by your client, Mr. Keper Connell, who we understand wishes to convert an existing two story rehabilitated barn structure on his property and rent out the first floor (620 square feet) for commercial/retail use. The lot upon which the barn sits is .1964 acres, or 8,555 square feet, and contains two (2) separate single family residential structures: one with three bedrooms and the other with two bedrooms. The structures according to the assessor's data base date back to the 1800s.

As we have discussed, this lot and the uses upon are non-conforming as they do not meet current lot size, setback and residential density requirements calling for six units per acre, which translates into a required lot size of 14,520 square feet, just for the two residential lots. Therefore, the acreage does not support the two units that are presently contained on the lot, nor does it support an additional 620 square feet of retail/commercial space. So in addition to being a non-conforming lot, the current use of the lot is non-conforming as well. Also, the lot does not meet side setback requirements along Chapel Street and Granite Street. And, the 1 ½ story home on the southwesterly side of the property sits for all practical purposes right on the side property line.

Under the Town's regulations and NH statute and case law, a non-conformity use and lot can continue to exist, however it may not be changed or expanded without first obtaining a variance from the Zoning Board of Adjustment. Section 32-5 (1) and (3) Nonconformity provides the framework for the expansion of non-conforming uses. Also, because your client wishes to convert this residential property to a mixed-use development, you are subject to the requirements of Section 32-233 Mixed-use Development which also requires Site Plan approval by the Planning Board to ensure the site is suitable for the proposed mixed-use development. It is also my understanding



TOWN OF NEWMARKET, NEW HAMPSHIRE

that you wish to utilized some of the front yard for the parking of vehicles which is not allowed under Section 32-46 (6) (c) Street within the front setback.

Therefore, your request for a building permit for this proposal must be denied and you are advised to seek relief from the Zoning Board of Adjustment. Meanwhile, if you have any questions regarding this letter, please feel free to contact me.

Sincerely,

Diane F. Hardy

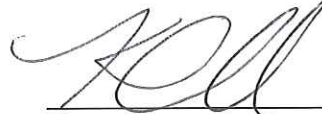
Diane Hardy, AICP
Town Planner and Zoning Administrator

cc: Michael Hoffman, Building Official
Keper Connell, 11 Chapel Street, Newmarket, NH 03857

11 CHAPEL STREET, NEWMARKET
Map U2, Lot 3

I, Keper Connell, Manager of 11 Chapel Street, LLC, owner of the above-referenced property in Newmarket, New Hampshire, hereby authorize representatives of Bosen & Associates, PLLC and Altus Engineering to represent my interests before the Newmarket land use boards and to submit any and all applications and materials related thereto on our behalf.

Date: 2/18/21



Keper Connell, Manager
11 Chapel Street, LLC



5160°

Bosen & Associates, PLLC
ATTN: Christopher Mulligan, Esq.
266 Middle Street
Portsmouth, NH 03801

Map U2 Lot 2
5 Chapel Street, LLC
2992 Lafayette Rd, #D
Portsmouth, NH 03801

Map U2 Lot 4
Town of Newmarket
Historical Society
186 Main Street
Newmarket, NH 03857

Map U2 Lot 7
Erin Lee Horn
281 Wallis Road
Rye, NH 03870

Map U2 Lot 8
Lawrence D. Yeaton
19 Spring Street
Newmarket, NH 03857

Map U2 Lot 45
Barbara H. Briggs
20 Chapel Street
Newmarket, NH 03857

Map U2 Lot 46
Curtis Brandt
16 Chapel Street
Newmarket, NH 03857

Map U2 Lot 47
FNCB Real Estate, LLC
4 Greenleaf Woods Dr., #102
Portsmouth, NH 03801

Map U2 Lot 3
11 Chapel Street, LLC
POB 4654
Portsmouth, NH 03801

Altus Engineering
133 Court Street
Portsmouth, NH 03801

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Bosen & Associates, PLLC
ATTN: Christopher Mulligan, Esq.
266 Middle Street
Portsmouth, NH 03801

Map U2 Lot 2
5 Chapel Street, LLC
2992 Lafayette Rd, #D

Map U2 Lot 4
Town of Newmarket
Historical Society
186 Main Street
Newmarket, NH 03857

Map U2 Lot 7
Erin Lee Horn
281 Wallis Road
Rye, NH 03870

Map U2 Lot 8
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Newmarket, NH 03857

Map U2 Lot 45
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Portsmouth, NH 03801

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133 Court Street
Portsmouth, NH 03801

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11 Chapel Street, LLC
POB 4654
Portsmouth, NH 03801

11 Chapel Street
POB 4654
Portsmouth, NH 03802

Allez à avery.ca/gabarits
Utilisez le Gabarit Avery 5160

Town of Newmarket

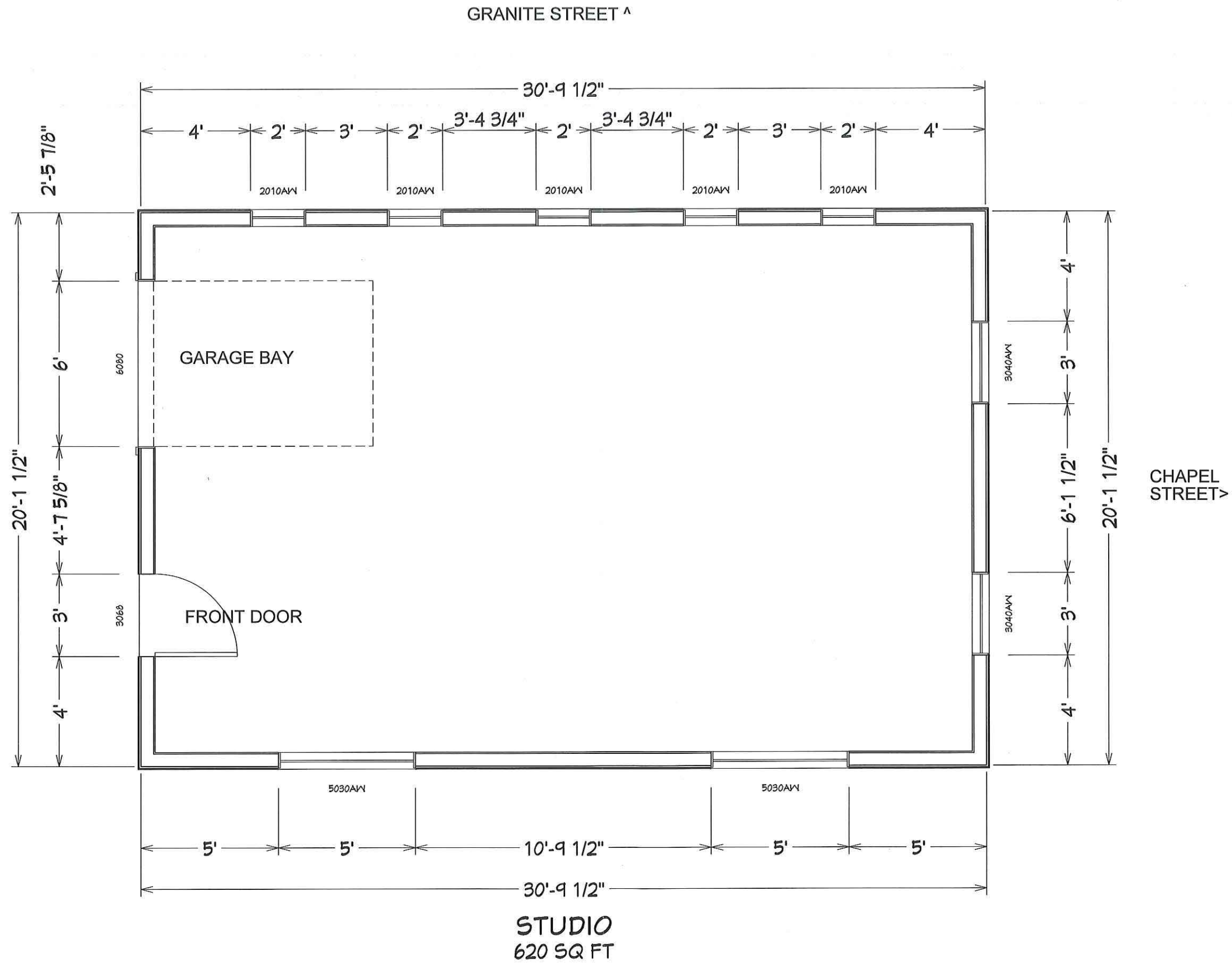
2/18/2021

12324

205.00

Kennebunk Operating 9043-004 Variance Application Fee

205.00



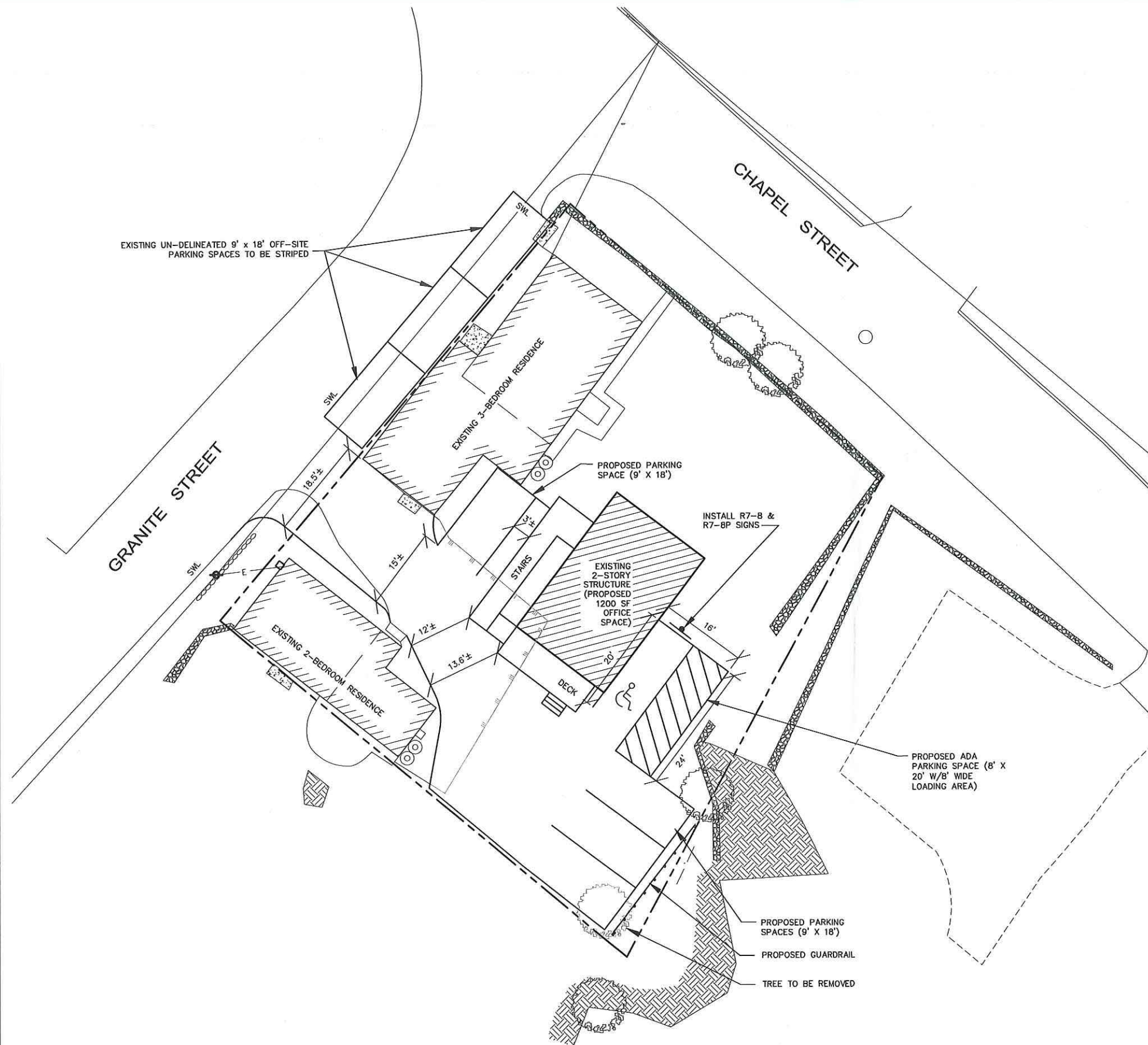
NO.	DESCRIPTION	BY	DATE

SHEET TITLE:	Studio plan

PROJECT DESCRIPTION:	11 Chapel St. Newmarket, NH

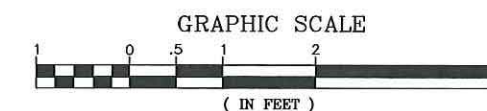
DRAWINGS PROVIDED BY:	Robert E. Lusignan

DATE:	01/09/19
SCALE:	1:7/16
SHEET:	A-2



SITE NOTES

- DESIGN INTENT - THIS PLAN SET IS INTENDED TO DEPICT THE EXISTING & PROPOSED PARKING FOR THE SITE USES.
- APPROXIMATE LOT AREA: 0.1964 AC.± (8,554 S.F.)
- ZONE: M-2
- DIMENSIONAL REQUIREMENTS
MIN. LOT AREA: 14,520 SF (RESIDENTIAL USES ONLY)
MIN. STREET FRONTAGE: 50'
MIN. ROAD SETBACK: 5'
MAX. ROAD SETBACK: 10'
SIDE SETBACK: 10'
REAR SETBACK: 10'
MAX. STRUCTURE HEIGHT: 50'
MIN. STRUCTURE HEIGHT: 24'
MAX. BLDG. COVERAGE: 40%
PARKING SETBACK: 10' OR FRONT SETBACK
- PARKING REQUIREMENTS:
RESIDENTIAL USE (2 x 2) = 4 SPACES
OFFICE/STUDIO SPACE (1200/250) = 5 SPACES
TOTAL PARKING REQUIRED = 9 SPACES
TOTAL PARKING PROVIDED = 8 SPACES
- OVERALL AREA OF DISTURBANCE UNDER 100,000 S.F., NHDES ALTERATION OF TERRAIN PERMIT NOT REQUIRED.
- AREA OF DISTURBANCE UNDER 43,560 SF, COVERAGE UNDER EPA NPDES PHASE II CONSTRUCTION GENERAL PERMIT NOT REQUIRED.
- ALL CONSTRUCTION SHALL MEET THE MINIMUM STANDARDS OF THE TOWN OF NEWMARKET.
- PROPOSED PARKING IS BASED ON SECTION 3.00 DESIGN STANDARDS WHERE IT DISCUSSES THE UNIQUE CHARACTERISTICS, REQUIREMENTS & SOLUTIONS OF THE M-2 DISTRICT. A PERTINENT EXCERPT INCLUDES "IN THE M-1 AND M-2 DISTRICTS, PARKING SHALL BE EVALUATED IN A DIFFERENT MANNER. TYPICALLY, ON-SITE PARKING IS INSUFFICIENT OR IS LACKING COMPLETELY. HOWEVER, THE DOWNTOWN CURRENTLY FUNCTIONS AND PEOPLE DO FIND PARKING, SO RATHER THAN ESTABLISHING A NUMBER OF SPACES REQUIRED, IT IS HEREBY DETERMINED THAT THE AMOUNT OF ON-SITE PARKING IS A BASE FROM WHICH TO ANALYZE CHANGES IN PARKING DEMAND. NEW OR CHANGING USES SHALL BE EVALUATED FROM THE PERSPECTIVE OF CHANGES IN THE DEMAND FOR ON-SITE PARKING. PROPOSED CHANGES, WHICH INCREASE DEMAND, SHALL BE PERMITTED ONLY UPON PROVISION OF ADDITIONAL PARKING SPACES IN AN AMOUNT EQUAL TO THE INCREASE IN PARKING DEMAND. SUCH SPACES MAY BE PROVIDED BY ONE OR MORE OF THE FOLLOWING MEANS: (a) ADDITIONAL ON-SITE PARKING SPACES SHALL BE PROVIDED. (b) OFF-SITE PARKING SPACES LOCATED WITHIN 500' [OR 1000' IF FOR EMPLOYEES & DEEDED] (c) IF THE TOWN COUNCIL ESTABLISHES THE REQUIRED MECHANISMS, THE APPLICANT CAN CONTRIBUTE TO A TOWN FUND FOR THE MAINTENANCE AND POSSIBLE FUTURE DEVELOPMENT OF ADDITIONAL DOWNTOWN PARKING."
- HANDICAP PARKING SPACE (8' x 20') WITH 8' LOADING AREA
- PARKING SPACES (9' x 18')
- IF A TRANSIT STOP IS LOCATED WITHIN 500 FEET OF THE SITE, THE BOARD MAY GRANT A 10% REDUCTION IN THE TOTAL NUMBER OF REQUIRED SPACES.
- VARIANCES REQUIRED: (ATTORNEY TO VERIFY)
32-5 NON-CONFORMING USE
SECTION 3.02 PARKING - NUMBER OF SPACES, SIZE OF SPACES, LOCATION OF SPACES, HANDICAPPED SPACE PROVISION
- EXISTING USE AT TIME OF PURCHASE WAS 2 RESIDENCES WITH ___ SPACES ON-SITE PARKING AND ___ SPACES OFF-SITE PARKING.
- EXISTING DILAPIDATED BARN WAS REPLACED WITH 2-STORY BARN-LIKE STRUCTURE.
- PROPOSAL: CHANGE NEW STRUCTURE FROM ACCESSORY USE TO 1,200 SF OF OFFICE SPACE (NEW USE). 5 PARKING SPACES REQUIRED FOR NEW USE.
- TOTAL ON-SITE PARKING PROPOSED: 5 SPACES
- TOTAL OFF-SITE PARKING PROPOSED: 3 SPACES



133 Court Street
(603) 433-2335
Portsmouth, NH 03801
www.altus-eng.com

NOT FOR CONSTRUCTION

ISSUED FOR:

CLIENT REVIEW

ISSUE DATE:

OCTOBER 23, 2020

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	DISCUSSION	EBS	10/23/20

DRAWN BY: EBS

APPROVED BY: EDW

DRAWING FILE: 5078.dwg

SCALE:

22" x 34" - 1" = 10'

11" x 17" - 1" = 20'

OWNER/APPLICANT:

11 CHAPEL STREET, LLC

PO BOX 4654
PORTSMOUTH
NH
03802

PROJECT:

BOARD OF
ADJUSTMENT PLAN

TAX MAP U2, LOT 3

11 CHAPEL STREET
NEWMARKET, NH

TITLE:

PROPOSED
PARKING PLAN

SHEET NUMBER:

1 of 1



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 Ouellette	2/23/2021	Cover Memo
Ouellette Zoning Board Application	2/23/2021	Cover Memo
Plan	2/25/2021	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, MARCH 8, 2021
7:00 P.M.**

MEETING HELD USING ZOOM (SEE BELOW)

There will be a public hearing for an application for Appeal from Administrative Decision, requested by William Ouelette/Ouelette Family Trust concerning clarification of a 2005 Zoning Board Decision and Administrative Decision of Diane Hardy, Zoning Administrator, dated January 27, 2021 regarding 5,000 square foot vacant lot at 21/23 Ham Street Extension, Map U2, Lot 310 in the R2 zone.

Join Zoom Meeting:

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

OR

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

Meeting ID Code: 954 0133 4499

Any problems call: 603-659-3617 extension 1321

**APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
FOR VARIANCE, SPECIAL EXCEPTION, APPEAL OF ADMINISTRATIVE
DECISION OR EQUITABLE WAIVER**

IT IS IMPORTANT THAT YOU READ EACH INSTRUCTION CAREFULLY
The application cannot be accepted if incomplete

TOWN OF NEWMARKET
MANAGERS OFFICE

RECEIVED
FEB 11 2021

pd 2/11/21
CK#394
\$184.00

1. A copy of the Notice of Violation or a letter from the denying body stating the reasons for the violation must accompany this application.
2. Supply a plot map of the property in question, as close to scale as possible, showing boundaries, streets, existing and/or proposed buildings, access roads, and abutters. Unless otherwise specified, a detailed hand drawing is acceptable. If submitting large plans (24"x36") please include an 11"x17" copy.
3. Supply the correct names and mailing addresses of all abutters. An abutter is any property owner whose property adjoins yours or is directly across a street or stream. If more than one person owns the property, you must include every owner. Owner and mailing address information is available at the Town Hall. Be sure to check the information at the Town Hall, as your neighbor may not receive mail at the street address for the property or the person you always thought owned the property may not be the owner after all. (see abutter-listing page for further information)

List the name and address of anyone who will represent you at the hearing and submit a letter indicating they have permission to represent you.

List any surveyor, engineer, architect, or soil scientist whose stamp and signature appear in the application materials or on plans.

The determination of abutters is the responsibility of the applicant. This list will not be reviewed for compliance with statutory requirements. Please use abutter information available at Town Hall.

You and all other interested parties will be notified by certified mail of the time, date, and place of the hearing per NH RSA. Notice of the hearing will be posted in the Town Hall and Town website, and a newspaper of general circulation in the area.

You will be allowed, at the public hearing, to state your reasons for requesting the hearing and those opposed or in favor will have equal opportunity to speak.

4. All necessary fees must accompany the application. If fees are not paid at the time the application is submitted, the application will not be accepted per State RSA.

APPLICATION – ZONING BOARD OF ADJUSTMENT
TOWN OF NEWMARKET, NH

Applicant: WILLIAM OUELLETTE

Mailing Address: 40 STAGECOACH RD, DURHAM, NH 03824

Property owner: OUELLETTE - KEUFFEL FAMILY TRUST

Mailing Address: 40 STAGECOACH RD, DURHAM, NH 03824

Home Phone: 603-659-4923 Cell Phone: 603-502-3200

Location of property: 21/23 HAM ST. EXT. Map U2 Lot 310 Zone R2

Description of property: 5000 SF VACANT LOT

Proposed use or existing use affected: Seeking Clarification of
2005 ZBA decision

Do not write in
this space

Date filed

2/11/21

Initials DFH

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.

SECTION 1 APPEAL FROM ADMINISTRATIVE DECISION

Relating to the interpretation and enforcement of the provision of the zoning ordinance.

Decision of the Building Official to be reviewed:

Diane Hardy letter to Applicant dated
January 27, 2021

SEE ATTACHED

Section _____ of the Newmarket Zoning Ordinance in question: _____

ATTACHMENT TO APPEAL FROM ADMINISTRATIVE DECISION

Zoning Board of Appeals
Town of Newmarket
186 Main Street
Newmarket, NH 03857

RE: Ouellette-Keuffel Family Revocable Trust
21-23 Ham Street, Newmarket
Tax Map # U2 Lot 310
Zone R2

On January 27, 2021, the Town of Newmarket, by the Zoning Administrator Diane Hardy, issued a decision by letter to William H. Ouellette, the former owner of the above property since transferred to a Trust. The decision revisits a previous Notice of Decision dated December 12, 2005 regarding the status of the above property as a separate, grandfathered, buildable lot. Ms. Hardy is of the opinion that the Notice of Decision “was inconclusive as to the issue of ‘buildability’” on the lot and that the Notice of Decision “should be clarified.”

While the property owner has always understood and interpreted the Notice of Decision to confirm the grandfathered status of the above lot, and its buildability, the property owner concedes that the Notice of Decision could have been more specific. The property owner is appealing Ms. Hardy’s decision as a precaution and simply asks that the ZBA confirm that the December 12, 2005 decision granted the relief sought at the time. The relief sought was clearly spelled out in the applications filed with the Town in November 2005, and those applications clearly requested that the above property be considered 2 separate lots in that the smaller of the 2 lots, consisting of approximately 5000 ft.², be found to be grandfathered and buildable, despite its nonconforming status. See the attached prior application dated November 10, 2005, with attachments.

At this time, the property owner is not seeking a variance, but reserves the right to do so if necessary, based on the action of the ZBA in response to this appeal.

Nothing has been built on the 5000 square-foot lot, and it is important to note that the lot is of sufficient size so that the setbacks can be met without the necessity of a variance. As noted in the letter from Ms. Hardy, the lot size and frontage of the smaller lot are nonconforming, but the setbacks can be met. The Town of Newmarket has already in its 2005 decision determined that the smaller lot is a lot of record – a nonconforming lot. The nonconformity is simply based on the square footage of the lot, which in and of itself does not render the lot unbuildable. Since it has been established to be a lot of record, though nonconforming, it is a buildable lot without the necessity of a variance as long as the setbacks can be met.

The Town of Newmarket Zoning Ordinance defines “nonconforming lot” in section 32 – 5(3) and section 32 – 11, and the definition is limited to the size of the lot, and the only thing

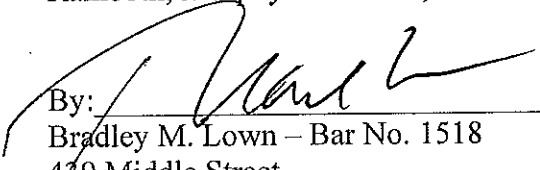
prohibited is to change the boundary of the nonconforming lot. Nothing in the Ordinance prohibits building on a nonconforming lot solely on the basis of the size of the lot.

The basis for this appeal is simply that the property owner, through counsel, clearly and repeatedly requested from the Town of Newmarket confirmation that the above lots were separate lots, and that the smaller lot was both grandfathered, nonconforming and buildable. The Notice of Decision granted the request of the property owner at the time and since the property owner never proceeded to build on the lot, has always relied on the assumption that the Notice of Decision in December 2005 had granted the relief requested. This is quite a reasonable position taken by the property owner based on the entirety of the record – the application, all communications, as well as the Notice of Decision.

Attached hereto are the letters from counsel for the property owner in November 2005 showing exactly what relief was requested, and that was later granted by, the ZBA over 15 years ago.

Respectfully submitted,
William H. Ouellette
By his attorneys,
Rainboth, Murphy and Lown, PA

Dated: 2-9-2021

By: 
Bradley M. Lown – Bar No. 1518
439 Middle Street
Portsmouth, New Hampshire 03801
(603) 431-1993
lown@nhtrialattorneys.com

OFFICE OF THE
ZONING BOARD OF ADJUSTMENT



INCORPORATED
DECEMBER 15, 1727
CHARTER JANUARY 1, 1991

January 27, 2021

William H. Ouellette
c/o Ouellette Family Revocable Trust
40 Stagecoach Road
Durham, NH 03824

Re: Property located at 21 Ham Street
Newmarket, NH 03857
Tax Map U2-Lot 310, R-2 Zone

Dear Mr. Ouellette,

I am writing to you regarding the property at the above address. It is my understanding that there has been a long standing question regarding the status of this lot as your deed to the property at Book 4147 and Page 1691 at the Rockingham County Registry of Deeds indicates the lot contains two (2) parcels: Parcel One of approximately 28, 314 square feet, upon which there is an existing duplex, and a second parcel, Parcel Two, which is currently vacant (60 feet by 85 feet) containing roughly 5,100 square feet, as shown on the sketch that you provided to me.

It is my understanding that you inquired about the status of your property in November 2005, with an interest in constructing a single family home on Parcel Two. Your request for a building permit was turned down by Dan Vincent, formerly the Building Official, because the Town's Zoning Ordinance did not allow the subdivision of the lot for that purpose because the Town's tax records indicated that Tax Map U2-Lot 310 was one parcel, not two, and the Town's ordinance did not allow more than one residential structure per lot. You were of the belief, however, that Lot 2 could be conveyed separately from Lot 1 and built upon for a single family home, even though it was only 5,000 square feet in size and did not meet the minimum lot size for a new home of 28,314 square feet which was required under the R-2 Zone Ordinance that was in effect at that time (and still is) because it was a 'grandfathered' lot and was purchased years earlier, separately from Parcel 1, with the intent at some point in the future it could be built on for a single home. You were of the opinion that you were entitled to build on the non-conforming lot, because it pre-existed the enactment of the Zoning Ordinance. At that time, you were advised by Mr. Vincent that you would need a variance in order to build on Lot 2.

I understand you then administratively appealed Mr. Vincent's decision to the Zoning Board of Adjustment and it was heard at their meeting on December 12, 2005. A Notice of Decision was rendered by the ZBA on that same date that "after reviewing the evidence presented that there are two lots parcels at that location." I have reviewed the application that you submitted to the Zoning Board and the minutes from the December 12, 2005. While the record reflects that your attorney was very clear in his request before

Letter to William Ouellette,
January 27, 2020

the Board that they were there to confirm that there were two separate "buildable" lots, by this letter, it is my administrative decision that the two separate buildable lots issue was not fully deliberated and the decision, I believe, as reflected in the meeting minutes, was inconclusive as to the issue of "buildability" of Lot 2. This Lot 2 buildability issue was not adequately addressed and should be clarified. This is an administrative decision which may be appealed to the Zoning Board of Adjustment within 21 days of the date of this decision and not thereafter.

I would also recommend to the Zoning Board of Adjustment that if they are inclined to approve Lot 2 for construction of single family home that there be a condition place on the on the approval that the land in question be surveyed and an appropriate plan be filed and recorded at the Register of Deeds prior to conveyance to eliminate any further confusion regarding the status of this lot.

A second option that is available to you, as we have discussed, is to request variances from the following provisions of the Section 32 of the Newmarket Zoning Ordinance in order to subdivide off Parcel # 2 and build a single family home on it. In this case, the following variances would be necessary:

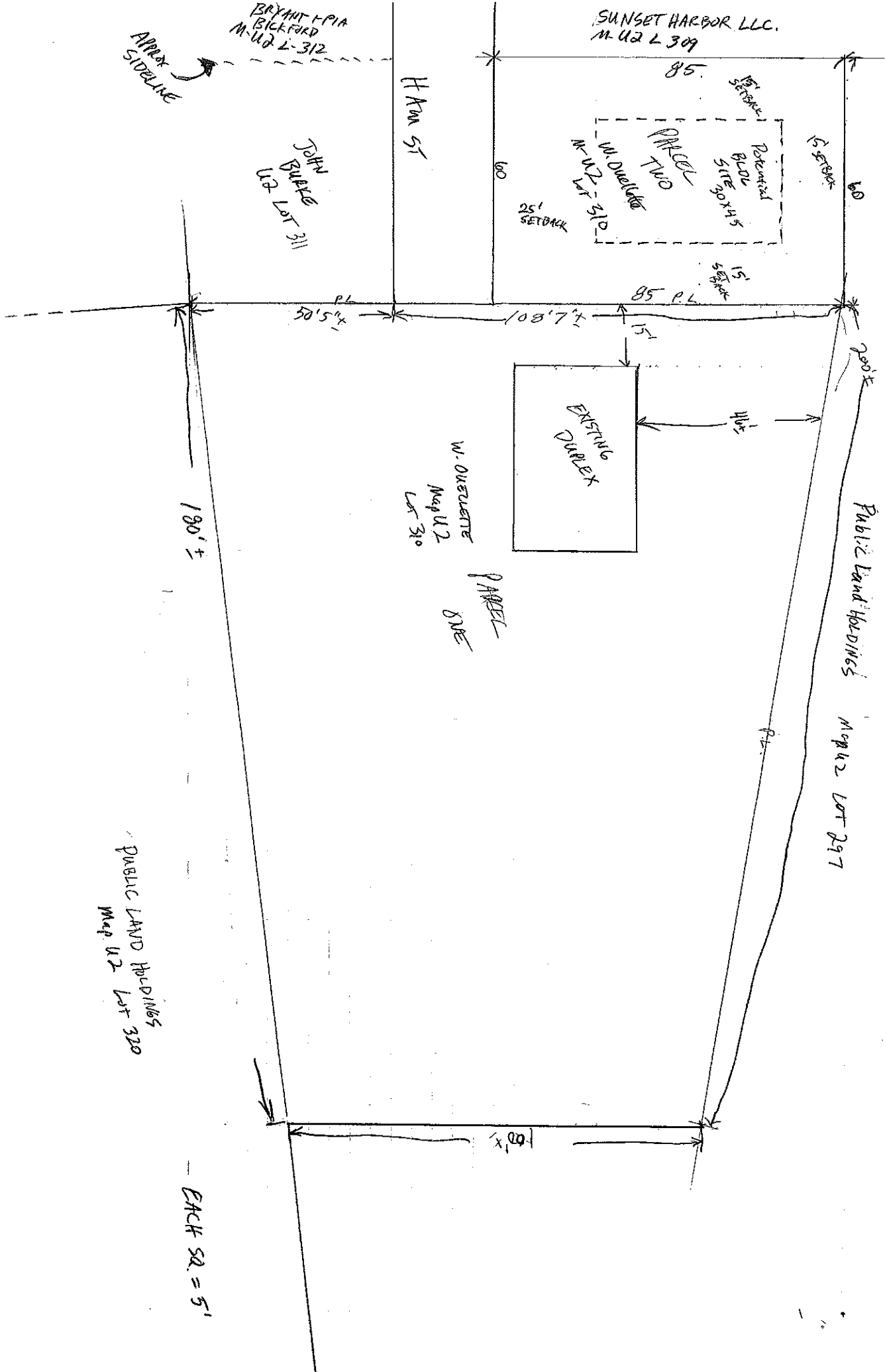
1. **Lot size and Residential Density** – The current minimum lot size is 21,780 square feet for a single family home in the R-2 Zone district, whereas Lot 2 is approximately 5,100 square feet. *Sec-85 (2) and Sec-86 (2).*
2. **Lot frontage** - The current minimum lot frontage is 100 feet, Lot 2 currently has 60 square feet. Lot 1 has 23 feet of frontage. *Sec. 32-84*
3. **Non-conformity**
 - Use:* Lot 1 currently contains a duplex which is currently not an allowed use in the R-2 zone. *Sec. 32-52 (b).*
 - Structure:* The duplex structure on Lot 1 does not meet current setback requirements of 25 feet from the road. *Sec. 32-87.*
 - Lot:* *No action shall be permitted to change a boundary of the lot, unless it brings the lot closer into conformance...and makes no other aspect of the lot and/or structures on it more non-conforming. Sec. 32-5 (3)*

Please feel free to contact me, if you have any questions, or if you need assistance with completing your application(s) to the Zoning Board of Adjustment (ZBA) at dhardy@newmarketnh.gov. Thank you.

Sincerely,



Diane Hardy
Zoning Administrator



EACH SQ. = 5'

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>U2</u>	<u>310</u>	<u>Ouellette-Kenuffel Family Trust</u>	<u>40 STAGECOACH RD, Durham, NH 03824</u>
		<u>PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW</u>	
		<u>William Ouellette</u>	<u>40 STAGECOACH RD, Durham, NH 03824</u>
		<u>APPLICANT, IF DIFFERENT FROM PROPERTY OWNER</u>	
		<u>BRAD LOWN</u>	<u>439 MIDDLE ST., PORTSMOUTH, NH 03801</u>
		<u>AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW</u>	
		→ tel. # <u>603-431-1993</u> <u>WWW.NHTRIALATTORNEYS.COM</u>	
All abutters (use separate sheet, if necessary):			
<u>U2</u>	<u>297</u>	<u>Public Land Holdings</u>	<u>P.O. Box 190, Exeter, NH 03833</u>
<u>U2</u>	<u>309</u>	<u>Sunset Harbor LLC</u>	<u>81 South Rd, North Hampton, NH 03862</u>
<u>U2</u>	<u>311</u>	<u>John Burke</u>	<u>16 Ham St., Newmarket, NH 03857</u>
<u>U2</u>	<u>312</u>	<u>Bryant Bickford</u>	<u>14 Ham St., Newmarket, NH 03857</u>

Date of preparation: _____

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

Signature of preparer

2/10/21

Zoning Board of Adjustment,

I have retained Attorney Brad Town to represent me at any and all ZBA meetings. He will also represent me at any further meetings before any boards or committees of the Town of Newmarket.

I also retain the right to represent myself if I feel the need.

Mr. Town address is:

Atty. Bradley Town
Rainboth, Murphy and Town
439 Middle St.

Portsmouth, NH
03801

ph. 603-431-1993

2/10/21

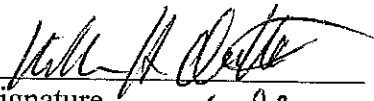
Zoning Board of Adjustment,

I have retained the services of Scott Boudreau
to survey the 5000 ~~ft~~ approx. lot on Ham St.

His contact information is

Boudreau Land Surveying P.L.L.C.
2 Beatrice Ln.
Newmarket, NH, 03857
ph. 603-659-3468
NH LLS # 961
Scott@boudreauls.net

Please sign below for all applications:

Applicant 
Signature
Elizabeth A. Keuffel
Owner 
Signature
Elizabeth A. Keuffel
Date 2/11/21

Applicant William Onelle
Please Print
Elizabeth A. Keuffel
Owner William Onelle
Please Print
Elizabeth A. Keuffel

COUGHLIN, RAINBOTH, MURPHY & LOWN

ATTORNEYS AT LAW • PROFESSIONAL ASSOCIATION

439 Middle Street
Portsmouth, NH 03801
Telephone: (603) 431-1993
Facsimile: (603) 431-8333

TIMOTHY C. COUGHLIN*†
MICHAEL P. RAINBOTH*†
KENNETH D. MURPHY*•
BRADLEY M. LOWN*†

October 31, 2005

Daniel Vincent, Building Inspector
Town of Newmarket
186 Main Street
Newmarket, NH 03857

RE: William Ouellette
21-23 Ham Street, Newmarket
Tax Map # U2 Lot 310
Zone R2

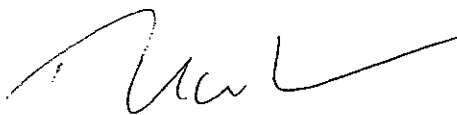
Dear Mr. Vincent,

This office represents William Ouellette, who owns the above properties. Would you kindly confirm that the above lots are separate, buildable lots of record? The smaller of the two lots is about one fifth of an acre, but the two lots have always been separately described in Mr. Ouellette's and all prior deeds. The smaller lot is large enough to construct a single family house within the setbacks.

If you believe the lot is not a buildable lot, kindly refer me to some authority for that proposition.

I look forward to hearing from you.

Very truly yours,



Bradley M. Lown

Cc: William Ouellette

APPLICATION-ZONING BOARD OF ADJUSTMENT
TOWN OF NEWMARKET

Applicant: WILLIAM H. OUELLETTE

Do not write in this
space

Mailing Address: 40 STAGELOACH RD, DURHAM, NH

Case # _____

Property Owner: SAME

Date filed _____

Mailing Address: _____

Secretary _____

Day telephone: 603-502-3200

Location of property: HAM ST. (EXT) Tax Map U2 Lot 310 Zone R2

Description of property: TWO SEPARATE LOTS under common ownership -
one lot non-confirming

Proposed use or existing use affected: SINGLE FAMILY RESIDENCE OR

* non-confirming lot (SIZE)

=====

FILL OUT SECTION 1, 2, 3, OR 4. DO NOT FILL OUT MORE THAN ONE SECTION

SECTION 1 APPEAL FROM ADMINISTRATIVE DECISION

Relating to the interpretation and enforcement of the provisions of the zoning ordinance.

Decision of the Code Enforcement Officer to be reviewed: Appeal From

Decision that the subject property is only one "lot,"
rather than two buildable lots of record, as described
in owner's deed

Section _____ of the Newmarket Zoning Ordinance in question.

=====

SECTION 2 APPLICATION FOR SPECIAL EXCEPTION

The undersigned hereby requests a Special Exception as provided in Section _____ of
the Newmarket Zoning Ordinance.

=====

3. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area _____

4. Explain how the cost of correction far outweighs any public benefit to be gained _____

Applicant _____

signature

Owner _____

signature

Date _____

ATTACHMENT TO APPLICATION TO ZONING BOARD OF ADJUSTMENT

Town of Newmarket – Zoning Board of Adjustment

RE: William Ouellette
21-23 Ham Street, Newmarket
Tax Map # U2 Lot 310
Zone R2

The applicant purchased the subject property in August of 2003. The deed to the applicant clearly describes two separate parcels, as prior deeds in the chain of title have. Each of the "parcels" noted in the deed is a separate "lot". The term "lot" is not defined anywhere in the ordinance or in the New Hampshire Statutes. At least since 1977 the two lots have been taxed by the City with one tax bill. A two unit residence is located on the larger of the two lots, and the larger lot is conforming in all respects. The applicant believes that the smaller of the two lots, which is approximately 65 feet by 85 feet, is a nonconforming, grandfathered, buildable lot. The applicant seeks to build a single family residence of the smaller of the two lots, and would not need a variance to meet all required setbacks.

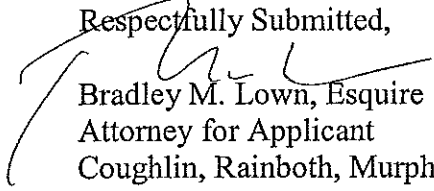
The applicant/owner met with the Building Inspector on or about November 10, 2005 and Mr. Vincent made the decision that the parcel consists of only one lot and that a variance from Section 7.02(B) of the Ordinance will be needed.

This appeal is from the Building Inspector's decision that the property consists of only one lot. The applicant seeks a ruling from the Board that the property consists of two lots of record, the smaller one being a non-conforming (as to size) buildable lot. The applicant is entitled to a building permit on the smaller lot in accordance with the holding in Battcock v. Town of Rye, 116 NH 167 (1976), where the New Hampshire Supreme Court held that a property owner is entitled to a building permit on a non-conforming lot of record if the lot preexisted the enactment of the Zoning Ordinance.

The applicant is not at this time seeking a variance, but if the Board finds and rules that the property consists of one parcel, the applicant reserves the right to apply for a variance to permit two structures on the property or to apply for a variance, if needed, to build on the smaller lot if the Board agrees it is a separate, buildable lot.

Date: November __, 2005

Respectfully Submitted,



Bradley M. Lown, Esquire
Attorney for Applicant
Coughlin, Rainboth, Murphy and
Lown, PA
439 Middle Street
Portsmouth, NH 03801
603-431-1993

TABLE OF CONVEYANCES

William H. Ouellette

Town of Newmarket – Zoning Board of Appeals

December 12, 2005

RE: 21-23 Ham Street, Newmarket

Tax Map # U2 Lot 310

Zone R2

	Grantor	Grantee	Date	Description
1	Maureen E. McGael	William Ouellette and Eliz Keuffel	9-11- 03	Two parcels on Ham Street
2	Earl and Augusta Hodgdon	Donald and Maureen McGael	6-15- 84	Two parcels
3	Nelson Perreault	Earl and Augusta Hodgdon	6-8-73	Parcel #2 – conveyance was subject to payment of taxes
4	Nelson Perreault	Earl and Augusta Hodgdon	5-17- 73	Parcel #1
4	Lillian Trottier	Ernestine Perrault	6-17- 65	Parcel #2
5	Joseph and Emma Perreault	Ernestine Perreault	4-26- 39	Parcel #1
6	Arthur Churchill for Estate of John Ham	Joseph Perreault	10-18- 1911	Parcel #1

OFFICE OF THE
ZONING BOARD OF ADJUSTMENT



INCORPORATED
DECEMBER 15, 1727
CHARTER JANUARY 1, 1991

NEWMARKET ZONING BOARD OF ADJUSTMENT

DECEMBER 12, 2005

MINUTES

Present: Richard Bowen, Leo Filion (Chair), Gil Lang (Vice-Chair),
Richard Shelton, Daniel Vincent (Zoning Administrator)

Absent: Gerry Hamel, Steven Szucs

Called to order: 7:28p.m.

Adjourned: 8:21p.m.

Regular Business

William H. Ouellette – Appeal from Administrative Decision. The applicant is appealing a decision by the Building Official that the subject property is considered one lot rather than two buildable lots of record. The property is located on Ham Street Extension, Tax Map U2, Lot 310, R2 Zone.

Leo Filion explained that there were only four members available to vote. The applicant could wish to carry on tonight or ask for a continuance until there were five members on the Board available to vote. If for any reason the applicant's request was denied, the fact that there was not a full board would not be reason for an appeal.

Brad Lown explained that they would proceed. He explained that Mr. Ouellette owned two parcels on Ham Street. The applicant was requesting the Board to confirm that there were two separate buildable parcels; two lots of record. He stated that they were prepared to present their case on a variance, if the Board was to find that there was only one lot. He explained that the larger parcel had a duplex on it, the smaller parcel measured approximately 65x85 with frontage on Ham Street. He believed the law in New Hampshire stated that those two parcels were two separate lots of record and were buildable in accordance to the current ordinance. He referenced a case from 1976, Babcock vs. Town of Rye where the Supreme Court had decided that if there were two lots that were contiguous, one of which was substandard in size, prior to the ordinance

enactment then those lots were grandfathered and would be considered two lots. These lots were two separate lots prior to the Zoning Ordinances. Title work has been done. The lots were combined for the first time in the deed to Mr. Ouellette's predecessor in 1984. He explained that there was no ordinance that provided for a merger where there were non-conforming lots that were contiguous and owned by the same owner. When Mr. Ouellette took the deed in 2003, he could have taken the deed in separate parcels but at the time, there was no reason to do so.

The Board reviewed the submitted deeds.

Leo Filion opened the Public Hearing.

Augusta Stevens-Hodgston explained that she used to own the property in question. She bought the first lot in May 1973 and the second lot in June 1973. She stated that the second lot had been intended for Lillian Trottier by her grandfather to build a house on. She explained that Ham Street had been named after her ancestors, her grandmother being Ebby Ham. She explained that there had always been two separate lots.

Leo Filion closed the Public Hearing.

Richard Shelton stated that, if the Town had combined the two lots for tax purposes, that didn't mean it automatically became on legal lot.

Dan Vincent stated that Andy Blais had noted that it was a two parcel deed and that the Town had acknowledged the lots as two separate parcels at one point, but since 1977 the lots had been assessed as one parcel for tax purposes.

Leo Filion explained that the Zoning Ordinances had a provision for a voluntary merger of two lots, but that the town did not have the authority to combine two separate lots into one.

Richard Bowen asked why there was no survey plan. Leo Filion explained that there were no requirements at that time to do a survey plan.

Action

Motion:



Richard Bowen made a motion that after reviewing the evidence presented by the applicant that there are two parcels located Ham Street Extension, Tax Map U2, Lot 310, R2 Zone.

Second:

Richard Shelton

Vote: All in favor

Leo Filion explained the appeal period and advised the applicant that anything done within 30 days was at the applicant's own risk.

Dan Vincent stated that the Tax Assessor needed to be informed of the decision and the tax maps needed to be corrected.

Rehearing for the following case requested by Kostis Enterprises, LLC/Davenport LLC. Rehearing granted by the ZBA on November 21, 2005:

Kostis Enterprises, LLC/Davenport LLC – Variance references Section 3.04 of the Newmarket Zoning Ordinance. The applicants request the above to permit the expansion of a non-conforming structure by building a mixed-use addition. The application is on file at the Newmarket Zoning Office, at the Newmarket Town Hall, and may be viewed during normal business hours. The applicant was originally heard on November 14, 2005 and Section 3.04 was not approved. A Motion for rehearing was submitted by the applicant. On November 21, 2005 the Zoning Board voted to rehear the variance on December 12, 2005.

Richard Bowen recused himself.

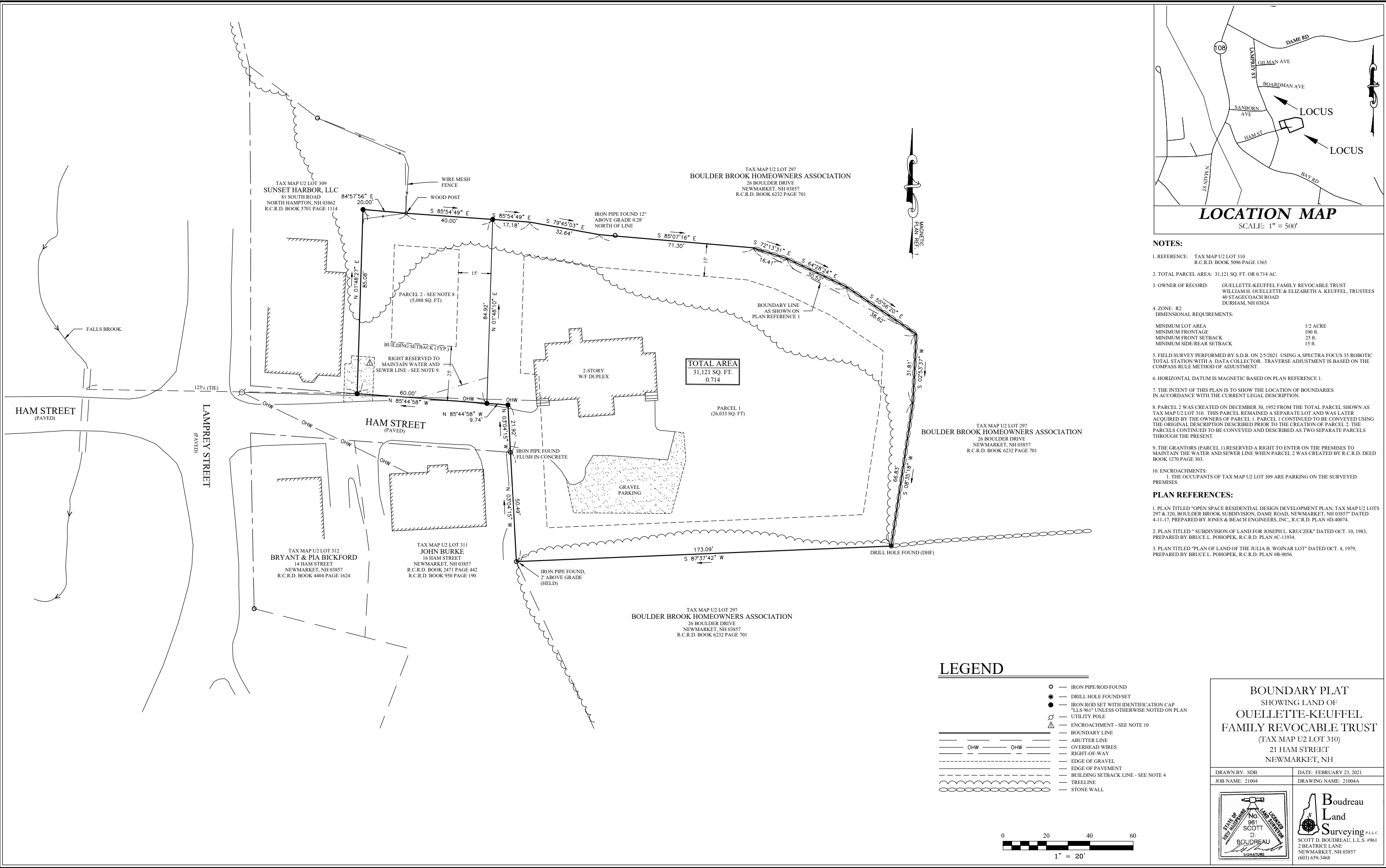
Leo Filion explained that he had received a letter from the applicant requesting a continuance on the rehearing.

Chris Boldt of Donahue, Tucker and Ciandella, representing Devonshire Realty, LLC; the applicant's abutter, explained that they had filed the second request for rehearing. They were under the understanding that the rehearing on the Kostis hearing would be continued by agreement. He requested that his request for rehearing be continued to the same night as the applicant's request for rehearing.

F. X. Bruton, legal counsel for the Board, explained that only one side had presented a request for rehearing, it was not a request for rehearing by agreement. The Board was not aware of Devonshire, LLC's agreement to continue to the rehearing previously granted. He suggested to the Board that it might make sense to combine the requests for continuance to the same night.

Leo Filion stated that a rehearing had already been granted. The request by the applicant's abutter had not yet been decisioned, and therefore, since it was noticed to the public that the Board would be rehearing the application, that he would allow anyone from the public to speak, and that testimony would be allowed to be considered at the rehearing if that was what the Board chose to do.

Dennis Kostis stated that he was under the impression that Karen Forbes had written and submitted a letter to the Board requesting a rehearing. He was under the understanding that the application was not going to be heard.





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
Reed PH Notice	2/23/2021	Cover Memo
ZBA Application Reed	2/23/2021	Cover Memo
Criteria for Special Exception Reed	2/23/2021	Cover Memo
Reed ADU Residence Floor Plans	2/23/2021	Cover Memo
Plot Map	2/26/2021	Backup Material
Updated parking plan 3/8	3/8/2021	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, MARCH 8, 2021
7:00 P.M.**

MEETING USING ZOOM (SEE BELOW)

There will be a public hearing, requested by Elliott and Donna Reed, at 1 Oak Knoll Drive, Newmarket, NH, Tax Map U1, Lot 1-23 R2 Zone, for a Special Exception for an Accessory Dwelling Unit (ADU) from Section 32- 234 of the Newmarket Zoning Ordinance.

Members of the public may attend the meeting using Zoom. If attending by telephone/Zoom, use the following information to join the meeting:

Join Zoom Meeting Join Zoom Meeting:

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

OR

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

Do not write in
this space

Date filed

Feb 11, 2021

Initials DEH

Applicant: Elliott & Donna Reed

Mailing Address: 1 Oak Knoll Dr

Property owner: Elliott & Donna Reed

Mailing Address: 1 Oak Knoll dr

Telephone: 603-659-3384 Cell Phone: 988-7933 & 969-6381

Email Address: ellreed@yahoo.com

Location of property: 1 Oak Knoll Dr, ^{#197}Newmarket NH 03857

Tax Map U1 Lot 1-23 Zone R2

Description of property: Single Family MDL1 3 bedrom 1092 sq ft

Proposed use or existing use affected: Attach an accessory dwelling unit for Family
member

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 Elliott Reed
Signature

Applicant Elliott Reed
Please Print

Owner Donna Marcy Reed
Signature

Owner Donna Marcy Reed
Please Print

Date 2/9/2021

Faint handwritten notes, possibly a signature or date, located in the center of the page.

~~ABUTTERS LIST~~

SECTION 2 APPLICATION FOR SPECIAL EXCEPTION

The undersigned hereby requests a Special Exception as provided in Section 32-234 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:

To build an Accessory apartment on my single family home if approved for use of My wife and I in one side and my sons family in the nother. Reading section 32-234 I believe we will meet all requirements and setback rules.



- (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.

1 OAK KNOLL DRIVE
EXISTING SINGLE
FAMILY RESIDENCE
ZONED R-2

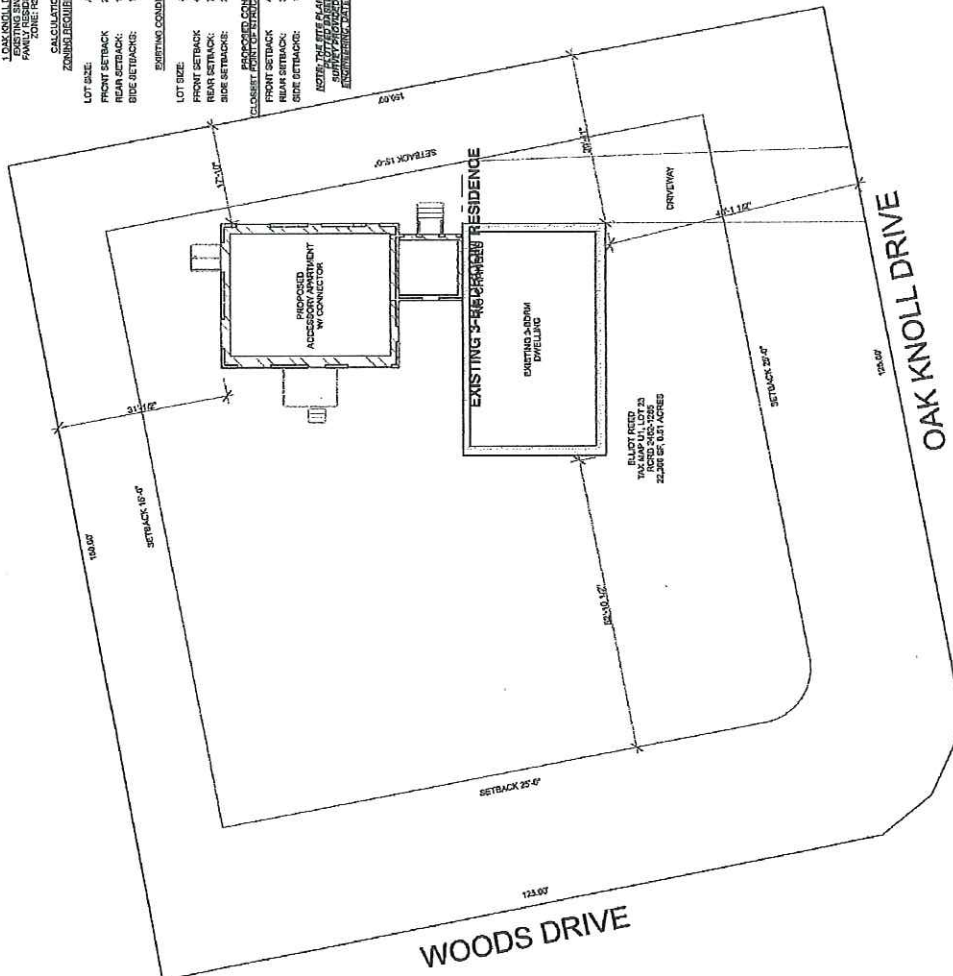
CALCULATIONS
ZONING REQUIREMENTS

LOT SIZE: 4.1 ACRES
FRONT SETBACK: 25'
REAR SETBACK: 15'
SIDE SETBACKS: 10'

EXISTING CONDITIONS
LOT SIZE: .51 ACRES
FRONT SETBACK: 45'-11"
REAR SETBACK: 72'-11"
SIDE SETBACKS: 25'-0"

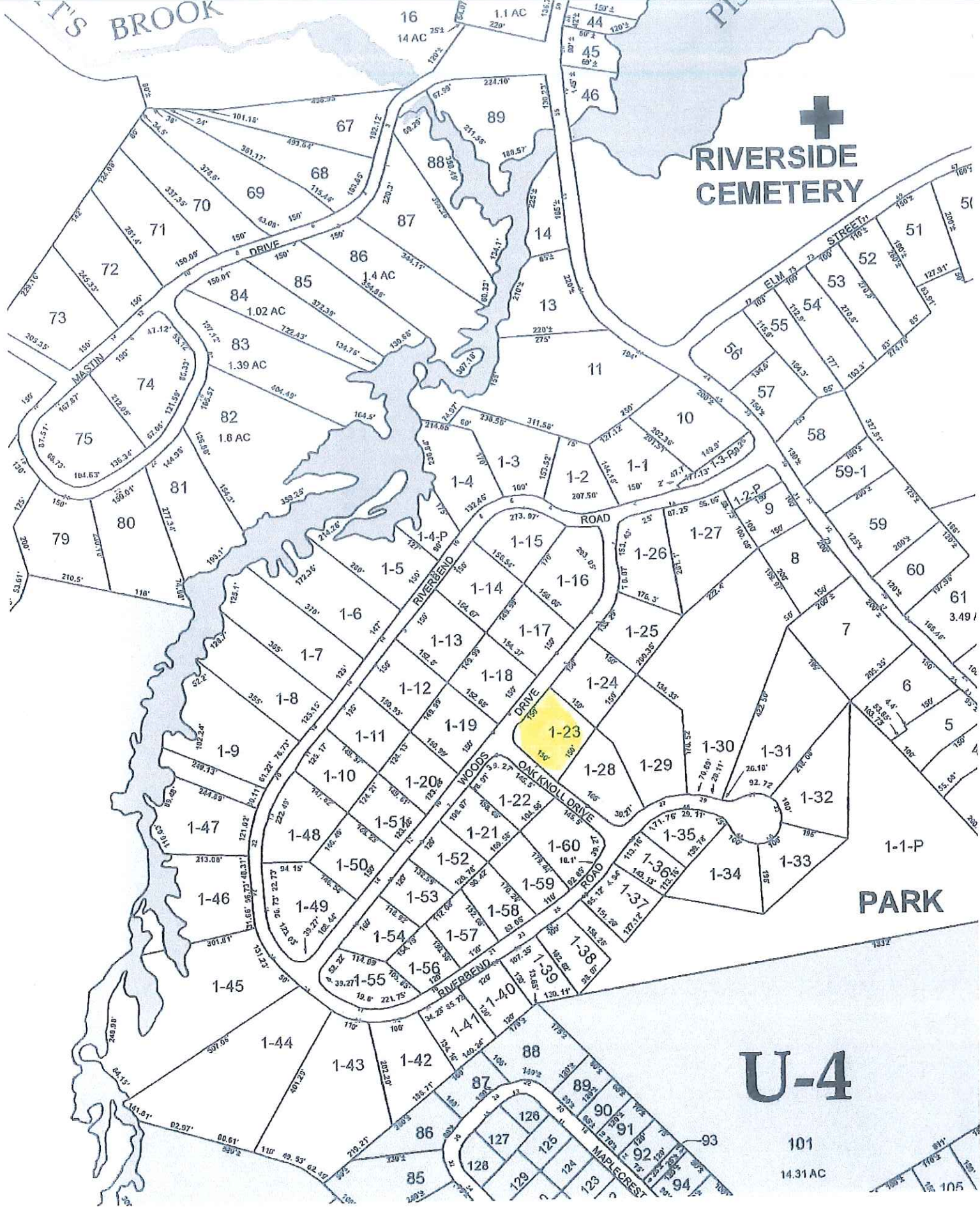
PROPOSED CONDITIONS
FRONT SETBACK: 45'-11"
REAR SETBACK: 72'-11"
SIDE SETBACKS: 25'-0"

REAR DRIVEWAY 15'-0" WIDE
ADDITIONAL DRIVEWAY
ADDITIONAL DRIVEWAY
ADDITIONAL DRIVEWAY



1" = 30'

SITE PLAN



U-4

101
14.31 AC

Re: Accessory Dwelling application

From: Mike Hoffman (mhoffman@newmarketnh.gov)

To: ellreed@yahoo.com

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

Date: Friday, August 14, 2020, 10:34 AM EDT

Thank you Mr. Reed,

It is our understanding that you would like to create an accessory dwelling unit (ADU) in your home and that your contractor has advised you to start the Special Exception process with the Zoning Board of Adjustment. As you pointed out this is a preliminary application and clearly there will be some more information needed. The very first step is to be denied the ability to create the ADU.

This email will serve as your letter of DENIAL to create the aforesaid ADU.

I have copied Diane Hardy, the Town Planner and Zoning Administrator, as well as Sue Jordan, who among other things, is the Zoning Clerk. they can guide you through the process of applying for a Special Exception.

For more on the specific requirements, please see the Newmarket Municipal Code pertaining the ADU's [HERE](#)

Michael Hoffman

Building Safety, Zoning Enforcement & Health Officer

Direct Line 603.292.1230

Appointments 603.659.8501 ext.1310

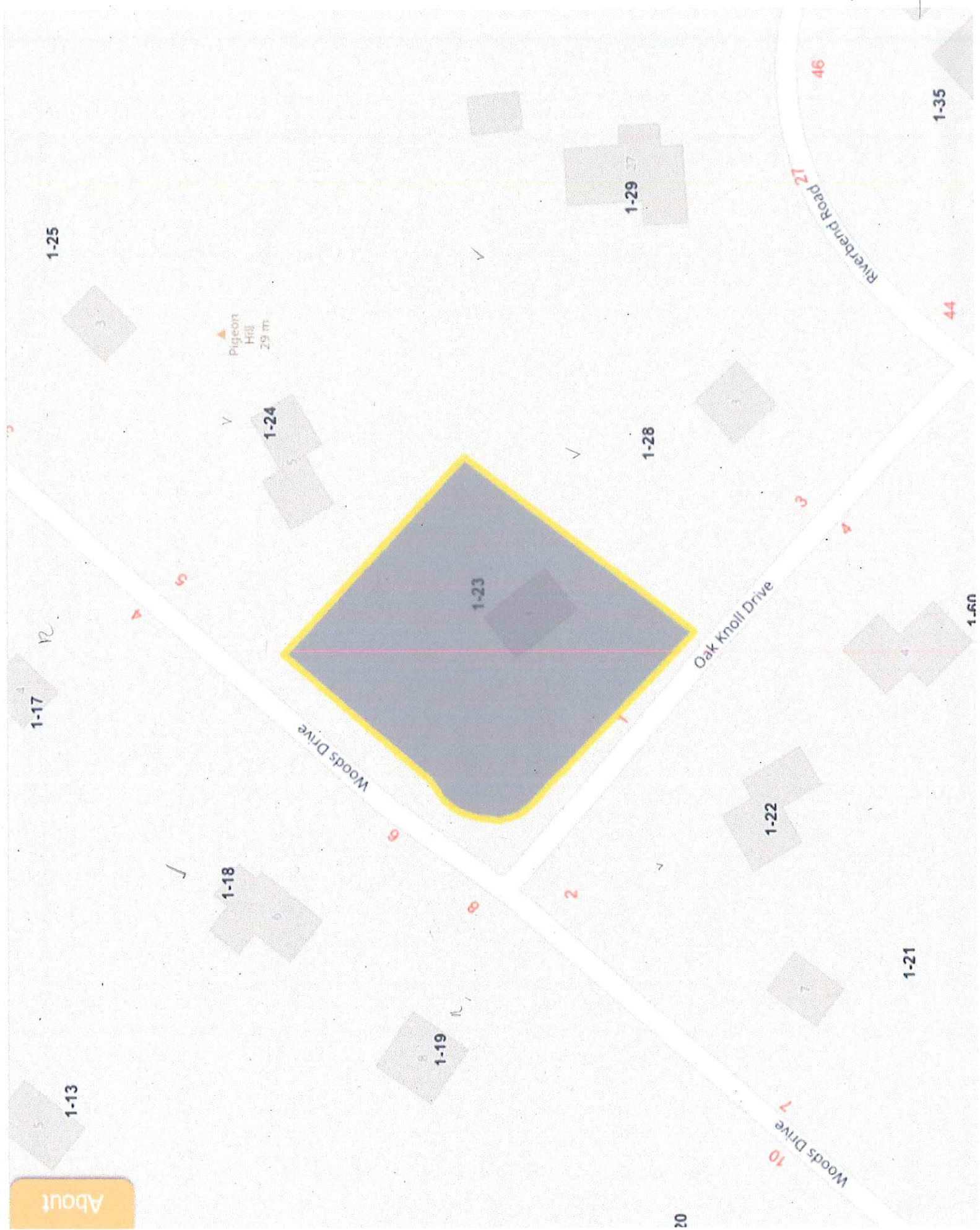
On Thu, Aug 13, 2020 at 2:27 PM Elliott Reed <ellreed@yahoo.com> wrote:

Please see attached preliminary application for an accessory dwelling under S32-234 at one Oak Knoll Dr. Main question is where on house would we be allowed to attach added dwelling.

Regards,

Elliott Reed

ellreed@yahoo.com



RE: Elliott & Donna Reed ADU application

Architect

Matt Beebe
MDB Design
81 Lincoln Ave.
Portsmouth NH 03857

Email: matthewdbeebe@comcast.net

FAX: 855•440•8664

603-234-7398

Engineer / Surveyor

Ross Engineering LLC
909 Islington St.
Suite 6
Portsmouth NH 03857

Email: alexross@comcast.net

Office: 603-433-7560

No Fax Listed

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 typed 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 fax number 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

PROPERTY OWNER-MUST BE INCLUDED PER STATE LAW

APPLICANT, IF DIFFERENT FROM PROPERTY OWNER

AUTHORIZED AGENT, IF APPLICABLE-PER STATE LAW

All abutters (use separate sheet, if necessary):

See Attached Sheet

Date of preparation: _____

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

Signature of preparer

Abutters list for 1 Oak Knoll Dr, Newmarket NH 03857
RE: Elliott & Donna Reed ADU application

Map U-1

Jared & Kelly Millar
2 Oak Knoll DR
Lot 1-22
Newmarket, NH 03857

Lee Boardman
5 Woods Dr
Lot 1-24
Newmarket, NH 03857

Andrea Sellers
3 Oak Knoll Dr
Lot 1-28
Newmarket NH 03857

Kevin & Paula Smart
27 Riverbend rd
Lot 1-29
Newmarket, NH 03857

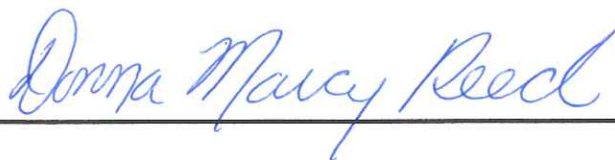
John & Nancy Lavoie
6 Woods dr
Lot 1-18
Newmarket, NH 03857

Signatures:

Elliott Reed



Donna Reed



Date: 2/9/2021

the first of these is the fact that the number of cases of the disease is not proportional to the number of people exposed to it.



the second of these is the fact that the number of cases is not proportional to the number of people exposed to it. This is because the number of cases is proportional to the number of people exposed to the disease, but the number of cases is also proportional to the number of people exposed to the disease.

The third of these is the fact that the number of cases is not proportional to the number of people exposed to it. This is because the number of cases is proportional to the number of people exposed to the disease, but the number of cases is also proportional to the number of people exposed to the disease.

the fourth of these is the fact that the number of cases is not proportional to the number of people exposed to it. This is because the number of cases is proportional to the number of people exposed to the disease, but the number of cases is also proportional to the number of people exposed to the disease.

Criterion for Special Exception – How this application meets the criteria of Section 32-234

1. How many square feet will the accessory apartment be?

The ADU will be 981 square feet of finished space, including screened in porch and ½ of mudroom/breeze way.

2. Is it an efficiency, one bedroom or two bedroom apartment?

The ADU will be a 2 bedroom apartment.

3. Will you, as owner of the property be occupying one of the units?

The applicant has indicated that he and his wife will be occupying the new ADU and his son and his family will occupy the existing ranch home.

4. Is there a minimum of two parking spaces per dwelling that are at least 9 by 18 feet. Where are those spaces located, and are they within the setbacks. If so, are they 50 feet from abutting dwelling units.

The existing driveway off of Oak Knoll Road is wide enough to accommodate two car parking tandem and does not encroach on the side lot line. The applicant is interested in building a second driveway off of Woods Drive frontage to access the proposed accessory dwelling apartment and understands that he will need to secure a driveway access permit from the Public Works Director in order to accomplish this. There is enough room on that side so that the spaces would not encroach on the side yard.

5. Are exterior changes for accessory dwelling unit consistent with the principal dwelling unit as a single family home?

The applicant is proposed similar design and materials so the ADU fits in with the existing ranch home and character of the neighborhood.

6. Adequate water and sewer service with tie-in fees to be paid.

The applicant is considering installing a second connection for water and sewer for the ADU and understands that it will have separate meters and require a tie-in fee to be paid to the Water and Sewer Department.

7. Does Sec. 32-5 (1) b.

This section does not apply as single family homes are allowed in the R-2 district.

8. Is there an interior door between the dwelling units and ADU that will be locked?

There are interior doors between the principal dwelling unit and the accessory dwelling unit, and they will not be required to be unlocked.

GENERAL NOTES

- THE CONTRACTOR SHALL VERIFY AND COORDINATE NEW AND EXISTING CONDITIONS AT SITE FOR COMPARISON WITH DRAWINGS AND SPECIFICATIONS PRIOR TO BIDDING AND START OF AND DURING CONSTRUCTION. IF ANY DISCREPANCIES, INCONSISTENCIES, OR OMISSIONS ARE FOUND, THE DESIGNER SHALL BE NOTIFIED IN WRITING PRIOR TO PROCEEDING WITH WORK.
- THE PLANS ARE INTENDED TO BE A GUIDELINE FOR PROPOSED CONSTRUCTION. THE DESIGNER MAKES NO GUARANTY OR WARRANTY, EXPRESSED OR IMPLIED, FOR THE ACCURACY AND COMPLETENESS OF THE DRAWINGS. THE DRAWINGS MAY CONTAIN SOME INACCURACIES. IN ALL CASES THE WRITTEN EXPLANATION WILL SUPERCEDE THE GRAPHIC REPRESENTATION WHEN REFERRING TO THE SAME PORTION OF WORK. IF ANY DISCREPANCIES, INACCURACIES, OR OMISSIONS ARE FOUND, NOTIFY THE DESIGNER PRIOR TO COMMENCING WITH WORK.
- ALL WORK SHALL CONFORM WITH THE IRC 2015 BUILDING CODE, THE NATIONAL ELECTRIC CODE , AND ALL OTHER APPLICABLE CODES.
- ABBREVIATIONS IN THE PLANS ARE THOSE COMMON IN USE. NOTIFY THE DESIGNER OF ANY ABBREVIATIONS IN QUESTION.
- WORK INCLUDED IS ALL WORK ON THE DRAWINGS. WORK NOT INCLUDED IS NOTED "NOT IN CONTRACT" NOTIFY THE DESIGNER IF ANY PORTION OF THE SCOPE OF WORK IS AMBIGUOUS.
- THE CONTRACTOR IS RESPONSIBLE FOR SECURING ALL PERMITS AND APPROVALS REQUIRED FOR CONSTRUCTION.
- EXTERIOR PLAN DIMENSIONS ARE FACE OF FRAME TO FACE OF FRAME; INTERIOR DIMENSIONS ARE FACE OF PLASTER TO FACE OF PLASTER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF THE WORK OF OTHER SUBCONTRACTORS.
- DO NOT SCALE DRAWINGS
- CONTRACTOR MUST MAINTAIN ALL REQUIRED INSURANCES DURING ALL CONSTRUCTION PHASES.
- THE PLANS HAVE BEEN REVIEWED BY A LICENSED STRUCTURAL ENGINEER. REFER TO THE STRUCTURAL NOTES WHEN CONFORMING TO GENERAL CONDITIONS. ANY CHANGES TO THE STRUCTURE MUST BE APPROVED BY MDB.LLC AND THE ENGINEER. IF ANY DISCREPANCIES, INCONSISTENCIES, OR OMISSIONS ARE FOUND, THE DESIGNER SHOULD BE NOTIFIED IN WRITING FOR CLARIFICATION PRIOR TO PROCEEDING WITH WORK.

GENERAL NOTES

- CONTRACTORS ARE TO PROVIDE A LIST OF SPECIFICATIONS FOR ELECTRICAL AND PLUMBING AND HEATING WORK TO BE PERFORMED, SO AS TO ALLOW THE HOMEOWNER TO COMPARE COST OF SYSTEMS, TYPE AND MANUFACTURER OF FIXTURES, AND QUALITY.

KITCHEN AND BATH NOTES:

- PROVIDE AN ALLOWANCE OF \$25,000.00 FOR ALL KITCHEN, BATH, AND CUSTOM CABINETRY AND COUNTERTOPS. THIS ALLOWANCE TO INCLUDE THE COST OF INSTALLATION OF SAME.
- CONTRACTOR TO PROVIDE SOLID BLOCKING FOR ALL CABINETRY (WALL AND BASE UNITS), BATHROOM ACCESSORIES, TOWEL BARS, CLOSET POLE BRACKETS, HANDRAILS, AND SO ON.

FLOORING NOTES:

- PROVIDE A FLOORING ALLOWANCE OF \$20.00 PSF FOR ALL TILED AREAS.
- PROVIDE A FLOORING ALLOWANCE OF \$9.00 PSF FOR ALL WOOD FLOORING AREAS.
- PROVIDE A FLOORING ALLOWANCE OF \$35.00 YD. FOR ALL CARPETED AREAS.

PLUMBING AND HEATING NOTES:

- PROVIDE NEW MITSUBISHI DUCTED MINI-SPLIT HEAT SYSTEM AND AIR CONDITIONING. DUCTED SYTEM TO BE MOUNTED BELOW THE FIRST FLOOR FRAMING IN THE CRAWL SPACE AREA. CONSULT WITH MDB DESIGN IF REQUIRED FOR ADDITIONAL DETAIL DRAWINGS/SPECIFICATIONS.
- PROVIDE LIST OF FIXTURES USED IN SETTING BID TO ALLOW HOMEOWNER TO COMPARE W/ OTHER BRANDS AND LEVELS OF QUALITY.

EXTERIOR TRIM & SIDING NOTES:

- PROVIDE 4" TO THE WEATHER VINYL SIDING AND APPROPRIATE ACCESSORIES. USE VINYL SOFFIT VENTING. TRADITIONAL CORNERS TO MATCH THOSE AT EXISTING HOUSE, AND OTHER CHANNEL AND CAPS AS REQUIRED.
- AT DECKS AND PORCHES, PROVIDE COMPOSITE AZEK DECKING OR EQUIVALENT, AZEK OR EQUIVALENT SKIRTING, AND AZEK RAILING AND POST SYSTEMS. CONSULT W/ MDB DESIGN AS REQUIRED FOR FURTHER DETAILING OR AVAILABILITY OF PRODUCTS.
- USE AZEK OR EQUIVALENT PVC TRIM FOR RAKES, FASCIAS, AND TRIMMERS AS REQUIRED.
- EAVES HAVE BEEN DESIGNED TO ACCEPT A "5K" ALUMINUM GUTTER. DO NOT INCLUDE GUTTER IN THIS CONTRACT.

WALL COVERING AND PAINTING NOTES:

- ALL WALLS AND CEILINGS IN HOUSE TO BE 1/2" SHEETROCK, TAPED AND FINISHED SMOOTH, W/ ONE COAT OF PRIMER/ SEALER AND TWO COATS EGGSHELL OR SEMI-GLOSS FINISH PAINT (LATEX).
- ALL STANDING AND RUNNING TRIM TO BE FINISHED W/ ONE COAT OF PRIMER AND TWO COATS OF SEMI-GLOSS PAINT, (BENJAMIN MOORE OR EQUIVALENT PAINT)

INTERIOR FINISH WORK, STANDING AND RUNNING TRIM NOTES:

- ALL STANDING AND RUNNING TRIM TO MATCH THOSE AT EXISTING HOUSE.
- WINDOW AND DOOR TRIM TO BE BROSCO #8725 1 1/16" X 2 1/2" FJP CASING. WINDOW STOOL CAPS TO BE BULLNOSED 1X6 EDGE AND ENDS, PAINTED, WITH A 3/4" REVEAL @ CASING FACE AND SIDES.

INTERIOR DOOR NOTES:

- INTERIOR DOORS ARE TO BE "PRO CORE" JELD-WEN MOULDED DOORS. ESTIMATE FOR "ATHERTON" STYLE, FOUR-PANEL SMOOTH, SPLIT-JAMB, WITH BROSCO #8725FJP CASING

DRAWING LIST

A0	COVER PAGE
A-100	FLOOR PLANS
A-300	ELEVATIONS
A-401	CROSS SECTIONS
A-402	CROSS SECTIONS
A-403	DETAIL SECTIONS
C-100	SITE PLAN
S-101	STRUCTURAL NOTES
S-102	BASEMENT/FOUNDATION
S-103	FIRST FLOOR FRAMING
S-104	ROOF FRAMING--HEADER PLAN
S-105	TRUSS PLANS (BY OTHERS)

NOTE:
FINAL WINDOW AND DOOR CHOICES TO BE CONFIRMED WITH HOMEOWNERS. LOCATIONS AND SIZES OF EGRESS WINDOWS MUST NOT BE ALTERED WITHOUT THE PERMISSION OF THE HOMEOWNERS AND THE DESIGNER. DO NOT PLACE WINDOW ORDER WITHOUT CONFIRMATION FROM HOMEOWNER AS TO WINDOW SIZE, QUANTITY, AND SPECIFICATION.

WINDOW SCHEDULE

MARK	QUANT.	ORDER #	DESCRIPTION	ROUGH OPENING	NOTES
A	2	ELDH3560 2W E	MARVIN ELEVATE DOUBLE HUNG	6'-0" X 5'-0 1/4"	MEETS EGRESS REQUIREMENTS
B	2	ELDH3236 2W	MARVIN ELEVATE DOUBLE HUNG	5'-4" X 3'-0 1/4"	
C	2	ELDH3046	MARVIN ELEVATE DOUBLE HUNG	2'-6 1/2" X 4'-0 1/4"	"C" WINDOW AT BATHROOM LOCATION IS TEMPERED
D	2	ELDH2346	MARVIN ELEVATE DOUBLE HUNG	2'-2 1/2" X 4'-0 1/4"	
E	1	ELDH3260	MARVIN ELEVATE DOUBLE HUNG	2'-6 1/2" X 5'-0 1/4"	
F	1	ELDH3260 3W	MARVIN ELEVATE DOUBLE HUNG	7'-11 1/2" X 5'-0 1/4"	

WINDOW NOTES:
-ROUGH OPENINGS ARE THE MINIMUM SIZE REQUIRED. CONTRACTOR MUST ADJUST FOR THE BUILD UP OF SILL FANS, FLASHINGS, HOUSE WRAPS, ETC.

WINDOW SPECIFICATIONS:

- EXTERIOR COLOR IS WHITE. CONFIRM W/ HOMEOWNER PRIOR TO ORDERING WINDOW PACKAGE
- CHARCOAL FIBERGLASS INSECT SCREENS (PULL SCREEN)
- 6 5/16" EXT. JAMBS TYP, WHITE INTERIOR FINISH
- HIGH PERFORMANCE, LOW-E4 GLASS
- TRADITIONAL SASH LOCK HARDWARE, WHITE.
- LITE PATTERN AS IN ELEVATIONS. CONFIRM WITH HOMEOWNER PRIOR TO ORDERING UNITS.
- FINAL WINDOW ORDER TO BE CONFIRMED AND APPROVED IN WRITING BY OWNER.

EXTERIOR DOOR SCHEDULE

MARK	QUANT.	ORDER #	DESCRIPTION	ROUGH OPENING	NOTES
101	1	THERMA-TRU	SMOOTH STAR FIBERGLASS DOOR S206-RH	36 1/2" X 83"	FIBERGLASS, 4 5/16" JAMB SMOOTH WHITE PRIMER JAMB, COMPOSITE ADL, BRONZE SILL, DARKWOOD CAP, TRU-GUARD DOOR FRAME, 3 1/2" FLAT CASING.
102	1	THERMA-TRU	SMOOTH STAR FIBERGLASS DOOR S206-RH	36 1/2" X 83"	FIBERGLASS, 4 5/16" JAMB SMOOTH WHITE PRIMER JAMB, COMPOSITE ADL, BRONZE SILL, DARKWOOD CAP, TRU-GUARD DOOR FRAME, 3 1/2" FLAT CASING.
103	1	THERMA-TRU	SMOOTH STAR SSP 160-RH	36 1/2" X 63"	FIBERGLASS, 4 5/16" JAMB SMOOTH WHITE PRIMER JAMB, COMPOSITE ADL, BRONZE SILL, DARKWOOD CAP, TRU-GUARD DOOR FRAME, 3 1/2" FLAT CASING.
104	1	MARVIN ELEVATION FRENCH	ELUD 9568 X-L	3'-1 1/2" X 88 1/2"	CUSTOM SEED DOOR--VERIFY IN FIELD PRIOR TO ORDERING
105	1	THERMA-TRU	SMOOTH STAR FIBERGLASS ENTRY DOOR 3-6 X 6-6	36 1/2" X 83"	FIBERGLASS, 4 5/16" JAMB SMOOTH WHITE PRIMER JAMB, COMPOSITE ADL, BRONZE SILL, DARKWOOD CAP, TRU-GUARD DOOR FRAME, 3 1/2" FLAT CASING.

DOOR SPECIFICATIONS:

- ESTIMATE FOR BRUSHED NICKEL HARDWARE
- FINAL EXTERIOR DOOR ORDER TO BE CONFIRMED AND APPROVED IN WRITING BY OWNER.

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Construction Consulting
Residential Design

81 Lincoln Ave. Portsmouth, N.H. 03801

603-234-7398
855-440-8664 FAX

CONSULTANTS

REED RESIDENCE

ADDITION TO
1 OAK KNOLL DRIVE
NEWMARKET, NH 03857

	10/13/20	CONST. DOCUMENTS
MARK	DATE	DESCRIPTION

PROJECT NO:

MODEL FILE:

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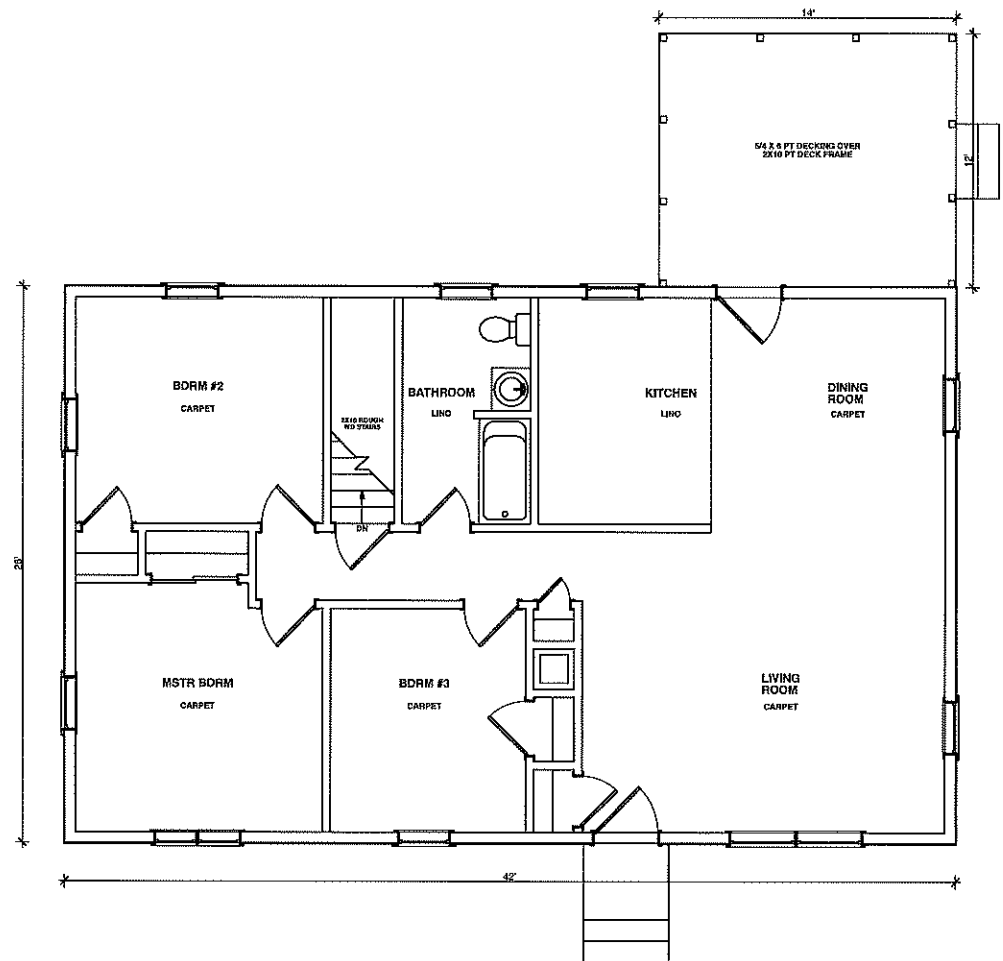
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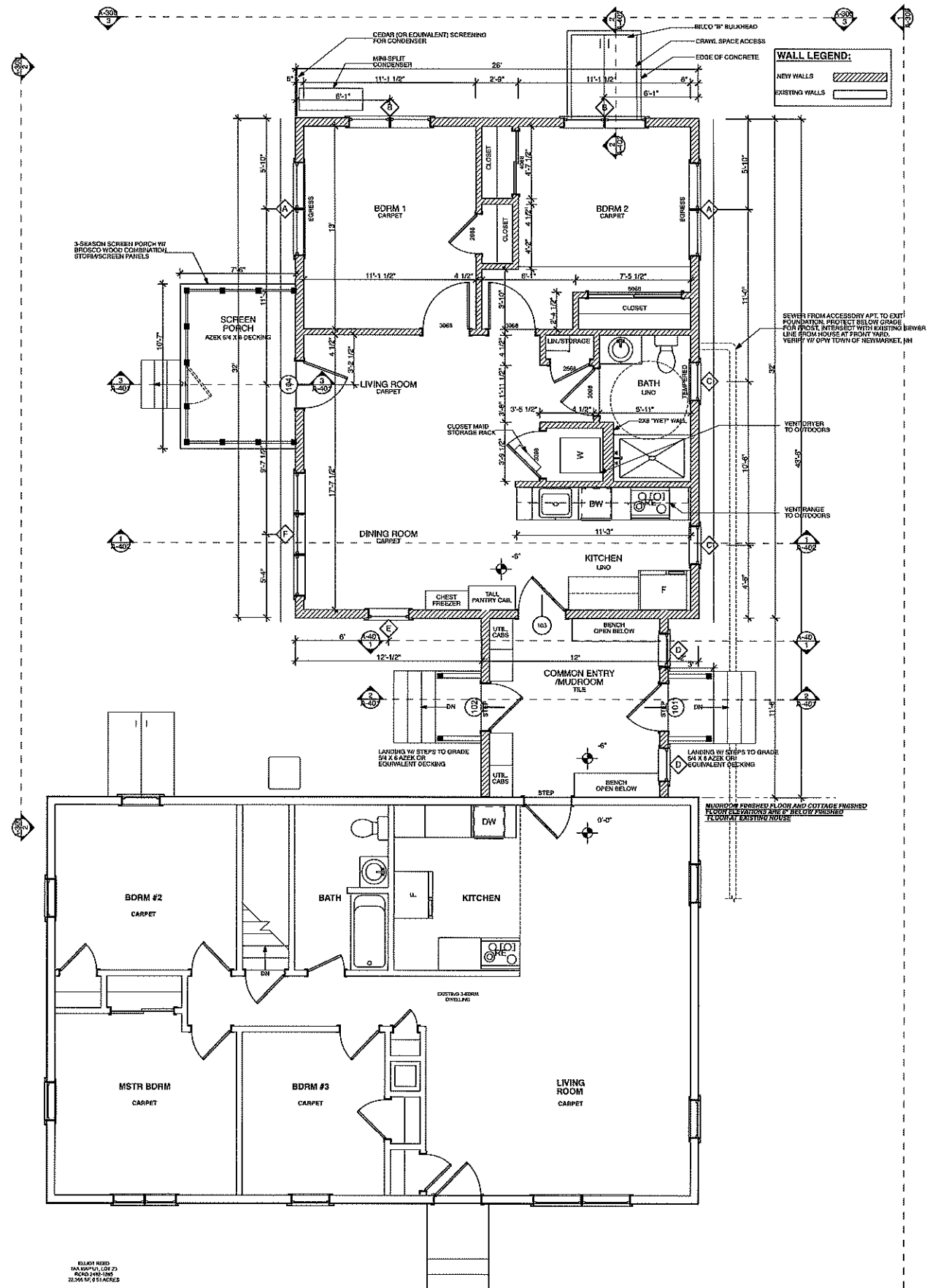
SHEET TITLE

COVER PAGE

A0



1 EXISTING FLOOR PLAN W/ DECK 1/4" = 1'-0"



1 FIRST FLOOR PLAN 1/4" = 1'-0"

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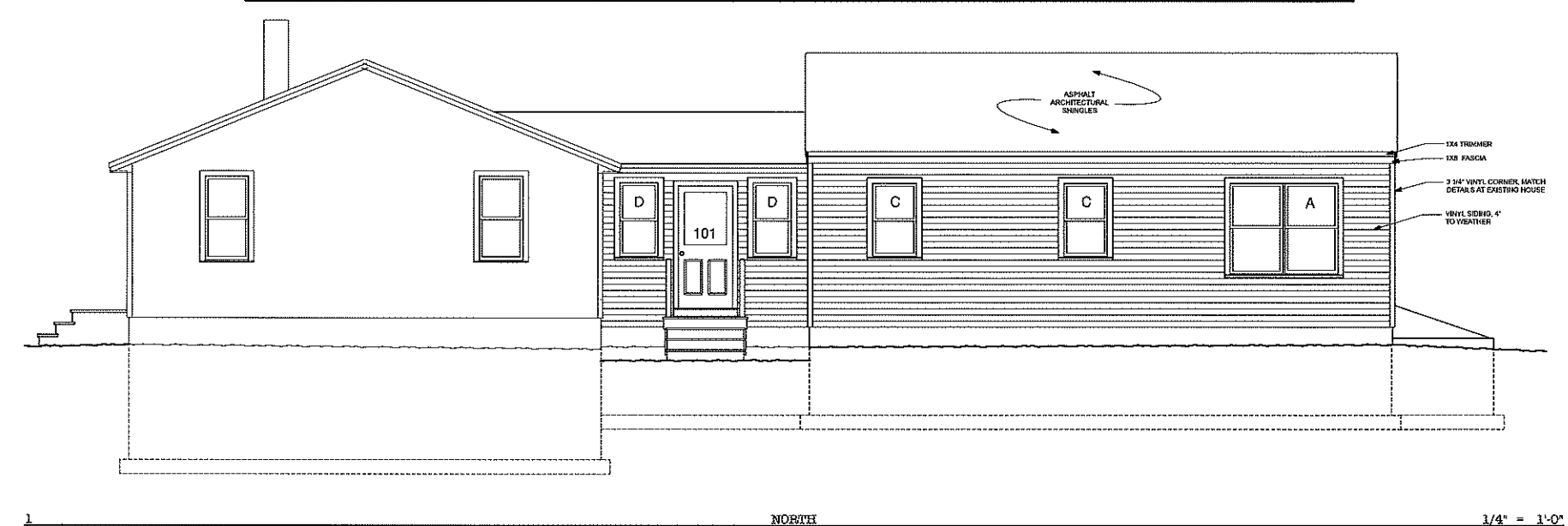
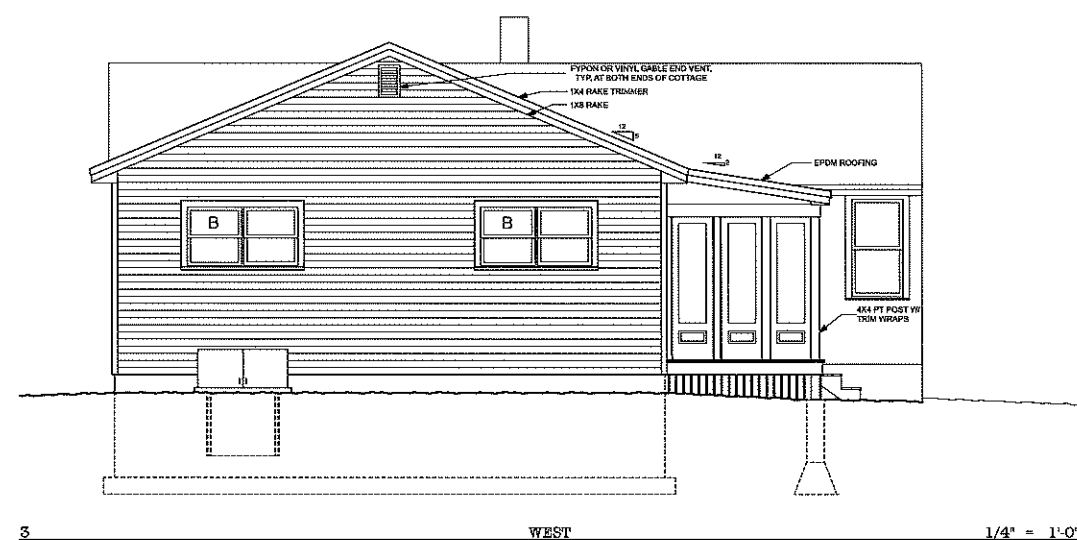
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ADDITION TO
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NEWMARKET, NH 03857

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	10/13/20	CONST. DOCUMENTS

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SHEET TITLE
FLOOR
PLANS

A-100



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SHEET TITLE
ELEVATIONS

A-300

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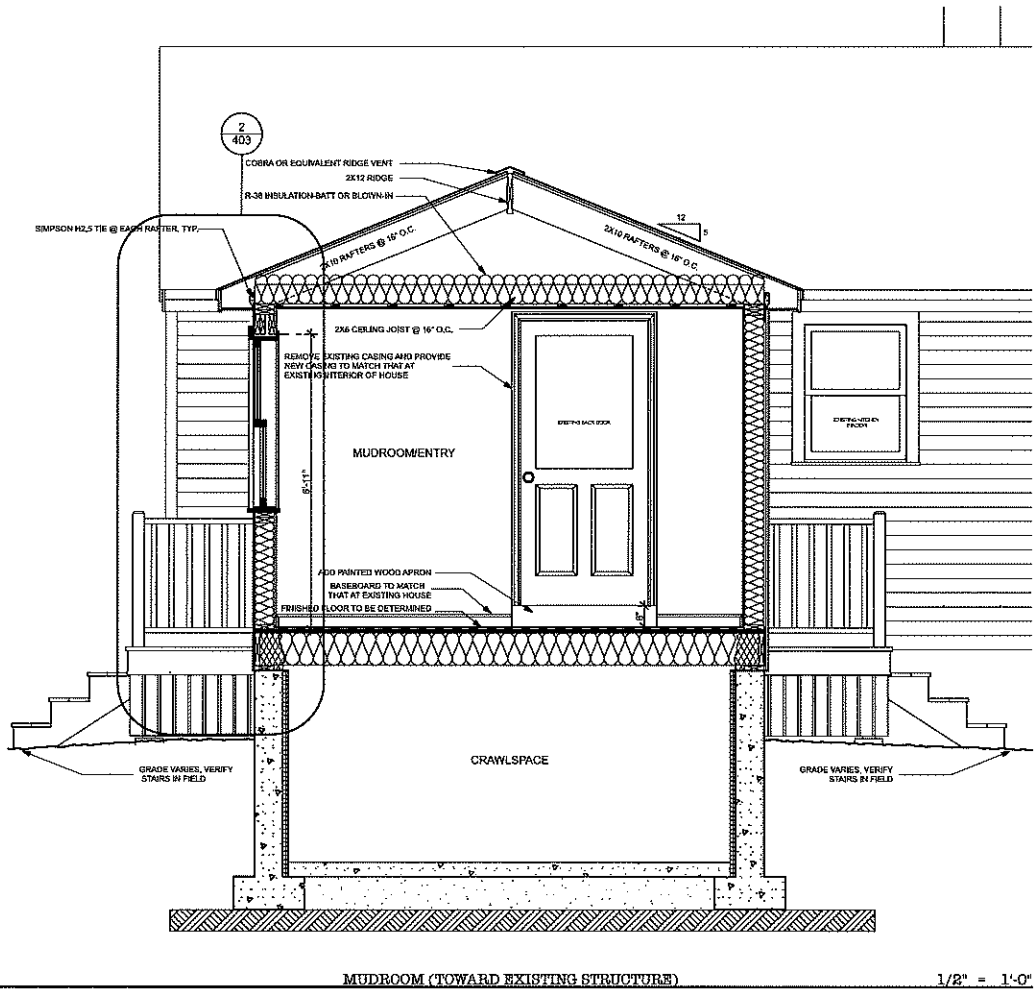
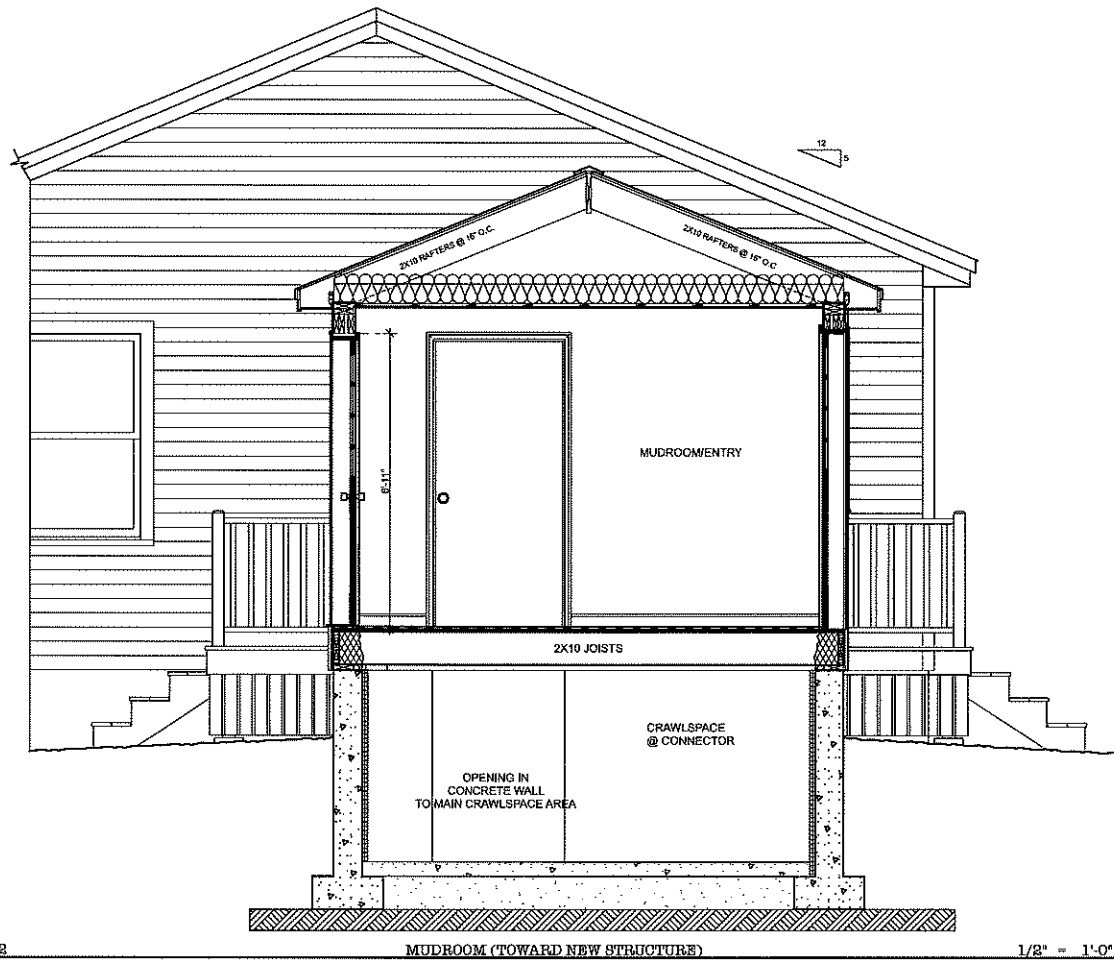
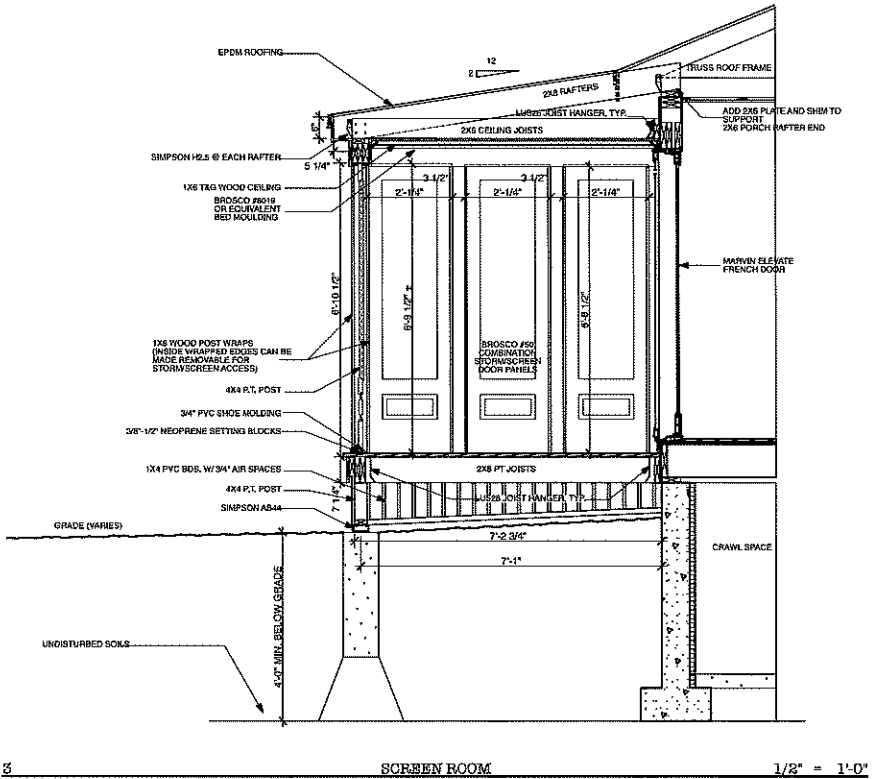
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	10/13/20	CONST. DOCUMENTS

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SHEET TITLE

CROSS
SECTIONS

A-401



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REED RESIDENCE

ADDITION TO
1 OAK KNOLL DRIVE
NEWMARKET, NH 03857

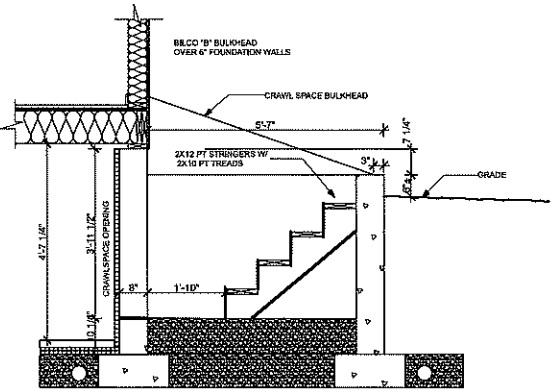
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	10/13/20	CONST. DOCUMENTS

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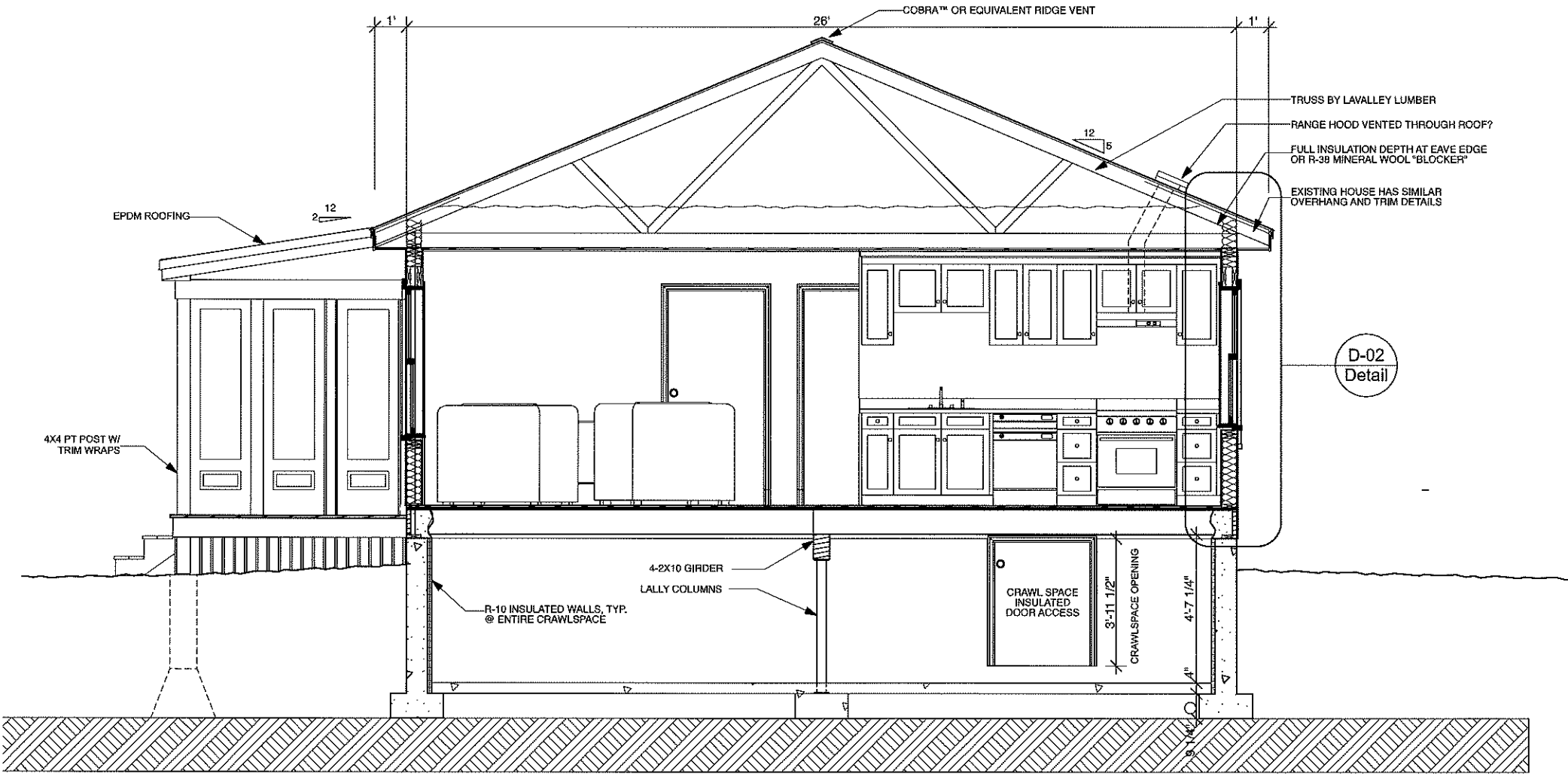
SHEET TITLE

CROSS
SECTIONS

A-402



2 CRAWLSPACE ACCESS DETAILS 1/2" = 1'-0"



1 KITCHEN/DINING ROOM 1/2" = 1'-0"

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ADDITION TO
1 OAK KNOLL DRIVE
NEWMARKET, NH 03857

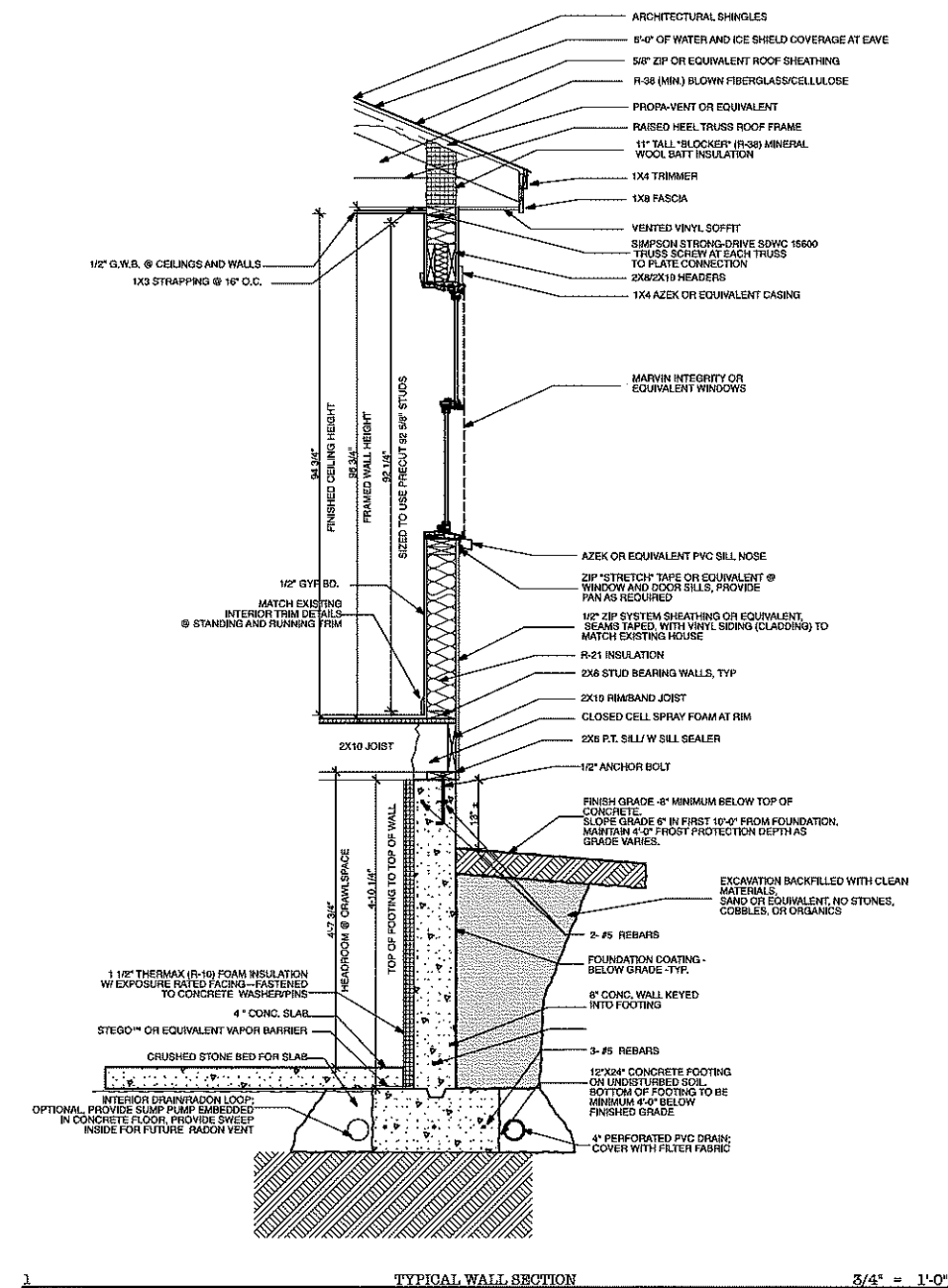
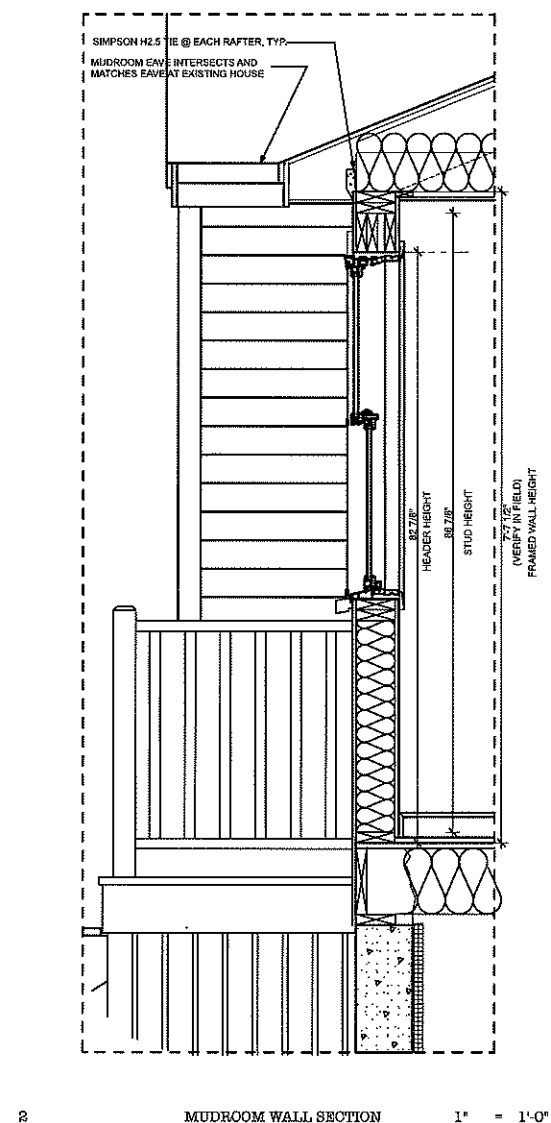
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MARK	DATE	DESCRIPTION

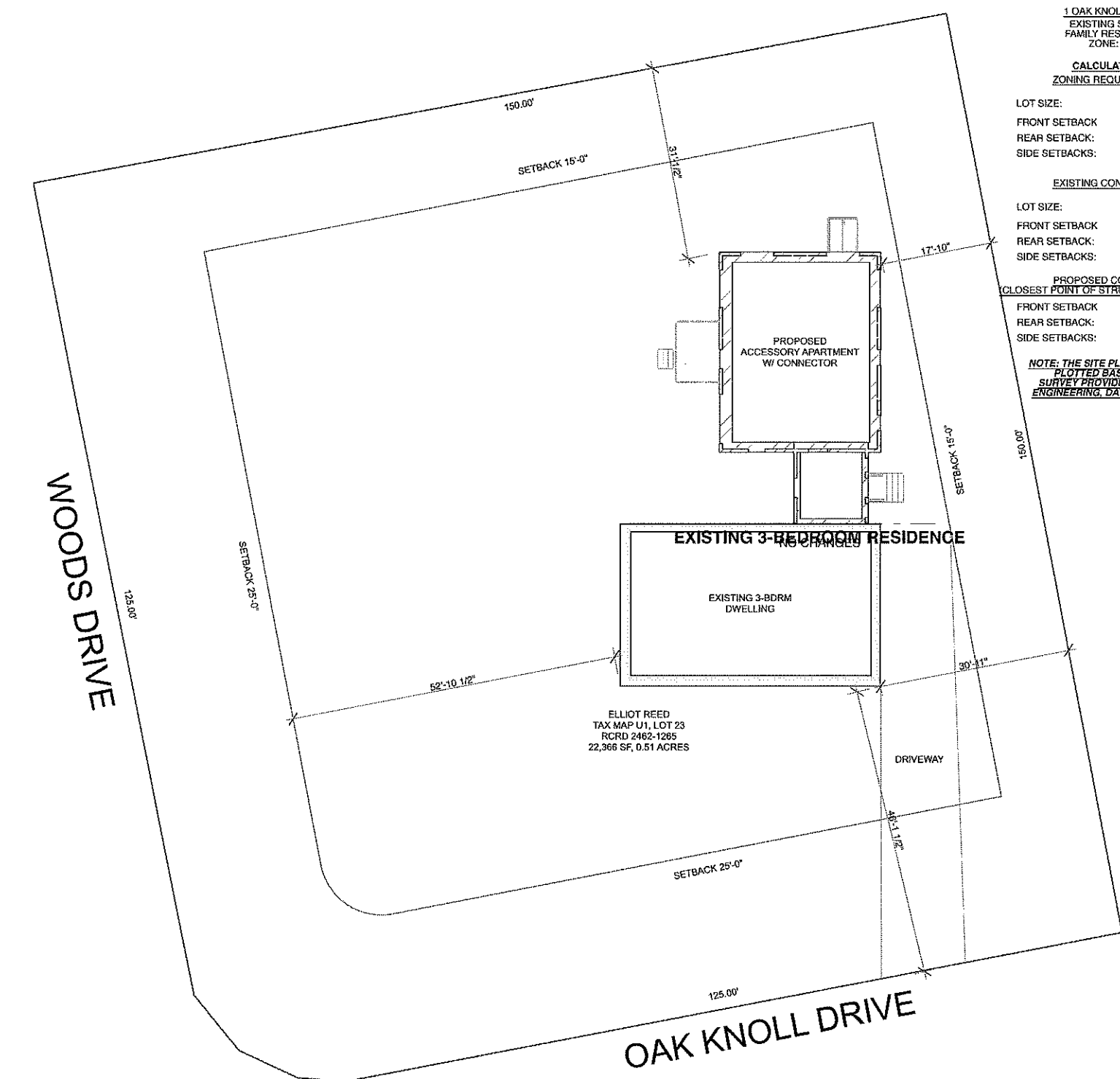
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SHEET TITLE

DETAIL SECTIONS

A-403





1 OAK KNOLL DRIVE
EXISTING SINGLE
FAMILY RESIDENCE
ZONE: R2

CALCULATIONS:
ZONING REQUIREMENTS

LOT SIZE: .5 ACRES
FRONT SETBACK: 25'
REAR SETBACK: 15'
SIDE SETBACKS: 15'

EXISTING CONDITIONS

LOT SIZE: .51 ACRES
FRONT SETBACK: 46'-1"
REAR SETBACK: 72'-1"
SIDE SETBACKS: 26'-6"

PROPOSED CONDITIONS
(CLOSEST POINT OF STRUCTURE TO SETBACK)

FRONT SETBACK: 46'-1"
REAR SETBACK: 31'-0"
SIDE SETBACKS: 17'-10"

**NOTE: THE SITE PLAN HAS BEEN
PLOTTED BASED ON A
SURVEY PROVIDED BY ROSS
ENGINEERING, DATED 10/1/2020**

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ADDITION TO
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NEWMARKET, NH 03857

10/13/20 CONST. DOCUMENTS		
MARK	DATE	DESCRIPTION

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SHEET TITLE

SITE PLAN

C-100

GENERAL CONDITIONS:

1. THE CONTRACTOR SHALL CAREFULLY VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS PRIOR TO COMMENCEMENT OF THE WORK, AND SHALL NOTIFY THE DESIGNER IMMEDIATELY OF ANY DISCREPANCIES BETWEEN DOCUMENTS AND FIELD MEASUREMENTS.
2. THE CONTRACTOR IS RESPONSIBLE FOR ALL MEANS AND METHODS OF TEMPORARY SHORING, BRACING, OR OTHERWISE PROTECTING ANY PORTION OF THE EXISTING STRUCTURE AND UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE ENGINEER IS SPECIFYING THE FINISHED CONDITION ONLY, WITHOUT ASSUMING KNOWLEDGE OR RESPONSIBILITY FOR HOW THE CONTRACTOR WILL ACHIEVE THIS RESULT.
3. FOR EXACT LOCATIONS OF FLOOR AND ROOF OPENINGS, POSTS, ETC., SEE ARCHITECTURAL DRAWINGS.

CONCRETE:

1. ALL CONCRETE WORK SHALL BE PERFORMED IN CONFORMANCE THE THE LATEST EDITION OF ACI-318, "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE."
2. CONCRETE SHALL ACHIEVE A MINIMUM 28 DAY DESIGN STRENGTH AS FOLLOWS:
FOOTINGS AND WALLS, INTERIOR
SLABS ON-GRADE AND OTHER
CONCRETE NOT OTHERWISE SPECIFIED: 3000 PSI
STRUCTURAL SLABS ON METAL DECK: 3500 PSI
EXTERIOR SLABS EXPOSED TO WEATHER: 4000 PSI
3. SLUMP AT THE POINT OF DISCHARGE FROM THE READY-MIX TRUCK SHALL BE 3"-5"
4. REINFORCING STEEL: TYPICAL-- ASTM A615, GRADE 60.
FIELD BENT-- ASTM A615, GRADE 40,
WELDED WIRE FABRIC-- ASTM A185
5. NON-SHRINK GROUT SHALL BE "EMBEDCO 153" BY MASTER BUILDERS.
"SONOGROUT" BY SONNEBORN BUILDING PRODUCTS. "FIVE STAR GROUT" BY U.S. GROUT CORPORATION, ARE EQUAL AS APPROVED BY THE OWNER.

FOUNDATIONS:

1. EXCAVATE TO LINES AND GRADES REQUIRED TO PROPERLY INSTALL THE FOUNDATIONS ON INORGANIC, UNDISTURBED SOIL OR CONTROLLED STRUCTURAL BACKFILL AS REQUIRED BY THE ARCHITECT. ALL EXCAVATIONS SHALL BE DRY BEFORE PLACING ANY CONCRETE.
2. EXTERIOR FOOTINGS SHALL BE PLACED ON APPROVED SOIL AT A MINIMUM DEPTH OF 4 FEET, OR AS MODIFIED BY THE STRUCTURAL ENGINEER, BELOW THE LOWEST ADJACENT GROUND EXPOSED TO FREEZING. ANY ADJUSTMENT OF FOOTING ELEVATIONS DUE TO FIELD CONDITIONS MUST HAVE THE APPROVAL OF THE ARCHITECT.
3. SOIL BEARING CAPACITY: FOOTINGS MUST BE PLACED ON SOIL WITH A MINIMUM BEARING CAPACITY OF 4000 POUNDS PER SQUARE FOOT.
4. BACKFILL BELOW FOOTINGS AND SLABS SHALL BE MADE WITH APPROVED GRANULAR MATERIALS PLACED IN 6" LAYERS. LAYERS SHALL BE COMPACTED TO 96% DENSITY AT OPTIMUM MOISTURE CONTENT, AS DEFINED BY ASTM D1557, METHOD "D".
5. BACKFILLING AGAINST WALLS OR PIERS MAY ONLY BE DONE AFTER WALLS OR PIERS ARE BRACED TO PREVENT MOVEMENT. FOR WOOD FRAMED RESIDENTIAL CONSTRUCTION, NO BACKFILLING OF WALLS MAY TAKE PLACE UNTIL THE FIRST FLOOR DECK HAS BEEN FRAMED AND SHEATHED, UNLESS WRITTEN APPROVAL IS GIVEN BY THE ARCHITECT OR ENGINEER.
6. PROVIDE FOUNDATION DRAINAGE, WATERPROOFING/DAMP-PROOFING, AND FOUNDATION WALL INSULATION AS INDICATED ON THE ARCHITECTURAL DRAWINGS.
7. PROVIDE METAL OR PVC SLEEVES IN THE FOUNDATION WALLS FOR SEWER, GAS, ELECTRIC, AND WATER LINES AS REQUIRED.

ROUGH CARPENTRY

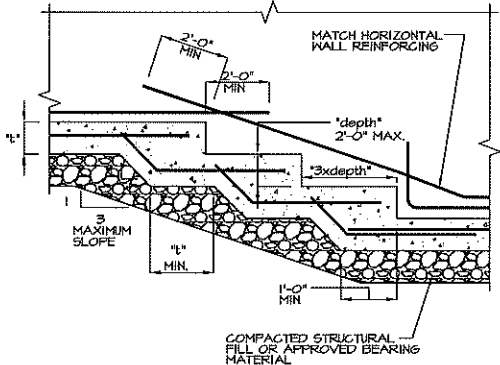
1. ALL ROUGH CARPENTRY WORK SHALL BE EXECUTED IN CONFORMANCE WITH THE AMERICAN INSTITUTE OF TIMBER CONSTRUCTION "TIMBER CONSTRUCTION STANDARDS"--AITC 100.
2. WHEN NOT OTHERWISE IDENTIFIED, ALL WOOD BEAMS, JOISTS, RAFTERS, HEADERS, STRINGERS, PLATES, AND SILLS SHALL BE SPRUCE-PINE-FIR #2 OR BETTER, WITH A MINIMUM Fb=875 PSI (SINGLE USE) AND Fb=1000 PSI (REPETITIVE USE), AND E SHALL BE 1,400,000 PSI OR BETTER.
3. WOOD STUDS MAY BE EASTERN HEMLOCK, EASTERN SPRUCE, OR HEM-FIR GRADED "STUD" GRADE, #2 OR BETTER.
4. LVL BEAMS, AS NOTED ON PLANS, SHALL HAVE A MINIMUM Fb=3100 PSI, E=2,000,000 PSI, AND Fy = 285 PSI. LVL BEAMS SHALL BE "VERSA-LAMS" BY BOISE CASCADE. NO SUBSTITUTIONS WILL BE ACCEPTED UNLESS THE ENGINEER SPECIFICALLY APPROVES ANOTHER PRODUCT SUBMITTED BY THE BUILDER.
5. WOOD I-BEAMS SHALL BE "AJS" BY BOISE CASCADE. NO SUBSTITUTIONS WILL BE ACCEPTED, UNLESS THE ENGINEER SPECIFICALLY APPROVES ANOTHER PRODUCT SUBMITTED BY THE CONTRACTOR. MANUFACTURER'S RECOMMENDATIONS FOR BEARING, REINFORCING, CUTS, CANTILEVERS, FASTENING, ETC., SHALL BE STRICTLY ADHERED TO.
6. PLYWOOD WALL SHEATHING, ROOF SHEATHING, AND SUBFLOORING SHALL BE APA GRADE, TRADEMARKED C-D INTERIOR WITH EXTERIOR GLUE, SUBFLOORING SHALL BE 3/4" THICK TONGUE AND GROOVE AND SHALL BE GLUED TO FLOOR JOISTS WITH AN APPROVED ADHESIVE PRIOR TO NAILING. ROOF SHEATHING SHALL BE 2/8" THICK AND SHALL BE TONGUE AND GROOVE OR ALIGNED WITH METAL H CLIPS BETWEEN RAFTERS. WALL SHEATHING SHALL BE 1/2" THICK.
7. ALL WOOD HAVING DIRECT CONTACT WITH MASONRY, CONCRETE OR DIRT AND, WHEREVER WOOD IS WITHIN 8" OF FINISHED GRADE OR PART OF OPEN DECK CONSTRUCTION, SHALL BE PRESSURE TREATED WITH A CCA-C 0.40 PROCESS.
8. JOIST AND BEAM HANGERS SHALL BE BY SIMPSON STRONG-TIE CORP. THE CONTRACTOR SHALL STRICTLY ADHERE TO MANUFACTURER'S FASTENING AND INSTALLATION REQUIREMENTS.
9. UNLESS DETAILED OR OTHERWISE SPECIFIED, PROVIDE AT LEAST TWO JACK STUDS BENEATH ENDS OF 2X12, LVL, AND PARALLAM HEADERS AND BEAMS. WHERE POSTS ARE CALLED OUT AS MULTIPLE 2X'S, SUCH AS 2-2X6, 3-2X6, 4-2X6, ETC., ONE 2X SHALL BE POSITIONED AS A KING STUD AND THE BALANCE SHALL BE JACK STUDS.
10. FOR WOOD JOIST SPANS UP TO 14 FEET, PROVIDE A SINGLE ROW OF FULL DEPTH BLOCKING BETWEEN JOISTS AT MIDSPAN.
11. GABLE-END WALL STUDS IN CATHEDRAL, PARTIAL CATHEORAL, OR HIGH CEILING SPACES SHALL SPAN UNINTERRUPTED FROM THE FLOOR PLATE TO THE UNDERSIDE OF THE ROOF RAFTERS. THEY SHOULD NOT BE INTERRUPTED BY ANY HORIZONTAL PLATES OR BEAMS, UNLESS NOTED OTHERWISE ON THE DRAWINGS.
12. MEMBERS WITHIN BUILT-UP BEAMS, WHETHER MADE OF SAWN OR ENGINEERED LUMBER, SHALL ONLY BE SPLICED OVER SUPPORTS.
13. PROVIDE SIMPSON H1 OR H2.5 HURRICANE TIES BETWEEN EACH RAFTER BOTTOM AND ITS BEARING POINT.
14. CONTRACTOR SHALL CAREFULLY COORDINATE THE WORK OF ALL TRADES TO MINIMIZE THE NEED FOR CUTS AND BORE HOLES IN FRAMING LUMBER. IN GIRDERS, BEAMS, OR JOISTS, CUTS AND BORE HOLES SHALL NOT BE DEEPER THAN 1/5 THE MEMBER DEPTH NOR MORE THAN 2" IN DIAMETER, AND SHALL NOT BE LOCATED NEARER TO THE END OF THE SPAN THAN THREE TIMES THE MEMBER DEPTH NOR WITHIN THE CENTER THIRD OF THE SPAN UNLESS REINFORCED TO MEET STRESS CALCULATIONS.
15. AT WOOD POSTS LANDING ON FLOOR DECK, PROVIDE SOLID VERTICAL WOOD BLOCKING WITHIN DECK SANDWICH TO LINK UPPER POST WITH LOWER SUPPORT. MATCH UPPER POST SIZE.
16. SET LVL BEAMS THAT FRAME FLUSH WITH DIMENSIONED LUMBER JOISTS 3/8" BELOW THE TOP OF JOISTS TO ALLOW FOR JOIST SHRINKAGE. WHERE BEARING WALLS OR POSTS LAND ON THESE BEAMS, INFILL GAP WITH 3/8" PLYWOOD FOR SOLID BEARING.
17. PROVIDE (2) JOISTS BELOW PARTITIONS RUNNING PARALLEL TO FLOOR JOIST FRAMING.

STRUCTURAL LOADS

PER INTERNATIONAL BUILDING CODE--2003 EDITION

LIVING AREAS	40 PSF LIVE LOAD
SLEEPING AREAS	30 PSF LIVE LOAD
ATTIC AREA	20 PSF LIVE LOAD
EXTERIOR DECK AREAS	60 PSF LIVE LOAD
GROUND SNOW LOADS *	50 PSF LIVE LOAD

* ADDITIONAL ALLOWANCES FOR DRIFTING AND SLIDING SNOW



TYPICAL STEPPED FOOTING DETAIL

Scale: N.T.S.

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CONSULTANTS

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Civil/Structural Engineering
& Surveying
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(603) 433-7560

REED RESIDENCE

ADDITION TO
1 OAK KNOLL DRIVE
NEWMARKET, NH 03857

	10/13/20	CONST. DOCUMENTS
MARK	DATE	DESCRIPTION

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SHEET TITLE

STRUCTURAL
NOTES

S-101

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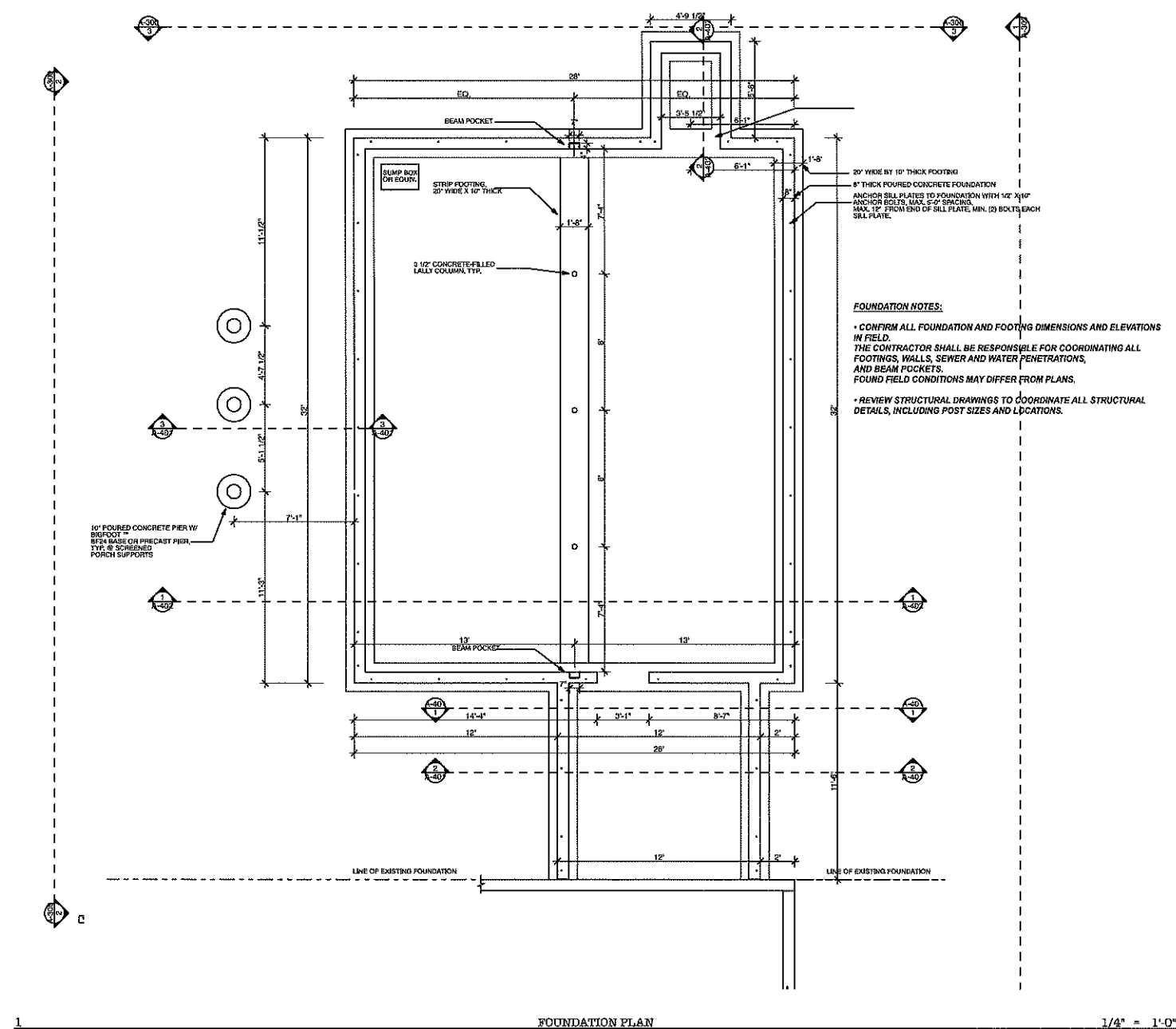
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SHEET TITLE

BASEMENT/
FOUNDATION

S-102



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ADDITION TO
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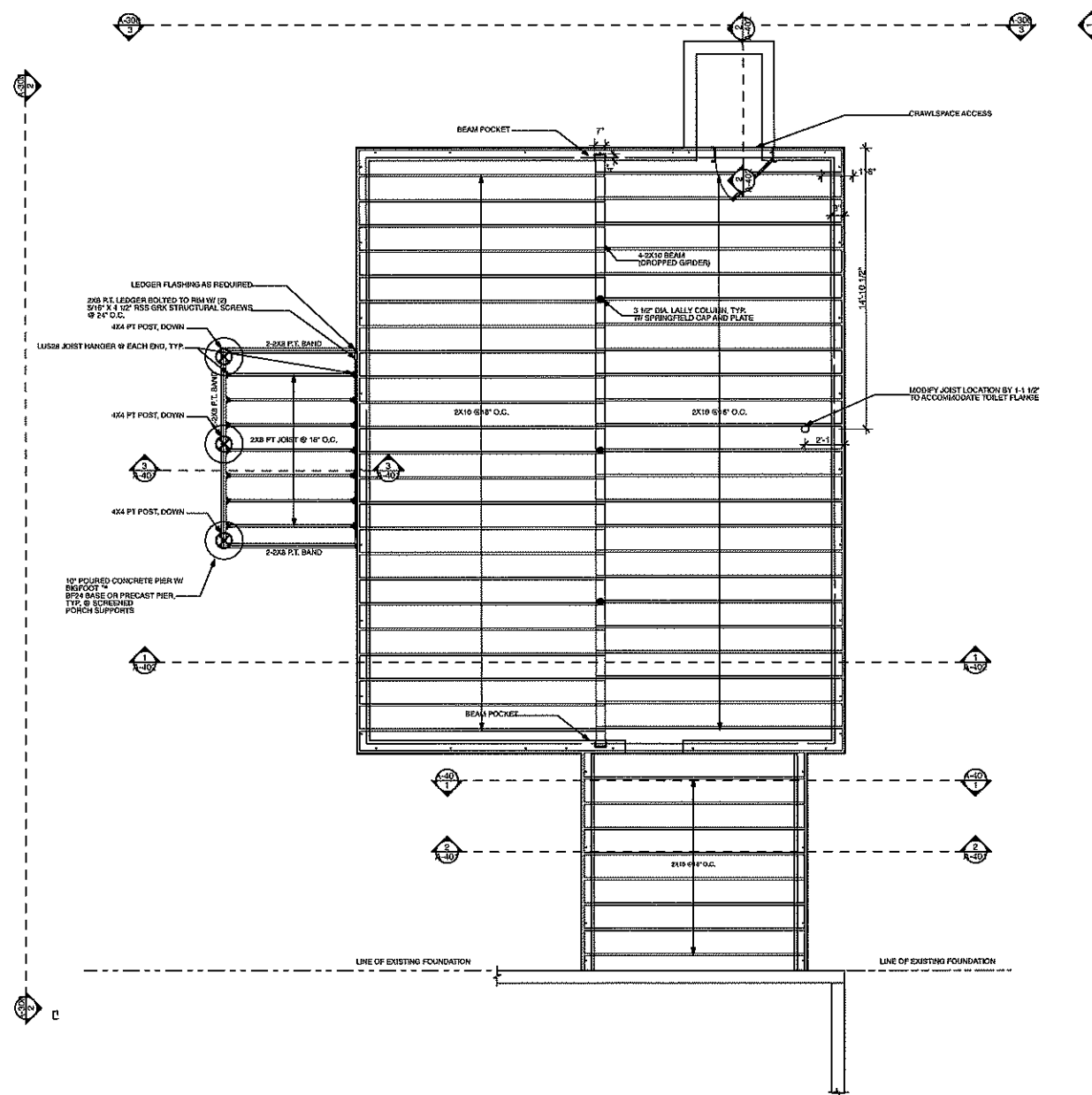
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MARK	DATE	DESCRIPTION

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SHEET TITLE

FIRST FLOOR FRAMING

S-103



1 FIRST FLOOR FRAMING
SCALE: 1/4" = 1'-0"

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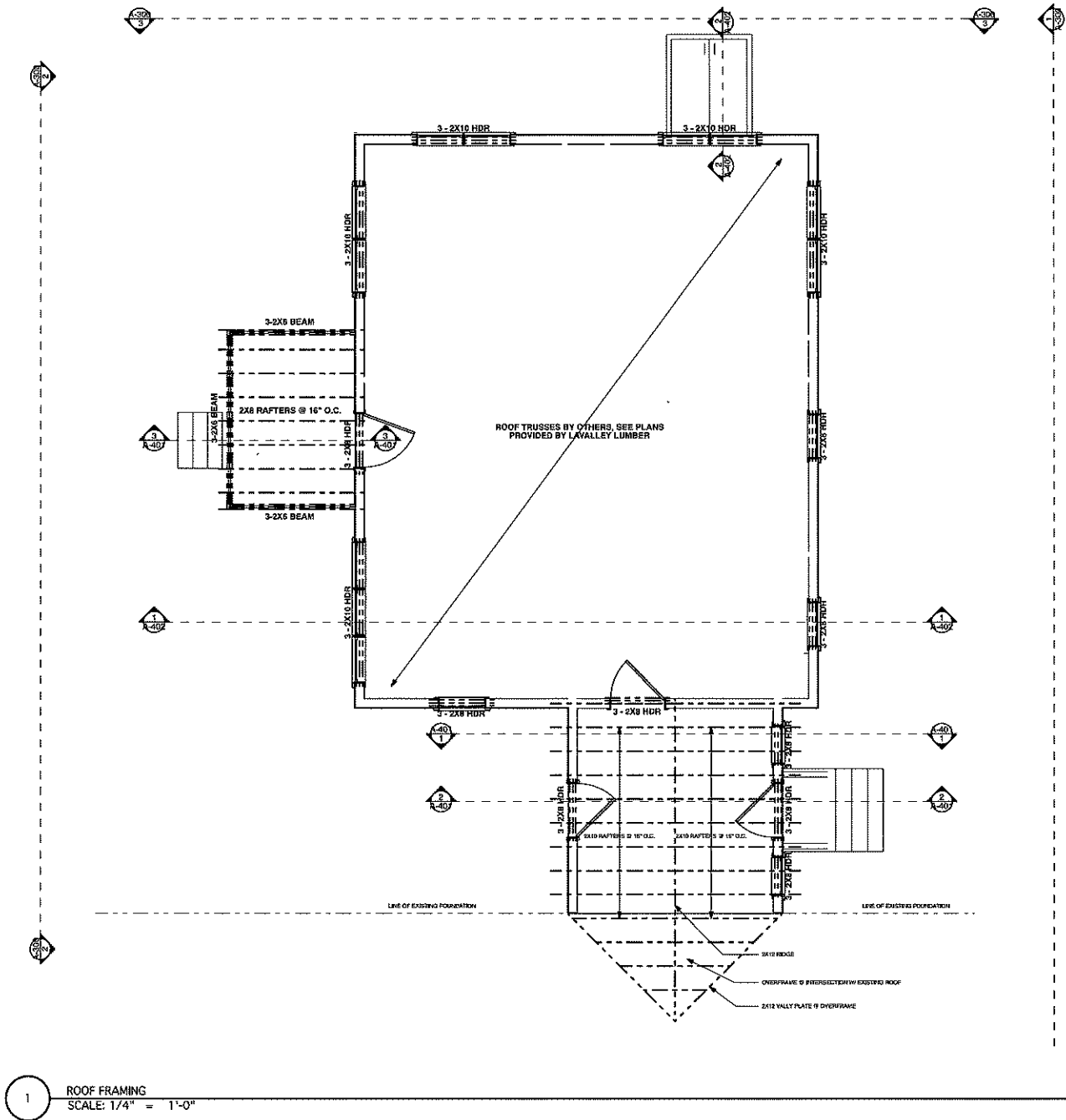
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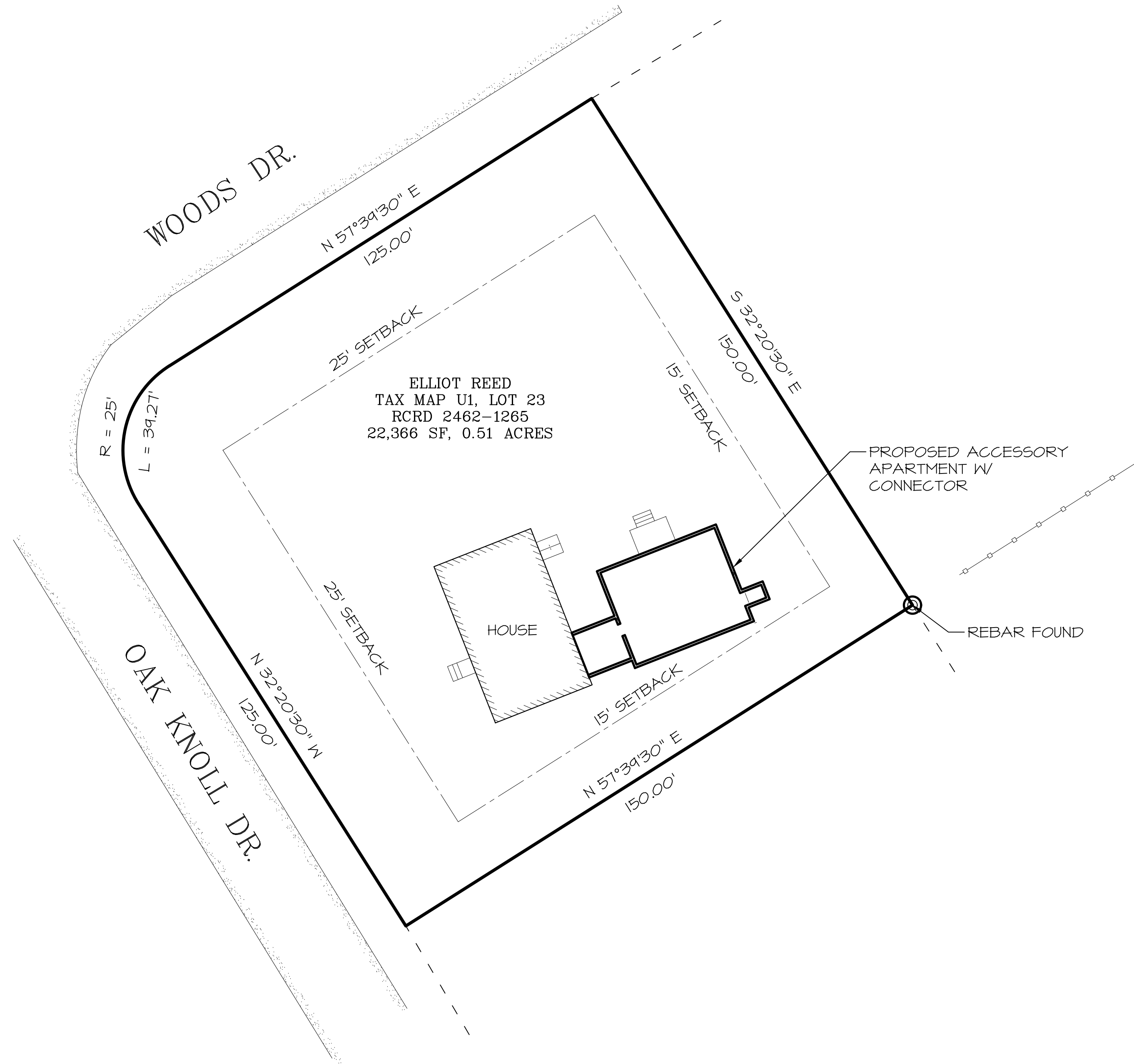
SHEET TITLE

ROOF
FRAMING--
HEADER
PLAN

S-104



SEE NOTE 2



LEGEND

⊙ MONUMENT FOUND

—○— FENCE



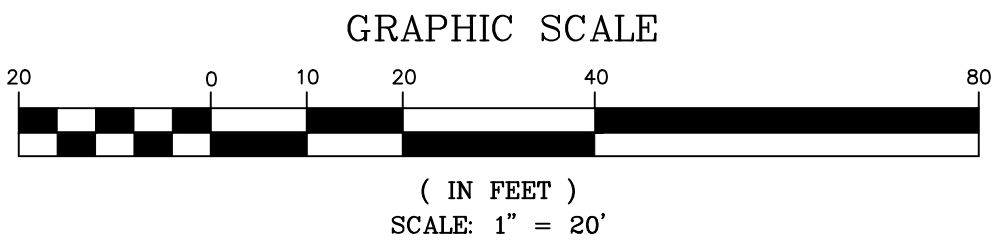
LOCUS PLAN
N.T.S.

NOTES

- 1) OWNER OF RECORD:
ELLIOT REED
TAX MAP U1, LOT 23
1 OAK KNOLL DR.
NEWMARKET, NH 03857
RCRD: 2462-12657
- 2) BASIS OF BEARING HELD FROM PLAN REFERENCE #1.
- 3) SETBACKS:
MINIMUM ROAD25 FT
MINIMUM SIDE/REAR.....15 FT
- 4) THE PARCEL IS NOT WITHIN A FEMA FLOOD ZONE, AS PER FLOOD INSURANCE RATE MAP #33015C0230E, DATED MAY 17, 2005.

REFERENCE PLANS

- 1) "SUBDIVISION PLAN" FOR AMERICAN LAND DEVELOPMENT INC. NOVEMBER 2, 1981.
WOOD HAVEN PHASE II, IN NEWMARKET, NH



3	2/22/2021	FOR PERMITS	
2	10/1/2020	PRELIMINARY	
1	9/29/2020	PRELIMINARY	
ISS.	DATE	DESCRIPTION OF ISSUE	
SCALE 1" = 20'			
CHECKED A.ROSS			
DRAWN M.G.P.			
CHECKED			

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& Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
ELLIOT REED
1 OAK KNOLL DR.
NEWMARKET,
03857-1409

TITLE
SURVEY WORKSHEET
1 OAK KNOLL DR.
NEWMARKET, NH 03857
TAX MAP U1, LOT 23

JOB NUMBER	DWG. NO.	ISSUE
20-113	1 OF 1	3

CALCULATIONS:
ZONING REQUIREMENTS:

LOT SIZE: .5 ACRES
FRONT SETBACK: 25'
REAR SETBACK: 15'
SIDE SETBACKS: 15'

EXISTING CONDITIONS

LOT SIZE:	.51 ACRES
FRONT SETBACK:	46'-1"
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(CLOSEST POINT OF STRUCTURE TO SETBACK)

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