

FRANCIS X. BRUTON, III
CATHERINE A. BERUBE
JOSHUA P. LANZETTA

OF COUNSEL
JAMES H. SCHULTE

Bruton & Berube, PLLC
ATTORNEYS AT LAW

601 Central Avenue
Dover, NH 03820

TEL (603) 749-4529
(603) 743-6300
FAX (603) 343-2986

www.brutonlaw.com

October 20, 2023

VIA HAND DELIVERY

Eric Botterman, Chair
Newmarket Planning Board
Town of Newmarket
186 Main Street
Newmarket, NH 03857

RE: 242 South Main Street, Newmarket, NH

Dear Chair Botterman:

As you may know, the Applicant for the above referenced matter is scheduled to appear before the Newmarket Planning Board at its November 14, 2023 hearing. At the last attended Planning Board hearing, the Applicant received comments from each specific board member regarding the special permit criteria related to the proposed Affordable Elderly Housing project proposed at 242 S. Main Street.

As a result of the comments from the Planning Board, as well as those from the abutters, the Applicant and its full team have expended considerable efforts to review the plans in order to fully comply with the Special Permit criteria and site plan review regulations.

Enclosed with this letter is the result of the Applicant's recent efforts. As you can see, the building design itself more fully represents the rural character of the surrounding area. As a result of this design, the building now goes from 32 units to 30 units. As part of this submission, we have included a picture of a house directly across from the project site. Design elements that exist within the yellow house have been used by the project architects, Lassel Architects, within the revision design of the proposed building.

In addition to design changes, the project landscape architect has reviewed the landscape plan to show a continuous row of arborvitaes. These trees are known technically as Green Giant Wester Red Cedar's, or in Latin "Thuja Plicata," which translates into English as "Green Giant." These Green Giants are located on a 3 foot berm to add instant shielding of the property. We provided two plans. Specifically, we provided a green wall of Green Giants. However, should the Planning Board wish to showcase the new building design, we have also included another design that shows the building, with a white picket fence. The Applicant is willing to proceed with either design that best suits the desires of the Planning Board and the abutters.

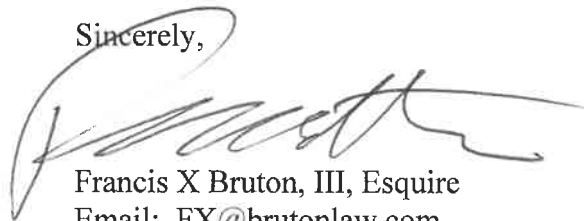
In addition to the above, we are also enclosing a letter of support of the project from Ms. Barbara Hall, Executive Director of the Newmarket Housing Authority. In her letter of September 27, 2023, Ms. Hall details the specific need for this affordable housing and the support of the Housing Authority as well as its Board of Commissioners.

At the last Planning Board meeting, we understood that not all of the members of the Board had a copy of my letter to you dated September 1, 2023. This letter demonstrates the requirements of the special use permit. That letter demonstrated that the regulations are not draconian as may have been believed and/or suggested, as they are geared to balancing the needs for this important house and the interest of abutters in a reasonable manner. Also, we had presented revised plans for that meeting which also were not in the hands of the Board members.

We ask that this letter and the previous letter of September 1, 2023, plus the revised plans and other enclosures be provided to all Board members prior to the hearing on November 14, 2023. We trust that with these materials in hand, the Board members will readily see the progressive changes that Applicant and its team have made, each time with an emphasis on addressing the Board's comments.

Should you have any questions regarding the above, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Francis X Bruton, III". The signature is fluid and cursive, with a large initial "F" and a long, sweeping underline.

Francis X Bruton, III, Esquire
Email: FX@brutonlaw.com

FXB/mas
Enclosures

cc: D.R. Lemieux Builders, LLC