



City of Rochester, New Hampshire Zoning Board of Adjustment

Variance Application

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

DO NOT WRITE IN THIS SPACE

CASE NO. 2-23-410

DATE FILED 9/11/23

CO
ZONING BOARD CLERK

Applicant:

Brandon Marcus, through counsel, Shaheen & Gordon, PA

E-mail: kallen@shaheengordon.com

Phone: 603-749-5000

Applicant Address: 66 Prospect Street, Rochester, NH 03867

Property Owner (if different): Brandon Marcus

Property Owner Address: PO BOX 1014, Dover, NH 03821

Variance Address: 66 Prospect Street, Rochester, NH 03867

Map Lot and Block No: 0119-0089-0000

Description of Property: See attached

Proposed use or existing use affected: See attached

The undersigned hereby requests a variance to the terms of the Rochester Zoning Ordinance, Ch. 275, Section 5.3 *Table 18-A*

and asks that said terms be waived to permit Three (3) residential dwelling units in the Property.

The undersigned alleges that the following circumstances exist which prevent the proper enjoyment of his land under the strict terms of the Zoning Ordinance and thus constitute grounds for a variance. I understand that while presenting my case the testimony should be confined to the 5 criteria and how they pertain to my case.

Signed: Brandon Marcus

Date: 9/7/2023





City of Rochester, New Hampshire

Zoning Board of Adjustment

Variance Criteria

1) Granting the variance would not be contrary to the public interest because:
See attached.

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

See attached.

3) Granting the variance would do substantial justice because:

See attached.

4.) If the variance were granted, the values of the surrounding properties would not be diminished because:
See attached.

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 an unnecessary hardship because:

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

See attached.

And:

ii. The proposed use is a reasonable one because:

See attached.

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 the special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in the strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

See attached.

CITY OF ROCHESTER
ZONING BOARD OF ADJUSTMENT

APPLICATION FOR VARIANCE

Applicant: Brandon Marcus, through counsel, Shaheen & Gordon, P.A.
Owner: Brandon Marcus
Address: 66 Prospect Street, Rochester, NH 03867 (the "Property")
Parcel ID: 0119-0089-0000

Brandon Marcus (the "Applicant") requests a variance of Article 5, § 275-5.3, Paragraph B to permit a three (3) unit multifamily unit in the Residential 1 zoning district.

A. BACKGROUND

1. Existing Property.

The Property is a residential dwelling unit on a .36-acre parcel located in the City's Residential 1 zoning district. The Property is a corner lot with 110' of road frontage on Prospect Street and 150' of road frontage on Franklin Street.

Before the Applicant acquired the Property, it had a pre-existing 1,254 square foot accessory dwelling unit dating back to at least 2007. See 2023 66 Prospect Street Tax Card, attached. At the time of the Applicant's purchase, he understood that, separate from the ADU, the primary building was in use as a multifamily dwelling (the property was listed as an occupied "multi-family" and was occupied by no less than six unrelated occupants¹ which the Applicant engaged in court proceedings to evict from the Property.²). See MLS Listing (excerpt), attached.

The Property's primary building consists of a Victorian style home with 8 rooms, 3 bedrooms, 2 full bathrooms, and 1906 square feet (the "Primary Building") as well as an attached 1,254 square foot accessory dwelling unit (the "ADU"). At the time of an appraisal dated October 24, 2021, the ADU had been vacant many months and both the Primary Building and the ADU were found to be in poor condition.

See Residential Appraisal Report, dated October 24, 2021, (excerpt) attached.

See Boundary Plan for Brandon Marcus, dated April 13, 2023.

2. Proposed Use.

The Applicant is in process of renovating and improving the Property, including the Primary Building and the ADU (where he currently resides). The Applicant proposes a total of

¹ On information at belief, Xzavier Randolph Fleming, Qiayra M. Randolph, Dakota Taylor, Harvey Keene, Danny Rivera, Ivan Guzman.

² Captioned at Brandon Marcus, et al v. Daniel Rivera, Dakota Taylor, Xzavier R. Fleming et al, Case No. 471-2021-LT-0079.

three (3) dwelling units in the Property. As briefly detailed above, based on representations made at time of purchase and the number of unrelated occupants living in the Primary Building of the Property when he acquired it, the Applicant understood use of the Property, including the Primary Building, as a multi-family dwelling was a prior use of the Property before he acquired it. Applicant desires full cooperation and transparency with the City, and for the City to formally approve use of the Property as a three (3) unit multi-family unit. As opposed to use of the Property as a single family home only, the proposed use will provide two newly renovated units of housing in City of Rochester (the “City”).

B. GROUNDS FOR VARIANCE

1. Granting the variance would not be contrary to the public interest.

“The requirement that the variance not be contrary to the public interest is ‘related to the requirement that the variance be consistent with the spirit of the ordinance.’ [T]o be contrary to the public interest ... the variance must unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives. One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality. Another approach to [determine] whether granting the variance would violate basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare.” Malachy Glen Assoc., Inc. v. Town of Chichester, 155 NH 102 (2007)(internal citations omitted).

The proposed use would not alter the essential character of the local area. In the first place, the Property had already been used in this manner (with multiple unrelated persons dwelling in the Primary Building and the oversized ADU), unofficially, and continuing the use would not alter the character of the local area. Moreover, the surrounding neighborhood in the R1 district consists of several multi-family properties on the same block as the Property, including:

40 Chamberlain St. (See Tax Card attached)
54 Prospect St. (See Tax Card attached)

Moreover, the Property (on the corner of Prospect and Franklin Street) is on the border of the agricultural (AG) district, which allows an accessory use or in-law apartment along with “two-family” dwellings as permitted uses – and thus, would allow the use of the Primary building as a duplex along with the ADU. See Rochester Zoning Map and Rochester Use Table (excerpt).

The proposed use would not threaten the public health, safety, welfare or other public interest in any way. The proposed use would actually benefit the public interest by rehabilitating a dilapidated building and providing more affordable rental housing in the City.

2. The spirit of the ordinance is observed.

“To adjudge whether granting a variance is not contrary to the public interest and is consistent with the spirit of an ordinance, we must determine whether to grant the variance would ‘unduly, and in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives.’ Thus, for a variance to be contrary to the public interest and inconsistent with the spirit of the ordinance, its grant must violate the ordinance’s ‘basic zoning objectives.’ Mere conflict with the terms of the ordinance is insufficient.” Harborside Associates, LP v. Parade Residence Hotel, LLC, 162 NH 508 (2011)(internal citations omitted).

The New Hampshire Supreme Court has “recognized two methods for ascertaining whether granting a variance would violate an ordinance’s ‘basic zoning objectives.’ One way is to examine whether granting the variance would ‘alter the essential character of the neighborhood.’ Another approach ‘is to examine whether granting the variance would threaten the public health, safety or welfare.’” Id.

As stated above, the proposed use would not threaten the public health, safety or welfare in any way, and would actually be a benefit to the community and the local economy.

Furthermore, the proposed use would not alter the essential character of the neighborhood in any way. As shown above, the immediate surrounding neighborhood consists of other multi-unit properties within the R1 district. Moreover, the Property is adjacent to the agricultural (AG) district, which would allow a two-family unit and an ADU as a permitted use. Accordingly, the proposed use is not out of character for the location of the Property and would not alter the essential character of the neighborhood.

The proposed use is consistent with the spirit of the Rochester Zoning Ordinance. The Rochester Zoning Ordinance at §275-5.3 (A) states that the “primary goals of the R districts are” (with emphasis added):

- 1) **To enhance these older residential areas through sensitive, small-scale infill construction, building renovation, and redevelopment;**
- 2) To foster new development in remaining open areas.

The Applicant is not proposing large scale development, or even “flipping” the Property. The Property is an investment for the Applicant, but it is also his home – the Applicant lives at 66 Prospect St. and intends to continue to live there when the renovations are complete. The Applicant is renovating, repairing, and rehabilitating the Property, which he purchased in poor condition. See Appraisal Report (“The condition is considered to be poor... The dwelling is in overall poor condition having plumbing leaks and been vacant for many months.”). Through the proposed use, the Applicant will renovate and repair the Property, and, so doing, will provide two units of quality, safe housing to the City -- enhancing the older neighborhood.

For these reasons, the proposed use is well within the spirit of the ordinance.

3. Substantial Justice is Done.

In addressing the substantial justice factor, the Supreme Court has stated “Perhaps the only guiding rule on this factor is that any loss to the individual that is not outweighed by a gain to the general public is an injustice.” *Id.*

New Hampshire is in a housing crisis and needs more rental housing units³ – affordable units, not luxury condominiums. While the Applicant alone can’t solve this crisis, approval of the proposed use would bring two newly renovated, clean, and safe units (and new development) to the City. If the Board were to deny the Application, only the Applicant (or one renter) could live in the Property, which is large, consisting of the Primary Building of 1906 square feet (8 rooms, 3 bedrooms, and 2 full bathrooms) as well as the attached 1,254 square feet ADU.

There would be no gain to the public in denying this variance application, while in contrast there would be substantial loss suffered by the Applicant, who invested in this Property with the understanding that he had purchased a multi-unit property. *See* MLS Listing. For these reasons, substantial justice would be done in granting this variance.

4. The values of surrounding properties are not diminished.

The Superior Court has found that the ZBA may “consider noise, traffic, aesthetics and intensity of use in considering what effect, if any, the variance would have on surrounding property values.” *Farrar v. City of Keene*, 158 NH 684 (2009)(internal citations omitted).

As discussed above, the Property had already been used as a multifamily (housing at least 6 unrelated persons) and has had an ADU noted on the tax card since at least 2007. Accordingly, the impact on traffic and noise from the proposed use will be minimal and consistent with what had been present at the Property prior to this application. Moreover, some of the Property had been in poor condition for many months prior to the Applicant’s purchase. Accordingly, the Applicant’s renovation and occupation will also increase the safety and aesthetics of the Property and surrounding neighborhood.

Furthermore, as discussed above, the proposed use would actually be a benefit to the community and the local economy, by providing two additional units of available rental property for residents of the City and others looking for affordable place to live.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

- a. For purposes of this subparagraph, “unnecessary hardship” means that the following special conditions of the property distinguish it from other properties in the area.

³ chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nhhfa.org/wp-content/uploads/2023/04/2023-NH-Statewide-Housing-Needs-Assessment.pdf (2023 New Hampshire Statewide Housing Needs Assessment, finding New Hampshire needs 60,000 units between 2020 and 2030)

- i. Owing to these special conditions, no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property.
- ii. And the proposed use is a reasonable one.

The stated public purpose of the Rochester Zoning ordinance (§271-1.3), is quoted, in relevant part, below:

- B. To promote an orderly pattern of development and encourage the most appropriate use of land throughout the City;
- C. To preserve and enhance the value of land and buildings;
- D. To encourage the provision of high-quality housing for people of all income levels;
- E. To revitalize the downtown and other village and neighborhood commercial areas;
- F. To foster economic development and provide opportunities for business growth;
- M. To encourage innovation, flexibility, and a collaborative review process in the development of land;
- N. To recognize and respect the rights of property and business owners;
- P. To prevent overcrowding of land while at the same time promoting compact development patterns;

Additionally, the stated goal of the R1 ordinance, which in relevant part, is “To enhance these older residential areas through sensitive, small-scale infill construction, building renovation, and redevelopment.” § 275-5.3.

The Property is large – the Primary Building is 1906 square feet, with 8 rooms, 3 bedrooms, and 2 full bathrooms, and the attached ADU is an additional 1,254 square feet – accordingly, the Property is ripe for formal division into three (3) units. On information and belief due to its size, the Property has already been used (and listed for sale) as a multi-family unit.

There is no substantial relationship between the stated purposes of the ordinance (specifically those which encourage preservation and enhancement of the value of land and buildings, high quality housing for people of all income levels, revitalization, economic development, and innovation and flexibility in the development of land) and prohibiting the proposed use in the R1 district. There would be no resulting effect contrary to the purpose of the ordinance by allowing three (3) dwelling units in the Property. This is especially true as the Property is adjacent to the Agricultural (AG) district, which allows an accessory use or in-law apartment along with “two-family” dwellings as permitted uses – and thus, would effectively allow the proposed use.

The proposed use is reasonable for all of the reasons stated above. As the Property has already been used as a multi-family prior to this application, including the pre-existing ADU, and the Property abuts the Agricultural (AG) district (which allows two-family units), the impact on traffic would be “minimal” and within “typical” volumes for this area.

- b. An unnecessary hardship will be deemed to exist 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 a reasonable use of it.

As described above, the Applicant purchased the Property with the understanding that it was already a multi-family property. Denying the variance would prohibit a reasonable use of the Property with no corresponding benefit to the public.

C. CONCLUSION

For the foregoing reasons, the Applicant requests a variance of Article 5, § 275-5.3, Paragraph B to permit a three (3) unit multifamily unit in the Residential 1 zoning district.

Respectfully submitted,
Brandon Marcus
By its attorneys,
Shaheen & Gordon, PA

Dated: September 8, 2023

By: /s/Kirsten J. Allen
Kirsten J. Allen, Esq.
kallen@shaheengordon.com
PO Box 977, Dover, NH 03821-0977
Tel. (603) 749-5000

1. 2023 66 PROSPECT STREET TAX CARD

275-5.3 **Residential-1 and Residential-2 Districts (R1 and R2).**

A. Character of districts. The primary goals of the R Districts are:

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

(1) To enhance these older residential areas through sensitive, small-scale infill construction, building renovation, and redevelopment; and

(2) To foster new development in remaining open areas.

B. The R1 District is intended to allow single-family neighborhoods and thus allows single-family use with few other allowed uses. The R2 District allows for a mix of residential types and limited nonresidential uses.

ZONING

275 Attachment 1

City of Rochester

Table 18-A Residential Uses
[Amended 4-4-2017; at time of adoption of Code (see Ch. 1, General Provisions, Art. ID)]

LEGEND

P = Permitted Use

C = Conditional Use

E = Use Allowed by Special Exception

Residential Uses	Residential Districts					Commercial Districts			Industrial Districts		Special		Criteria/Conditions
	R1	R2	AG	NMU	DC	OC	HC	GI	RI	HS	AS	Reference	
Apartment, accessory (accessory use)	E	P	P	P	P	P	P	—	—	E	—	Article 21 and 23	
Apartment, in-law	P	P	P	P	P	P	P	—	—	—	—		
Apartment, security	—	P	—	P	P	P	P	P	P	P	P	Articles 2 and 23	
Assisted living facility	—	C	C	C	C	C	C	—	—	C	—	Article 21	
Boardinghouse	—	—	—	—	E	—	—	—	—	—	—		
Community residence-1	—	E	E	—	E	E	E	—	E	E	—	Article 22	
Community residence-2	—	—	E	—	—	E	—	—	E	E	—	Article 22	
Conservation subdivision	C	C	C	—	—	C	C	—	—	—	—	Articles 21 and 33	
Dwelling, apartments (apartment/mixed-use building)	—	—	—	P	P	C	P	—	—	—	—	Article 21	
Dwelling, multifamily development	—	P	—	—	C	—	P	—	—	—	—	Articles 20 and 22	
Dwelling, multifamily	—	P	—	—	C	—	P	—	—	—	—		
Dwelling, single-family	P	P	P	P	P	P	P	—	—	P	—		
Dwelling, two-family	—	P	P	P	P	P	P	—	—	—	—	Articles 21 and 33	
Flag lots	—	C	C	—	—	—	—	—	—	C	—	Article 21	
Home occupation-1 (accessory use)	P	P	P	P	P	P	P	—	—	P	—	Article 24	
Home occupation-2 (accessory use)	P	P	P	P	P	P	P	—	—	P	—	Articles 22 and 24	

ROCHESTER CODE

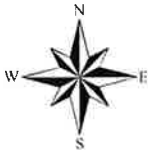
Residential Uses	Residential Districts					Commercial Districts			Industrial Districts		Special		Criteria/Conditions Reference
	R1	R2	AG	NMU	DC	OC	HC	GI	RI	HS	AS		
Home occupation-3 (accessory use)	—	E	E	P	P	P	P	—	—	E	—	Articles 22 and 24	
Manufactured housing unit on own lot	—	—	P	—	—	—	—	—	—	—	—	Articles 20 and 21	
Nursing home	—	—	C	—	—	C	—	—	—	P	—	Articles 20 and 21	
Outdoor wood-fired hydronic heater	—	—	P	—	—	—	—	—	—	—	—	Article 20	
Porch subdivision	—	—	C	—	—	—	—	—	—	—	—	Article 21	
Residential facility	—	—	E	—	—	E	—	—	E	E	—	Article 22	
Senior housing	—	P	C	C	C	C	—	—	—	—	—	Article 21	
Temporary structure	P	P	P	P	P	P	P	P	P	P	P	Article 20	
Zero lot line development	C	C	C	—	—	C	C	—	—	—	—	Article 33	

Land Use 1010
Print Date 6/4/2023 5:49:24 PM

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)											
Element	Cd	Description	Element	Cd	Description										
Style	03	OLD STYLE	Solar	0											
Grade	B-	GOOD (-)	Central Vac	0											
Stories	2.5		Nbhd Modifier												
Units	1		MH Make												
Frame	01	WOOD	MH Serial #		WHITE;										
Foundation	03	BRICK/STONE	Color;Mdl #;D												
Exterior Wall 1	04	VINYL	CONDO DATA												
Roof Structure	01	GABLE	Condo Main		Complex #										
Roof Cover	01	ASPH SHINGLE	Adjust Type	Code	Building #										
View	N	NONE	Condo Floor		Section #										
Interior Wall 1	06	AVERAGE	Condo Location		% Owner										
Interior Floor 1	08	AVERAGE	COST / MARKET VALUATION												
Basement Flo	12	CONCRETE	Building Value New		516,378										
Bsmt Garage	0		Year Built		1906										
Finished Bsmt			Depreciation Code		VP										
FBLA			Remodel Rating												
Rec Room	02	GOOD	Year Remodeled		70										
Electric	02	TYPICAL	Depreciation %		1.000										
Insulation	SAME	SAME	Functional Obsol												
Interior/Exterio	100.00		Economic Obsol												
% Heated	01	OIL	Trend Factor		30										
Heat Fuel	03	FORCED HW	Special Adj		154,900										
Heat Type	0.00		Condition %												
AC Percent	7		RCNLD												
Bedrooms	1		Dep % Ovr												
Full Bath(s)	1		Dep Ovr Comment												
3/4 Bath(s)	2		Misc Imp Ovr												
Half Bath(s)	1		Misc Imp Ovr Comment												
Extra Fixture(s)	2		Cost to Cure Ovr												
Kitchen(s)	0		Cost to Cure Ovr Comment												
Extra Kitchen	14		OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
Total Rooms	2		Code	Description	L/B	Qty	Dim 1	Dim 2	Dim 3	Dim 4	Yr Bld	% Gd	Unit Price	Grade Adj.	Appr. Value
Fireplace(s)	0		04	GARAGE FR	L	1	24	28			1906	56	25,75	1.00	9,700
W.S.Floors			10	CANOPY	L	1	7	17			1906	50	14.80	1.00	900
BUILDING SUB-AREA SUMMARY SECTION															
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value									
ATC	ATTIC	48	120	48	40.24	4,829									
BMT	BASEMENT	0	1,625	406	25.14	40,845									
EPF	ENCL PORCH	0	12	0	82.96	996									
FFL	1ST FLOOR	2,309	2,309	2,309	100.60	232,292									
HST	HALF STORY	653	1,306	653	50.30	65,694									
OPF	OPEN PORCH	0	288	0	52.87	15,227									
SFL	2ND FLOOR	800	800	800	100.60	80,462									
Ttl Gross Liv / Lease Area		3,810	6,460	4,216		440,365									





66 Prospect Street

City of Rochester, NH

1 inch = 52 Feet



www.cai-tech.com

September 19, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

2. MLS LISTING (EXCERPT)

[Switch to Mobile View](#)

08/11/2023 05:50 PM

Agent Detail

Janice I Melanson
 Phone: 603-330-7012
 JM House and Home Realty
janice@jmhouseandhomerealty.com
<http://www.jmhouseandhomerealty.com>

[Views](#)*Customer Full ☒[Listings](#)

66 Prospect Street
 Rochester, NH 03867
MLS: 4819218

Price: \$120,000



Residential
4819218
Closed

Single Family

66 Prospect Street
Rochester
Unit/Lot #

NH 03867

County NH-Strafford
VillIDstLoc
Year Built 1906
Style Multi-Family
Color
Total Stories 3
Taxes TBD No
TaxGrosAmt \$8,797.00
Tax Year 2019
Tax Year Notes

Listed:
Closed:
DOM:
Rooms
Bedroo
Baths -
Baths -
Baths -
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Date Initial Showings Begin**Directions**

Remarks - Public Affordable duplex with a total of 5 bedrooms and 2.5 bath; and an unfinished basement is available at a great price will need updates. **REO Occupied** - the seller does not represent or guarantee occupancy status. **NO VIEWINGS** of this property. Please "As Is" cash only sale with no contingencies or inspections. Buyer will be responsible for obtaining possession of the property upon closing.

STRUCTURE

Construction Status	Existing
Rehab Needed	Yes
Construction	Wood Frame
Foundation	Slab - Concrete
Exterior	Aluminum, Vinyl Siding
Roof	Shingle - Asphalt
Basement	Yes
Basement Access Type	Walkout
Basement Description	Unfinished
Garage	Yes
Garage Capacity	1
Garage Type	Attached

Estimated Completion Date

SqFt-Apx
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ROOMS**DIMS. / LVL****ROOMS****DIMS. / LVL****PUBLIC RECORDS**

Deed - Recorded Type	Deed to Seller	Map
Not Recorded		Block
Deeds - Total		Lot
Deed - Book		SPAN#
Deed - Page		Tax Class
Deed 2 - Book		Tax Rate
Deed 2 - Page		Current L
Plan Survey Number		Land Gali
Property ID		Assessm
Zoning R1		Assessm

LOT & LOCATION

Development / Subdivision
Owned Land
Common Land Acres

School - District
School - Elementary
School - Middle/Jr
School - High

Lot Description Level

Roads Paved
Road Frontage Yes
Road Frontage Length 50
ROW - Length
ROW - Width
ROW - Parcel Access
ROW to other Parcel
Surveyed Unknown

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**3. RESIDENTIAL APPRAISAL REPORT, DATED
OCTOBER 24, 2021, (EXCERPT)**

APPRAISAL REPORT OF

66 Prospect Street
Rochester, NH 03867-2821

AS OF

10/04/2021

PREPARED FOR

Mr. Brandon Marcus

PREPARED BY

Dorothy M. Harris
Harris Appraisal Services
170 Commerce Way Suite 200
Portsmouth, NH 03801



Harris Appraisal Services
170 Commerce Way Suite 200
Portsmouth, NH 03801

10/24/2021

Mr. Brandon Marcus

RE: 66 Prospect Street
Rochester, NH 03867-2821
File No. 010823RO
Case No.

Dear Mr. Marcus,

In accordance with your request, I have personally inspected and prepared an appraisal report of the real property located at:

66 Prospect Street, Rochester, NH 03867-2821

The purpose of this appraisal is to estimate the market value of the property described in the body of this appraisal report.

Enclosed, please find the appraisal report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of 10/04/2021 is:

\$ 135,000

The opinion of value expressed in this report is contingent upon the limiting conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Signature

Dorothy M. Harris
Harris Appraisal Services

Residential Appraisal Report

SUBJECT	The purpose of this appraisal report is to provide the client with an accurate, and adequately supported, opinion of the market value of the subject property.											
	Property Address 66 Prospect Street						City Rochester		State NH		Zip Code 03867-2821	
	Owner Brandon Marcus				Intended User Brandon Marcus				County Strafford			
	Legal Description Book 4877, Page 427 Strafford County Registry of Deeds											
	Assessor's Parcel# Tax Map 119, Lot 89				Tax Year 2020		R.E. Taxes \$ 8,695.00					
	Neighborhood Name Rochester				Map Reference NH Atlas Page 105		Census Tract 0843.00					
	Occupant	Owner	Tenant	X	Vacant	Special Assessments \$	0	PUD	HOA \$	0	per year	per month
	Property Rights Appraised X Fee Simple Leasehold Other (describe)											
	Intended Use Private											
	Client Mr. Brandon Marcus Address											
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? Yes X No												
Report data source(s) used, offerings price(s), and date(s). NEREN												
CONTRACT	I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.											
	Contract Price \$ Date of Contract Is the property seller the owner of public record? Yes No Data Source(s)											
	Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the purchaser? Yes No											
	If Yes, report the total dollar amount and describe the items to be paid.											
NEIGHBORHOOD	Note: Race and the racial composition of the neighborhood are not appraisal factors.											
	Location Urban X Suburban Rural				Property Values X Increasing Stable Declining				PRICE AGE One-Unit 75 %			
	Built-Up X Over 75% 25-75% Under 25%				Demand/Supply X Shortage In Balance Over Supply				\$ (000) (yrs) 2-4 Unit 5 %			
	Growth Rapid X Stable Slow				Marketing Time X Under 3mths 3-6 mths Over 6mths				175 Low 0 Multi-Family 5 %			
	Neighborhood Boundaries The neighborhood boundaries are Wakefield Street to the north, Franklin Street to the east, Lowell Street to the south and Washington Street to the west.				800 High 250 Commercial 5 %				275 Pred. 65 Other 10 %			
	Neighborhood Description The subject neighborhood is located between Portland and Franklin Streets and is convenient to employment centers and amenities via Routes 108, 125, 202, 202A, 11 and the Spaulding Turnpike. The homes are a compatible mix of woodframe dwellings of similar appeal.											
	No unfavorable factors affecting the marketability in neighborhood.											
	Market Conditions (including support for the above conclusions) On March 11, 2020 the world health organization classified the Covid 19 virus a pandemic. The national economy has been affected, however the data on the local real estate market supports a market increase of approximately 1% per month over the past 12 months. The present marketing time has been less than 30 days for competitively priced properties.											
	Dimensions See Plat Map Area 0.36 Acre Shape Rectangular View Residential											
	Specific Zoning Classification R 1 Zoning Description Residential 1~ Requirements 10,000 square feet with 100' frontage											
SITE	Zoning Compliance X Legal Legal Nonconforming (Grandfathered Use) No Zoning Illegal (describe)											
	Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? X Yes No If No, describe.											
	Utilities Public Other (describe)				Public Other (describe)				Off-site Improvements--Type Public Private			
	Electricity X Water X				Street Paved Asphalt X							
	Gas Bottled Sanitary Sewer X				Alley None							
	FEMA Special Flood Hazard Area Yes X No FEMA Flood Zone X FEMA Map # 33017C0212D FEMA Map Date 05/17/2005											
	Are the utilities and/or off-site improvements typical for the market area? X Yes No If No, describe.											
	Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? Yes X No If Yes, describe.											
	The site has public water and sewer. The subject is a corner lot with 110' of road frontage on Prospect Street and 150' of road frontage on Franklin Street. No adverse easements, encroachments or other adverse factors were noted.											
	IMPROVEMENTS	General Description Foundation Exterior Description Interior Description										
Units One X One with Accessory Unit				Concrete Slab Crawl Space				Foundation Walls Brick, Stone & Conc/Avg				
# of Stories 2.0				Full Basement X Partial Basement				Exterior Walls Aluminum Siding/Avg				
Type X Det. Att. S-Det/End Unit				Basement Area 1,625 sq. ft.				Roof Surface Asphalt Shingle/Avg				
X Existing Proposed Under Const.				Basement Finish 0 %				Trim/Finish Wood/Fair				
Design (Style) Victorian				Outside Entry/Exit Sump Pump				Gutters & Downspouts Adequate Overhang				
Year Built 1906				Evidence of Infestation				Window Type Double Hung/Average				
Effective Age (Yrs) 30				Dampness Settlement				Storm Sash/Insulated Thermal/Average				
Attic None				Heating FWA X HWB Radiant				Screens Screens/Average				
Drop Stair X Stairs				Other Fuel Oil				X Driveway # of Cars 3				
Floor Scuttle				Cooling Central Air Conditioning				Fireplace(s) # 0				
Finished Heated				Individual X Other None				X Fence # of Cars 2				
Appliances Refrigerator X Range/Oven Dishwasher Disposal Microwave Washer/Dryer Other (describe)				Patio/Deck X Porch Open				Carport # of Cars 0				
Finished area above grade contains: 8 Rooms 3 Bedrooms 2.0 Bath(s) 1,906 Square Feet of Gross Living Area Above Grade												
Additional features (special energy efficient items, etc.) The subject features an open porch and a two car attached garage.												
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). The subject is a Victorian style home with eight rooms, three bedrooms, and two full bathrooms. The basement level is unfinished. The condition is considered to be poor. There is an attached 1,254 square feet accessory unit which is in overall poor condition and is not included in this GLA or room count. The dwelling is in overall poor condition having had plumbing leaks and been vacant for many months. At the time of inspection the appraiser was unable to test any of the plumbing or heating. Functional and physical inadequacies were noted.												
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? Yes X No If Yes, describe												
Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? X Yes No If No, describe												

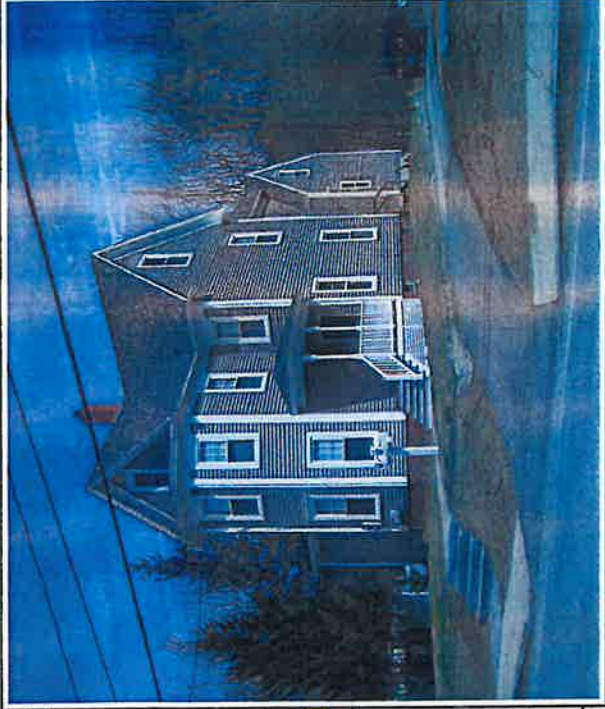
**4. BOUNDARY PLAN FOR BRANDON MARCUS,
DATED APRIL 13, 2023**

**5. 40 CHAMBERLAIN ST., 54 PROSPECT ST. TAX
CARD**

Land Use 1020
Print Date 6/4/2023 5:36:23 PM

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd	Description	Element	Cd	Description		
Style	20M	DUPLX	Solar	0			
Grade	C	AVERAGE	Central Vac	0			
Stories	2.5		Nbhd Modifier				
Units	2		MH Make				
Frame	01	WOOD	MH Serial #		GREY;		
Foundation	03	BRICK/STONE	Color,Mdl #;D				
Exterior Wall 1	04	VINYL	CONDO DATA				
Roof Structure	01	GABLE	Condo Main		Complex #		
Roof Cover	01	NONE	Adjust Type	Code	Building #		
View	N		Condo Floor		Section #		
Interior Wall 1	06	AVERAGE	Condo Location		% Owner		
Interior Floor 1	08	AVERAGE	COST / MARKET VALUATION				
Basement Flo	13	DIRT	Building Value New		299,634		
Bsmt Garage	0		Year Built		1902		
Finished Bsmt			Depreciation Code		VG		
FBLA			Remodel Rating				
Rec Room	07	SEPARATE	Year Remodeled		32		
Electric	02	TYPICAL	Depreciation %				
Insulation	SAME	SAME	Functional Obsol		1,000		
Interior/Exterio	100.00		Economic Factor				
% Heated	02	GAS	Trend Factor				
Heat Fuel	03	FORCED HW	Special Adj				
Heat Type	0.00		Condition %		68		
AC Percent	8		Percent Good		203,800		
Full Bath(s)	2		RCNLD				
3/4 Bath(s)	0		Dep % Ovr				
Half Bath(s)	0		Dep Ovr Comment				
Extra Fixture(s)	2		Misc Imp Ovr Comment				
Kitchen(s)	0		Cost to Cure Ovr				
Extra Kitchen	12		Cost to Cure Ovr Comment				
Total Rooms	0		OB - OUTBUILDING & YARD ITEMS(L)/XF - BUILDING EXTRA FEATURES(B)				
Fireplace(s)	0		Code	Description	L/B	Qty	Dim 1
W.S. Elues	0						
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undepreciated Value	
BMT	BASEMENT	0	1,470	368	18.68	27,461	
CRL	CRAWL SPACE UNDER DWELL	0	54	0	0.00	0	
FFL	1ST FLOOR	1,524	1,524	1,524	74.62	113,723	
HST	HALF STORY	353	706	353	37.31	26,341	
OFF	OPEN PORCH	0	54	0	43.10	2,327	
SFL	2ND FLOOR	1,110	1,110	1,110	74.62	82,830	
TQS	3/4 STORY	270	360	270	55.97	20,148	
WDK	WOOD DECK	0	24	0	22.77	546	
Tot Gross Liv / Lease Area		3,257	5,302	3,625		273,376	



6. ROCHESTER ZONING MAP AND ROCHESTER USE TABLE (EXCERPT)

City of Rochester, NH Zoning Map



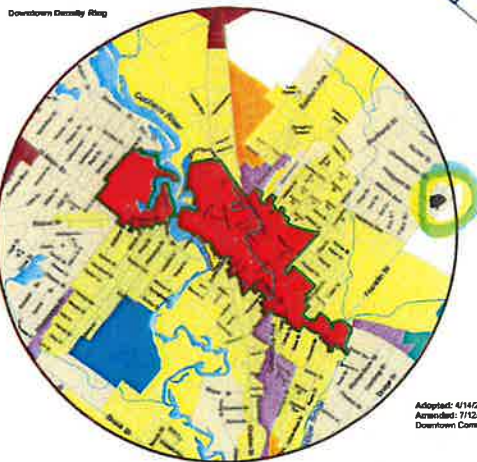
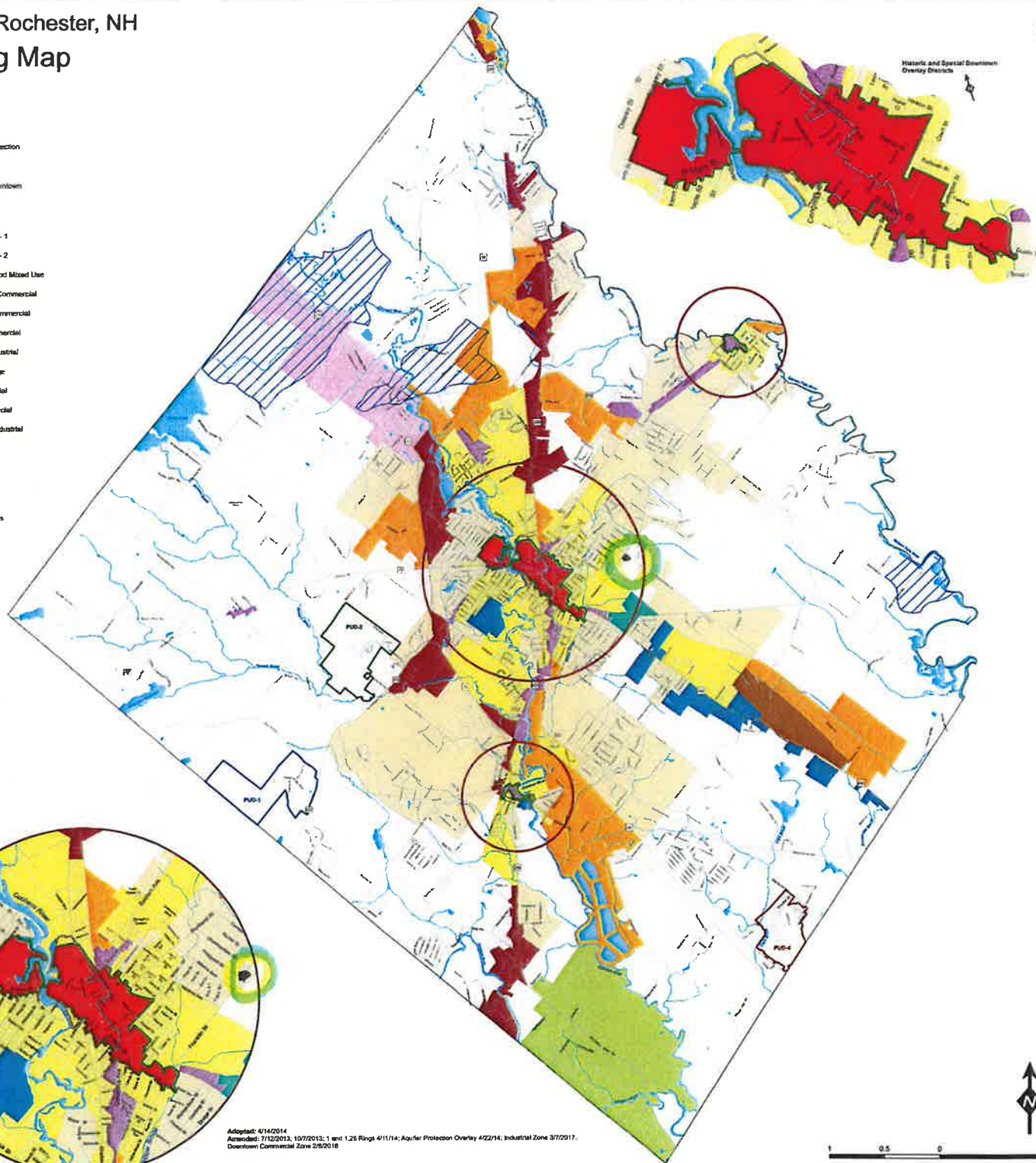
Legend

- Overlay Districts**
- Aquifer Protection
 - Historic
 - Special Downtown

- Zoning Districts**
- Agricultural
 - Residential - 1
 - Residential - 2
 - Neighborhood Mixed Use
 - Downtown Commercial
 - Highway Commercial
 - Office Commercial
 - General Industrial
 - Granite Ridge
 - Airport Special
 - Hospital Special
 - Recycling Industrial

- Other**
- PUD-1
 - PUD-2
 - PUD-4
 - Density Rings

Historic and Special Downtown
Overlay Districts



Adopted: 4/14/2014
Amended: 7/15/2013; 10/7/2013; 1 and 1.26 Rings 4/11/14; Aquifer Protection Overlay A22/14; Industrial Zone 3/7/2017;
Downtown Commercial Zone 2/8/2018

1 0.5 0 1 Miles



APPRAISAL REPORT OF

66 Prospect Street
Rochester, NH 03867-2821

AS OF

10/04/2021

PREPARED FOR

Mr. Brandon Marcus

PREPARED BY

Dorothy M. Harris
Harris Appraisal Services
170 Commerce Way Suite 200
Portsmouth, NH 03801



Harris Appraisal Services
170 Commerce Way Suite 200
Portsmouth, NH 03801

10/24/2021

Mr. Brandon Marcus

RE: 66 Prospect Street
Rochester, NH 03867-2821
File No. 010823RO
Case No.

Dear Mr. Marcus,

In accordance with your request, I have personally inspected and prepared an appraisal report of the real property located at:

66 Prospect Street, Rochester, NH 03867-2821

The purpose of this appraisal is to estimate the market value of the property described in the body of this appraisal report.

Enclosed, please find the appraisal report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of 10/04/2021 is:

\$ 135,000

The opinion of value expressed in this report is contingent upon the limiting conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Signature

Dorothy M. Harris
Harris Appraisal Services

Residential Appraisal Report

The purpose of this appraisal report is to provide the client with an accurate, and adequately supported, opinion of the market value of the subject property.												
SUBJECT	Property Address 66 Prospect Street				City Rochester		State NH		Zip Code 03867-2821			
	Owner Brandon Marcus		Intended User Brandon Marcus		County Strafford							
	Legal Description Book 4877, Page 427 Strafford County Registry of Deeds											
	Assessor's Parcel # Tax Map 119, Lot 89		Tax Year 2020		R.E. Taxes \$ 8,695.00							
	Neighborhood Name Rochester				Map Reference NH Atlas Page 105		Census Tract 0843.00					
	Occupant	Owner	Tenant	<input checked="" type="checkbox"/> Vacant	Special Assessments \$ 0	PUD	HOA \$ 0	per year	per month			
	Property Rights Appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)											
	Intended Use Private											
	Client Mr. Brandon Marcus				Address							
	Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No											
Report data source(s) used, offerings price(s), and date(s) NEREN												
CONTRACT	I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.											
	Contract Price \$		Date of Contract		Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No		Data Source(s)					
	Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the purchaser? <input type="checkbox"/> Yes <input type="checkbox"/> No											
	If Yes, report the total dollar amount and describe the items to be paid.											
NEIGHBORHOOD	Note: Race and the racial composition of the neighborhood are not appraisal factors.											
	Neighborhood Characteristics				One-Unit Housing Trends			One-Unit Housing		Present Land Use %		
	Location	Urban	<input checked="" type="checkbox"/> Suburban	Rural	Property Values	<input checked="" type="checkbox"/> Increasing	Stable	Declining	PRICE	AGE	One-Unit 75 %	
	Built-Up	<input checked="" type="checkbox"/> Over 75%	25-75%	Under 25%	Demand/Supply	<input checked="" type="checkbox"/> Shortage	In Balance	Over Supply	\$ (000)	(yrs)	2-4 Unit 5 %	
	Growth	Rapid	<input checked="" type="checkbox"/> Stable	Slow	Marketing Time	<input checked="" type="checkbox"/> Under 3 mths	3-6 mths	Over 6 mths	175 Low	0	Multi-Family 5 %	
	Neighborhood Boundaries The neighborhood boundaries are Wakefield Street to the north, Franklin Street to the east, Lowell Street to the south and Washington Street to the west.				800 High	250	Commercial	5 %				
	Neighborhood Description The subject neighborhood is located between Portland and Franklin Streets and is convenient to employment centers and amenities via Routes 108, 125, 202, 202A, 11 and the Spaulding Turnpike. The homes are a compatible mix of woodframe dwellings of similar appeal.				275 Pred.	65	Other	10 %				
	No unfavorable factors affecting the marketability in neighborhood.											
	Market Conditions (including support for the above conclusions) On March 11, 2020 the world health organization classified the Covid 19 virus a pandemic. The national economy has been affected, however the data on the local real estate market supports a market increase of approximately 1% per month over the past 12 months. The present marketing time has been less than 30 days for competitively priced properties.											
	SITE	Dimensions See Plat Map		Area 0.36 Acre		Shape Rectangular		View Residential				
Specific Zoning Classification R 1		Zoning Description Residential 1~ Requirements 10,000 square feet with 100' frontage										
Zoning Compliance <input checked="" type="checkbox"/> Legal		Legal Nonconforming (Grandfathered Use)		No Zoning		Illegal (describe)						
Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.												
Utilities Public Other (describe)		Public Other (describe)		Off-site Improvements--Type		Public Private						
Electricity		<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Street	Paved Asphalt	<input checked="" type="checkbox"/>					
Gas		<input type="checkbox"/>	Bottled	Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	None					
FEMA Special Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		FEMA Flood Zone X		FEMA Map # 33017C0212D		FEMA Map Date 05/17/2005						
Are the utilities and/or off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.												
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe.												
The site has public water and sewer. The subject is a corner lot with 110' of road frontage on Prospect Street and 150' of road frontage on Franklin Street. No adverse easements, encroachments or other adverse factors were noted.												
IMPROVEMENTS	General Description			Foundation		Exterior Description materials/condition		Interior materials/condition				
	Units	One	<input checked="" type="checkbox"/> One with Accessory Unit	Concrete Slab	<input type="checkbox"/> Crawl Space	Foundation Walls	Brick, Stone & Conc/Avg	Floors	Wood/Vinyl/Fair			
	# of Stories	2.0		Full Basement	<input checked="" type="checkbox"/> Partial Basement	Exterior Walls	Aluminum Siding/Avg	Walls	Plaster & Drywall/Poor			
	Type	<input checked="" type="checkbox"/> Det.	Att.	S-Det/End Unit	Basement Area	1,625	sq. ft.	Roof Surface	Asphalt Shingle/Avg	Trim/Finish	Wood/Fair	
	<input checked="" type="checkbox"/> Existing	Proposed	Under Const.	Basement Finish	0	%	Gutters & Downspouts	Adequate Overhang	Bath Floor	Vinyl/Fair		
	Design (Style)	Victorian		Outside Entry/Exit	Sump Pump	Window Type	Double Hung/Average	Bath Wainscot	Fiberglass/Fair			
	Year Built	1906		Evidence of	Infestation	Storm Sash/Insulated	Thermal/Average	Car Storage	None			
	Effective Age (Yrs)	30		Dampness	Settlement	Screens	Screens/Average	<input checked="" type="checkbox"/> Driveway	# of Cars 3			
	Attic	None		Heating	FWA	<input checked="" type="checkbox"/> HWB	Radiant	Amenities	Woodstove(s) # 0	Driveway Surface	Paved Asphalt	
	Drop Stair	<input checked="" type="checkbox"/> Stairs		Other	Fuel	Oil	Fireplace(s) # 0	Fence	<input checked="" type="checkbox"/> Garage	# of Cars 2		
<input checked="" type="checkbox"/> Floor	Scuttle		Cooling	Central Air Conditioning	Patio/Deck	<input checked="" type="checkbox"/> Porch	Open	Carport	# of Cars 0			
Finished	Heated		Individual	<input checked="" type="checkbox"/> Other	None	Pool	None	Other	None	<input checked="" type="checkbox"/> Att.	Det.	Built-in
Appliances Refrigerator <input checked="" type="checkbox"/> Range/Oven Dishwasher Disposal Microwave Washer/Dryer Other (describe)												
Finished area above grade contains: 8 Rooms 3 Bedrooms 2.0 Bath(s) 1,906 Square Feet of Gross Living Area Above Grade												
Additional features (special energy efficient items, etc.) The subject features an open porch and a two car attached garage.												
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.) The subject is a Victorian style home with eight rooms, three bedrooms, and two full bathrooms. The basement level is unfinished. The condition is considered to be poor. There is an attached 1,254 square foot accessory unit which is in overall poor condition and is not included in this GLA or room count. The dwelling is in overall poor condition having had plumbing leaks and been vacant for many months. At the time of inspection the appraiser was unable to test any of the plumbing or heating. Functional and physical inadequacies were noted.												
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe												
Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe												

Residential Appraisal Report

There are 0 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 0 to \$ 0	
There are 5 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 93,362 to \$ 162,840	
FEATURE	SUBJECT
Address	66 Prospect Street Rochester, NH 03867-2821
Proximity to Subject	1.22 miles W
Sale Price	\$ 162,840
Sale Price/Gross Liv. Area	\$ 0.00 sq. ft.
Data Source(s)	NEREN # 4842363;DOM 45
Verification Source(s)	Public Records
VALUE ADJUSTMENTS	DESCRIPTION
Sale or Financing	ArmLth
Concessions	RehabLoan;4885
Date of Sale/Time	Closed 04/15/2021
Location	Average
Leasehold/Fee Simple	Fee Simple
Site	0.36 Acre
View	Residential
Design (Style)	Victorian
Quality of Construction	Average
Actual Age	115 yrs
Condition	Poor
Above Grade	Total Bdrms Baths
Room Count	8 3 2.0
Gross Living Area	1,906 sq. ft.
Basement & Finished	Partial/Adequate
Rooms Below Grade	Unfinished
Functional Utility	Poor
Heating/Cooling	HWBB/None
Energy Efficient Items	None
Garage/Carport	2 Car Attached
Porch/Patio/Deck	Open Porch
	2 Fireplace
	None
	Accessory Unit
Net Adjustment (Total)	\$ 2,365
Adjusted Sale Price	\$ 165,205
Gross Adj. 34%	\$ 165,205
I <input checked="" type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain	
My research <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.	
Data source(s) <u>Strafford County Registry of Deeds</u>	
My research <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.	
Data source(s) <u>Strafford County Registry of Deeds</u>	
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3):	
ITEM	SUBJECT
Date of Prior Sale/Transfer	
Price of Prior Sale/Transfer	
Data Source(s)	Registry of Deeds
Effective Date of Data Source(s)	10/21/2021
Analysis of prior sale or transfer history of the subject property and comparable sales: The subject property transferred to the current owner on 03/04/2021 for \$120,000 as a foreclosure property. The previous owners were foreclosed on 05/20/2020. There have been no other sales of the other comparable sales within the year preceeding the date of sale of the comparable sales.	
Summary of Sales Comparison Approach All comparables were foreclosure sales, similar to the subject property and not considered to be an arms length transaction. Lot size adjustments are based on \$1,000 per 10,000 square feet, rounded. Condition adj. are at 10%. A \$10 per square foot GLA adj. made. Bathroom adj. are \$2,000 half and \$4,000 full. Functional utility adj. are based on a functioning kitchen and plumbing/heating systems. Deck adjust at \$1,500, open at \$2,000 and screen at \$2,500. Garage adj. used \$5,000 per bay. A \$5,000 adj. is used for the subject's accessory unit, this is considered a nominal adj. because of the amount of costs involved in making this extra living space habitable. Comps 1 and 2 have been weighted in the final estimation of value, comp 1 is the most recent sale and comp 2 has the largest GLA. All comps have a large amount of adjustments due to the condition of these foreclosed properties, also no time adj. used because the costs to renovate have increased at the same time (not necessarily at the same rate) as this real estate market has increased. The weighted average of the comps support this value.	
Indicated Value by Sales Comparison Approach \$ 135,000	
Indicated Value by: Sales Comparison Approach \$ 135,000 Cost Approach (if developed) \$ 0 Income Approach (if developed) \$ N/A	
All approaches to value were considered. Direct Sales approach was given the greatest weight as the data is considered to be the most reliable. The cost approach is not reliable due to age and condition. Income approach is typically used by investors and is not considered to be applicable. The exposure time is estimated for the subject property is 30 to 90 days from this date of appraisal.	
This appraisal is made <input checked="" type="checkbox"/> "as is," <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair. No conditions or repairs are required. This report has been completed in accordance with USPAP.	
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is	
\$ 135,000 as of 10/04/2021	

Residential Appraisal Report

ADDITIONAL COMMENTS	I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceeding acceptance of this assignment.									
	This appraisal is based on information gathered from public records, the appraiser's past knowledge and experience of the area and the inspection of the subject property and its neighborhood. The sources and data used are considered to be reliable.									
	In making the determination of highest and best use for the subject property, the following analysis has been considered. What is legally permitted, what is physically possible, what is economically feasible, and what is maximally productive for the property. The subject's present use is considered to be the highest and best use.									
COST APPROACH	COST APPROACH TO VALUE (if applicable)									
	Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value). The site value is based on sales of undeveloped land in the area. The subject's land value is estimated at \$55,000.									
	ESTIMATED	REPRODUCTION OR	REPLACEMENT COST NEW	OPINION OF SITE VALUE						
	Source of cost data			Dwelling	1,906	Sq. Ft. @ \$	= \$	0		
	Quality rating from cost service	Effective date of cost data		Bsmt.	1,625	Sq. Ft. @ \$	= \$	0		
	Comments on Cost Approach (gross living area calculations, depreciation, etc.)			Garage/Carport		Sq. Ft. @ \$	= \$	0		
	The cost approach to value was considered however due to the age of the dwelling is not considered to be reliable. The effective age is estimated at 30 years			Total Estimate of Cost-new			= \$	0		
				Less Physical	46	Functional	0	External	0	
				Depreciation	0		0		0	= \$ (0)
				Depreciated Cost of Improvements			= \$	0		
INCOME	Estimated Remaining Economic Life (HUD and VA only) 35 Years Indicated Value By Cost Approach = \$ 0									
	INCOME APPROACH TO VALUE (if applicable)									
	Estimated Monthly Market Rent \$	N/A	X Gross Multiplier	N/A	= \$	N/A	Indicated Value by Income Approach			
Summary of Income Approach (including support for market rent and GRM)										
PUD INFORMATION	PROJECT INFORMATION FOR PUDs (if applicable)									
	Is the developer/builder in control of the Homeowner's Association (HOA)? <input type="checkbox"/> Yes <input type="checkbox"/> No Unit type(s) <input type="checkbox"/> Detached <input type="checkbox"/> Attached									
	Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.									
	Legal Name of Project									
	Total number of phases	Total number of units			Total number of units sold					
	Total number of units rented	Total number of units for sale			Data source(s)					
	Was the project created by the conversion of existing building(s) into a PUD? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, date of conversion.									
	Does the project contain any multi-dwelling units? <input type="checkbox"/> Yes <input type="checkbox"/> No Data source.									
	Are the units, common elements, and recreation facilities complete? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe the status of completion.									
	Are the common elements leased to or by the Homeowner's Association? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the rental terms and options.									
Describe common elements and recreational facilities.										

Harris Appraisal Services
EXTRA COMPARABLES 4-5-6

File No. 010823RO
Case No.

Owner Brandon Marcus
Property Address 66 Prospect Street
City Rochester County Strafford State NH Zip Code 03867-2821
Client Mr. Brandon Marcus Address

FEATURE	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 6
Address	66 Prospect Street Rochester, NH 03867-2821	14 Leonard Street Rochester, NH 03867-5038		
Proximity to Subject		0.57 miles W		
Sale Price	\$	\$ 105,000	\$	\$
Sale Price/Gross Liv. Area	\$ 0.00 sq. ft.	\$ 83.33 sq. ft.	\$ sq. ft.	\$ sq. ft.
Data Source(s)		NEREN # 4790295;DOM 104		
Verification Source(s)		Public Records		
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION
Sale or Financing		ArmLth		
Concessions		Cash;0		
Date of Sale/Time		Closed 05/08/2020		
Location	Average	Average		
Leasehold/Fee Simple	Fee Simple	Fee Simple		
Site	0.36 Acre	0.12 acre	+2,000	
View	Residential	Residential		
Design (Style)	Victorian	Cape	0	
Quality of Construction	Average	Average		
Actual Age	115 yrs	74 years	0	
Condition	Poor	Poor		
Above Grade	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
Room Count	8 3 2.0	6 2 1.1	+2,000	
Gross Living Area	1,906 sq. ft.	1,260 sq. ft.	+6,460 sq. ft.	
Basement & Finished	Partial/Adequate	Full	0	
Rooms Below Grade	Unfinished	Unfinished		
Functional Utility	Poor	Fair	-5,000	
Heating/Cooling	HWBB/None	HWBB/None		
Energy Efficient Items	None	None		
Garage/Carport	2 Car Attached	1 Car Detached	+5,000	
Porch/Patio/Deck	Open Porch	None	+2,000	
	2 Fireplace	None	+4,000	
	None	None		
	Accessory Unit	None	+5,000	
Net Adjustment (Total)	X + -	\$ 21,460	\$	\$
Adjusted Sale Price of Comparables	Net Adj: 20% Gross Adj: 30%	\$ 126,460	Net Adj: 0% Gross Adj: 0%	\$

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales

ITEM	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 6
Date of Prior Sale/Transfer				
Price of Prior Sale/Transfer				
Data Source(s)	Registry of Deeds	Registry of Deeds		
Effective Date of Data Source(s)	10/21/2021	10/21/2021		

Analysis of prior sale or transfer history of the subject property and comparable sales

Summary of Sales Comparison Approach

This appraisal report is subject to the scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. The Appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) research, verify, and analyze data from reliable public and/or private sources, and (2) report his or her analysis, opinions, and conclusions in this appraisal report.

DEFINITION OF MARKET VALUE: The definition of market value is the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser may have provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

APPRAISER'S CERTIFICATION: I certify that, to the best of my knowledge and belief:

- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I ☐ have ☒ have no present or prospective interest in the property that is the subject of this report and ☐ have ☒ have no personal interest with respect to the parties involved.
- I ☐ have performed ☒ have not performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of this client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions, were developed, and this report has been prepared, in conformity, with the *Uniform Standards of Professional Appraisal Practice*
- I ☒ have ☐ have not made a personal inspection of the property that is the subject of this report.
- Unless otherwise noted, no one has provided significant real property appraisal assistance to the person signing this certification.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

- I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
- The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
- This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
- If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature

Name Dorothy M. HarrisCompany Name Harris Appraisal ServicesCompany Address 170 Commerce Way Suite 200
Portsmouth, NH 03801Telephone Number 603-781-7965Email Address DHarris@Metrocast.netDate of Signature and Report 10/24/2021Effective Date of Appraisal 10/04/2021State Certification # NHCR-194

or State License # _____

or Other (describe) _____

State NHExpiration Date of Certification or License 10/31/2021

ADDRESS OF PROPERTY APPRAISED

66 Prospect StreetRochester, NH 03867-2821APPRAISED VALUE OF SUBJECT PROPERTY \$ 135,000

CLIENT

Contact _____

Client Name Mr. Brandon Marcus

Client Address _____

Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____

Name _____

Company Name _____

Company Address _____

Telephone Number _____

Email Address _____

Date of Signature _____

State Certification # _____

or State License # _____

State _____

Expiration Date of Certification or License _____

SUBJECT PROPERTY

☐ Did not inspect subject property☐ Did inspect exterior of subject property from street

Date of Inspection _____

☐ Did inspect interior and exterior of subject property

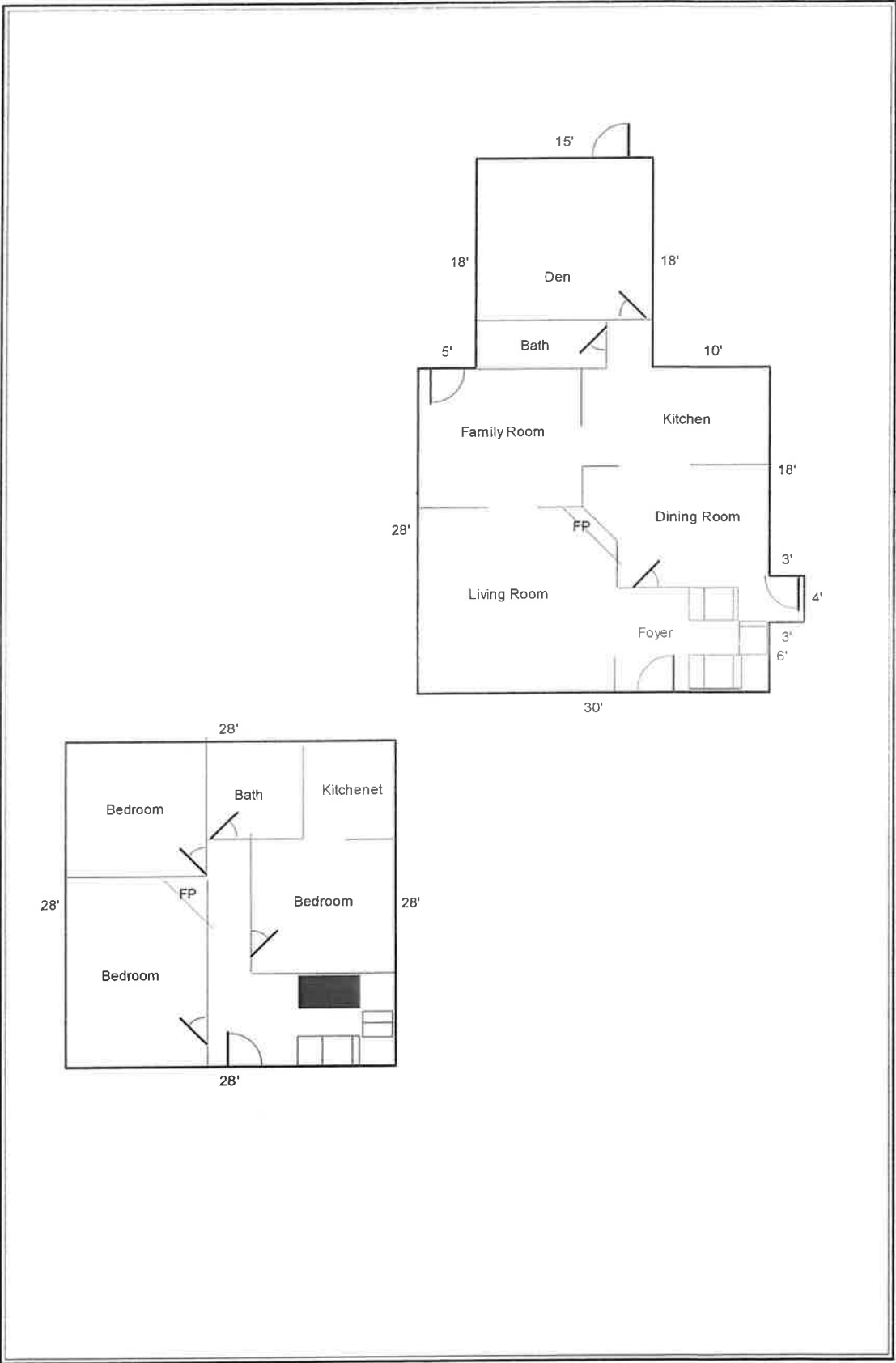
Date of Inspection _____

COMPARABLE SALES

☐ Did not inspect exterior of comparable sales from street☐ Did inspect exterior of comparable sales from street

Date of Inspection _____

Borrower					
Property Address	66 Prospect Street				
City	Rochester	County	Strafford	State	NH
Zip Code	03867-2821				
Lender/Client	Mr. Brandon Marcus		Address		



Harris Appraisal Services
SKETCH ADDENDUM

File No. 010823RO
Case No.

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

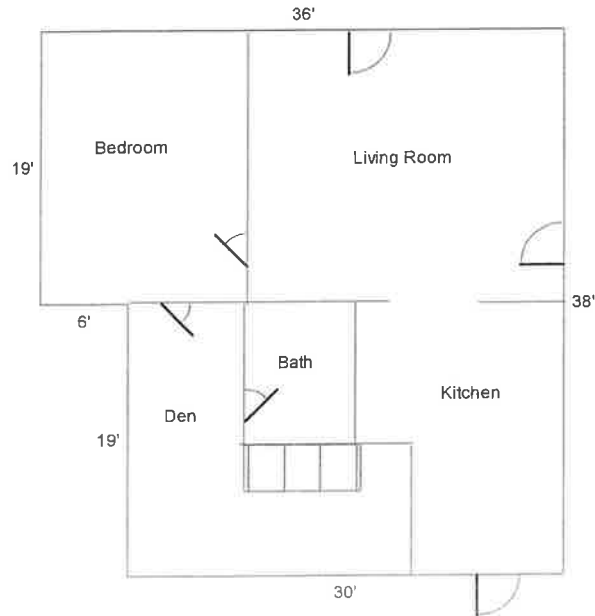
State

NH

Zip Code 03867-2821

Lender/Client Mr. Brandon Marcus

Address

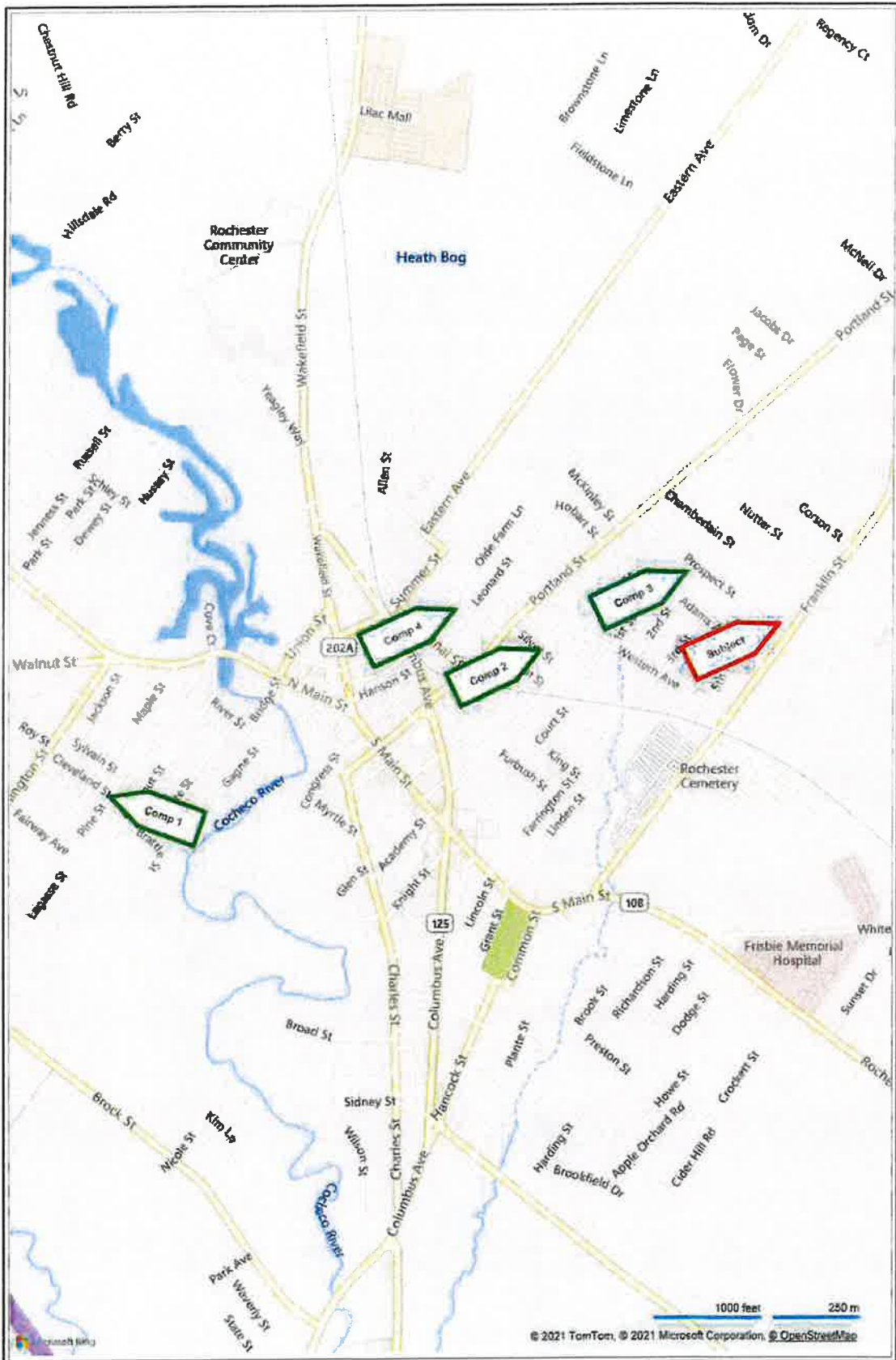


SKETCH CALCULATIONS		Perimeter	Area
	A1 : 36.0 x 19.0 =		684.0
	A2 : 30.0 x 19.0 =		570.0
	Accessory Unit		1254.0
	A3 : 15.0 x 18.0 =		270.0
	A4 : 30.0 x 18.0 =		540.0
	A5 : 33.0 x 4.0 =		132.0
	A6 : 30.0 x 6.0 =		180.0
	First Floor		1122.0
	A7 : 28.0 x 28.0 =		784.0
	Second Floor		784.0
Total Living Area			1906.0

Harris Appraisal Services
LOCATION MAP ADDENDUM

File No. 010823RO
 Case No.

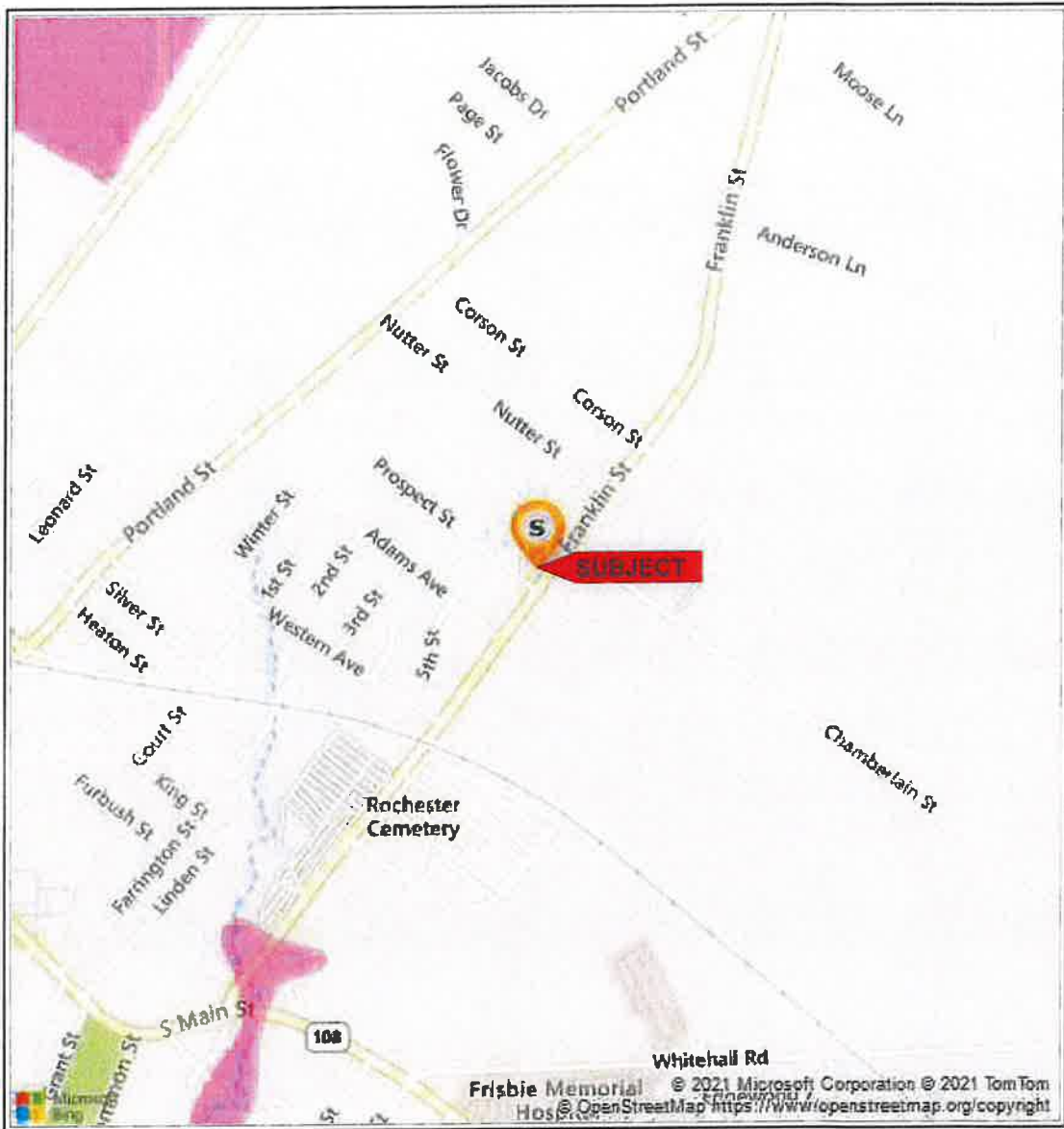
Borrower						
Property Address	66 Prospect Street					
City	Rochester	County	Strafford	State	NH	Zip Code 03867-2821
Lender/Client	Mr. Brandon Marcus		Address			



Harris Appraisal Services
FLOOD MAP ADDENDUM

File No. 010823RO
 Case No.

Borrower						
Property Address	66 Prospect Street					
City	Rochester	County	Strafford	State	NH	Zip Code 03867-2821
Lender/Client	Mr. Brandon Marcus		Address			



Flood Map Legends

- Flood Zones**
- Areas inundated by 100-year flooding
 - Areas inundated by 500-year flooding
 - Areas of undetermined but possible flood hazards
 - Floodway areas with velocity hazard
 - Floodway areas
 - COBRA zone

Flood Zone Determination

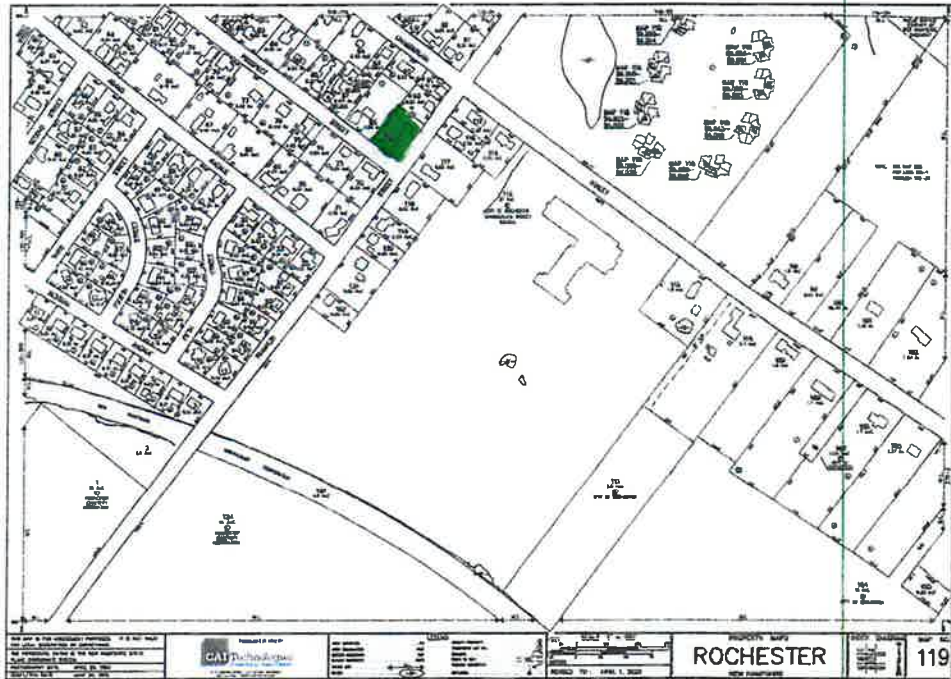
In Special Flood Hazard Area (Flood Zone): Out
 Within 250 ft. of multiple flood zones? Not within 250 feet
 Community: 330150
 Community Name: ROCHESTER, CITY OF
 Map Number: 33017C0212D
 Zone: X Panel: 0212D Panel Date: 05/17/2005
 FIPS Code: 33017 Census Tract: 0843.00

This Report is for the sole benefit of the Customer that ordered and paid for the Report and is based on the property information provided by that Customer. That Customer's use of this Report is subject to the terms agreed to by that Customer when accessing this product. THE SELLER OF THIS REPORT MAKES NO REPRESENTATIONS OR WARRANTIES TO ANY PARTY CONCERNING THE CONTENT, ACCURACY, OR COMPLETENESS OF THIS REPORT INCLUDING ANY WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. The seller of this Report shall not have any liability to any third party for any use or misuse of this Report.

Harris Appraisal Services
PLAT MAP

File No. 010823RO
Case No.

Borrower					
Property Address 66 Prospect Street					
City	Rochester	County	Strafford	State	NH
Zip Code	03867-2821				
Lender/Client	Mr. Brandon Marcus		Address		



Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Left Side



Right Side



Rear

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Prospect Street



Franklin Street



Franklin Street

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Kitchen



Dining Room



Livingroom

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Foyer



Den



Family room

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Bathroom

Second Floor
Bedroom

Kitchenette

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

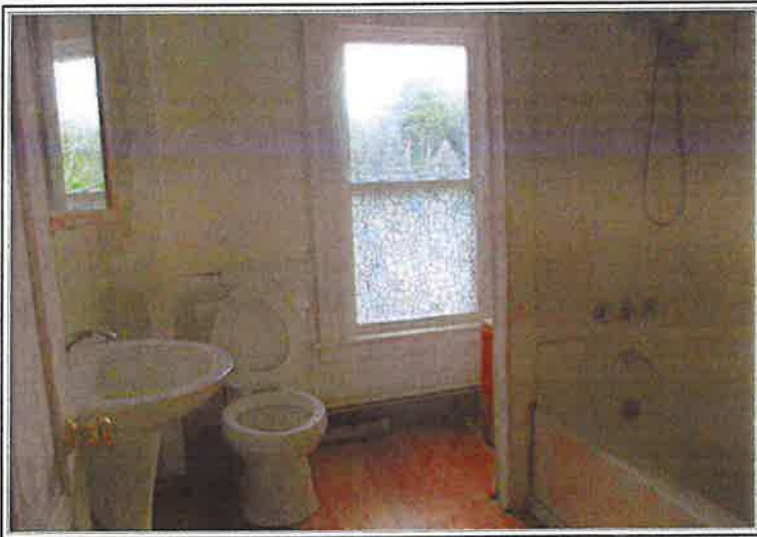
03867-2821

Lender/Client Mr. Brandon Marcus

Address



Bedroom



Bathroom

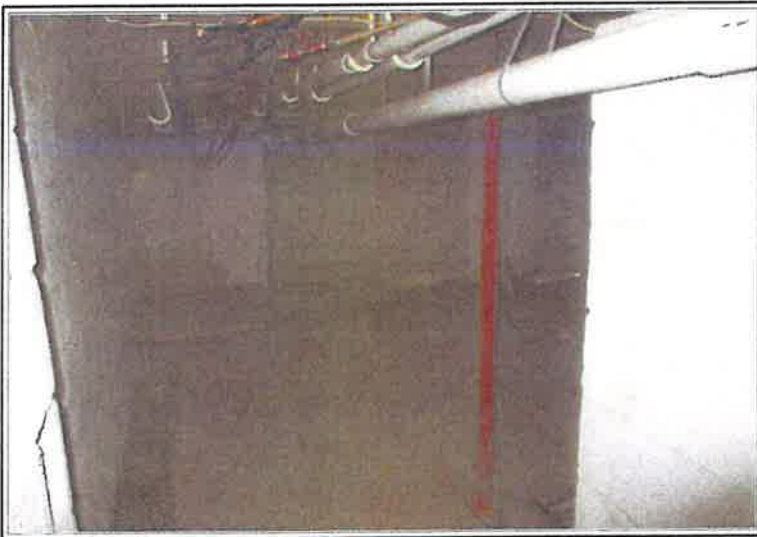


Bedroom

Borrower							
Property Address	66 Prospect Street						
City	Rochester	County	Strafford	State	NH	Zip Code	03867-2821
Lender/Client	Mr. Brandon Marcus		Address				



Walk Up Third Floor



Basement



Electrical Panel

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Electrical Panel



Furnace

Accessory Dwelling Unit
Livingroom

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

Address



Kitchen



Bathroom



Bedroom

Borrower

Property Address 66 Prospect Street

City Rochester

County

Strafford

State

NH

Zip Code

03867-2821

Lender/Client Mr. Brandon Marcus

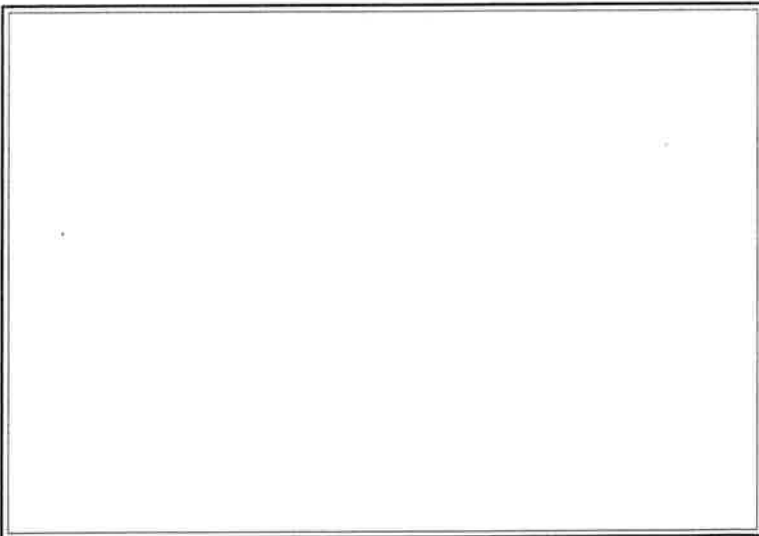
Address



Den



Stairs to a Second Floor



ABUTTER LIST

City of Rochester, NH
Please Print or Type

Applicant: Brandon Marcus **Phone** 312-283-4379

Project Address: 66 Prospect Street, Rochester, NH 03867

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
119	89	R1	Brandon Marcus	PO BOX 1014, DOVER, NH 03821

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
119	72	STEPHEN G & KELLY J. JEROME	58 FRANKLIN ST, ROCHESTER, NH 03867
119	88	KELLY A. & NATHAN J. LOCKE	60 PROSPECT ST, ROCHESTER, NH 03867
119	90	BENJAMIN WIGGINS & BREANNA CAMERON	70 FRANKLIN ST, ROCHESTER, NH 03867
119	117	LESLY LAVAUD	65 FRANKIN ST, ROCHESTER, NH 03867
119	73	HARRY R. & MARIANNE DECKER	57 PROSPECT, ROCHESTER, NH 03867
119	89	MARCUS BRANDON	P. O. BOX 1014, DOVER, NH 03821

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Eric J. Salovitch, L.L.S.	686 Central Ave Suite 100, Dover, NH 03820

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. To get the names & addresses of all abutters please see the Planning Department Secretary.

on this date: 9/8/2023 This is page 1 of 1 pages.

Applicant or Agent: 

Planning Staff Verification: _____ Date: _____