



**Civil  
Site Planning  
Environmental  
Engineering**

133 Court Street  
Portsmouth, NH  
03801-4413

September 15, 2023

**Re: Waiver Request  
Assessor's Map 221, Lots 87, 88 & 90  
928 & 936 South Street  
Altus Project No. 4755**

## **SECTION IX - DEVELOPMENT PREREQUISITE TO FINAL APPROVAL**

### **1. Improvements and Installation Bonds**

... A certified check, drawn on an approved bank and available to the City and adequate for the completion of these improvements' utilities and facilities.

Said bond or certified check shall be in the amount representing one hundred percent (100%) of the cost for the completion of the streets and the installation of the sewer and water utilities and facilities according to the specifications given hereunto. Upon inspection of a partial completion of a subdivision, the City Manager may authorize, in writing, a pro-rated reduction in the certified check or performance bond; but in no case shall more than fifty percent (50%) of said performance bond or said certified check be released until the entire subdivision has been completed to the satisfaction of the Board and written approval by said Board has been executed.

The Owners and Applicants, 928 S Street NH, LLC, KMF Management, LLC and DAVPAT, LLC, respectfully request a waiver from Section IX for the requirement to provide a bond or security for the site improvements associated with the development.

The project is merely a lot line adjustment between two commercial properties to clean up encroachments as Edgewood recently was sold. No sitework is proposed. Prior to the recording of the mylar, a certificate of monumentation will be submitted to the City assuring that the new monumentation has been installed. As such, the requirement for further surety is a burdensome request for a lot line adjustment between two agreeable parties where no site improvements are proposed.

Respectfully submitted,

**ALTUS ENGINEERING, LLC**

A handwritten signature in black ink, appearing to read "H. D. White", is written over the company name.

wde/4755 waiver request.docx