

Meeting: Zoning Board of Adjustments
Date: October 28, 2025
RE: 134 Pleasant St
Drive Thru relief

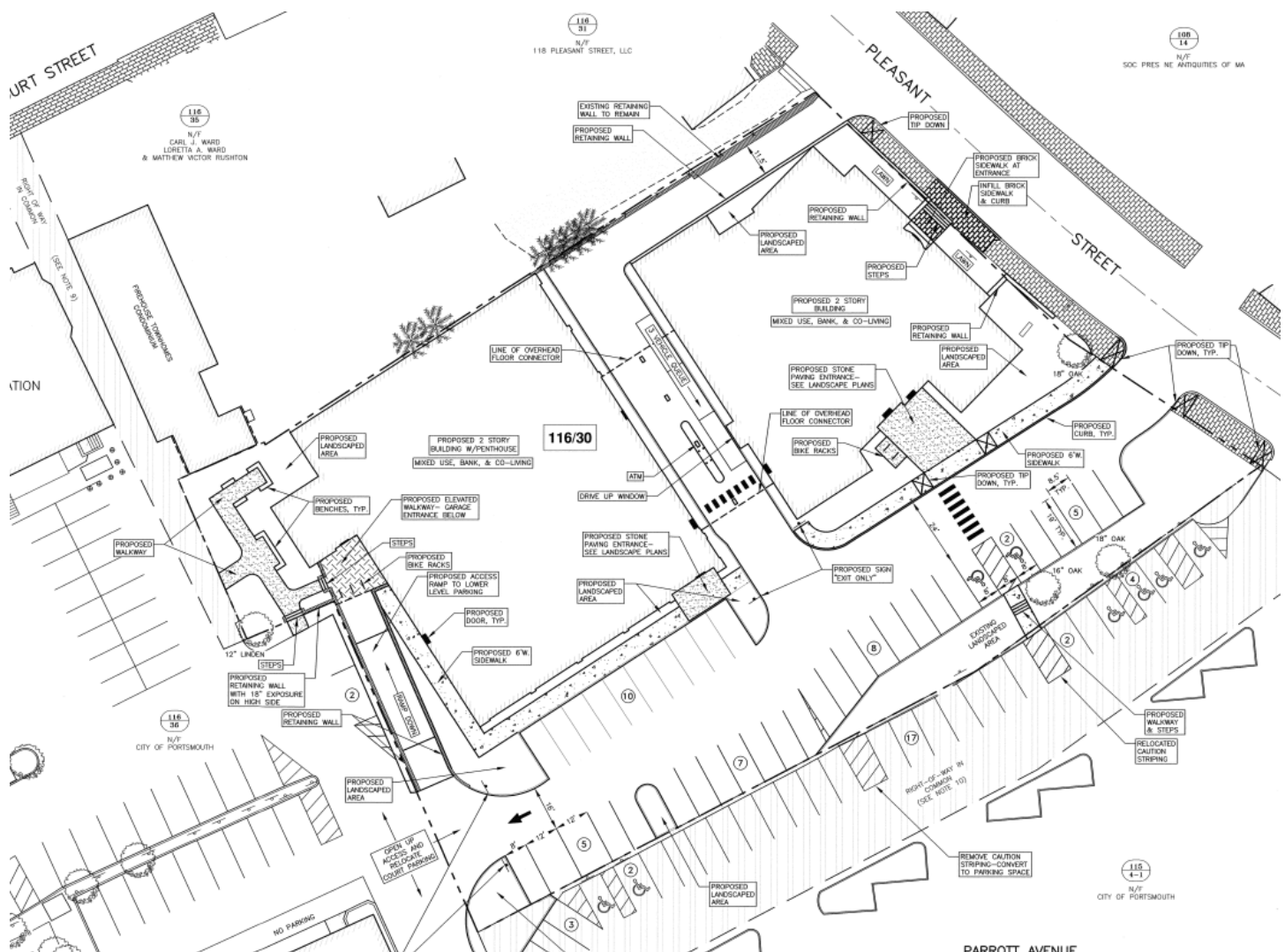
Dear Members of the Zoning Board of Adjustments,

October 21, 2025

134 Pleasant St is before this board to add a Bank Drive Thru to the new section of building being added to the current parking lot. Most Drive Thrus need a lot of space to be functional but can be very dangerous depending on their placement on lots. Humans tend to take the path of least resistance. They also like to park as close to the front door as possible.

This board may be looking at whether a variance for a drive thru could be allowed. The following examples will be tied to the criteria at the end. Please take a minute to notice the differences between what was presented in September to the Planning Board to what is presented to the Zoning Board in October.

Plan C 201 presented to the Planning Board Sept 18, 2025 shows a drive thru that starts along Pleasant St runs under the 2nd floor of the proposed building and exits into the parking lot facing Parrot Ave. Notice the 22 or so parking spaces which could be used by the proposed 7000 +/- sf of bank and 10,000 sf +/- of retail space. Notice the sidewalk alignments provide safe entrance and exit into said places of businesses.



[illegible]

The drive thru could only be allowed IF it runs under the existing building as originally proposed to maintain the safety and parking which will be desperately needed if there is about 20,000 of commercial on the first floor and 46 units with only 41 underground mostly tandem spaces.

The criteria:

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

The public may enjoy a drive thru but the lack of safety and parking created by the most recent proposal is contrary to public interest. Anyone walking from Parrot Ave will end up walking through the drive thru.

2. The spirit of the ordinance will be observed.

Drive thrus are separated from other uses to allow for review by boards to ensure protections of surrounding properties which include traffic, noise, pollution from idling cars and safety issues. This bank drive thru is located next to a 10,000 sf retail space, residential units as well as small business units. The traffic flow as well as available parking must be included in this development.

3. Substantial justice will be done.

The existing drive thru is tucked away at the end of a parking lot. It is designed in a manner that does not inhibit the natural flow pedestrians use to get to the front door of the existing bank. There is not a retail business within 20' of the structure. There are no parking issues, since the other half of the lot is a large parking lot. *This is not a tit for a tat. These are two completely different circumstances with completely different lot designs.*

4. The value of surrounding property will not be diminished.

That is hard to say in this high value environment in Portsmouth. However the lack of adequate parking and safe access to the two potential businesses as well as the general loss of parking by filling in the lot with building could impact businesses on that end of town thereby impacting property values.

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

By not adding stipulations on the location as well as hours of use of the drive thru will create unnecessary hardship for the potential businesses who may want to rent/buy the proposed commercial units. Parking is the number one question for residential and commercial units in Portsmouth.

A bank can exist without a drive thru. A drive thru could be added in a way that it doesn't take up most of a parking lot. Reimagining the use of the property by either using the under the 2nd floor plan or creating a smaller bank building which could allow for the drive thru to run under the building like the entrance to a hotel on the northern side of the building and still retain the street view desired. It could be designed with style and grace. Most banks have large amounts of wasted interior space. Were the bank built smaller the drive thru could be added and still retain the 22 spaces and create a safer way to access both commercial spaces.

Please ask the applicant to return to the drawing board to come up with a way to preserve the minimal parking spaces and allow for a safer passage for this lot. Could the bank be closer to the court house and the retail space be closer to Pleasant St?

If this variance is considered for approval, please add stipulations on the location and hours of operation. Please be sure to add lots of vegetation to keep the squawk box sound at a minimum.

Thank you for your consideration of these thoughts.

Sincerely,

Elizabeth Bratter
159 McDonough St
Property Owner

From: Abigail Mowery <abigail.mowery@gmail.com>
Sent: Tuesday, October 14, 2025 9:55 AM
To: Planning - Info - Shr <Planning@portsmouthnh.gov>
Subject: 62 McKinley Rd Variance Request

You don't often get email from abigail.mowery@gmail.com. [Learn why this is important](#)

I oppose this request for variance. This is another attempt to split a single residence lot into 2 lots. We already know from the prior request there isn't enough space for a second home without 7 variances (Aug 19, 2025 meeting).

If he has no plans to sub divide the lot he would build the ADU with the single driveway he currently has which requires 0 variances.

If this is approved, I would expect a follow-up request after construction to have it officially split into 2 lots since it will then be 2 residences with separate driveways on a single lot. Please do not approve the 2nd driveway.

Abigail Mayrand
260 Coolidge Dr, Portsmouth, NH 03801

October 5, 2025

To: City of Portsmouth Board of Adjustment & City Staff

Re: Letter of Support for The Delisle Family's home addition at 250 McKinley Road, Portsmouth.

Dear Members of the Board,

We are writing to express support for the proposed 2nd story addition and remodel of Chris & Rachel Delisle's home at 250 McKinley Rd. As neighbors at 240 McKinley Rd., and direct abutters to the west, our property is the most impacted by the existing setbacks between our properties. The Delisle's have reviewed their plan with us, including location of the proposed A/C condenser unit, and we are in support.

We do not believe this project will have any negative impact on the surrounding properties. On the contrary, we believe the improvements they are planning will increase the overall value and appeal of our neighborhood.

Thank you for considering our input, and we look forward to seeing this wonderful improvement to our community.

Sincerely,

Pam and Bob Smith

Bob & Pam Smith

October 5, 2025

To: City of Portsmouth Board of Adjustment & City Staff

Re: Letter of Support for The Delisle Family's home addition at 250 McKinley Road, Portsmouth.

Dear Members of the Board,

We are writing to express our full support for the proposed 2nd story addition and remodel of Chris & Rachel Delisle's home at 250 McKinley Rd. The Delisle's reviewed their plans with us, and we believe the improvements will increase overall value in the neighborhood and look forward to seeing the completed project.

Thank you for considering our input,

Sincerely,



Josh & Emily Lanzetta

255 McKinley Rd - North abutters

Board of Adjustment:

We are writing this letter in support of Denise and Trent Sensiba's variance request involving relief for a lot line adjustment pertaining to their properties located at 0 and 12 Ruth Street.

We believe their request is very reasonable, solely involves their two properties and has no adverse effect on either one. From what we have seen, house lots on dead end turn arounds or on cul-de-sacs tend to have less frontage, so we don't see an issue with that. Trent and Denise have been great neighbors, they're very environmentally conscious, have installed heat pumps and solar panels on their home at great expense and we fully support their request to adjust their lot line in any way they deem necessary.

Mark & Kelly Simpson

28 Thornton St

From: Marian McCord <marianmccord@gmail.com>

Sent: Monday, October 20, 2025 5:32 PM

To: Jillian Harris <jharris@portsmouthnh.gov>

Subject: Lot line adjustment

[You don't often get email from marianmccord@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms. Harris,

I am writing in support of Trent and Denise Sensiba and their application for a lot line adjustment. Trent and Denise have been ideal neighbors. They have been amazing stewards for their property, and have made sustainability a priority. I am impressed by the way they have managed the maintenance of their lot, removing invasive plants by hand and replacing them with native plants. The lot line adjustment is a completely reasonable request that will allow Trent and Denise to continue to care for their property appropriately.

Sincerely,

Marian McCord

From: Mickey Mccord <mick1putt@aol.com>

Sent: Monday, October 20, 2025 6:36 PM

To: Jillian Harris <jharris@portsmouthnh.gov>

Subject: Lot line adjustment 12 Ruth Street

You don't often get email from mick1putt@aol.com. [Learn why this is important](#)

Dear Ms. Harris,

I am writing in support of Trent and Denise Sensiba and their application for a lot line adjustment at 12 Ruth Street.

Trent and Denise are excellent neighbors and fantastic members of the Portsmouth community. Their plans to improve their property will make our neighborhood and Portsmouth a better place. This is exactly the kind of thoughtful growth Portsmouth needs and should support.

Sincerely,

Mickey McCord
101 Mill Pond Way

Sent from my iPhone

From: WB McCord <mclovecord@gmail.com>
Sent: Monday, October 20, 2025 7:03 PM
To: Jillian Harris <jharris@portsmouthnh.gov>
Subject: Letter of Support for Lot Line Adjustment

You don't often get email from mclovecord@gmail.com. [Learn why this is important](#)

Dear Ms. Harris,

We are reaching out to you to express our support of the lot line adjustment submitted by Trent and Denise Sensiba. Trent and Denise have been truly wonderful neighbors. Thoughtful, responsible, and deeply caring toward both their property and the surrounding environment. Their attention reflects not only respect for their property but also for the community we share. The proposed lot line adjustment is a reasonable request that will allow them to continue maintaining their property with the same care and intention they've always shown.

Sincerely,
Will McCord
Braelyn Hilsenbeck

Tony Lane

47 Thornton St
Portsmouth NH 03801

27th October 2025

Members of the Board of Adjustment

Portsmouth City Council
Portsmouth NH
03801

RE: Variance Request to the BoA in relation to 12 Ruth St and the adjacent lot

Dear Members of the Board,

My wife and I have been Portsmouth Residents for 20 years. In April 2024 we became concerned that the current owners of 12 Ruth St had begun to systematically destroy the wetland vegetation in Lot 16, next to their home, 12 Ruth St. We have documented this destruction and, with some support from the City of Portsmouth, attempted to halt it.

We have been unsuccessful in this, and now the owners have submitted this application for a variance, and also building permits and a NHDES wetland permit. They make it clear that they intend to build a 2.5 story house on this property.

Having read their variance application we find there are many inaccuracies and falsehoods in the five arguments they put forward. I am submitting this document to raise questions and provide some clear contrary arguments against this variance application.

Sincerely,

Tony Lane

Key: Text in **GREEN** on the following pages are quotes from the variance application.;

1. Not Contrary to the Public Interest (§10.233.21)

"thereby making the existing, Planning Board approved lot more compliant with today's code. "

Lot 16 is not Planning Board Approved. They say the 1988 Corrective deed establishes it as such, but it does not.

"If it remains part of 12 Ruth Street, which will be sold, future cooperation with the City would be uncertain on how the City addresses its stormwater runoff onto 12 Ruth Street and Lot 16. By approving this variance, the strip becomes part of Lot 16"

The parcel in this variant application does not extend to the pond. If the City solution to the stormwater runoff issue requires access, it could still cross land of both 12 Ruth and Lot 16.

"The lot line adjustment will not change the character of the neighborhood in that the neighborhood is zoned as GRA and the Applicants plan to keep Lot 16 residential."

Zone for the whole neighborhood is GRA, however the Land use code for Lot 16 from the City Tax Record is RES ACLNUD which stands for Residential Accessory Land, Undevelopable.

LAND LINE VALUATION SECTION																	
B	Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Ad	Site	Cond.	ST Idx	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value	
1	1320	RES ACLNUD	GRA			14,993 SF	16.59	1.6000	D	0.25	131	1.650	Can be transferred seperately no		1.0000	10.95	164,100
Total Card Land Units						0 AC	Parcel Total Land Area						0	Total Land Value			164,100

2. Spirit of the Ordinance Observed (§10.233.22)

"Because Lot 16 is located at the end of a quiet dead-end street, its frontage geometry is unique. As such, the variance does not present the same crowding concerns that reduced frontage along a busier, linear street could produce."

Any additional road access from the circle to Lot 16 would reduce the effective turnaround area conflicting with the original aim of the 1971 easement which created Ruth St and the traffic turnaround, including the question of where the City will plow the snow in the winter.

3. Substantial Justice Done (§10.233.23)

"There is another ancillary public benefit for granting the variance and this involves the City's stormwater from Ruth Street that currently inundates the Applicants' properties. The Applicants have approached the City to discuss an easement for the City to control its Ruth Street stormwater. This easement would run along the current boundary between 12 Ruth Street and Lot 16. 12 Ruth Street will be up for sale soon. If sold, and if there is no lot line adjustment, the City will have to negotiate with two, not just one, property owner regarding the design of the easement and stormwater easement. This may leave the stormwater management uncertain under the new ownerships."

Same argument as #1.

The strip does not extend to the pond, so if the City solution to the stormwater runoff issue requires it, it will still cross land of both 12 Ruth and Lot 16.

4. Values of Surrounding Properties Not Diminished (§10.233.24)

"The adjustment is not expected to diminish surrounding property values because the Planning Board approved this subdivision in 1902 as numerous residential lots. Since 1902, some of these lots have legally changed their lot lines by merging. Indeed, Lot 16 comprises three of those early 1902 50-foot frontage lots. These lot line changes have not caused the values reported in the tax cards to decline, therefore, the Applicants have no expectation that their lot line adjustment will diminish property values on Ruth Street"

The previous Lot line changes were self-contained, maintaining easy access to the turnaround and in some cases a view across the North Mill Pond from both Ruth St and Thornton St, maintaining property value throughout. In fact a condition of the merger of 4 lots to create #2 Ruth St in 1968, was the donation of a 5ft strip along the road, to the City, to provide the required width for the proposed road that would become Ruth St in 1971.

The variance applied for is clearly intended to remove an obstacle to allow a new 2.5 story residence to be built on the currently unbuildable lot. This would clearly have implications on traffic turnaround and the view across the pond, affecting house valuations on Ruth, Thornton and even Dennett streets.

5. Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (§10.233.25)

"Lot 16's condition was created by the City's own actions in 1902 and 1971, not by the Applicants. In 1988, the City itself acknowledged this and restored Lot 16 as an approved subdivision lot of record."

The evidence does not support that the City was responsible for this. After 1971, 8 of the paper lots from 1902 between 2 Ruth and 5 Ruth southeast towards the North Mill Pond were not built on, and still owned by Emerson McCourt.

The plan drawn up by Flores et al in July 1987 in support of Wetland permit F-753 clearly shows all the remaining 1902 lots combined into a single lot with a single residence, and the wording "This area to be left in its natural state" was spread across the land that would become Lot 16 and also 12 Ruth St.

At that point the entire land which was deeded to Flores had plenty of road frontage.

The Corrective Deed in September 1988 was between McCourt and Flores. No mention of the City of Portsmouth. The two parties were allowed to agree that the original deed was inadvertently registered as two lots, despite the fact that the documents presented to NHDES for the enabling Wetland Permit F-753 show no such thing.

In the plan for corrective deed (also drawn up by Flores), the wording "This area to be left in its natural state" was moved to the newly created Lot 16 along with a reference to Wetland Permit F-753.

This 1988 corrective deed was the reason why Lot 16 was not provided with independent access to Ruth St. By referencing F-753 and the "Natural State" text, they may have paid reduced taxes as an unbuildable lot.

Supporting Documents attached :

1971 Quitclaim deed between McCourt and the City creating Ruth St and the easement for the City to maintain a turnaround for vehicles on it.

1987 Plan drawn up and submitted to the NHDES in support of a dredge and fill Wetland Permit for a single lot. Permit #F-753.

1988 Plan D-19012 in support of Corrective Deed between McCourt and Flores

Aerial Views of Ruth St provided by the City's MapGeo tool, showing the drastic changes to the wetland vegetation from 2020 to 2025.

CORRECTIVE DEED

KNOW ALL MEN BY THESE PRESENTS, That I EMERSON A. McCOURT of 61 Dearborn St. Extension, Portsmouth, County of Rockingham, State of New Hampshire 03801

for consideration paid, grant to SUSAN R. FLOROS of 282 Middle Street, Portsmouth, County of Rockingham, State of New Hampshire 03801

with warranty covenants

A certain parcel of land situate off Ruth Street in Portsmouth, County of Rockingham, State of New Hampshire, being more particularly bound and described as follows:

BEGINNING at a point at land now or formerly of Woodrow P. Bunnell; thence running North 60° 48' 19" East by land of Joseph R. and Ruth V. Mitchell, a distance of 102.91 feet to a point at other land of Emerson A. McCourt; thence turning and running South 28° 47' 05" East by said other land of Emerson A. McCourt, a distance of 142.56 feet to a point; thence turning and running South 57° 00' 34" West, a distance of 102.81 feet to a point at land of said Bunnell; thence running North 28° 55' 35" West by said land now or formerly of Woodrow P. Bunnell and partially by a chain link fence, a distance of 149.36 feet to the point of beginning.

Also conveying any interest and title that the Grantor may have in the marsh land between said premises and the shore of the North Mill Pond, so-called.

This is a corrective deed, to correct the description of a portion of the property conveyed by Emerson A. McCourt to Susan R. Floros, dated December 30, 1986 and recorded in the Rockingham County Registry of Deeds, Book 2654, Page 335, wherein this parcel was inadvertently combined with another lot. The parcel herein conveyed is shown as Lot 16 on Map U-43 on the property maps of the City of Portsmouth, New Hampshire.

The recording of this deed was approved by the City of Portsmouth Planning Board on November 17, 1988.

Kathleen M. Gwyer
Witness

E. Warren Clarke
E. Warren Clarke, Chairman
Portsmouth Planning Board

I RUTH H. McCOURT, ~~husband~~ wife of said grantor, release to said grantee all rights of homestead and other interests therein.

Signed this 13th day of September, 1988

Emerson A. McCourt L.S.
EMERSON A. McCOURT
Ruth H. McCourt L.S.
RUTH H. McCOURT L.S.

State of New Hampshire

Rockingham ss.: September 13, A.D. 1988

Personally appeared EMERSON A. McCOURT and RUTH H. McCOURT

known to me, or satisfactorily proven, to be the persons whose names subscribed to the foregoing instrument and acknowledged that

they executed the same

MARYANN TOWLE, NOTARY PUBLIC
MY COMMISSION EXPIRES 1-13-93

before me,

Maryann Towle
Justice of the Peace - Notary Public



5580.1

Dec 2 8 39 AM '88

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

JAN 30 11 29 AM '89
01441

LIST OF ADJUTORS

U43009 McCourt, Emerson 61 Dearborn, Portsmouth, NH
U43010 McCourt, Emerson 61 Dearborn, Portsmouth, NH
U43020 City of Portsmouth, P.O. Box 628, Portsmouth, NH
U43029 Harrington, Fred Jr., Dearborn Street, Portsmouth, NH
U43033 Wessing, Loyal C. & Lois C., 57 Thornton, Portsmouth, NH
U43038 Seymour, William T. & Mildred L., 47 Thornton, Portsmouth, NH
U43039 Clark, Kevin E. & Roseann V., 55 Thornton, Portsmouth, NH
U43040 Emerson, Susan R., 282 Middle St., Portsmouth, NH
U43041 Russell, Margaret & John C., 276 Deane, Portsmouth, NH
U43042 Berenty, John C. & Dorothy M., 28 Thornton, Portsmouth, NH
U43043 Berenty, Matthew D. & Brenda, 48 Thornton, Portsmouth, NH
U43044 Colliton, William J., 38 Thornton, Portsmouth, NH

RUTH STREET
EDGE OF PAVEMENT

DEARBORN STREET EXT.



NET# 515/12

U43001
N/F EMERSON A. MCCOURT
61 DEARBORN ST. PORTSMOUTH, N.H.
1323/473 1954

2" I.P. FND
IN CONC.

N 53°13'50" E
100.23'

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U43015
N/F LINCOLN & MARY C. TOSI
2 RUTH ST. PORTSMOUTH, N.H.
1906/285 APRIL 23, 1968

2" I.P. FND
IN CONC.

N 60°58'16" E
95.16'

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U43017
N/F JOSEPH RUTH V. MITCHELL
5 RUTH ST. PORTSMOUTH, N.H.
2054/371 JANUARY 28, 1971

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IN CONC.

N 60°48'19" E
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U43016
N/F SUSAN R. FLOROS
282 MIDDLE ST. PORTSMOUTH, N.H.
2854/0335 12/30/86

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U43020
N/F CITY OF PORTSMOUTH
P.O. BOX 628 PORTSMOUTH N.H.

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IN CONC.

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282 MIDDLE ST. PORTSMOUTH, N.H.
2854/0335 12/30/86

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IN CONC.

N 60°48'19" E
102.91'

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Ruth St 2020 Aerial

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/26/2024

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

Ruth St 2025 Aerial

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Geometry updated 09/26/2024

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this resource.

2054 346

KNOW ALL MEN BY THESE PRESENTS

THAT I, EMERSON A. McCOURT

of Portsmouth

Rockingham

County, State of

New Hampshire, for consideration paid, grant to the City of Portsmouth, a municipal corporation organized under the laws of the State of New Hampshire and located in the County of Rockingham and State of New Hampshire

of

County, State of

, with QUITCLAIM COVENANTS,

(Description and incumbrances, if any)

A certain parcel of land, denominated as "Ruth Street" bounded and described as follows:

Beginning at a point in the easterly sideline of Ruth Street at the northwesterly corner of land of John C. and Dorothy M. Reardon; thence running South 29° 51' East by said land of said Reardons, land of Tosi, and other land of this grantor 409 feet six inches to a corner; thence turning and running in a westerly direction across said Ruth Street to a corner at land this day conveyed to Joseph Mitchell; thence turning and running North 29° 51' West by said land of Joseph Mitchell, land of Mildred L. and William T. Seymour, the easterly end of Thornton Street and land formerly of J. M. Goodrich 409 feet six inches to a corner; thence turning at right angles and running in an easterly direction across said Ruth Street 45 feet to the point of beginning.

Also conveying to the said grantee until the said Ruth Street is extended further to the south, the right and easement to maintain on land of the grantor to the east and land conveyed to Joseph Mitchell on the west a turnaround having a radius of 50 feet, the center of said turnaround being located in the center of said Ruth Street and 55 feet north 29° 51' west from the end thereof; it being understood that when the said Ruth Street is extended southerly, the said easement will be discontinued.

Being a portion of the premises described in deed of Lyda L. Pinkham to Alfred J. McCourt dated November 9, 1936, recorded in Rockingham County Registry of Deeds Book 928 Page 62.

Reference is hereby made to Plan of Lots of Land belonging to C. I. Pinkham and J. M. Marden dated May 1902 recorded in Rockingham County Registry of Deeds Book 631 Page 481 (File No. 00245) and plan of lots from Emerson A. McCourt Portsmouth, N. H. dated February 1968 drawn by John W. Durgin, C. E. recorded in Rockingham County Registry of Deeds.

Also conveying to the said City of Portsmouth all right and interest which I may have, if any, in and to a strip of land ten (10) feet in width located on the southerly side of Thornton Street and bounded easterly by said Ruth Street ten (10) feet, southerly by land of Mildred L. and William T. Seymour one hundred three (103) feet, westerly by land of the City of Portsmouth ten (10) feet and northerly by said Thornton Street one hundred three (103) feet.

All above land is conveyed to the City of Portsmouth for public streets in said city.

FEB 9 9 45 AM '71

REC'D ROCKINGHAM COUNTY
REGISTRY OF DEEDS

And I, Ruth H. McCourt

wife
husband

2054 347
of said Grantor,

release to said Grantee all rights of dower ~~curtesy~~ and homestead and other interest therein.

WITNESS our hands and seals this 29th day of January, 1971

Witness:

Bessie L. Warren
to both

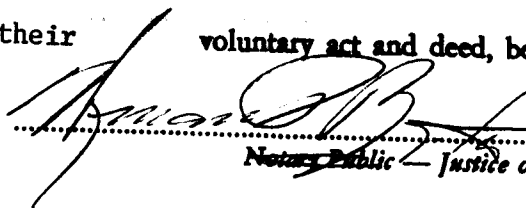
Emerson A. McCourt
Ruth H. McCourt

State of New Hampshire

Rockingham,

January 29, 1971

Then personally appeared the above named Emerson A. McCourt and Ruth H. McCourt and acknowledged the foregoing instrument to be their voluntary act and deed, before me


Notary Public - Justice of the Peace.