# Findings of Fact | Subdivision Rules and Regulations City of Portsmouth Planning Board

Date: September 18, 2025

Property Address: <u>10 – 40 Crescent Way</u>

Application #: LU-25-128

Decision: ☐ Approve ☐ Deny ☐ Approve with Conditions

#### Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval. If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

	Subdivision Review Criteria	Finding	Supporting Information
		(Meets Standards/ Requirements)	
1	Subdivision Rules and Regulations III. D.  1 The Board shall act to deny any application which is not in compliance with Section IV or V as appropriate.  SECTION IV - REQUIREMENTS FOR PRELIMINARY PLAT	Meets Does Not Meet	The plat meets the requirements for preliminary and final plat submission.
2	SECTION V - REQUIREMENTS FOR FINAL PLAT	Meets Does Not Meet	The plat meets the requirements for preliminary and final plat submission.
3	SECTION VI - GENERAL REQUIREMENTS	Meets Does Not Meet	The lot line revision did not need to go to TAC because it did not contain any of the following:  not contain any of the following:  a. Creation of a new lot;
			b. Creditori of a new lot; b. Construction of a new lot; blic or private street; c. Widening or alignment of an existing public or

	Subdivision Review Criteria	Finding (Meets Standards/ Requirements)	Supporting Information
			vate street; d. Construction of public or private water, sewer or stormwater facilities serving more than one lot; e. Establishment of an easement over one lot for water, sewer or stormwater facilities to serve a different lot; or f. Provision of a common iveway or access easement;
4	SECTION VII - DESIGN STANDARDS	Meets Does Not Meet	No development or site work is associated with this lot line revision and the new lot line will connect between existing monuments.
5	Other Board Findings:		



September 11, 2025

Rick Chellman, Planning Board Chair City of Portsmouth 1 Junkins Avenue Portsmouth, NH 03801

Re: Waiver Request Subdivision Regulation Section IX – Improvement & Installation Bond

Dear Mr. Chellman and Planning Board Members:

I am writing to request a waiver from the City of Portsmouth Subdivision Rules & Regulations Section IX(1), requiring bonding for the installation of lot monumentation.

The project consists of a lot line relocation to straighten the property line between Assessor's Map 212 Lot 163 and Lot 165, transferring 2,088 S.F. from the former to the latter. The area to be transferred is triangular with existing monuments located at all three corners. The result of the Lot Line Relocation is the abandonment of the southerly and easterly side of the triangle, with the proposed lot line running northeasterly from an existing 1-1/4" iron pipe to capped iron rod where the proposed lot line joins the existing lot line.

Since the proposed lot line runs between existing monuments and no new monuments are needed, we respectfully request that the requirement for bonding under Section IX of the City of Portsmouth Subdivision Rules & Regulation be waived.

Sincerely,

Charles Adams, LLS



26 August 2025

Rick Chellman, Planning Board Chair City of Portsmouth 1 Junkins Avenue Portsmouth, NH 03801

Re: Request for Planning Board Lot Line Relocation Review at 10 & 40 Crescent Way, Tax Map 212, Lots 163 & 165

Dear Mr. Chellman and Planning Board Members:

On behalf of Roger & Elizabeth Trudeau and The Carol A Claburn and Billy Joe Claburn Revocable Trust of 2014, we are pleased to submit the attached plan for Lot Line Relocation for the above-mentioned project and request we be placed on the agenda for your September 18, 2025, meeting. The project consists of a lot line relocation between Assessor's Map 212 Lots 163 & 165, with 2088 square feet of land being transferred from Assessor's Map 212 Lot 163 to Map 212 Lot 165. The proposed Lot Line Relocation will straighten the common line between the two properties.

The plan calls for the existing fence that meanders the existing property line to be relocated to the proposed property line. Beyond that, there is no proposed site work associated with the proposed lot line relocation. The proposed Lot Line Relocation **does not** impact either properties conformance to the zoning ordinance.

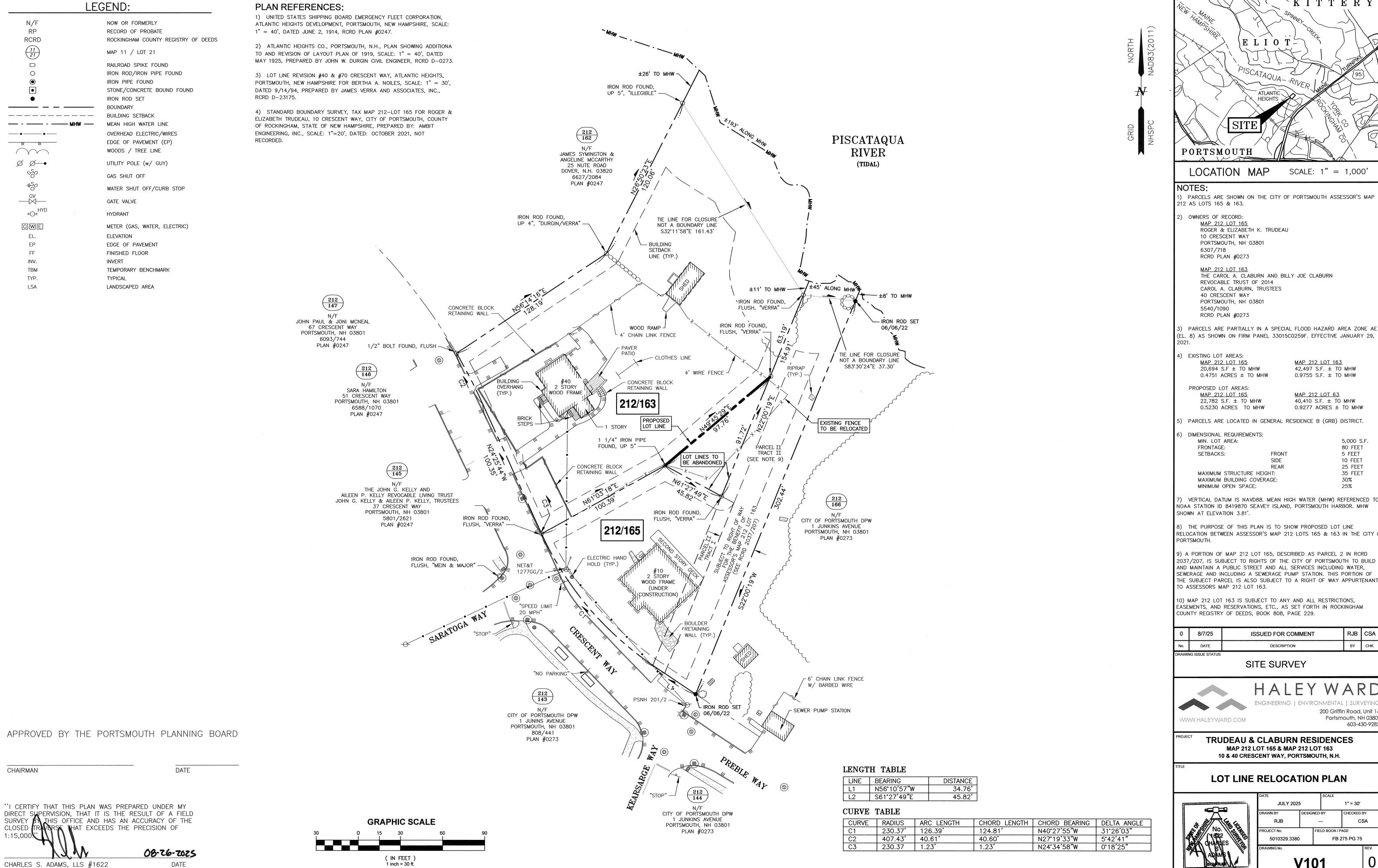
Please see the attached Lot Line Relocation Plan that shows the location of the proposed boundary line. We look forward to an in-person presentation and Planning Board review of this submission.

Sincerely,

Charles Adams, LLS Senior Project Manager

P:\NH\5010329-Roger\_Trudeau\3380-10 Crescent Way, Portsmouth-JRC\2025 Lot Line Relocation\03-WIP\_Files\Portsmouth Subdivision\PB Submission Letter.docx

Lot Line Relocation | 08/26/2025 | 5010329.3380 | Page 1



ELIOT MSCATAQUA--RIVE

PARCELS ARE SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP

SCALE: 1" = 1.000'

ROGER & ELIZABETH K. TRUDEAU

THE CAROL A. CLABURN AND BILLY JOE CLABURN REVOCABLE TRUST OF 2014 CAROL A. CLABURN, TRUSTEES

(EL. 8) AS SHOWN ON FIRM PANEL 33015C0259F. EFFECTIVE JANUARY 29,

 $20,694 \text{ S.F} \pm \text{ TO MHW}$ 

42,497 S.F.  $\pm$  TO MHW 0.9755 S.F.  $\pm$  TO MHW

MAP 212 LOT 163

MAP 212 LOT 63

40,410 S.F. ± TO MHW 0.9277 ACRES  $\pm$  TO MHW

) PARCELS ARE LOCATED IN GENERAL RESIDENCE B (GRB) DISTRICT.

DIMENSIONAL REQUIREMENTS:

5,000 S.F. 80 FEET FRONT 5 FEET SIDE 10 FEET 25 FEET 35 FEET MAXIMUM STRUCTURE HEIGHT: MAXIMUM BUILDING COVERAGE: 30%

VERTICAL DATUM IS NAVD88. MEAN HIGH WATER (MHW) REFERENCED TO NOAA STATION ID 8419870 SEAVEY ISLAND, PORTSMOUTH HARBOR. MHW

3) THE PURPOSE OF THIS PLAN IS TO SHOW PROPOSED LOT LINE RELOCATION BETWEEN ASSESSOR'S MAP 212 LOTS 165 & 163 IN THE CITY OF

9) A PORTION OF MAP 212 LOT 165, DESCRIBED AS PARCEL 2 IN RCRD 2037/207, IS SUBJECT TO RIGHTS OF THE CITY OF PORTSMOUTH TO BUILD AND MAINTAIN A PUBLIC STREET AND ALL SERVICES INCLUDING WATER, SEWERAGE AND INCLUDING A SEWERAGE PUMP STATION. THIS PORTION OF THE SUBJECT PARCEL IS ALSO SUBJECT TO A RIGHT OF WAY APPURTENANT

0) MAP 212 LOT 163 IS SUBJECT TO ANY AND ALL RESTRICTIONS, EASEMENTS, AND RESERVATIONS, ETC., AS SET FORTH IN ROCKINGHAM COUNTY REGISTRY OF DEEDS, BOOK 808, PAGE 229.

0	8/7/25	ISSUED FOR COMMENT	RJB	CSA
No.	DATE	DESCRIPTION	BY	CHK.
		<u> </u>		

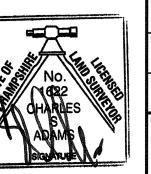
#### SITE SURVEY

HALEY WARD ENGINEERING | ENVIRONMENTAL | SURVEYING 200 Griffin Road, Unit 14

Portsmouth, NH 03801

603-430-9282 TRUDEAU & CLABURN RESIDENCES

### LOT LINE RELOCATION PLAN



1" = 30' CHECKED BY CSA FIELD BOOK / PAGE FB 275 PG 75 5010329.3380



## City of Portsmouth, New Hampshire Subdivision Application Checklist

This subdivision application checklist is a tool designed to assist the applicant in the planning process and for preparing the application for Planning Board review. A pre-application conference with a member of the planning department is strongly encouraged as additional project information may be required depending on the size and scope. The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all subdivision review requirements. Please refer to the Subdivision review regulations for full details.

**Applicant Responsibilities (Section III.C):** Applicable fees are due upon application submittal along with required number of copies of the Preliminary or final plat and supporting documents and studies. Please consult with Planning staff for submittal requirements.

Owner: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Αp	plica	ant:		
Ph	one	Number: E-mail:		
Site Address 1:		ldress 1:	Map:	Lot:
Site Address 2:			Map:	Lot:
		Application Requirements		
	A	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)	Waiver Requested
		Completed Application form. (III.C.2-3)	On Line	N/A
•		All application documents, plans, supporting documentation and other materials provided in digital Portable Document Format (PDF) on compact disc, DVD or flash drive.  (III.C.4)	On Line	N/A

Requirements for Preliminary/Final Plat					
Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested	
	Name and address of record owner, any option holders, descriptive name of subdivision, engineer and/or surveyor or name of person who prepared the plat.  (Section IV.1/V.1)	Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat	N/A	

Requirements for Preliminary/Final Plat					
Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested	
	Preliminary Plat Names and addresses of all adjoining property owners. (Section IV.2) Final Plat Names and addresses of all abutting property owners, locations of buildings within one hundred (100) feet of the parcel, and any new house numbers within the subdivision. (Section V.2)	Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat	N/A	
	North point, date, and bar scale. (Section IV.3/V3)	Required on all Plan Sheets	☑ Preliminary Plat ☑ Final Plat	N/A	
	Zoning classification and minimum yard dimensions required. (Section IV.4/V.4)	Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat	N/A	
	Preliminary Plat Scale (not to be smaller than one hundred (100) feet = 1 inch) and location map (at a scale of 1" = 1000'). (Section IV.5) Final Plat Scale (not to be smaller than 1"=100'), Location map (at a scale of 1"=1,000') showing the property being subdivided and its relation to the surrounding area within a radius of 2,000 feet. Said location map shall delineate all streets and other major physical features that my either affect or be affected by the proposed development. (Section V.5) Location and approximate dimensions of all existing and proposed property lines including the entire area proposed to be subdivided, the areas of proposed lots, and any adjacent parcels in the same ownership. (Section IV.6)	Lot Line Relocation Plan  Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat ☑ Preliminary Plat ☑ Final Plat	N/A	
	Dimensions and areas of all lots and any and all property to be dedicated or reserved for schools, parks, playgrounds, or other public purpose. Dimensions shall include radii and length of all arcs and calculated bearing for all straight lines.  (Section V.6/ IV.7)	N/A	☑ Preliminary Plat ☑ Final Plat	N/A	
	Location, names, and present widths of all adjacent streets, with a designation as to whether public or private and approximate location of existing utilities to be used. Curbs and sidewalks shall be shown.  (Section IV.8/V.7)	Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat		

	Requirements for Preliminary/Final Plat					
Ø	Required Items for Submittal	Item Location (e.g. Page/line or	Required for Preliminary / Final	Waiver Requested		
	Location of significant physical features, including bodies of water, watercourses, wetlands, railroads, important vegetation, stone walls and soils types that my influence the design of the subdivision.  (Section IV.9/V.8)	Plan Sheet/Note #)  Lot Line Relocation Plan	Plat ☑ Preliminary Plat ☑ Final Plat			
	Preliminary Plat Proposed locations, widths and other dimensions of all new streets and utilities, including water mains, storm and sanitary sewer mains, catch basins and culverts, street lights, fire hydrants, sewerage pump stations, etc. (Section IV.10) Final Plat Proposed locations and profiles of all proposed streets and utilities, including water mains, storm and sanitary sewer mains, catchbasins and culverts, together with typical cross sections. Profiles shall be drawn to a horizontal scale of 1"=50' and a vertical scale of 1"=5', showing existing centerline grade, existing left and right sideline grades, and proposed centerline grade. (Section V.9)	Lot Line Relocation Plan	☑ Preliminary Plat ☑ Final Plat			
	When required by the Board, the plat shall be accompanied by profiles of proposed street grades, including extensions for a reasonable distance beyond the subject land; also grades and sizes of proposed utilities.  (Section IV.10)	N/A	☑ Preliminary Plat ☑ Final Plat			
	Base flood elevation (BFE) for subdivisions involving greater than five (5) acres or fifty (50) lots.  (Section IV.11)	N/A	☑ Preliminary Plat ☑ Final Plat			
	For subdivisions of five (5) lots or more, or at the discretion of the Board otherwise, the preliminary plat shall show contours at intervals no greater than two (2) feet.  Contours shall be shown in dotted lines for existing natural surface and in solid lines for proposed final grade, together with the final grade elevations shown in figures at all lot corners. If existing grades are not to be changed, then the contours in these areas shall be solid lines.  (Section IV.12/ V.12)	N/A	☑ Preliminary Plat ☑ Final Plat			

	Requirements for Preliminary/Final Plat					
Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested		
	Dates and permit numbers of all necessary permits from governmental agencies from which approval is required by Federal or State law.  (Section V.10)	N/A	□ Preliminary Plat ☑ Final Plat			
	For subdivisions involving greater than five (5) acres or fifty (50) lots, the final plat shall show hazard zones and shall include elevation data for flood hazard zones.  (Section V.11)	N/A	□ Preliminary Plat ☑ Final Plat			
	Location of all permanent monuments. (Section V.12)	Existing-No New Monuments	☐ Preliminary Plat ☑ Final Plat			

	General Requirement	ts¹	
Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
	<ul> <li>1. Basic Requirements: (VI.1)</li> <li>a. Conformity to Official Plan or Map</li> <li>b. Hazards</li> <li>c. Relation to Topography</li> <li>d. Planned Unit Development</li> </ul>	Lot Line Relocation Plan	
	<ul><li>2. Lots: (VI.2)</li><li>a. Lot Arrangement</li><li>b. Lot sizes</li><li>c. Commercial and Industrial Lots</li></ul>	Lot Line Relocation Plan	
0000000000000000	a. Relation to adjoining Street System b. Street Rights-of-Way c. Access d. Parallel Service Roads e. Street Intersection Angles f. Merging Streets g. Street Deflections and Vertical Alignment h. Marginal Access Streets i. Cul-de-Sacs j. Rounding Street Corners k. Street Name Signs l. Street Names m. Block Lengths n. Block Widths o. Grade of Streets p. Grass Strips	N/A	
	4. Curbing: (VI.4)	N/A	
	5. Driveways: (VI.5)	Existing	
	6. Drainage Improvements: (VI.6)	N/A	
	7. Municipal Water Service: (VI.7)	Existing	
	8. Municipal Sewer Service: (VI.8)	Existing	
	9. Installation of Utilities: (VI.9)  a. All Districts  b. Indicator Tape	N/A	
	10. On-Site Water Supply: (VI.10)	N/A	
	11. On-Site Sewage Disposal Systems: (VI.11)	N/A	
	<ul><li>12. Open Space: (VI.12)</li><li>a. Natural Features</li><li>b. Buffer Strips</li><li>c. Parks</li><li>d. Tree Planting</li></ul>	N/A	
00000	13. Flood Hazard Areas: (VI.13)  a. Permits  b. Minimization of Flood Damage  c. Elevation and Flood-Proofing Records  d. Alteration of Watercourses	N/A	
	14. Erosion and Sedimentation Control (VI.14)	N/A	

Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
00	<ul><li>15. Easements (VI.15)</li><li>a. Utilities</li><li>b. Drainage</li></ul>	Lot Line Relocation Plan	
	16. Monuments: (VI.16)	Lot Line Relocation Plan	
	17. Benchmarks: (VI.17)	N/A	
	18. House Numbers (VI.18)	Lot Line Relocation Plan	

	Design Standards		
	Required Items for Submittal	Indicate compliance and/or provide explanation as to alternative design	Waiver Requested
1.	Streets have been designed according to the design standards required under Section (VII.1).  a. Clearing b. Excavation c. Rough Grade and Preparation of Sub-Grade d. Base Course e. Street Paving f. Side Slopes g. Approval Specifications h. Curbing i. Sidewalks j. Inspection and Methods	N/A	
2.	Storm water Sewers and Other Drainage Appurtenances have been designed according to the design standards required under Section (VII.2).  a. Design  b. Standards of Construction	N/A	
3.	Sanitary Sewers have been designed according to the design standards required under Section (VII.3).  a. Design b. Lift Stations c. Materials d. Construction Standards	N/A	
4.	Water Mains and Fire Hydrants have been designed according to the design standards required under Section (VII.4).  a. Connections to Lots b. Design and Construction c. Materials d. Notification Prior to Construction	N/A	

	TILL LL	
Applicant's/Representative's Signature:_	MY NIP	Date:

 $<sup>^{\</sup>rm 1}$  See City of Portsmouth, NH Subdivision Rules and Regulations for details. Subdivision Application Checklist/January 2018