

Findings of Fact | Subdivision Rules and Regulations

City of Portsmouth Planning Board

Date: December 15, 2022

Property Address: 49 Sheafe Street

Application #: LU-22-179

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: 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 (Meets Standards/ Requirements)	Supporting Information
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 application has been reviewed by the Technical Advisory Committee (TAC) for conformance with the General Requirements. The application was recommended for approval on December 6, 2022 at the Technical Advisory Committee Meeting.
2	SECTION V - REQUIREMENTS FOR FINAL PLAT	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee (TAC) for conformance with the General Requirements. The application was recommended for approval on December 6, 2022 at the Technical Advisory Committee Meeting.
3	SECTION VI - GENERAL REQUIREMENTS	Meets	The application has been reviewed by the Technical Advisory Committee (TAC) for

	Subdivision Review Criteria	Finding (Meets Standards/ Requirements)	Supporting Information
		Does Not Meet	<p>conformance with the General Requirements.</p> <ul style="list-style-type: none"> No improvements proposed with except new water line for Lot 1. <p>The application was recommended for approval on December 6, 2022 at the Technical Advisory Committee Meeting.</p>
4	SECTION VII - DESIGN STANDARDS	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee (TAC) for conformance with these minimum requirements.</p> <ul style="list-style-type: none"> New water line service will be installed for Lot 1. Easements provided for utilities, access and maintenance for a no build area between Lot 1 and Lot 2. <p>The application was recommended for approval on December 6, 2022 at the Technical Advisory Committee Meeting.</p>
5	<u>Other Board Findings:</u>		
6	<u>Additional Conditions of Approval:</u>		

AMBIT ENGINEERING, INC. CIVIL ENGINEERS AND LAND SURVEYORS

200 Griffin Road, Unit 3, Portsmouth, NH 03801
Phone (603) 430-9282 Fax 436-2315

30 November 2022

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

RE: Application for Subdivision Approval, Tax Map 107, Lot 21, 49 Sheafe Street

Dear Chair Chellman and Planning Board members:

On behalf of the Jonathan Watson Sobel Revocable Trust, we submit herewith the attached package for the subdivision of one lot into two lots at the above-mentioned site. In support thereof, we are submitting a subdivision plan and associated materials for review and approval. The property is located at 49 Sheafe Street and is depicted on Portsmouth Tax Map 107 as Lot 21. The lot is in the CD 4 District and is also within the Historic District. The lot is developed with three separate buildings.

The proposal is to divide the property into two lots for estate planning purposes. Proposed Lot 1 will contain one of the existing buildings and will be 1,855 square feet in lot size. Pedestrian access from Sheafe Street is preserved with the conveyance of a walkway extending from Sheafe Street to the front door of the premises. This area also provides access to proposed Lot 2 which will continue. Parking for Lot 1 is in a garage accessed from Custom House Court. Proposed Lot 2 will be 3,548 square feet in lot size. The lot will contain two existing buildings, one building along Sheafe Street and a second detached building in the rear. Pedestrian and vehicle access is from Sheafe Street; with off street parking provided.

The Technical Advisory Committee has considered the merits of this subdivision application. As a result of the deliberations easements were created and shown on the attached Easement Plan, with proposed deeds included in the submission. The easements cover access, utilities, and building proximity restrictions. The existing water service for # 49 Sheafe (Rear) currently runs through the 49 Sheafe Street building, which is okay under single ownership, but the subdivision creates the need to have a water service for Lot 1 on Lot 1. Note 12 was added to the subdivision plan, and a proposed Water Service Plan created for permit acquisition. The city wanted to review the address assigned as # 49 Sheafe (Rear); it was determined that the # 49 Sheafe (Rear) address was appropriate. That determination (email response) is included in the submission.

The following plans are included in our submission:

- Subdivision Plan – This shows the existing as well as subdivided boundaries of the parcel. The plan shows the relevant zoning data, abutter references, and site features.
- Easement Plan – This plan shows two important easements for this subdivision. There is a proposed easement in the rear of Lot 2, adjacent to the building known as # 49 Sheafe (Rear). The easement is that portion of a 5-foot setback from the building edge which is over on to Lot 2. The 5-foot setback will provide two things: the easement will allow the # 49 Sheafe (Rear) building to maintain existing window placements in accordance with the IBC and preclude any future construction on Lot 2 in that area. The easement also allows the future owner of Lot 1 space to maintain the building, as needed. The second easement is along the existing walkway in the front of Lot 1 which will allow Lot 2 the use of the area for building maintenance, access, and utilities as needed.

We request that this application be placed on the agenda for the December 15th Planning Board Meeting.

We look forward to your review of this submission and our in-person presentation at the December Planning Board meeting. We respectfully request the Planning Board approve the proposed subdivision. Thank you for your time and attention to this proposal.

Sincerely,

John R. Chagnon

John R. Chagnon, PE
CC: Jonathan Sobel, Attorney John Bosen



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: _____

Applicant: _____

Phone Number: _____ E-mail: _____

Site Address 1: _____ Map: _____ Lot: _____

Site Address 2: _____ Map: _____ Lot: _____

Application Requirements			
	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Completed Application form. (III.C.2-3)		N/A
<input type="checkbox"/>	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)		N/A

Requirements for Preliminary/Final Plat				
	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested
<input checked="" type="checkbox"/>				
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A

Requirements for Preliminary/Final Plat				
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested
<input type="checkbox"/>	<p>Preliminary Plat Names and addresses of all adjoining property owners. (Section IV.2)</p> <p>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)</p>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input type="checkbox"/>	North point, date, and bar scale. (Section IV.3/V3)	Required on all Plan Sheets	<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input type="checkbox"/>	Zoning classification and minimum yard dimensions required. (Section IV.4/V.4)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input type="checkbox"/>	<p>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)</p> <p>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)</p>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	

Requirements for Preliminary/Final Plat				
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested
<input type="checkbox"/>	Location of significant physical features, including bodies of water, watercourses, wetlands, railroads, important vegetation, stone walls and soils types that may influence the design of the subdivision. (Section IV.9/V.8)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	Base flood elevation (BFE) for subdivisions involving greater than five (5) acres or fifty (50) lots. (Section IV.11)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	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)		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	

Requirements for Preliminary/Final Plat				
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Required for Preliminary / Final Plat	Waiver Requested
<input type="checkbox"/>	Dates and permit numbers of all necessary permits from governmental agencies from which approval is required by Federal or State law. (Section V.10)		<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	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)		<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	Location of all permanent monuments. (Section V.12)		<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	

General Requirements¹

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1. Basic Requirements: (VI.1) a. Conformity to Official Plan or Map b. Hazards c. Relation to Topography d. Planned Unit Development		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	2. Lots: (VI.2) a. Lot Arrangement b. Lot sizes c. Commercial and Industrial Lots		
<input type="checkbox"/> <input type="checkbox"/>	3. Streets: (VI.3) 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		
<input type="checkbox"/>	4. Curbing: (VI.4)		
<input type="checkbox"/>	5. Driveways: (VI.5)		
<input type="checkbox"/>	6. Drainage Improvements: (VI.6)		
<input type="checkbox"/>	7. Municipal Water Service: (VI.7)		
<input type="checkbox"/>	8. Municipal Sewer Service: (VI.8)		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	9. Installation of Utilities: (VI.9) a. All Districts b. Indicator Tape		
<input type="checkbox"/>	10. On-Site Water Supply: (VI.10)		
<input type="checkbox"/>	11. On-Site Sewage Disposal Systems: (VI.11)		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	12. Open Space: (VI.12) a. Natural Features b. Buffer Strips c. Parks d. Tree Planting		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	13. Flood Hazard Areas: (VI.13) a. Permits b. Minimization of Flood Damage c. Elevation and Flood-Proofing Records d. Alteration of Watercourses		
<input type="checkbox"/>	14. Erosion and Sedimentation Control (VI.14)		

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input type="checkbox"/>	15. Easements (VI.15) a. Utilities b. Drainage		
<input type="checkbox"/>	16. Monuments: (VI.16)		
<input type="checkbox"/>	17. Benchmarks: (VI.17)		
<input type="checkbox"/>	18. House Numbers (VI.18)		

Design Standards			
	Required Items for Submittal	Indicate compliance and/or provide explanation as to alternative design	Waiver Requested
<input type="checkbox"/>	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		
<input type="checkbox"/>	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		
<input type="checkbox"/>	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		
<input type="checkbox"/>	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		

Applicant's/Representative's Signature: _____ Date: _____

¹ See City of Portsmouth, NH Subdivision Rules and Regulations for details.
Subdivision Application Checklist/January 2018

Lot 1 Proposed Deed

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Jonathan W. Sobel, Trustee of the Jonathan Watson Sobel Revocable Trust**, having an address of 49 Sheafe Street, Portsmouth, New Hampshire 03801, grants to _____, having an address of _____, all right, title and interest in and to the following property:

A certain tract or parcel of land in Portsmouth, Rockingham County, New Hampshire, depicted as Lot 1 on a plan entitled "Subdivision Plan, Tax Map 107 – Lot 21, Land Of: The Jonathan Watson Sobel Revocable Trust, Property Located At: 49 Sheafe Street, City of Portsmouth, County of Rockingham, State of New Hampshire" prepared by Ambit Engineering, Inc., dated July 2022, and recorded at the Rockingham County Registry of Deeds as Plan D- _____ (the "Plan"). The said Lot 1 is more particularly bounded and described on the Plan as follows:

Beginning at a point along the brick sidewalk running along the northerly sideline of Sheafe Street at the easterly corner of land now or formerly of Thomas M. Bertrand;
Thence running North 24°22'58" West a distance of 49.15 feet to a point at the northerly corner of land now or formerly of Thomas M. Bertrand;
Thence turning and running South 68°17'52" West a distance of 49.75 feet to an iron rod with "Easterly" cap found, up 5";
Thence turning and running North 47°40'34" West a distance of 12.95 feet to an iron rod with cap found, flush;
Thence turning and running North 20°27'33" West a distance of 9.98 feet to an iron rod with cap found, flush;
Thence turning and running North 63°48'07" East a distance of 23.44 feet to an iron rod with "Easterly" cap found, up 2";
Thence turning and running North 20°41'15" West a distance of 7.62 feet to an iron rod with "Easterly" cap found, up 5";
Thence turning and running North 66°15'33" East along land now or formerly of Karen P. Wiese a distance of 30.40 feet to a point;
Thence turning and running South 23°57'53" East along land now or formerly of JTM Realty LLC a distance of 11.70 feet to a point;

Thence turning and running North 66°40'36" East along land now or formerly of JTM Realty LLC, a distance of 6.75 feet to a point;
Thence turning and running South 23°28'10" East along Lot 2 as shown on the Plan a distance of 19.34 feet to a point;
Thence turning and running South 19°51'30" East along Lot 2 as shown on the Plan a distance of 20.92 feet to a point;
Thence turning and running South 21°44'25" East along Lot 2 as shown on the Plan a distance of 29.73 feet to a point;
Thence turning and running South 71°49'01" West a distance of 3.54 feet to the easterly corner of land now or formerly of Thomas M. Bertrand and the point and place of beginning.

Conveyed TOGETHER WITH a Building Maintenance Easement as shown on the Plan. The easement area is depicted as "Proposed Building Maintenance Easement – 77 S.F." on a plan entitled "Easement Plan, Tax Map 107 – Lot 21, Land Of: The Jonathan Watson Sobel Revocable Trust, Property Located At: 49 Sheafe Street, City of Portsmouth, County of Rockingham, State of New Hampshire" prepared by Ambit Engineering, Inc., dated September 2022, and recorded at the Rockingham County Registry of Deeds as Plan D-_____ (the "Easement Plan"). The easement area is more particularly bounded and described on the Easement Plan as follows:

Beginning at the northwesterly corner of Lot 2 as shown on the Easement Plan;
Thence turning and running North 66°40'36" East a distance of 3.15 feet to a point;
Thence turning and running South 23°28'10" East a distance of 24.30 feet to a point;
Thence turning and running South 0°08'30" West a distance of 3.46 feet to a point;
Thence turning and running North 19°51'30" West a distance of 4.76 feet to a point;
Thence turning and running North 23°28'10" West a distance of 19.34 feet to the northwesterly corner of Lot 2 and the point and place of beginning.

Conveyed SUBJECT TO that certain Building Maintenance, Access & Utility Easement depicted as "Proposed Building Maintenance, Access & Utility Easement – 161 S.F." on the Easement Plan. The easement area is more particularly bounded and described on the Easement Plan as follows:

Beginning at a point at the southerly corner of Lot 2 as shown on the Easement Plan;
Thence running South 71°49'01" West a distance of 3.54 feet to a point;
Thence turning and running North 24°22'58" West a distance of 36.33 feet to a point;
Thence turning and running North 63°24'58" East a distance of 5.47 feet to a point;
Thence turning and running South 19°51'30" East a distance of 7.25 feet to a point;
Thence turning and running South 21°44'25" East a distance of 29.73 feet to the southerly corner of Lot 2 and the point and place of beginning.

Meaning and intending to describe and convey (i) a portion only of the property conveyed to Jonathan W. Sobel, Trustee of The Jonathan Watson Sobel Revocable Trust by Fiduciary Deed of Bernard W. Pelech and Robert W. Brewster, co-Executors of the Estate of Jay M. Smith, dated March 14, 2003, and recorded at the Rockingham County Registry of

Deeds at Book 3947, Page 2066; and (ii) all and the same property conveyed to Jonathan W. Sobel, Trustee of The Jonathan Watson Sobel Revocable Trust by Quitclaim Deed of John C. Russo, dated August 11, 2006, and recorded at the Rockingham County Registry of Deeds at Book 4712, Page 398.

HOMESTEAD PROPERTY?

TRUSTEE CERTIFICATE

The undersigned, Jonathan W. Sobel, in his capacity as Trustee of The Jonathan Watson Sobel Revocable Trust, established by Agreement dated _____, has full and absolute power under said Trust Agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or is properly exercising said power or to see to the application of any Trust asset paid to the Trustee for a conveyance thereof.

Witness my hand this _____ day of _____ 2022.

The Jonathan Watson Sobel Revocable Trust

By: _____
Jonathan W. Sobel, Trustee

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

The foregoing instrument was acknowledged before me on _____, 2022, by Jonathan W. Sobel, Trustee of The Jonathan Watson Sobel Revocable Trust.

NOTARY PUBLIC
My Commission Expires:

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Jonathan W. Sobel, Trustee of the Jonathan Watson Sobel Revocable Trust**, having an address of 49 Sheafe Street, Portsmouth, New Hampshire 03801, grants to _____, having an address of _____, all right, title and interest in and to the following property:

A certain tract or parcel of land in Portsmouth, Rockingham County, New Hampshire, depicted as Lot 2 on a plan entitled “Subdivision Plan, Tax Map 107 – Lot 21, Land Of: The Jonathan Watson Sobel Revocable Trust, Property Located At: 49 Sheafe Street, City of Portsmouth, County of Rockingham, State of New Hampshire” prepared by Ambit Engineering, Inc., dated July 2022, and recorded at the Rockingham County Registry of Deeds as Plan D- _____ (the “Plan”). The said Lot 2 is more particularly bounded and described on the Plan as follows:

Beginning at a point along the brick sidewalk running along the northerly sideline of Sheafe Street at the southerly corner of the said Lot 2;
Thence running North 21°44’25” West a distance of 29.73 feet to a point;
Thence turning and running North 19°51’30” West a distance of 20.92 feet to a point;
Thence turning and running North 23°28’10” West a distance of 19.34 feet to a point;
Thence turning and running North 66°40’36” East along land now or formerly of JTM Realty LLC, a distance of 37.51 feet to a point;
Thence turning and running North 70°52’21” East along land now or formerly of 117-123 Daniel Street Condominium, a distance of 11.58 feet to a drill hole found in a concrete wall;
Thence turning and running South 20°09’47” East a distance of 17.51 feet to a point;
Thence turning and running South 23°32’21” East a distance of 56.14 feet to a point;
Thence turning and running South 71°49’01” West along a brick sidewalk running along the northerly sideline of Sheafe Street to the point and place of beginning.

SUBJECT TO a Building Maintenance Easement for the benefit of Lot 1 as shown on the Plan. The easement area is depicted as “Proposed Building Maintenance Easement – 77 S.F.” on a plan entitled “Easement Plan, Tax Map 107 – Lot 21, Land Of: The Jonathan Watson Sobel Revocable Trust, Property Located At: 49 Sheafe Street, City of Portsmouth, County of Rockingham, State of New Hampshire” prepared by Ambit Engineering, Inc.,

dated September 2022, and recorded at the Rockingham County Registry of Deeds as Plan D- _____ (the "Easement Plan"). This easement is a no-build easement and the owner of the property conveyed herein shall not build any structures within the easement area. The easement area is more particularly bounded and described on the Easement Plan as follows:

Beginning at the northwesterly corner of Lot 2 as shown on the Easement Plan;
Thence turning and running North 66°40'36" East a distance of 3.15 feet to a point;
Thence turning and running South 23°28'10" East a distance of 24.30 feet to a point;
Thence turning and running South 0°08'30" West a distance of 3.46 feet to a point;
Thence turning and running North 19°51'30" West a distance of 4.76 feet to a point;
Thence turning and running North 23°28'10" West a distance of 19.34 feet to the northwesterly corner of Lot 2 and the point and place of beginning.

Also conveyed TOGETHER WITH that certain Building Maintenance, Access & Utility Easement depicted as "Proposed Building Maintenance, Access & Utility Easement – 161 S.F." on the Easement Plan. The easement area is more particularly bounded and described on the Easement Plan as follows:

Beginning at a point at the southerly corner of Lot 2 as shown on the Easement Plan;
Thence running South 71°49'01" West a distance of 3.54 feet to a point;
Thence turning and running North 24°22'58" West a distance of 36.33 feet to a point;
Thence turning and running North 63°24'58" East a distance of 5.47 feet to a point;
Thence turning and running South 19°51'30" East a distance of 7.25 feet to a point;
Thence turning and running South 21°44'25" East a distance of 29.73 feet to the southerly corner of Lot 2 and the point and place of beginning.

Meaning and intending to describe and convey a portion only of the property conveyed to Jonathan W. Sobel, Trustee of The Jonathan Watson Sobel Revocable Trust by Fiduciary Deed of Bernard W. Pelech and Robert W. Brewster, co-Executors of the Estate of Jay M. Smith, dated March 14, 2003, and recorded at the Rockingham County Registry of Deeds at Book 3947, Page 2066.

HOMESTEAD PROPERTY?

TRUSTEE CERTIFICATE

The undersigned, Jonathan W. Sobel, in his capacity as Trustee of The Jonathan Watson Sobel Revocable Trust, established by Agreement dated _____, has full and absolute power under said Trust Agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or is properly exercising said power or to see to the application of any Trust asset paid to the Trustee for a conveyance thereof.

Witness my hand this _____ day of _____ 2022.

The Jonathan Watson Sobel Revocable Trust

By: _____
Jonathan W. Sobel, Trustee

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

The foregoing instrument was acknowledged before me on _____, 2022, by
Jonathan W. Sobel, Trustee of The Jonathan Watson Sobel Revocable Trust.

NOTARY PUBLIC
My Commission Expires:

John Chagnon

From: Patrick R. Howe <prhowe@cityofportsmouth.com>
Sent: Monday, November 21, 2022 9:54 AM
To: John Chagnon; Fire Prevention
Cc: Peter M. Stith; Beverly M. Zendt; jwsobel@gmail.com
Subject: RE: Site Visit 49 Sheafe Street

That is correct. After visiting the property with Mr. Sobel and observing the interior layout, I agree that the building in question should have a Sheafe St address. Proper marking of the address will be important.

Patrick R. Howe
Deputy Fire Chief
Portsmouth Fire Department
170 Court St.
Portsmouth, NH 03801
603.610.7350
prhowe@cityofportsmouth.com

-----Original Message-----

From: John Chagnon [mailto:jrc@ambitengineering.com]
Sent: Monday, November 21, 2022 9:17 AM
To: Fire Prevention <FirePrevention@cityofportsmouth.com>
Cc: Peter M. Stith <pmstith@cityofportsmouth.com>; Beverly M. Zendt <bmzendt@cityofportsmouth.com>; jwsobel@gmail.com
Subject: Site Visit 49 Sheafe Street

Patrick;

I understand that you met with Jonathan Sobel last Thursday at his Sheafe Street property. Jonathan told me that as a result of that meeting the address for the lot to be created will be a Sheafe Street address. Can you please confirm this via a letter or email in advance of our November 28th submission deadline? Thank you.

Sincerely,

John Chagnon, PE, LLS
Ambit Engineering
200 Griffin Road
Unit 3
Portsmouth, NH 03801
603-430-9282 (308)
FAX 603-436-2315
jrc@ambitengineering.com

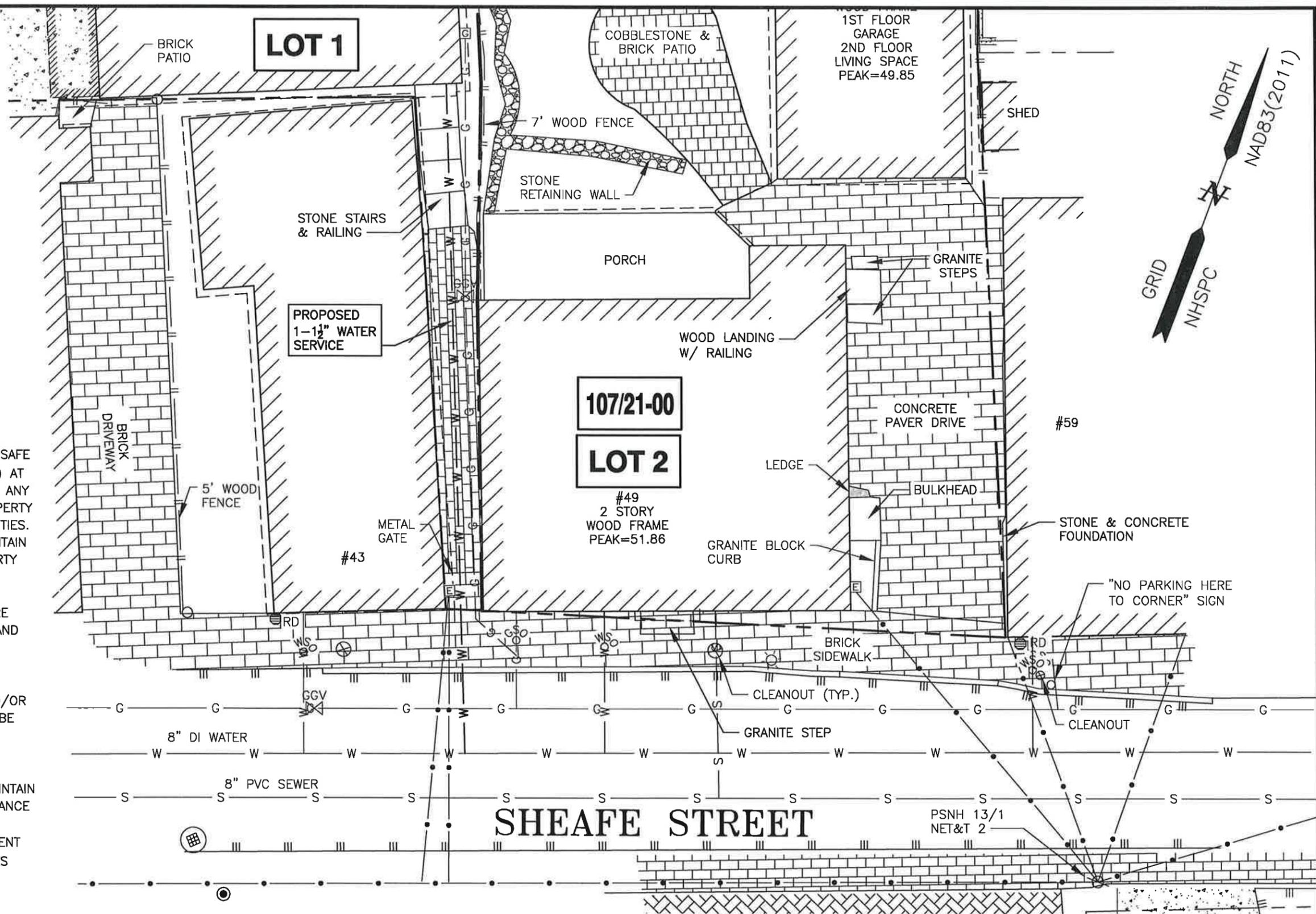


NOTES:

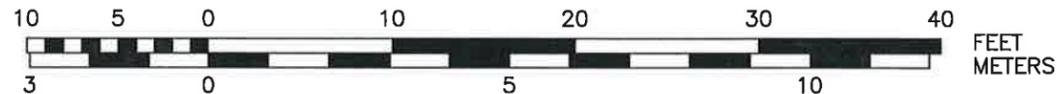
1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY WITHIN 100 FEET OF UNDERGROUND UTILITIES. THE EXCAVATOR IS RESPONSIBLE TO MAINTAIN MARKS. DIG SAFE TICKETS EXPIRE IN THIRTY DAYS.

2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.

3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORMWATER MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION. (NHDES DECEMBER 2008).



GRAPHIC SCALE



WATER SERVICE PLAN

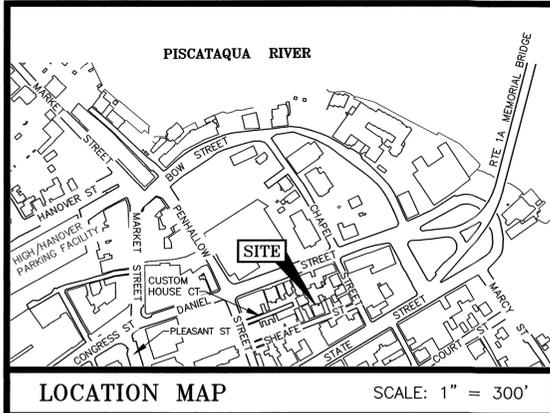
SCALE: 1"=10'

27 OCTOBER 2022



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors

200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315



LEGEND:

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
RCRD	ROCKINGHAM COUNTY
	REGISTRY OF DEEDS
(11/21)	MAP 11 / LOT 21
---	BOUNDARY
- - -	SETBACK
○	IRON ROD/PIPE FOUND
●	DRILL HOLE FOUND
—●—	OVERHEAD ELECTRIC/WIRES
—	EDGE OF PAVEMENT (EP)
RD	ROOF DRAIN
○	UTILITY POLE
○	GAS SHUT OFF
○	WATER SHUT OFF/CURB STOP
○	GAS GATE VALVE
□	METER (GAS, ELECTRIC)
□	CATCH BASIN
○	SEWER MANHOLE
+	SIGNS
EL	ELEVATION
FF	FINISHED FLOOR
TBM	TEMPORARY BENCHMARK
TYP.	TYPICAL
VGC	VERTICAL GRANITE CURB

IMPERVIOUS SURFACE AREAS (TO PROPERTY LINE)

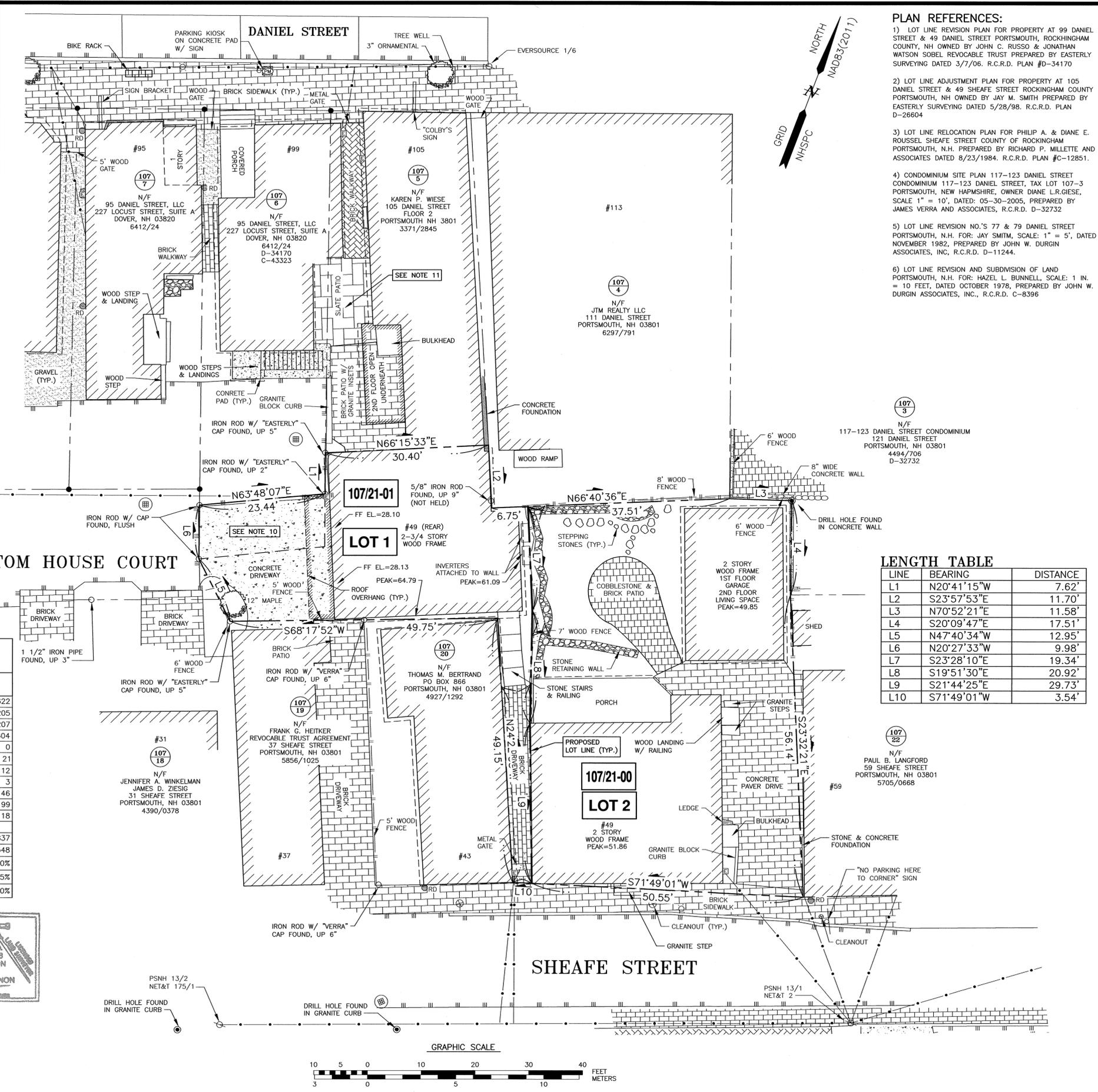
STRUCTURE	LOT 1	LOT 2
MAIN STRUCTURES	1,020	1,622
PORCH	0	205
PATIO	0	207
DRIVEWAY	482	604
PAVEMENT	15	0
STEPS/LANDINGS	55	21
BULKHEAD	0	12
CURB	0	3
BRICK SIDEWALK	159	46
STONE RETAINING WALL	0	99
STEPPING STONES WALK	0	18
TOTAL	1,731	2,837
LOT SIZE	1,855	3,548
% LOT COVERAGE	93.3%	80.0%
% BUILDING COVERAGE	55.0%	51.5%
% OPEN SPACE	11.5%	26.0%

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

John R. Chagnon 11.1.22
 JOHN R. CHAGNON, LLS #738 DATE

APPROVED BY THE PORTSMOUTH PLANNING BOARD

CHAIRMAN DATE



- PLAN REFERENCES:**
- LOT LINE REVISION PLAN FOR PROPERTY AT 99 DANIEL STREET & 49 DANIEL STREET PORTSMOUTH, ROCKINGHAM COUNTY, NH OWNED BY JOHN C. RUSSO & JONATHAN WATSON SOBEL REVOCABLE TRUST PREPARED BY EASTERLY SURVEYING DATED 3/7/06. R.C.R.D. PLAN #D-34170
 - LOT LINE ADJUSTMENT PLAN FOR PROPERTY AT 105 DANIEL STREET & 49 SHEAFE STREET ROCKINGHAM COUNTY PORTSMOUTH, NH OWNED BY JAY M. SMITH PREPARED BY EASTERLY SURVEYING DATED 5/28/98. R.C.R.D. PLAN D-26604
 - LOT LINE RELOCATION PLAN FOR PHILIP A. & DIANE E. ROUSSEL SHEAFE STREET COUNTY OF ROCKINGHAM PORTSMOUTH, N.H. PREPARED BY RICHARD P. MILLETTE AND ASSOCIATES DATED 8/23/1984. R.C.R.D. PLAN #C-12851.
 - CONDOMINIUM SITE PLAN 117-123 DANIEL STREET CONDOMINIUM 117-123 DANIEL STREET, TAX LOT 107-3 PORTSMOUTH, NEW HAMPSHIRE, OWNER DIANE L.R. GIESE, SCALE 1" = 10', DATED: 05-30-2005, PREPARED BY JAMES VERRA AND ASSOCIATES, R.C.R.D. D-32732
 - LOT LINE REVISION NO.'S 77 & 79 DANIEL STREET PORTSMOUTH, N.H. FOR: HAZEL L. BUNNELL, SCALE: 1" = 5', DATED NOVEMBER 1982, PREPARED BY JOHN W. DURGIN ASSOCIATES, INC., R.C.R.D. D-11244.
 - LOT LINE REVISION AND SUBDIVISION OF LAND PORTSMOUTH, N.H. FOR: HAZEL L. BUNNELL, SCALE: 1 IN. = 10 FEET, DATED OCTOBER 1978, PREPARED BY JOHN W. DURGIN ASSOCIATES, INC., R.C.R.D. C-8396

LENGTH TABLE

LINE	BEARING	DISTANCE
L1	N20°41'15"W	7.62'
L2	S23°57'53"E	11.70'
L3	N70°52'21"E	11.58'
L4	S20°09'47"E	17.51'
L5	N47°40'34"W	12.95'
L6	N20°27'33"W	9.98'
L7	S23°28'10"E	19.34'
L8	S19°51'30"E	20.92'
L9	S21°44'25"E	29.73'
L10	S71°49'01"W	3.54'

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 Fax (603) 436-2315

- NOTES:**
- PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 107 AS LOT 21.
 - OWNERS OF RECORD:
 JONATHAN WATSON SOBEL REVOCABLE TRUST
 JONATHAN W. SOBEL TRUSTEE
 49 SHEAFE STREET
 PORTSMOUTH, NH 03801
 4712/0398 & 3947/2066
 D-34170
 - PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33015C0259F. EFFECTIVE DATE 1/29/2021.
 - EXISTING LOT AREA:
 5,402 S.F.
 0.1240 ACRES
 - PROPOSED LOT AREAS:

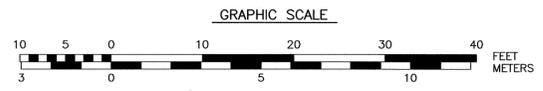
LOT 1:	1,855 S.F.	0.0426 ACRES
LOT 2:	3,548 S.F.	0.0814 ACRES
 - PARCEL IS LOCATED IN (CD4) CHARACTER DISTRICT 4.
 - DIMENSIONAL REQUIREMENTS:
 LOT AREA: NR
 OPEN SPACE: 10%
 MAXIMUM FRONT YARD: 10'
 SIDE YARD: NR
 REAR YARD: 5'
 BUILDING COVERAGE: 90%
 FRONTAGE: NOT LISTED
 (NR = NOT REQUIRED)
 SEE CITY OF PORTSMOUTH ZONING ORDINANCE FOR ADDITIONAL REQUIREMENTS.
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE SUBDIVISION OF ASSESSORS MAP 107 LOT 21 INTO TWO LOTS.
 - VERTICAL DATUM IS NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS.
 - PARCEL IS SUBJECT TO A RIGHT OF WAY OVER A PORTION OF THE NORTH WESTERLY CORNER ADJACENT TO CUSTOM HOUSE COURT. SEE RCRD 4712-399 & D-34170.
 - PARCEL IS BENEFITED BY AN EASEMENT TO USE A CERTAIN WALKWAY ALONG THE WESTERLY SIDE OF ASSESSOR'S MAP 107 LOT 5, EXTENDING FROM DANIEL STREET TO THE SUBJECT PARCEL. SEE RCRD 2006/183 (2362/1669) & D-26604.
 - LOT 1 WILL BE SERVED BY A NEW WATER SERVICE (CONSTRUCTION REQUIRED), PLAN ON FILE WITH CITY. EXISTING LOT 1 WATER SERVICE SHALL BE ABANDONED.

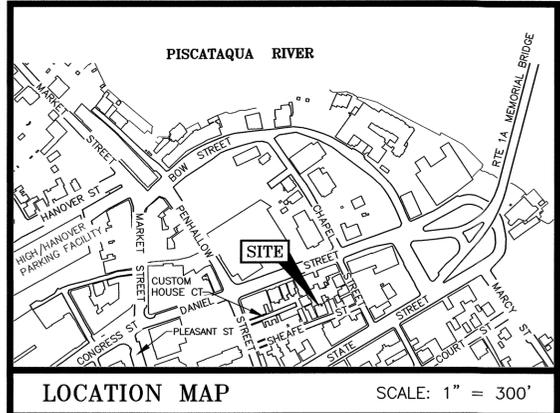
NO.	DESCRIPTION	DATE
2	NOTES #7 & #12	11/1/22
1	TAX MAP & LOT #'S; NOTE #12	9/26/22
0	ISSUED FOR COMMENT	8/30/22

SUBDIVISION PLAN
TAX MAP 107 - LOT 21

LAND OF:
THE JONATHAN WATSON SOBEL REVOCABLE TRUST
 PROPERTY LOCATED AT:
49 SHEAFE STREET
 CITY OF PORTSMOUTH
 COUNTY OF ROCKINGHAM
 STATE OF NEW HAMPSHIRE

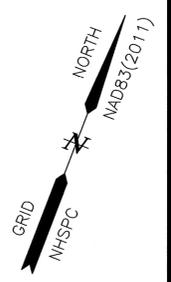
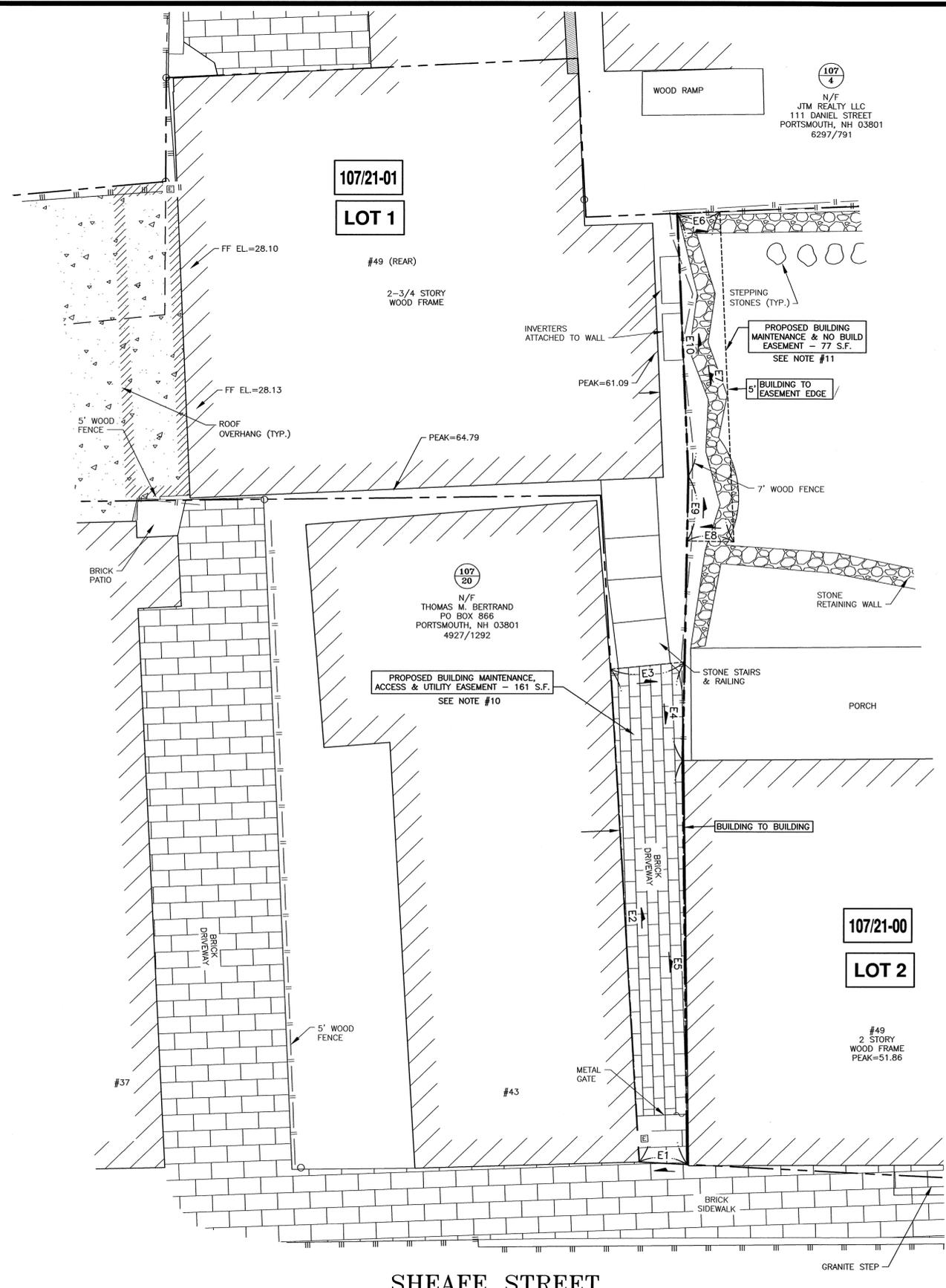
SCALE: 1" = 10'
 JULY 2022





EASEMENT LENGTH TABLE

LINE	BEARING	DISTANCE
E1	S71°49'01"W	3.54'
E2	N24°22'58"W	36.33'
E3	N63°24'58"E	5.47'
E4	S19°51'30"E	7.25'
E5	S21°44'25"E	29.73'
E6	N66°40'36"E	3.15'
E7	S23°28'10"E	24.30'
E8	S70°08'30"W	3.46'
E9	N19°51'30"W	4.76'
E10	N23°28'10"W	19.34'



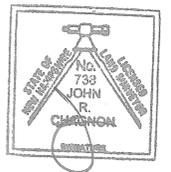
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- NOTES:**
- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 107 AS LOT 21.
 - 2) OWNERS OF RECORD:
 JONATHAN WATSON SOBEL REVOCABLE TRUST
 JONATHAN W. SOBEL TRUSTEE
 49 SHEAFE STREET
 PORTSMOUTH, NH 03801
 4712/0398 & 3947/2066
 D-34170
 - 3) PARCEL IS NOT IN A FLOOD HAZARD ZONE AS SHOWN ON FIRM PANEL 33015C0259F. EFFECTIVE DATE 1/29/2021.
 - 4) EXISTING LOT AREA:
 5,402 S.F.
 0.1240 ACRES
 - 5) PROPOSED LOT AREAS:

LOT 1:	LOT 2:
1,855 S.F.	3,548 S.F.
0.0426 ACRES	0.0814 ACRES
 - 6) PARCEL IS LOCATED IN (CD4) CHARACTER DISTRICT 4.
 - 7) DIMENSIONAL REQUIREMENTS:
 SEE CITY OF PORTSMOUTH ZONING ORDINANCE
 - 8) THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF PROPOSED BUILDING MAINTENANCE, ACCESS & UTILITY EASEMENTS ON ASSESSORS MAP 107 LOT 21 AS SUBDIVIDED.
 - 10) BUILDING MAINTENANCE, ACCESS & UTILITY EASEMENT OVER ASSESSOR'S MAP 107 LOT 21-01 TO BENEFIT ASSESSOR'S MAP 107 LOT 21-00.
 - 11) BUILDING MAINTENANCE EASEMENT OVER ASSESSOR'S MAP 107 LOT 21-00 TO BENEFIT ASSESSOR'S MAP 107 LOT 21-01.

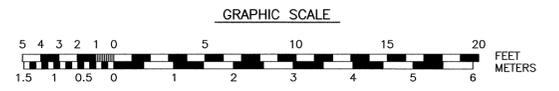
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[Signature] 10.28.22
 JOHN R. CHAGNON, LLS #738 DATE



APPROVED BY THE PORTSMOUTH PLANNING BOARD

CHAIRMAN _____ DATE _____



NO.	DESCRIPTION	DATE
1	ABUTTERS, NOTES	10/28/22
0	ISSUED FOR COMMENT	9/26/22

EASEMENT PLAN
TAX MAP 107 - LOT 21
 LAND OF:
THE JONATHAN WATSON SOBEL REVOCABLE TRUST
 PROPERTY LOCATED AT:
 49 SHEAFE STREET
 CITY OF PORTSMOUTH
 COUNTY OF ROCKINGHAM
 STATE OF NEW HAMPSHIRE