

**CITY OF PORTSMOUTH PLANNING BOARD**  
**LOT LINE ADJUSTMENT APPLICATION NARRATIVE**

Aaron Long and Tara Welby, Trustees of the Welby Long Family Revocable Trust  
Tax Map 162, Lot 2  
255 Thornton Street  
Portsmouth, NH 03801  
(“Applicant”)

&

Jeffrey McMahon & Lisa Hagerty-McMahon  
Tax Map 162, Lot 1  
245 Thornton Street  
Portsmouth, NH 03801

Approval of this lot line adjustment application is the last step to consummate a settlement agreement that resolves a boundary dispute between the neighbors named herein, as follows.

Aaron Long and Tara Welby, Trustees of the Welby Long Family Revocable Trust (the “Applicant”) own the property located at 255 Thornton Street, Portsmouth, identified as Portsmouth Tax Map 162, Lot 2 (the “Welby-Long Property”). Jeffrey McMahon and Lisa Hagerty-McMahon own the abutting property located at 245 Thornton Street, identified as Portsmouth Tax Map 162, Lot 1 (the “McMahon Property”). The Welby-Long Property is 11,054 square feet (0.254 acre) and contains one single-family dwelling. The McMahon Property is 8,447 square feet (0.194 acre) and contains one single-family dwelling and a detached barn. Both properties are in the General Residence A (“GRA”) zoning district.

The Welby-Longs had their property surveyed in 2023 which depicted the Welby-Long Property boundary extending beyond the line of a fence between the two properties. *See* plan entitled, “Plan of Land owned by Welby-Long Family Revocable Trust, for land known as Tax Map 162, Lot 2, located along 255 Thornton Street, Portsmouth, N.H.,” prepared by Knight Hill Land Surveying Services, Inc., dated June 26, 2023, and attached as Exhibit A.

The Welby-Longs and the McMahons (together, the “Parties”) have disputed the shared boundary between the two properties since at least the summer of 2024. In October 2024, the McMahons commenced litigation to resolve the dispute. The distance between the surveyed property line and the fence, which ran along a curve, was approximately three feet at its widest point. The Parties have reached a settlement to adjust the lot line between the two properties so that the revised lot line lies closer to the line of the old fence, which has since been removed. The Parties intend to obtain a final decree from the Rockingham County Superior Court settling the litigation upon approval of this lot line adjustment application by this Board.

As shown on the Lot Line Adjustment Plan entitled, “Lot Line Revision, 245 & 255 Thornton Street, Portsmouth, New Hampshire, Tax Map 152, Lot 1 & 2, Prepared for and Land of

Jeffrey Paul McMahon & Lisa Hagerty-McMahon and Welby-Long Family Revocable Trust u/t/d August 5, 2011, Aaron G. Long & Tara A. Welby, Trustees," prepared by James Verra & Associates, Inc., dated January 21, 2026, and attached as Exhibit B (the "Plan"), the Parties seek to relocate the shared lot line 3.01 feet to the west toward the Welby-Long Property. The adjusted lot line will run from the rear of the properties to a Norway maple tree, then turn and run to the existing boundary monument on Thornton Street. The purpose of the jog in the relocated lot line is to allow for shared ownership of a Norway maple tree and to prevent a change in frontage to the properties which would necessitate relief from the Zoning Board of Adjustment.

By the lot line adjustment, the McMahon Property will add an area of 454 square feet, identified on the Plan as the "Claimed Area," making it more conforming with the provisions of the City of Portsmouth Zoning Ordinance (the "Ordinance"). The resulting McMahon Property will increase to 8,901 square feet of lot area (0.204 acre). The resulting Welby-Long Property will decrease to 10,600 square feet of lot area (0.243 acre) but will remain in conformance with the minimum lot size set forth in Section 10.521 of the Ordinance. There will be no changes to the existing frontage of either property. Neither lot will be made more nonconforming with the provisions of the Ordinance by the lot line adjustment. The 96 square foot shed located on the Welby-Long Property is exempt from the provisions of the Ordinance in accordance with Section 10.811.

The Applicant seeks a waiver from Section IX, 1 of the Subdivision Rules and Regulations. No work, improvements, or installations of any kind will be conducted within the area to be conveyed by the approved lot line adjustment or in relation to the change in lot lines, nor any changes to any streets shown on the Plan. Accordingly, no Improvement and Installation Bond should be required of the Parties prior to final approval.

The Welby-Longs and the McMahons, especially in recognition of their mutual hard work and collaboration to have brokered each and every term of their agreement with each other, respectfully request approval of the Lot Line Adjustment Application to allow the conveyance of the claimed area to the McMahons in accordance with the final settlement of the Parties.

Respectfully submitted,  
By Durbin Law Offices PLLC

January 26, 2026

By:   
Darcy Peyser, Esq.  
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Portsmouth, NH 03801  
[darcy@durbinlawoffices.com](mailto:darcy@durbinlawoffices.com)  
603-287-4764

# Findings of Fact | Subdivision Rules and Regulations

## City of Portsmouth Planning Board

Date: February 19, 2026

Property Address: 245-255 Thornton Street

Application #: LU-26-10

Decision:  Approve       Deny       Approve with Conditions

### Findings of Fact:

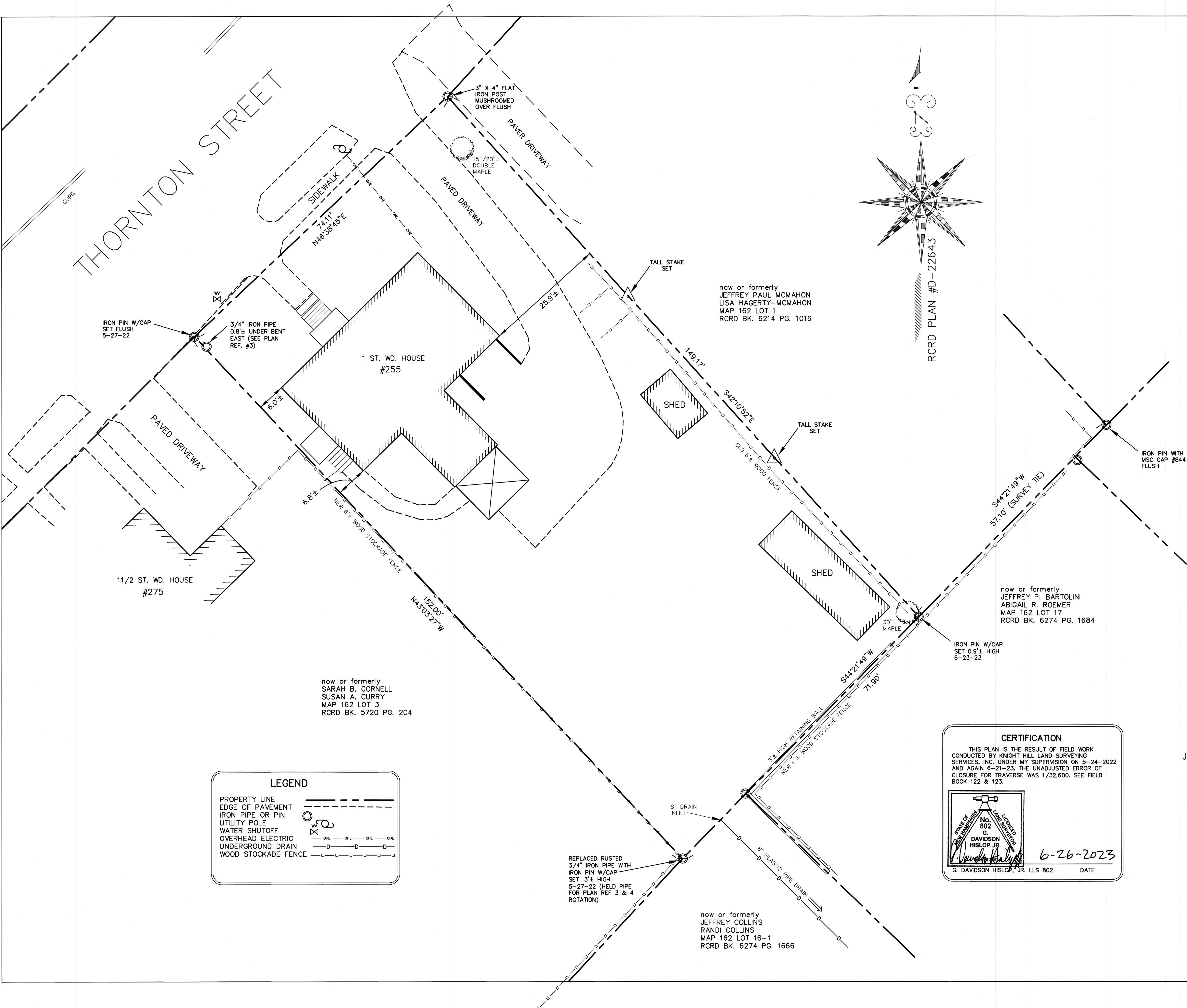
Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. 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 (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. <b>SECTION IV - REQUIREMENTS FOR PRELIMINARY PLAT</b>	Meets  Does Not Meet	The submitted plan meets the requirements for section IV – requirements for preliminary Plat pertinent to a lot line adjustment application. See submitted LLA Plan.
2	<b>SECTION V - REQUIREMENTS FOR FINAL PLAT</b>	Meets  Does Not Meet	The submitted plan meets the requirements for section V – requirements for final Plat pertinent to a lot line adjustment application. See submitted LLA Plan.
3	<b>SECTION VI - GENERAL REQUIREMENTS</b>	Meets  Does Not Meet	The submitted plan meets the requirements for section V – requirements for final Plat pertinent to a lot line adjustment application where to resolve an encroachment/boundary dispute issue. See submitted LLA Plan.
4	<b>SECTION VII - DESIGN STANDARDS</b>	Meets	No construction is proposed. This is a simple lot line adjustment application to resolve an

	<b>Subdivision Review Criteria</b>	<b>Finding (Meets Standards/ Requirements)</b>	<b>Supporting Information</b>
		<b>Does Not Meet</b>	encroachment/boundary line dispute issue subject to RSA 676:4 I(e)(1). See submitted LLA Plan.
5	<b><u>Other Board Findings:</u></b>		

DRAFT

# EXHIBIT A







## 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: Welby Long Family Rev. Trust / Jeff & Lisa McMahon Date Submitted: 1/26/2026

Applicant: Aaron Long & Tara Welby, Trustees of the Welby Long Family Rev. Trust

Phone Number: (508) 212 8395 E-mail: aaron.long.ma@gmail.com

Site Address 1: 255 Thornton Street Map: 162 Lot: 1

Site Address 2: 245 Thornton Street Map: 162 Lot: 1

Application Requirements				
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)	Waiver Requested	
<input checked="" type="checkbox"/>	Completed Application form. <b>(III.C.2-3)</b>	<b>via Viewpoint</b>	N/A	
<input checked="" 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. <b>(III.C.4)</b>	via Viewpoint	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 checked="" 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. <b>(Section IV.1/V.1)</b>		<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 checked="" type="checkbox"/>	<b>Preliminary Plat</b> Names and addresses of all adjoining property owners. <b>(Section IV.2)</b> <b>Final Plat</b> 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. <b>(Section V.2)</b>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input checked="" type="checkbox"/>	North point, date, and bar scale. <b>(Section IV.3/V3)</b>	Required on all Plan Sheets	<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input checked="" type="checkbox"/>	Zoning classification and minimum yard dimensions required. <b>(Section IV.4/V.4)</b>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input checked="" type="checkbox"/>	<b>Preliminary Plat</b> Scale (not to be smaller than one hundred (100) feet = 1 inch) and location map (at a scale of 1" = 1000'). <b>(Section IV.5)</b> <b>Final Plat</b> 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 may either affect or be affected by the proposed development. <b>(Section V.5)</b>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input checked="" 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. <b>(Section IV.6)</b>		<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. <b>(Section V.6/ IV.7)</b>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	N/A
<input checked="" 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. <b>(Section IV.8/V.7)</b>		<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 checked="" 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. <b>(Section IV.9/V.8)</b>		<input checked="" type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input type="checkbox"/>	<p><b>Preliminary Plat</b> 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. <b>(Section IV.10)</b></p> <p><b>Final Plat</b> 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. <b>(Section V.9)</b></p>		<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. <b>(Section IV.10)</b>		<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. <b>(Section IV.11)</b>		<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. <b>(Section IV.12/ V.12)</b>		<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. <b>(Section V.10)</b>		<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. <b>(Section V.11)</b>		<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	
<input checked="" type="checkbox"/>	Location of all permanent monuments. <b>(Section V.12)</b>		<input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat	



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

Design Standards			
	Required Items for Submittal	Indicate compliance and/or provide explanation as to alternative design	Waiver Requested
<input type="checkbox"/>	<b>1. Streets have been designed according to the design standards required under Section (VII.1).</b> <ul style="list-style-type: none"> <li>a. Clearing</li> <li>b. Excavation</li> <li>c. Rough Grade and Preparation of Sub-Grade</li> <li>d. Base Course</li> <li>e. Street Paving</li> <li>f. Side Slopes</li> <li>g. Approval Specifications</li> <li>h. Curbing</li> <li>i. Sidewalks</li> <li>j. Inspection and Methods</li> </ul>	N/A: no change to street design	
<input type="checkbox"/>	<b>2. Storm water Sewers and Other Drainage Appurtenances have been designed according to the design standards required under Section (VII.2).</b> <ul style="list-style-type: none"> <li>a. Design</li> <li>b. Standards of Construction</li> </ul>	N/A: no change to drainage features	
<input type="checkbox"/>	<b>3. Sanitary Sewers have been designed according to the design standards required under Section (VII.3).</b> <ul style="list-style-type: none"> <li>a. Design</li> <li>b. Lift Stations</li> <li>c. Materials</li> <li>d. Construction Standards</li> </ul>	N/A: no change to sewer designs	
<input type="checkbox"/>	<b>4. Water Mains and Fire Hydrants have been designed according to the design standards required under Section (VII.4).</b> <ul style="list-style-type: none"> <li>a. Connections to Lots</li> <li>b. Design and Construction</li> <li>c. Materials</li> <li>d. Notification Prior to Construction</li> </ul>	N/A: no change to existing mains or hydrants	

Applicant's/Representative's Signature: Darcy Peysen Digitally signed by Darcy Peysen  
Date: 2026.01.25 13:08:44  
-05'00' Date: 1/26/2026

<sup>1</sup> See City of Portsmouth, NH Subdivision Rules and Regulations for details.