

## BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

City of Rochester Planning Department  
Attention Mr. Ryan O'Connor, Senior Planner  
33 Wakefield Street  
Rochester, NH 03867

November 22, 2022

Re: Lot Line Revision  
Timothy & Sally Fontneau  
14 Highland Street & 928 & 932 Portland Street  
Tax Map 103, Lots 72, 104, & 105  
Rochester N.H.

Mr. O'Connor,

On behalf of Timothy & Sally Fontneau, Berry Surveying & Engineering (BS&E) submits for Planning Board review a Lot Line Revision to revise the lot lines of the 3 above parcels.

### **Background and General Narrative:**

Timothy & Sally Fontneau own the parcels known as 14 Highland Street & 928 & 932 Portland Street. The parcels have been surveyed by Berry Surveying & Engineering in the Fall of 2022 and a wetlands analysis was conducted by John P. Hayes III, CWS. There were no wetlands or hydric soils found on site or within 50' of the lot lines. All three lots are currently developed with single or two-family buildings. These lots use municipal water & sewer. We have supplied a 1-sheet plan set along with this proposal. One waiver is being requested at this time (utilities within 100').

### **Proposal:**

The applicants are proposing to revise the lot lines between all three lots. All three lots will meet the zoning regulations regarding lot size in the NMU Zone and any existing non-conformities, will not become more non-conforming with these transfers. The proposal is for Lot 104 to transfer 5' of frontage along Portland Street to Lot 105, this will allow more room between the existing building and the lot line of Lot 105. This will leave Lot 104 with 93.14' of frontage. These two lots currently share a driveway entrance with deeded rights to access the lots. A 12' wide access easement is proposed and shown on the plan. Lot 104 will also be transferring the rear of the parcel to Lot 72. Lot 105 will be transferring the rear of its lot to Lot 72 as well.

BERRY SURVEYING & ENGINEERING

  
Joseph N. Berry  
Project Manager



## **LOT LINE REVISION APPLICATION**

### **City of Rochester, New Hampshire**

Date: \_\_\_\_\_ [office use only. Check # \_\_\_\_\_ amount \$ \_\_\_\_\_ date \_\_\_\_\_ ]

#### **Property information**

Tax map #: 103; lot #'s: 72, 104, 105; zoning district: NMU/Neighborhood Mixed Use

Property address/location: 14 Highland Street, 928 & 932 Portland Street

Name of project (if applicable): Fontneau Lot Line Revision

#### **Property owner – Parcel A**

Name (include name of individual): Timothy & Sally Fontneau

Mailing address: P.O. Box 1293, Rochester, NH 03866-1293

Telephone #: 603-312-0607 Email: timf@hcarealestate.com

#### **Property owner – Parcel B** (clarify whether both parcels are owned by the same person(s))

Name (include name of individual): All lots under common ownership

Mailing address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

#### **Surveyor**

Name (include name of individual): Kenneth A. Berry

Mailing address: 335 Second Crown Point Road, Barrington, NH 03825

Telephone #: 603-332-2863 Fax #: 603-335-4623

Email address: joeberry@berrysurveying.com Professional license #: 805

#### **Proposed project**

What is the purpose of the lot line revision? The purpose of the LLR is to give Lot 105 additional frontage from Lot 104. Also to transfer a total of 29,742 SF from Lot 104 & 105 to Lot 72.

Will any encroachments result? No

(Continued Lot Line Revision application Tax Map: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone \_\_\_\_\_)

## Comments

Please feel free to add any comments, additional information, or requests for waivers here:

---

---

---

---

---

---

## Submission of application

This application must be signed by the property owner(s) *and/or* the agent.

*I(we) hereby submit this Lot Line Revision application to the City of Rochester Planning Board pursuant to the City of Rochester Subdivision Regulations and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As agent, I attest that I am duly authorized to act in this capacity.*

Signature of property owner:  
(Parcel A)

*Tim Fontneau*

dotloop verified  
11/21/22 10:06 AM EST  
ZXE5-UYOG-PXSW-PMOG

Date: 11/21/2022

Signature of property owner:  
(Parcel B)

*Sally Fontneau*

dotloop verified  
11/21/22 10:15 AM EST  
LGX5-UGML-CV04-JNSH

Date: 11/21/2022

Signature of agent:

*Jim Baum*

Date: 11-21-22



## **Lot Line Revision Checklist**

*\*To be filled out by applicant/agent (with notes to be inserted by staff)*

See regulations for other specific requirements  
City of Rochester Planning & Development Department

Project Name: Fontneau Lot Line Revisision Map: 103 Lot: 72,104,105 Date: 11-22-22

Applicant/agent: Joseph Berry (Agent) Signature: *Jim Berry*

(Staff review by: \_\_\_\_\_ Date: \_\_\_\_\_)

### **General items**

	Yes	No	N/A	Waiver Requested	Comments
<u>4</u> sets completed application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Total application fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>4</u> copies of narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>3</u> sets of full-size plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>2</u> sets of 11 X 17 reductions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Completed abutters list	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Copy of existing covenants, easements, and deed restrictions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

### **Plan Information**

Basic information including:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• Name of project					
• Date					
• North arrow					
• Scale					
• Legend					
• Revision block					
• Vicinity sketch - not less than 1" = 1,000					
Name and address of developer/applicant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Name, stamp, and NH license # of land surveyor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

### **General items Continued**

	Yes	No	N/A	Waiver Requested	Comments
City tax map & lot #'s	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Subdivision approval statement (per regulations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Statement that no encroachments will result from the adjustment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Notation on plans: For more information about this lot line adjustment contact.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Approval block (for signature by staff attesting to Planning Board approval)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
References to neighboring plans and subdivisions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Information on abutting properties:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• owner name					
• owner address					
• tax map and lot #					
Zoning designations of subject tract and in vicinity of tract	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning overlay districts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

### **Platting**

Clear delineation of area affected by lot line revision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Surveyed property lines including:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• existing and proposed bearings					
• existing and proposed distances					
• monuments					
• benchmarks					
Existing & proposed square footage for each lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Show all of the following within 100 feet of the affected area.

**Topographic Features**

	Yes	No	N/A	Waiver Requested	Comments
Existing buildings/structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Existing driveways and access points	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Water features (ponds, streams)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Statement whether located in flood area, and, if so, 100 year flood elevation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Utilities**

Show all of the following within 100 feet of the affected area

Water lines/well (with protective radius)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sewer lines/septic system and leach field	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Electric (overhead or underground)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Telephone/cable TV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gas lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Additional Comments:**

---



---



---



---



---



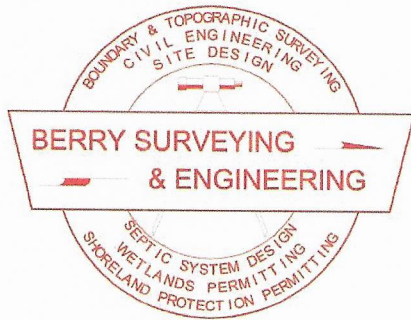
---



---



---



## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

City Of Rochester Planning Board  
33 Wakefield Street  
Rochester, N.H.

November 22, 2022

RE: Lot Line Revision  
Timothy & Sally Fontneau  
14 Highland Street & 928 & 932 Portland Street  
Rochester N.H.

Dear Chairman and Members of the Rochester Planning Board,

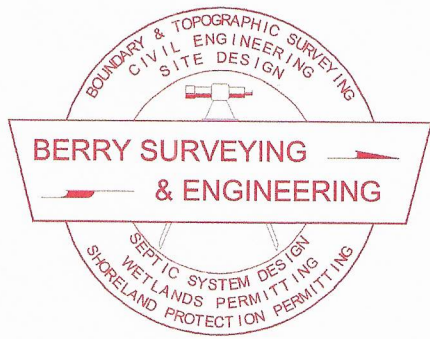
On behalf of Timothy & Sally Fontneau, Berry Surveying & Engineering requests a waiver to Section 3.6 which requires showing utilities within 100' of the affected area.

We request that the Planning Board waive the requirement to show utilities within 100' of the affected area. These lots are already developed and utilize municipal water and sewer. No utilities are in the area of the land transfers. We feel that strict conformity to the regulation would cause unnecessary hardship to the applicant in financial costs associated with the additional surveying and plan preparation. Providing this information would not result in a dataset which would allow the board to make a more informed decision on the project.

Thank you for your time and attention to this matter.

BERRY SURVEYING & ENGINEERING

  
Joseph N. Berry  
Project Manager



## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

**November 21, 2022**

### **Abutters List**

#### **Owner of Record**

**Tax Map 103, Lot 72**

**Tax Map 103, Lot 105**

**Tax Map 103, Lot 104**

Timothy & Sally Fontneau

PO Box 1293

Rochester, NH 03866-1293

*Book 4240, Page 148*

*Book 4368, Page 448*

*Book 3228, Page 134*

#### **Abutters**

**Tax Map 103, Lot 106**

CFI PROPCO 2 LLC

165 Flanders Rd

Westborough, MA 01581

*Book 4756, Page 914*

**Tax Map 103, Lot 70**

Thomas D Goodwin Sr Rev Tst

Thomas D Goodwin Sr, Trustee

PO Box 898

Rochester, NH 03866-0898

*Book 4307, page 001*

**Tax Map 103, Lot 71**

Robert G & Angela M Keller

10 Highland St

Rochester, NH 03868

*Book 3203, Page 685*



22-059 Fontneau, Tim  
Portland & Highland St., Rochester

Page 2 of 4

**Tax Map 103 Lot 73**

Tammy M Evans  
16 Highland St  
Rochester, NH 03868  
*Book 4246, Page 476*

**Tax Map 103, Lot 74**

James & Cheryl Schroeder  
Charlotte Farr  
29 Grove St, Apt 4  
Rochester, NH 03868  
*Book 4699, Page 890*

**Tax Map 103, Lot 75**

Marcia A Taylor  
Ronald N Leighton  
27 Grove St  
Rochester, NH 03868  
*Book 4234, Page 244*

**Tax Map 103, Lot 78**

Kenneth A Lane  
Pamela G Romilly  
PO Box 1213  
Rochester, NH 03866  
*Book 2899, Page 696*

**Tax Map 103, Lot 79-1**

Patricia C Fontneau  
5 Abbott St  
Rochester, NH 03868  
*Book 784, Page 355*

**Tax Map 103, Lot 79**

Carol Dale Carbonneau  
3 Abbott St  
Rochester, NH 03868  
*Book 5035, Page 916*



**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

22-059 Fontneau, Tim  
Portland & Highland St., Rochester

Page **3** of **4**

**Tax Map 103, Lot 103**

Jeanne C & Wilfred G Larochelle  
922 A Portland St  
Rochester, NH 03868  
*Book 2245, Page 212*

**Tax Map 103, Lot 116**

Unified Properties, LLC  
22 Colony Cover Road  
Durham, NH 03824  
*Book 5045, Page 1026*

**Tax Map 103, Lot 115**

Michelle D. Boylan  
Wilfred J. Fortier  
1 Mill Street  
Rochester, NH 03868-5839  
*Book 4548, Page 163*

**Tax Map 103, Lot 114**

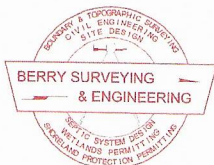
Respite Place, LLC  
931 Portland Street  
Rochester, NH 03868  
*Book 4875, Page 962*

**Tax Map 103, Lot 114**

East Rochester Library Association  
935 Portland Street  
Rochester, NH 03868-8556  
*Book 476, Page 178*

**Tax Map 103, Lot 67**

The Kathy Boucher A. Revocable Trust  
Kathy A. Boucher, Trustee  
73 center Road  
Lebanon, ME 04027  
*Book 2737, Page 742*



**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)

22-059 Fontneau, Tim  
Portland & Highland St., Rochester

Page 4 of 4

**Tax Map 103, Lot 66**

Ballinamore Realty Trust  
Brian Cassidy, Trustee  
1 Winter St, STE 3  
Rochester, NH 03867  
*Book 1719, Page 13*

**Tax Map 103, Lot 65**

35 Grove, LLC  
23 Dustin Homestead  
Rochester, NH 03867  
*Book 4701, Page 533*

**Professionals**

Kenneth A. Berry PE LLS  
Joseph N. Berry, Project Manager  
Berry Surveying & Engineering  
335 Second Crown Point Road  
Barrington, NH 03825

John P Hayes, III, CWS  
7 Limestone Way  
N Hampton, NH 03862



**BERRY SURVEYING & ENGINEERING**

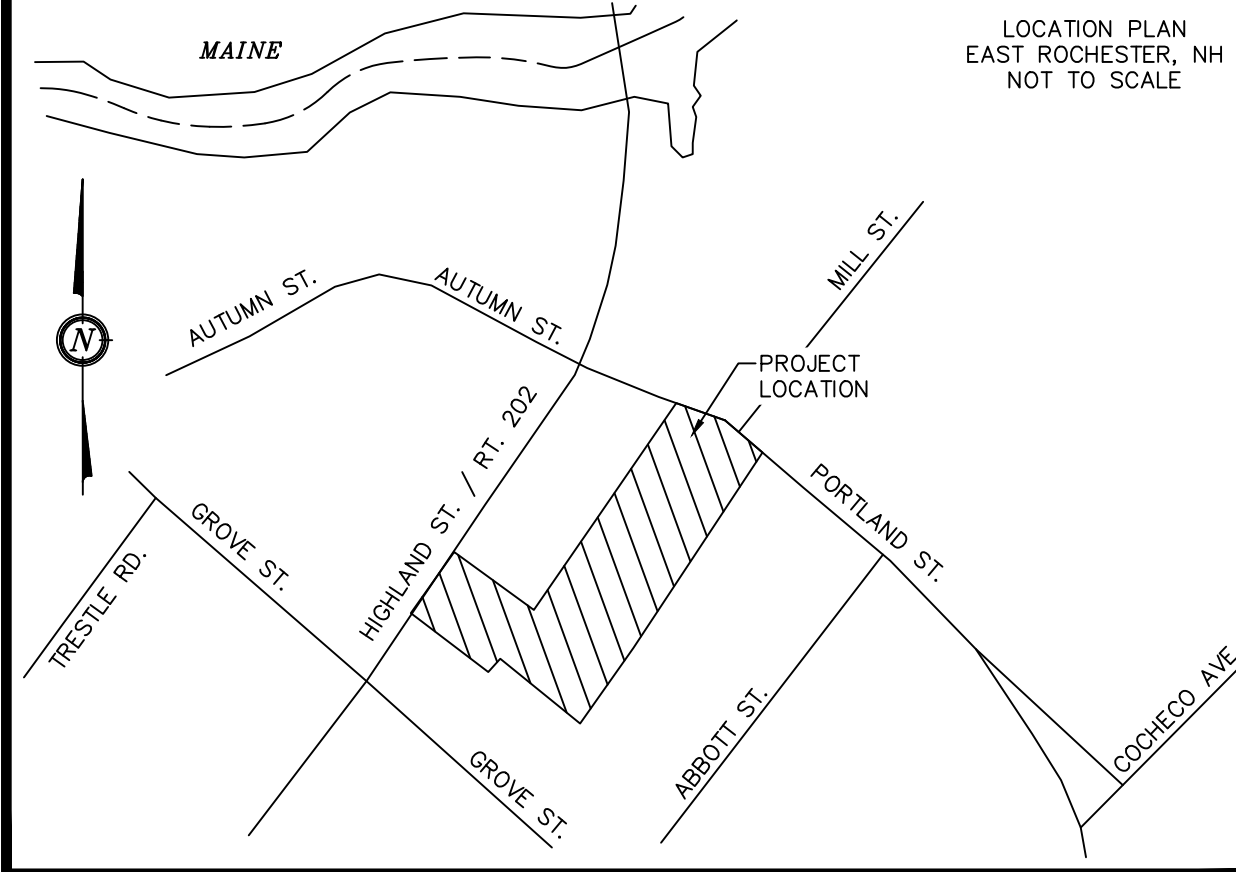
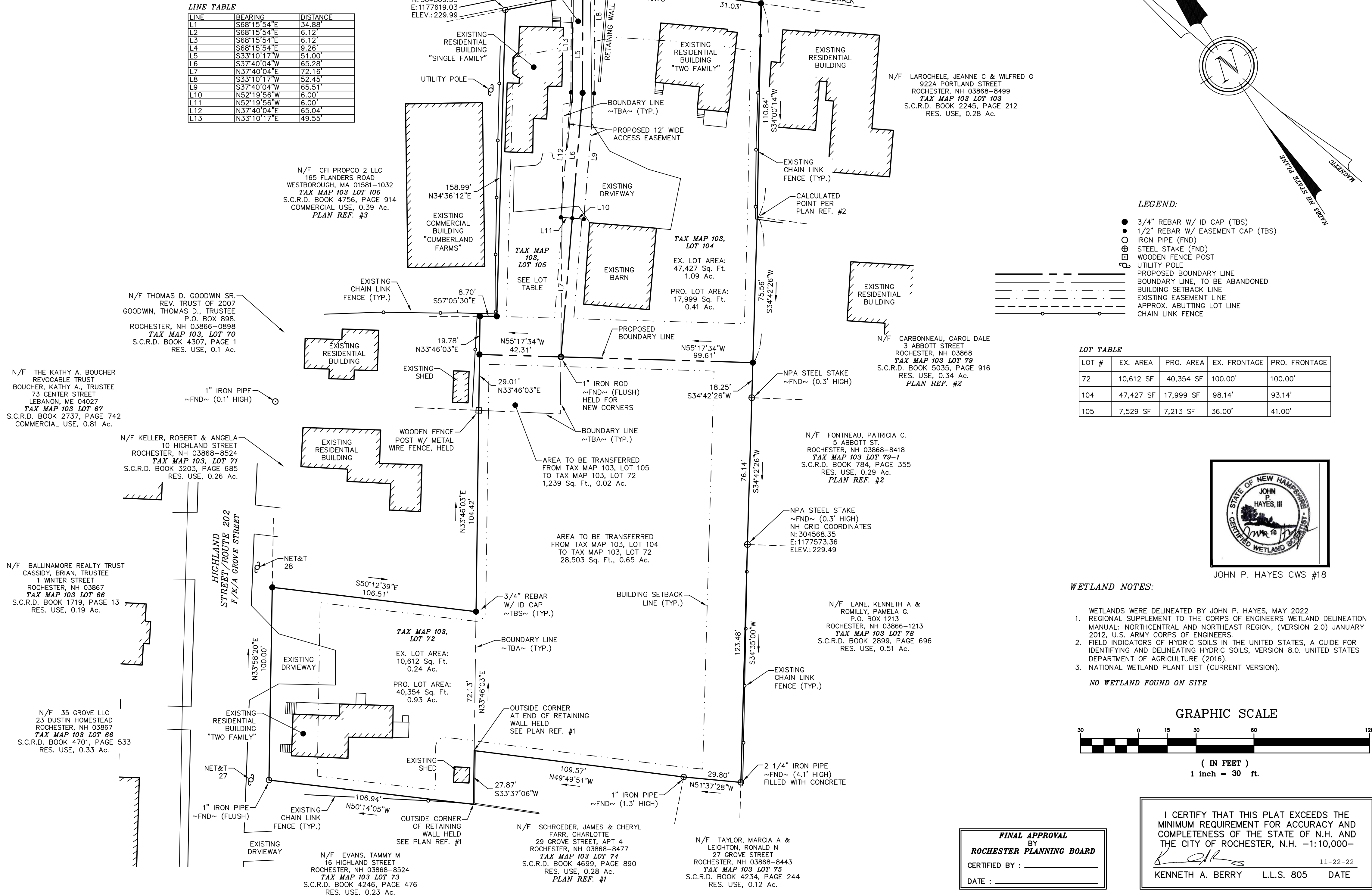
335 Second Crown Pt. Rd., Barrington, NH 03825  
(603) 332-2863 / (603) 335-4623 FAX  
[www.BerrySurveying.Com](http://www.BerrySurveying.Com)



**PLAN REFERENCES:**

- 1.) "PLAN OF LAND, CARL L. JONES JR., ROCHESTER, NEW HAMPSHIRE" BY: G. L. DAVIS & ASSOCIATES DATED: DECEMBER 1965 S.C.R.D.: PLAN #47, POCKET #3, FOLDER #3
- 2.) "SUBDIVISION PLAN, ABBOTT STREET, EAST ROCHESTER, N.H., FOR PATRICA C. FONTNEAU" BY: NORWAY PLAINS ASSOCIATES, INC. DATED: APRIL 2004 S.C.R.D.: PLAN #76-8
- 3.) "PHYSICAL EVIDENCE SURVEY OF TAX LOT #57-54, E. ROCHESTER N.H., OWNER: V.S.H. REALTY INC., 777 DEDHAM ST., CANTON MA. 02021" BY: B.V. PEARSON ASSOCIATES DATED: NOVEMBER 4, 1977 NOT RECORDED, PHOTOS WERE RECEIVED BY CHARLIE PEARSON, SOME WERE ILLEGIBLE, NO FULL COPY EVER RECEIVED

LINE	BEARING	DISTANCE
L1	S68°15'54"E	34.58'
L2	S68°15'54"E	6.12'
L3	S68°15'54"E	6.12'
L4	S68°15'54"E	9.26'
L5	S33°10'17"W	51.00'
L6	S37°40'04"W	65.28'
L7	N37°40'04"E	72.16'
L8	S33°10'17"W	52.45'
L9	S37°40'04"W	65.51'
L10	N52°19'56"W	8.00'
L11	N52°19'56"W	6.00'
L12	N37°40'04"E	65.04'
L13	N33°10'17"E	49.55'



**NOTES:**

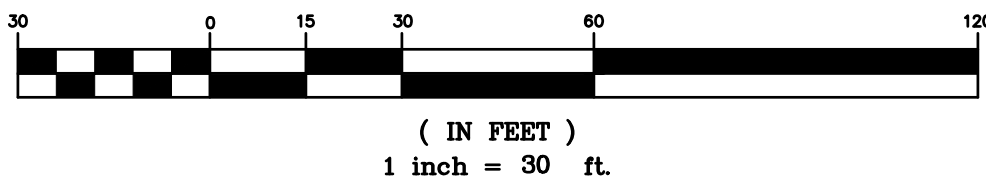
- 1.) OWNER: TIMOTHY & SALLY FONTNEAU P.O. BOX 1293 ROCHESTER, NH 03866-1293
- 2.) TAX MAP 103, LOT 72
- 3.) EX. LOT AREA: 10,612 Sq. Ft., 0.24 Ac. PRO. LOT AREA: 40,354 Sq. Ft., 0.93 Ac.
- 4.) S.C.R.D. BOOK 4240, PAGE 148
- 5.) OWNER: TIMOTHY & SALLY FONTNEAU P.O. BOX 1293 ROCHESTER, NH 03866-1293
- 6.) TAX MAP 103, LOT 104
- 7.) EX. LOT AREA: 47,427 Sq. Ft., 1.09 Ac. PRO. LOT AREA: 17,999 Sq. Ft., 0.41 Ac.
- 8.) S.C.R.D. BOOK 3228, PAGE 134
- 9.) OWNER: TIMOTHY & SALLY FONTNEAU P.O. BOX 1293 ROCHESTER, NH 03866-1293
- 10.) TAX MAP 103, LOT 105
- 11.) EX. LOT AREA: 7,529 Sq. Ft., 0.17 Ac. PRO. LOT AREA: 7,213 Sq. Ft., 0.17 Ac.
- 12.) S.C.R.D. BOOK 4368, PAGE 448
- 13.) ZONING: NMU / NEIGHBORHOOD MIXED USE DISTRICT: FRONTAGE ~ 60.0' MINIMUM LOT SIZE ~ 6,000 Sq. Ft. MAX. FRONT SETBACK ~ 25.0' REAR SETBACK ~ 20.0' SIDE SETBACK ~ 5.0' MAX. LOT COVERAGE ~ 90% MIN. BUILDING HEIGHT ~ 20.0'
- 14.) I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE & BELIEF, THIS PARCEL DOES NOT FALL WITHIN THE FLOOD PLAIN FLOOD HAZARD REF.: FEMA COMMUNITY #330150, MAP #33017C02040, DATED MAY 17, 2005.
- 15.) VERTICAL DATUM BASED ON NAVD88 ELEVATIONS. HORIZONTAL COORDINATES BASED ON NAD83. COORDINATES GATHERED USING CARLSON BRX7 SURVEY GRADE GPS RECEIVERS.
- 16.) THE BOUNDARY LINES SHOWN ON THIS PLAN ARE THE RESULT OF A CLOSED TRAVERSE PERFORMED BY THIS OFFICE IN AUGUST OF 2022, WITH AN ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000
- 17.) THE INTENT OF THIS PLAN SET IS TO REVISE THE LOT LINE BETWEEN TAX MAP 103, LOTS 72, 104, & 105.
- 18.) THIS IS A ONE SHEET PLAN SET TO BE RECORDED AT THE STAFFORD COUNTY REGISTRY OF DEEDS. FOR MORE INFORMATION ON THIS LOT LINE REVISION, CONTACT THE CITY OF ROCHESTER PLANNING DEPARTMENT, 33 WAKEFIELD STREET, ROCHESTER, NH 03867, (603) 335-1338.
- 19.) NO ENCROACHMENTS WILL RESULT FROM THIS ADJUSTMENT. THE EXISTING SHARED DRIVEWAY WILL HAVE A PROPOSED 12' ACCESS EASEMENT FOR THE BENEFIT OF LOT 104 & 105.

**WETLAND NOTES:**

1. REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, (VERSION 2.0) JANUARY 2012; U.S. ARMY CORPS OF ENGINEERS.
2. FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, A GUIDE FOR IDENTIFYING AND DELINEATING HYDRIC SOILS, VERSION 8.0. UNITED STATES DEPARTMENT OF AGRICULTURE (2016).
3. NATIONAL WETLAND PLANT LIST (CURRENT VERSION).

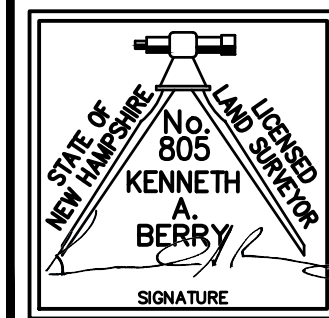
**NO WETLAND FOUND ON SITE**

**GRAPHIC SCALE**



**FINAL APPROVAL**  
**ROCHESTER PLANNING BOARD**  
CERTIFIED BY :  
DATE :

I CERTIFY THAT THIS PLAT EXCEEDS THE MINIMUM REQUIREMENT FOR ACCURACY AND COMPLETENESS OF THE STATE OF N.H. AND THE CITY OF ROCHESTER, N.H. -1:10,000-  
KENNETH A. BERRY L.L.S. 805 DATE 11-22-22



**BERRY SURVEYING & ENGINEERING**  
335 SECOND CROWN POINT RD.  
BARRINGTON, N.H. (603)332-2863  
SCALE : 1 IN. EQUALS 30 FT.  
DATE : NOVEMBER 22, 2022  
FILE NO. : DB 2022 - 059