



City of Portsmouth, New Hampshire
***APPLICATION FOR RESTORATION OF
INVOLUNTARILY MERGED LOTS***

Instructions & General Information for Restoration of Involuntarily Merged Lots

In accordance with NH RSA 674:39-aa, any owner of lots merged by municipal action for zoning, assessing, or taxation purposes prior to September 18, 2010 and without the consent of the owner may request that the lots be restored to their premerger status and all zoning and tax maps shall be updated to identify the premerger boundaries of said lots or parcels as recorded at the Rockingham County Registry of Deeds, provided:

- 1) The request is submitted to the Portsmouth Planning Department prior to December 31, 2021.
- 2) No owner in the chain of title voluntarily merged his or her lots. If any owner in the chain of title voluntarily merged his or her lots, then all subsequent owners shall be estopped from requesting restoration. The municipality shall have the burden of proof to show that any previous owner voluntarily merged his or her lots.
- 3) All decisions of the governing body may be appealed in accordance with the provisions of RSA 676.
- 4) The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing local land use ordinances.

The procedure for requesting the Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa is as follows:

- 1) Complete the Application for Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa. **The form must be typed or printed.**
- 2) Attach copies of the following documents:
 - a) Most current deed(s) for the lots
 - b) Survey (if available)
 - c) If property was obtained from an estate (inherited), attach copy of the statutory "Notice to Cities and Towns" if applicable.
 - d) Any other documentation that you think is pertinent
- 3) The Planning Board shall hold a public hearing to consider the request within thirty (30) days of receipt of the completed application.
- 4) The City Council shall consider the Planning Board's recommendation in making a determination on the request and notice of the City Council's decision shall be cited within the posted action sheet for that meeting of the City Council.

If you have any questions, please contact the Planning Department at (603)-610-7216.

CITY OF PORTSMOUTH, NH

APPLICATION FOR RESTORATION OF INVOLUNTARILY MERGED LOTS

PURSUANT TO RSA 674:39-aa

Name of Property Owner(s): _____

Mailing Address: _____

Telephone Number: _____

Email Address: _____

Street Location of Parcels Affected by the Requested Restoration:

Properties Requested to be Restored (attach additional sheet if needed):

Parcel 1

Current Deed Reference: Book ____ Page ____ Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 2

Current Deed Reference: Book ____ Page ____ Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 3

Current Deed Reference: Book ____ Page ____ Date Recorded _____

Tax Map _____ Lot Number _____

Please state when you believe the involuntary merger took place:

Signature(s) of Property Owner(s):

Signature: _____ Name: _____ Date: _____

Signature: _____ Name: _____ Date: _____