

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: September 17, 2024

TO: PETER STITH, PLANNING MANAGER

FROM: TREVOR P. MCCOURT, DEPUTY CITY ATTORNEY

RE: AGENDA ITEM – ACCEPTANCE OF SIDEWALK EASEMENTS
PROPERTIES LOCATED AT 177 AND 165 BARTLETT STREET
REFERRAL TO CITY COUNCIL

As a part of the City's Bartlett Street realignment project, City staff propose widening a portion of Bartlett Street and the adjacent sidewalk to bring both the sidewalk and the roadway in conformance with City standards. In order to accomplish this widening, two property owners at 177 Bartlett Street and 165 Bartlett Street have agreed to grant the City sidewalk easements and temporary construction easements. 177 Bartlett Street (Tax Map 158, Lot 9) is owned by the Bratter Family Revocable Trust of 2018, and 165 Bartlett Street Tax Map 158, Lot 10) is owned by Simon Spanier.

In exchange for these permanent and temporary impacts, the City has agreed to relocate a retaining wall which spans both parcels out of the City right of way, and to conduct certain other restoration work commensurate with the impacts on each property.

Attached is the easement plan prepared on behalf of the City by TF Moran.

The Public Works Department recommends accepting these easements. The Legal Department has reviewed and recommend the form of the attached easements.

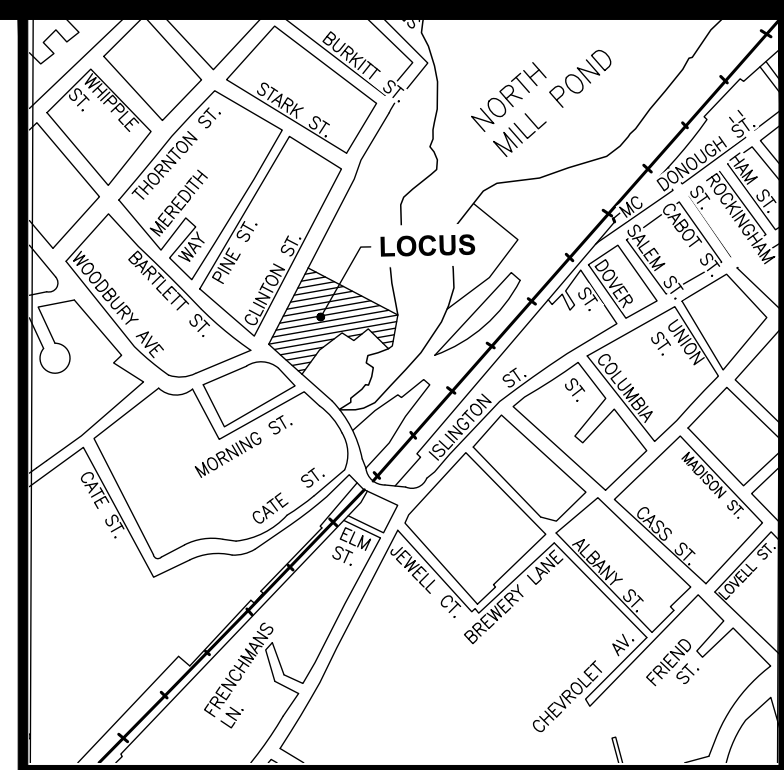
Proposed Motion: Recommend the City Council accept sidewalk and temporary construction easements from property owners at 177 and 165 Bartlett Street.

Attachment (1)

LEGEND:

MAP 137 LOT 11	ASSESSORS MAP / LOT NUMBER
A.G.	ABOVE GRADE
B.G.	BELOW GRADE
BK. PG.	BOOK/PAGE
EM	ELECTRIC METER
EP	EDGE OF PAVEMENT
FP	FAIRPOINT
GM	GAS METER
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
N/F	NOW OR FORMERLY
PSNH	PUBLIC SERVICE OF NEW HAMPSHIRE
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
S.F.	SQUARE FEET
VGC	VERTICAL GRANITE CURB
○	IRON PIPE/ROD FOUND
△	BOLLARD
▲	SPIKE/NAIL FOUND
—	GUY WIRE
—	UTILITY POLE
—	CATCH BASIN
—	CONIFEROUS TREE
—	CLEAN OUT
—	SEWER MANHOLE
—	GAS SHUT OFF
—	WATER SHUT OFF
—	WATER GATE VALVE
—	SIGN
—	OVERHEAD UTILITIES
—	STOCKADE FENCE
—	APPROXIMATE ABUTTER LINE
—	BOUNDARY LINE
▨	CONCRETE
▨	PERMANENT SIDEWALK EASEMENT
▨	TEMPORARY CONSTRUCTION ACCESS EASEMENT
▨	PAVER WALK
▨	LANDSCAPED AREA
▨	RETAINING WALL

MAP 158 LOT 7
N/F
THE BRATTER FAMILY REVOCABLE TRUST OF 2018
177 BARTLETT STREET
PORTSMOUTH, NH 03801
RCRD BK.#6000 PG.#1148



LOCATION PLAN

NOTES:

- THE PARCELS ARE LOCATED IN THE GENERAL RESIDENCE A (GRA) ZONING DISTRICT.
- THE PARCELS ARE SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 158 AS LOTS 9 & 10.
- OWNER OF RECORD:
MAP 158 LOT 9: THE BRATTER FAMILY REVOCABLE TRUST OF 2018
177 BARTLETT STREET
PORTSMOUTH, NH 03801
RCRD BK#6000 PG#1152
MAP 158 LOT 10: SIMON G. SPANIER
20 MAIN STREET
EXETER, NH 03833
RCRD BK#5615 PG#2628
- PARCEL AREA:
MAP 158 LOT 9: 19,072 S.F. (0.4378 ACRES)
MAP 158 LOT 10: 8,404 S.F. (0.1929 ACRES)
- THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
- THE PURPOSE OF THIS PLAN IS TO SHOW THE OVERALL BOUNDARY LINES OF MAP 158 LOTS 9 & 10. SEE SHEET S-2 FOR SIDEWALK EASEMENT DETAIL.
- FIELD SURVEY COMPLETED BY TCE IN JUNE & JULY 2023 AND JUNE 2024 USING A LEICA TS-16 INSTRUMENT AND CARLSON SURVPC DATA COLLECTION SOFTWARE.
- HORIZONTAL DATUM IS NAD83 (2011) PER REDUNDANT NETWORK RTK GPS OBSERVATIONS.
- EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCEL(S) WOULD DETERMINE.
- THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. TFMORAN, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE.

PLAN REFERENCES:

- "PROPOSED SITE PLAN FOR MYLES S. BRATTER, 2 CLINTON STREET & 177 BARTLETT STREET, COUNTY OF ROCKINGHAM, PORTSMOUTH, NH," BY MILLETTE, SPRAGUE & COLWELL, INC., DATED DECEMBER 15, 2000 WITH REV. 3 DATED 02/21/01. PLAN NOT RECORDED.
- LOT LINE RELOCATION PLAN FOR MYLES S. & ELIZABETH A. BRATTER AND RACHEL L. BRATTER, MAP 158 / LOTS 7 & 10, 165 BARTLETT STREET & 48 CLINTON STREET, COUNTY OF ROCKINGHAM, PORTSMOUTH, NH" BY MILLETTE, SPRAGUE & COLWELL, INC., DATED JANUARY 18, 2005 WITH REV. 1 DATED 03/14/05. RCRD PLAN #0-32486.

PURSUANT TO NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES LAN 503.09(24): I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY THOSE UNDER MY DIRECT SUPERVISION AND ARE THE RESULT OF A FIELD SURVEY CONDUCTED IN JUNE & JULY 2023 AND JUNE 2024. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. THIS SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, AND THE FIELD TRAVERSE SURVEY EXCEEDS A PRECISION OF 1:15,000.

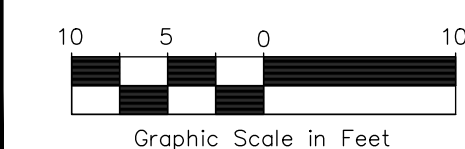
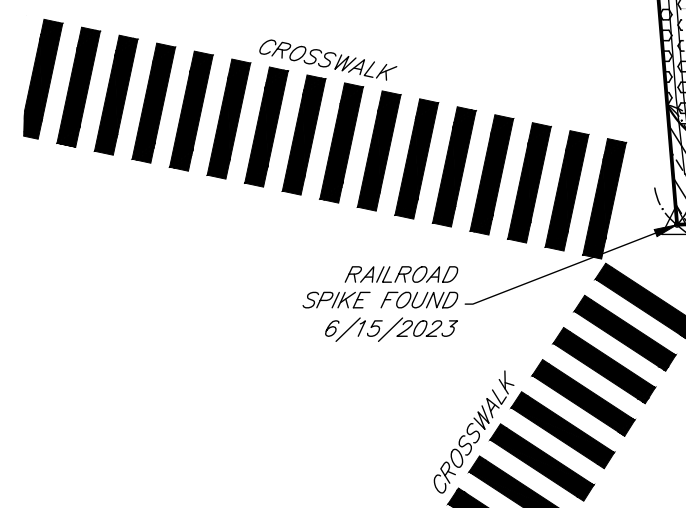
PURSUANT TO NEW HAMPSHIRE REVISED STATUTES ANNOTATED 676:18, II, III AND IV AND 672:14: I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

A COPY OF THIS PLAT HAS BEEN FILED WITH THE LOCAL PLANNING BOARD.



2024-07-29
DATE

LICENSED LAND SURVEYOR

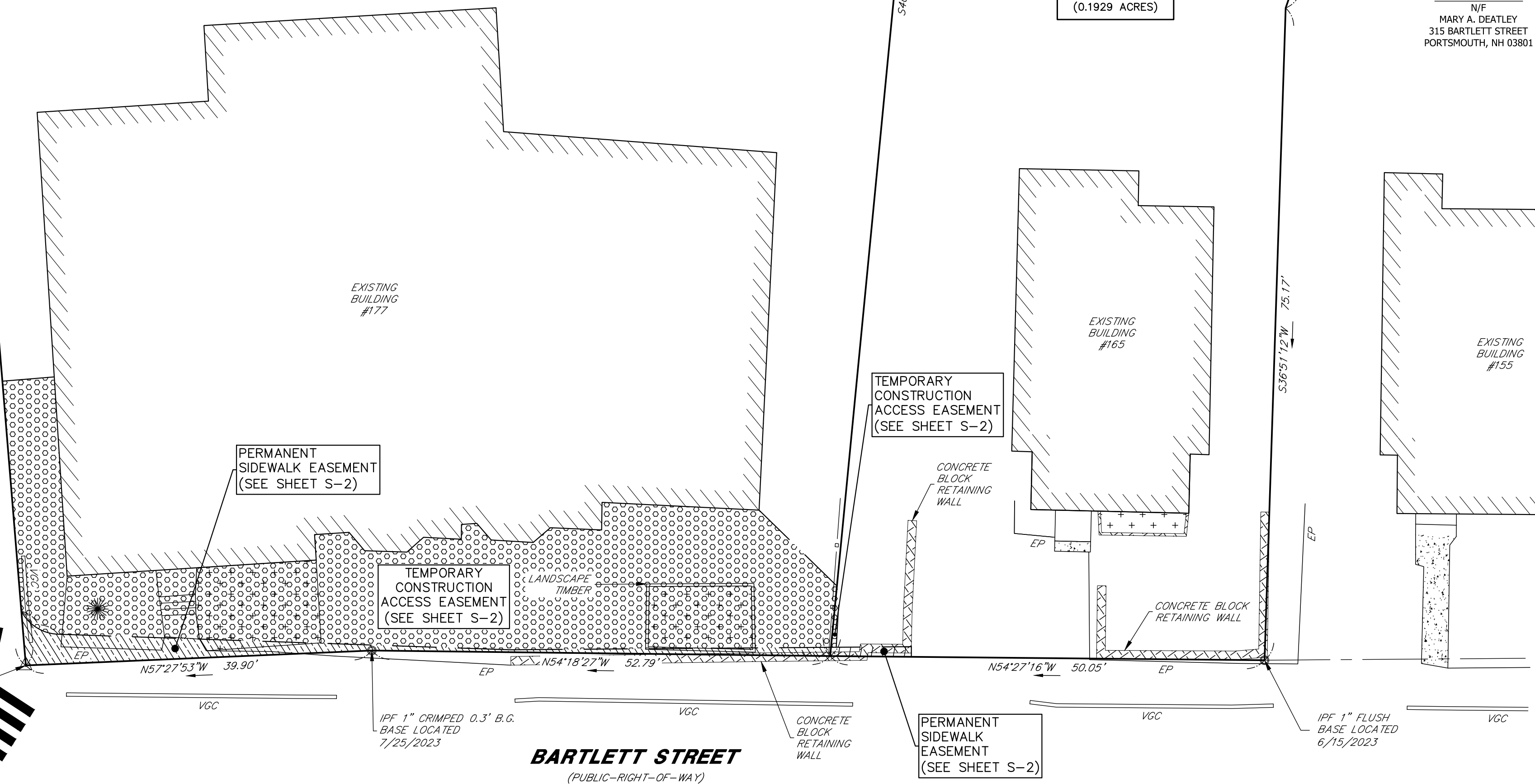


CLINTON STREET
(PUBLIC-RIGHT-OF-WAY)

MAP 158 LOT 9
19,072 S.F.
(0.4378 ACRES)

MAP 158 LOT 10
8,404 S.F.
(0.1929 ACRES)

MAP 158 LOT 11
N/F
MARY A. DEATLEY
315 BARTLETT STREET
PORTSMOUTH, NH 03801



REV.	DATE	DESCRIPTION	DR	CK

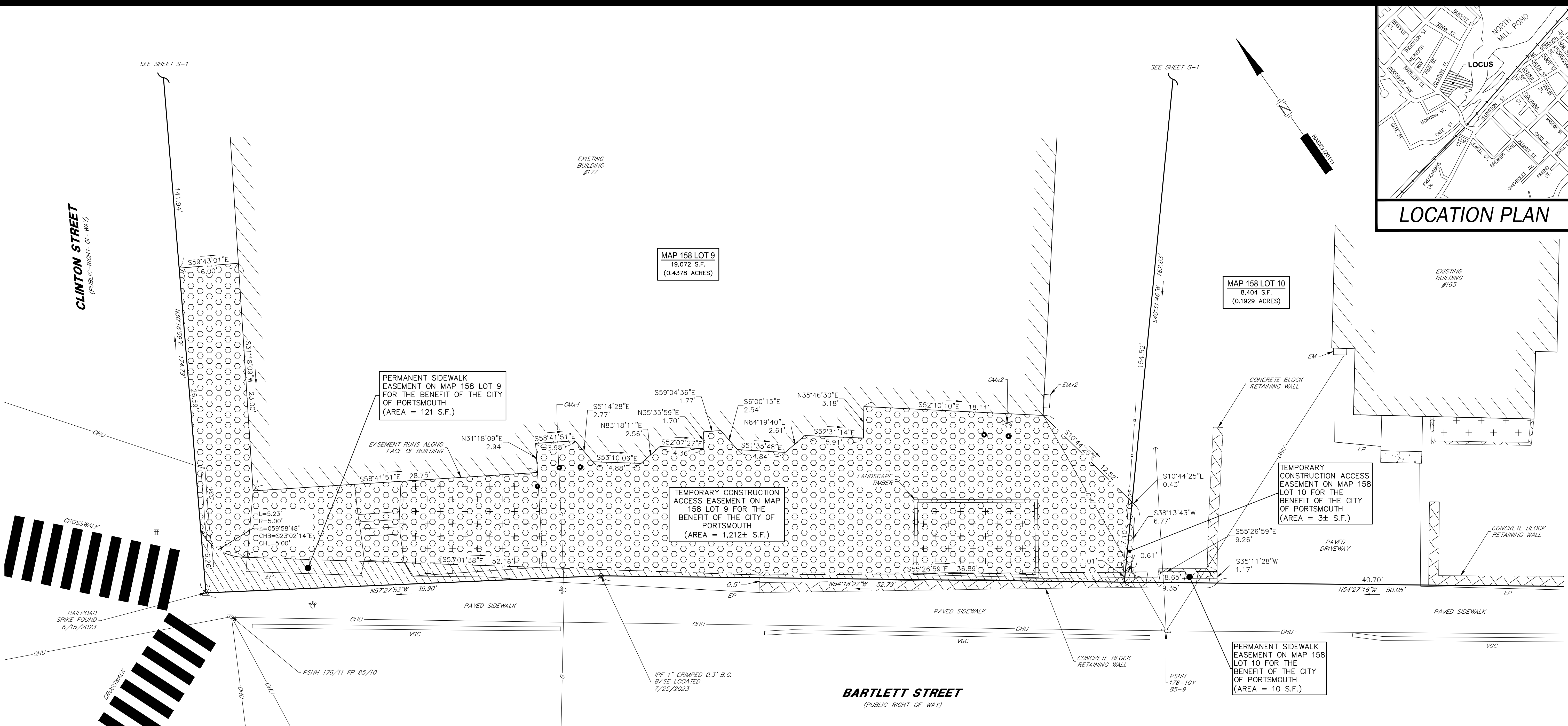
TAX MAP 158 LOTS 9 & 10
**SIDEWALK EASEMENT PLAN
OVERALL BOUNDARY
177 & 165 BARTLETT STREET
PORTSMOUTH, NEW HAMPSHIRE
COUNTY OF ROCKINGHAM**
OWNED BY
**THE BRATTER FAMILY REVOCABLE TRUST OF 2018
& SIMON G. SPANIER**
SCALE: 1" = 10' (22x34)
1" = 20' (11x17) **JULY 24, 2024**

Seacoast Division
TFM
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists
170 Commerce Way, Suite 102
Portsmouth, NH 03801
Phone (603) 431-2222
Fax (603) 431-0910
www.tfmoran.com

47193-12	DR RJB	FB	597 & 606	S-1
	CK BMK	CADFILE		

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Jul 29, 2024 - 8:28am
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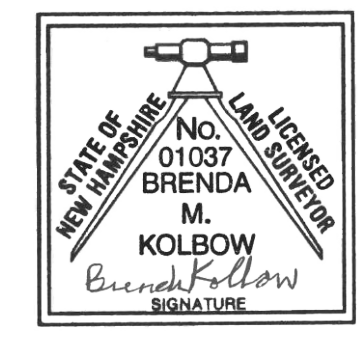


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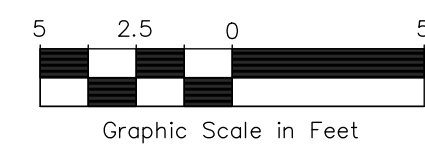
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DETAIL
177 & 165 BARTLETT STREET
PORTSMOUTH, NEW HAMPSHIRE
COUNTY OF ROCKINGHAM
 OWNED BY
THE BRATTER FAMILY REVOCABLE TRUST OF 2018
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Seacoast Division

Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists	170 Commerce Way, Suite 102 Portsmouth, NH 03801 Phone (603) 431-2222 Fax (603) 431-0910 www.tfmoran.com
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