

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

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December 24, 2024

HAND DELIVERED

Stephanie Casella, Planner
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Martin Husslage
48 Langdon Street, Tax Map 138, Lot 47
General Residence C Zone

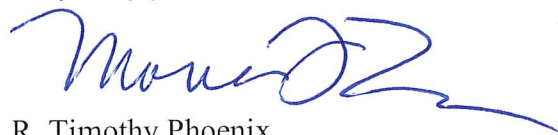
Dear Ms. Casella & Zoning Board Members:

On behalf of Chinburg Development, LLC (“Chinburg” or “Applicant”), enclosed please find the following in support of an application for zoning relief.

- Digital application package uploaded to Viewpoint.
- Owner’s Authorization.
- 12/24/24– Memorandum and exhibits in support of Variance Application.

We look forward to presenting this application to the Zoning Board at its January 22, 2025 meeting.

Very truly yours,



R. Timothy Phoenix
Monica F. Kieser

Enclosure

cc: Martin Husslage
TF Moran (email)
Custom Building Systems, LLC (email)

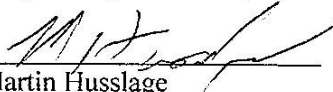
DANIEL C. HOEFLE	ALEC L. MCEACHERN	PETER V. DOYLE	STEPHEN H. ROBERTS 2007-2023
R. TIMOTHY PHOENIX	KEVIN M. BAUM	MONICA F. KIESER	OF COUNSEL:
LAWRENCE B. GORMLEY	JACOB J.B. MARVELLEY	STEPHANIE J. JOHNSON	SAMUEL R. REID
R. PETER TAYLOR	GREGORY D. ROBBINS	KAREN W. OLIVER	JOHN AHLGREN

OWNER'S AUTHORIZATION

I, Martin Husslage, Owner/Applicant of 48 Langdon Street, #50, Tax Map 138/Lot 47, hereby authorize law firm Hoefle, Phoenix, Gormley & Roberts, PLLC to represent me before any and all City of Portsmouth Representatives, Boards and Commissions for permitting the project.

Respectfully submitted,

Date:



Martin Husslage

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
Monica F. Kieser, Esquire
DATE: December 24, 2024
RE: Martin Husslage
48 Langdon Street, Tax Map 138, Lot 47
General Residence C Zone

Dear Chair Eldredge and Zoning Board Members:

On behalf of Martin Husslage (“Husslage”), we are pleased to submit this memorandum and attached exhibits in support of Ginsberg’s request for zoning relief to be considered by the Zoning Board of Adjustment (“ZBA”) at its January 22, 2025 meeting, in anticipation of Husslage’s subdivision application.

I. EXHIBITS

1. Plan Set – issued by TF Moran.
2. Architectural Plan Set – Custom Building Systems, LLC.
 - Lot A Duplex
3. Architectural Plan Set – Home Designer Pro.
 - Lot B Single-family home & Accessory Dwelling Unit
4. Site Photographs.
 - Satellite View
 - Street View
5. Tax Map 138.

II. PROPERTY/PROJECT

48 Langdon Street is a 9,927 s.f. corner lot with 78.5 feet of frontage on McDonough Street and 124.65 feet of frontage on Langdon Street (“the Property”). The Property contains a two-family home and shed. There are two curb cuts on either side of the existing duplex. The existing duplex is in the front yard setback and the shed is located within the left-side yard setback. Husslage plans to remove the existing home, subdivide the lot and construct a duplex on one lot and a single-family home with an accessory dwelling unit (“ADU”) on the other lot (“the Project”). Husslage proposes the duplex on the 5,664 s.f. lot (“Lot A”) and the single-family home with ADU on the 4,264 s.f. lot (“Lot B”). As proposed, each lot complies with lot area and frontage requirements and the proposed structures meet yard setback and building coverage requirements. The Project requires relief from the lot area per dwelling unit requirements for the duplex on Lot A.

III. RELIEF REQUIRED:

<u>Variance Section/Requirement</u>	<u>Existing</u>	<u>Proposed</u>
<u>PZO Table §10.521: Dimensional Standards 3,500 s.f. Lot Area/Dwelling Unit</u>	4,963 s.f./dwelling unit	Lot A duplex on 5,664 s.f. lot 2,832 s.f./dwelling unit

IV. OTHER PERMITS REQUIRED

- Planning Board Subdivision/Lot Line Adjustment
- Building Permit

V. VARIANCE REQUIREMENTS

1. **The variances will not be contrary to the public interest.**
2. **The spirit of the ordinance is observed.**

The first step in the ZBA’s analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance “would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives.” Id. “Mere conflict with the zoning ordinance is not enough.” Id.

The Portsmouth Zoning Ordinance (PZO§10.121) was enacted for the general purpose of promoting the health, safety, and welfare in accordance with the Master plan by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The Project takes an oversized lot and creates two lots which conform to the lot area requirements of the GRC zone and establishes permitted uses on each lot in structures that comply with yard setback requirements and building coverage. Use of this relatively large lot to accommodate two permitted uses with density compatible with the surrounding area is a reasonable use of the land.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – Both proposed structures conform with the height requirement, yard setbacks, coverage, and open space requirements. The variance required to accommodate a permitted use with density compatible with the surrounding area will not undermine these purposes of the Ordinance.
3. The design of facilities for vehicular access, circulation, parking and loading – The required parking exists inside the garages and outside on the lot.
4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – The uses proposed are permitted and compatible with the neighborhood. The Project does not undermine these purposes.

5. The preservation and enhancement of the visual environment – The Project proposes two brand new homes with sufficient parking and will preserve the visual environment.
6. The preservation of historic districts buildings and structures of historic or architectural interest – The Property and the existing structure to be removed is not in the historic district and is of no known historic or architectural interest.
7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The property will be served by municipal water and sewer. There are no wetlands in the area, accordingly these purposes are served by granting the variances.

Variances are required because the compliant lot area of the two lots does not support the uses permitted by right. The proposed structures comply with yard setback and height restrictions. Relief is only required to accommodate the lot area/dwelling unit on an otherwise dimensionally compliant duplex. Clearly, granting the variances does not “in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives.”

Malachy Glen, supra, which also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality. . . . Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (emphasis added)

The Project is compatible with the density of the other six lots in its immediate area on Langdon Street, which includes two single family lots and four lots developed with condominium/multi-units. Only one single family home complies with the lot area/dwelling unit requirement. The other parcels do not conform with the lot area/dwelling unit requirement as indicated below.

Map/Lot	Address	Units/Lot Area (s.f.) = Lot Area per Dwelling Unit
Map 138/Lot 46	28 Langdon St. Condos	5 units/6,098.4 s.f. = 1,219.68 s.f./per dwelling unit.
Map 138/Lot 32	21-23 Langdon St.	2 units/3659.04 s.f. = 1,829.52 s.f./dwelling unit
Map 138/Lot 30	37 Langdon St.	2 units/ 4007.52 s.f. = 2,003.76 s.f./dwelling unit
Map 138/Lot 28	28 McDonough St.	4 units/ 2700.72 s.f. = 675.18 s.f./dwelling unit
Map 138/Lot 29	47 Langdon Street	1 unit/3,920.40 s.f.
Map 138/Lot 31	25 Langdon Street	1 unit/1,742.40 s.f.

Here, the existing lot is nearly three times that required in the zone. The Project creates two lots supporting permitted uses on each lot in structures that comply with all other dimensional requirements. Accordingly, granting the addition will neither “alter the essential character of the locality nor threaten the public health, safety or welfare.”

3. Substantial justice will be done by granting the variance.

If “there is no benefit to the public that would outweigh the hardship to the applicant” this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C., 162 N.H. 508 (2011). That is, “any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice.” Malachy Glen, supra at 109. Husslage is constitutionally entitled to the use of the lot as he sees fit; including subdivision and redevelopment of the Property for permitted single-family home and duplexes, each with an incorporated garage. Both proposed lots meet lot area and frontage requirements and each are developed with structures that conform with all other dimensional regulations. The variances are required due to the existing lot size, which cannot be changed. “The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions.” N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that “no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people.” Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. L. Grossman & Sons, Inc. v. Town of Gilford, 118 N.H. 480, 482 (1978). “Property” in the constitutional sense has been interpreted to mean not the tangible property itself, but rather the right to possess, use, enjoy and dispose of it. Burrows v. City of Keene, 121 N.H. 590, 597 (1981). (emphasis added).

The Supreme Court has held that zoning ordinances must be reasonable, not arbitrary and must rest upon some ground of difference having fair and substantial relation to the object of the regulation. Simplex Technologies, Inc. v. Town of Newington, 145 N.H. 727, 731 (2001); Chesterfield at 69.

Because the proposed uses are permitted, all other dimensional requirements are met, and redevelopment will enhance the appearance of the Property in a manner consistent with the area and increase housing stock, there is no benefit to the public from denying the variances. In comparison, Husslage will suffer great harm because he will be unable to improve the lot and the

public will suffer from a lost opportunity for more housing. Clearly, there is no benefit to the public outweighing the hardship to the applicant if the variances are denied.

4. Granting the variance will not diminish surrounding property values.

The Project improves Property with two new structures, each of which meets all other dimensional requirements. The redevelopment with a single-family home on one lot and a duplex on the other is consistent with the density of the surrounding area. Under these circumstances, granting a variance from the lot area/dwelling requirement to establish a permitted use on one of the lots will not diminish surrounding property values.

5. Denial of the variances results in an unnecessary hardship.

- a. Special conditions distinguish the property from others in the area.

At 9,927 s.f., the Property is significantly larger than the required lot size and subdivided into two lots, still well exceeds the lot area requirements of the zone. Subdivision of the lots and establishment of the permitted duplex use on one of them is consistent with the area, but still fails to comply with the lot area/dwelling requirement. Clearly, the subject parcel size, shape, and location near other densely developed residential parcels combine to create special conditions.

- b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

Density requirements exist to prevent overcrowding and to ensure adequate air, light, space, and separation between neighbors. The Project proposes two permitted uses in structures which meet all other dimensional requirements and accommodates required off street parking. The density relief required is consistent with the surrounding area. Accordingly, the purposes of these regulations are met and there is no reason to apply the strict density requirements of the zoning ordinance.

- c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson, 151 N.H. 747 (2005). The Project proposes two compliant sized lots supporting permitted uses in structures which comply with all other dimensional requirements and accommodates the required parking on each lot. Accordingly, the use is reasonable.

A municipality's ordinance must reflect the current character of the neighborhood, See Belanger v. City of Nashua, 121 N.H. 389, 393 (1981) upholding reversal of use variance denial

where current character of neighborhood had evolved since its original classification as single-family residential). Here, the Project proposes a single-family home with ADU on one lot and a duplex on the other lot. The proposed density is consistent with the surrounding area which includes several lots which do not conform to the Ordinance's density requirement.

The New Hampshire Supreme Court case Walker v. City of Manchester, 107 NH 382 (1966) held that a hardship may be found where similar nonconforming uses exist within the neighborhood and the proposed use will have no adverse effect upon the neighborhood. Consider also Rancourt v. City of Manchester, 149 N.H. 51 (2003) (Hardship also exists if special conditions of the land render the use for which the variance is sought is reasonable and special conditions include the property's unique setting in its environment). Given the Property's setting in its environment and the proposed establishment of permitted uses consistent with the surrounding density, in structures meeting all other dimensional requirements, denial of the variance will result in an unnecessary hardship to Husslage.

VI. CONCLUSION

For all of the reasons stated, Husslage respectfully requests that the Portsmouth Zoning Board of Adjustment grant the requested relief and allow this matter to proceed to the Planning Board.

Respectfully submitted,
Martin Husslage



By: R. Timothy Phoenix
Monica F. Kieser

LEGEND:

MAP 137 LOT 11	ASSESSORS MAP AND LOT NUMBER
B.G.	BELOW GRADE
BK. PG.	BOOK / PAGE
CLDI	CEMENT-MORTAR LINED DUCTILE IRON
EL.	ELEVATION
EM	ELECTRIC METER
EP	EDGE OF PAVEMENT
GM	GAS METER
GV	GAS VALVE
IRF	IRON ROD FOUND
N/F	NOW OR FORMERLY
PSNH	PUBLIC SERVICE COMPANY OF NH
PVC	POLYVINYL CHLORIDE
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
R.O.W.	RIGHT OF WAY
S.F.	SQUARE FEET
TBM	TEMPORARY BENCH MARK
VGC	VERTICAL GRANITE CURB
VZ	VERIZON UTILITY COMPANY
WM	WATER METER
W	WATER LINE
S	SEWER LINE
OHU	OVERHEAD UTILITIES
16	EXISTING CONTOUR
□	STOCKADE FENCE
○	CONCRETE
▨	PAVEMENT
▨	CRUSHED STONE/GRAVEL
▨	BRICK
+	LANDSCAPED AREA

MAP 139 LOT 4
N/F
KARINA QUINTANS
51 MCDONOUGH STREET
PORTSMOUTH, NH 03801
RCRD BK.#4761 PG.#1859

MAP 139 LOT 5
N/F
LIEGE CORP
PO BOX 982
PORTSMOUTH, NH 03802
RCRD BK.#5512 PG.#0919

MAP 138 LOT 28
N/F
S & L REALTY TRUST
6 WALKER LANE
RYE, NH 03870
RCRD BK.#5188 PG.#0578

MAP 138 LOT 29
N/F
SHARON A. SYREK & THOMAS R. BASILIERE
47 LANGDON STREET
PORTSMOUTH, NH 03801
RCRD BK.#5984 PG.#1610

MAP 138 LOT 30
N/F
LANGDON STREET CONDOMINIUMS
39 LANGDON STREET
PORTSMOUTH, NH 03801
RCRD BK.#3947 PG.#0412

MAP 138 LOT 47
9,927 S.F.
(0.2279 ACRES)

MAP 138 LOT 42
N/F
THE CARRIAGE HOUSE CONDOMINIUM
43 CORNWALL STREET
PORTSMOUTH, NH 03801
RCRD BK.#4140 PG.#0476

MAP 138 LOT 46
N/F
28 LANGDON STREET CONDOMINIUM
28 LANGDON STREET
PORTSMOUTH, NH 03801
RCRD BK.#4849 PG.#1297



NOTES:

- THE PARCEL IS LOCATED IN THE GENERAL RESIDENCE C (GRC) ZONING DISTRICT.
- THE PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 138 AS LOT 47.
- THE PARCEL IS LOCATED IN ZONE X AS SHOWN ON NATION FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) NUMBER 33015C0259F, VERSION 2.2.3.1 MAP REVISED JANUARY 29, 2021.
- OWNER OF RECORD:
MAP 138 LOT 47
MARTIN HUSSLAG
446 CENTRAL ROAD
RYE, NH 03870
RCRD BK.#5742 PG.#1401
- TOTAL PARCEL AREA:
MAP 138 LOT 47
9,927 S.F.
(0.2279 ACRES)
- DIMENSIONAL REQUIREMENTS:

MINIMUM LOT DIMENSIONS:	GRC
LOT AREA	3,500 S.F.
LOT AREA PER DWELLING UNIT	3,500 S.F.
CONTINUOUS STREET FRONTAGE	70'
DEPTH	50'
MINIMUM YARD DIMENSIONS:	
FRONT	5'
SIDE	10'
REAR	20'
MAXIMUM STRUCTURE DIMENSIONS:	
STRUCTURE HEIGHT	35'
ROOF APPURTENANCE HEIGHT	8'
BUILDING COVERAGE	35%
MINIMUM OPEN SPACE:	20%
- PER THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ZONING ORDINANCE, SECTION 10.521.
- 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 BOUNDARY AND EXISTING SITE FEATURES OF MAP 138 LOT 47.
- FIELD SURVEY COMPLETED BY TCE IN MARCH 2021 USING A USING A LEICA TS-16 AND CARLSON RT-4 DATA COLLECTOR.
- HORIZONTAL DATUM IS NAD83 (2011) PER STATIC GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 1 FOOT.
- 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.
- THIS PARCEL IS SUBJECT TO THE CITY OF PORTSMOUTH ZONING ORDINANCE ARTICLE 5 SECTION 10.516.30 "CORNER OF LOT VISION OBSTRUCTION" THAT REQUIRES ON A CORNER LOT NO STRUCTURE, ACCESSORY STRUCTURE, LANDSCAPING, OR SCREENING WHICH OBSTRUCTS VISIBILITY SHALL BE ERRECTED OR MAINTAINED BETWEEN THE HEIGHTS OF 2.5 AND 10 FEET ABOVE THE EDGE OF PAVEMENT GRADES WITHIN 20 FEET FROM THE INTERSECTION OF STREET SIDELINES.

EXHIBIT 1

MAP 138 LOT 47
EXISTING CONDITIONS PLAN
HUSSLAG
48-50 LANGDON STREET
PORTSMOUTH, NEW HAMPSHIRE
COUNTY OF ROCKINGHAM
OWNED BY
MARTIN HUSSLAG

SCALE: 1" = 10' (22x34)
1" = 20' (11x17)

NOVEMBER 30, 2021



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.tfmorean.com

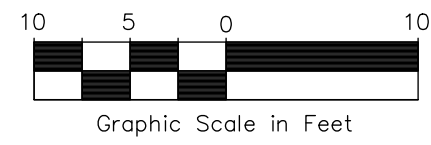
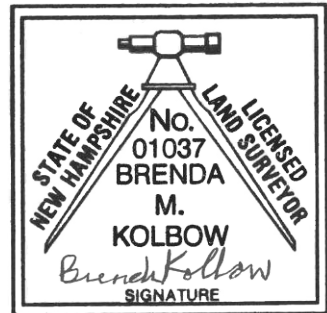
FILE	47229-01	DR	M/P	FB	573
		CK	BK	CADFILE	

REV.	DATE	DESCRIPTION	DR	CK

PLAN REFERENCES:

- "HUNKING PENHOLLOW & BENJ. PENHOLLOW PLAN OF THE ROCK FIELD IN THE TOWN OF PORTSMOUTH DRAWN IN PART FROM ACTUAL SURVEY AND PARTLY FROM A PLAN OF MR. WILLIAM HART" BY BENJ. AKERMAN, DATED 1815. RCRD PLAN #00562.
- "CONSOLIDATION OF LOTS PORTSMOUTH, N.H. FOR LANGDON SQUARE ASSOCIATES" PREPARED BY FRANCIS J. BARRETT, DATED JUNE 27, 1980. RCRD PLAN C-10024.
- "CONDOMINIUM SITE PLAN PREPARED FOR HENRY FAMILY REVOCABLE TRUST HAROLD AND LINDA HENRY, TRUSTEES TAX MAP 138 LOT 45 235-245 ISLINGTON STREET PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM" PREPARED BY MCNEANEY SURVEY ASSOCIATES, INC. DATED OCTOBER 4, 2000. RCRD PLAN D-28786.
- "CONDOMINIUM SITE PLAN FOR JONATHON HOWARD MAP 138, LOT 30 PORTSMOUTH, NH" BY ALEX ROSS CIVIL/STRUCTURAL ENGINEERING SERVICES WITH REVISION 2 DATED NOV. 20, 2002. RCRD PLAN #D-30364.
- "EASEMENT PLAN FOR DAVID R. LEMIEUX & LANE CHENEY AND SUSIE STROUS CORNWALL STREET & MCDONOUGH STREET PORTSMOUTH, NEW HAMPSHIRE" BY DOUCET SURVEY, INC. DATED NOVEMBER 4, 2003. RCRD PLAN D-31220.
- "AS-BUILT CONDOMINIUM SITE PLAN FOR SEAPORT DEVELOPMENT LLC CORNWALL STREET PORTSMOUTH, NEW HAMPSHIRE" BY DOUCET SURVEY, INC. DATED DECEMBER 1, 2004. RCRD PLAN D-32250.
- "28 LANGDON STREET CONDOMINIUM ASSOCIATION SITE PLAN FOR PROPERTY AT 28 LANGDON STREET PORTSMOUTH, ROCKINGHAM COUNTY, NEW HAMPSHIRE OWNED BY IDEAS IN MOTION, LLC" BY NORTH EASTERLY SURVEYING, INC., DATED 9/10/07 WITH REVISION B DATED 9/26/07. RCRD PLAN #D-35045.
- "SUBDIVISION PLAN TAX MAP 138 - LOT 48 FOR CHINBURG DEVELOPMENT, LLC ON LAND OF JOHN L. AHLGREN & BESSIE PALMISCIANO LANGDON STREET CITY OF PORTSMOUTH COUNTY OF ROCKINGHAM STATE OF NEW HAMPSHIRE" BY AMBIT ENGINEERING, INC. DATED NOVEMBER 2015 WITH REVISION 2 DATED FEBRUARY 26, 2016. RCRD PLAN D-39522.
- "TAX MAP 138 LOT 29 STANDARD BOUNDARY SURVEY 47 LANGDON STREET PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM OWNED BY CHRISTOPHER J. WILSON & LAUREL VALCHUIS" BY TFM MSC A DIVISION OF TFMORAN, INC. DATED OCTOBER 14, 2016. RCRD PLAN D-39788.

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 MARCH 2021. 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.
I FURTHER CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, AND THE FIELD TRAVERSE SURVEY EXCEEDS A PRECISION OF 1:15,000.



Nov 30, 2021 - 1:52pm F:\MSC Projects\47229-01 - Portsmouth\47229-01 - Husslage - 48_50 Langdon St\Carison Survey\Drawings\47229-01 Survey.dwg

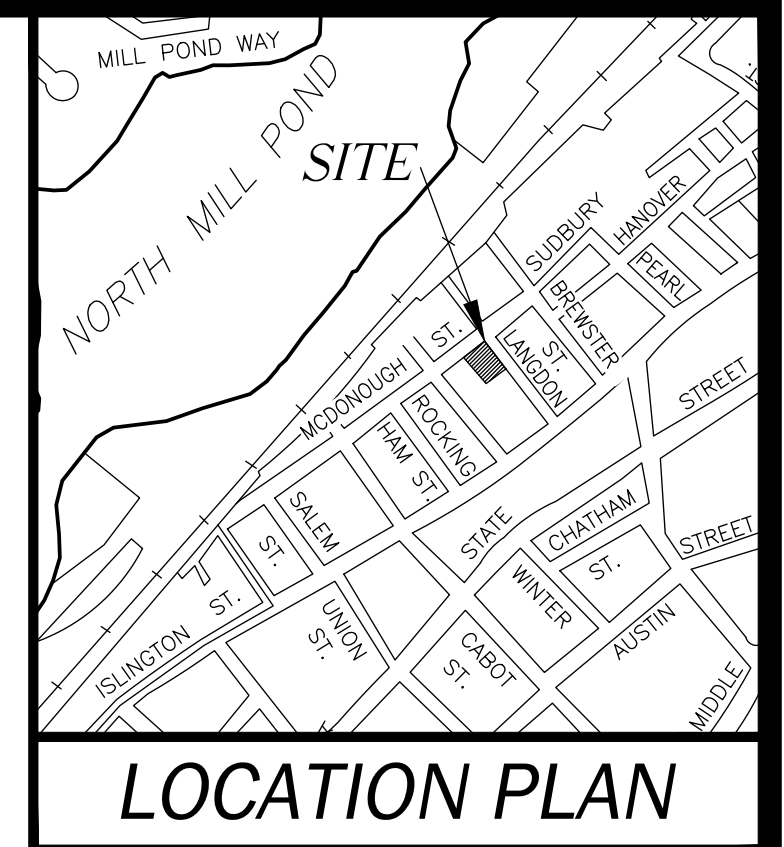
LICENSED LAND SURVEYOR
DATE: 2024-09-18
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48 Constitution Drive, Bedford, N.H. 03110
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This plan is not effective unless signed by a duly authorized officer of Thomas F. Moran, Inc.

CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION

Dec 24, 2024 - 6:54am F:\MSC Projects\47229-01 - Portsmouth St - Portsmouth\47229-01 - Husslage - 48_50 Langdon St\Design\Concepts\47229-01 Conceptual Site Plan.dwg

LEGEND:

- MAP 137 LOT 11**
 B.G. ASSESSORS MAP AND LOT NUMBER
 BK. PG. BELOW GRADE BOOK / PAGE
 EL. ELEVATION
 EM ELECTRIC METER
 EP EDGE OF PAVEMENT
 GM GAS METER
 IRF IRON ROD FOUND
 N/F NOW OR FORMERLY
 PSNH PUBLIC SERVICE COMPANY OF NH
 PVC POLYVINYL CHLORIDE
 RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS
 R.O.W. RIGHT OF WAY
 S.F. SQUARE FEET
 VGC VERTICAL GRANITE CURB
 WM WATER METER
 IRON PIN/ROD FOUND
 CATCH BASIN
 GAS VALVE
 WATER VALVE
 SEWER MANHOLE
 HYDRANT
 UTILITY POLE
 SEWER CLEAN OUT
 SIGN POLE
 DECIDUOUS TREE
 WATER SHUT OFF
 BOUNDARY LINE
 APPROXIMATE ABUTTERS LINE
 SETBACK LINE
 DRAIN LINE
 GAS LINE
 WATER LINE
 SEWER LINE
 OVERHEAD UTILITIES
 STOCKADE FENCE
 CONCRETE
 PAVEMENT
 LANDSCAPE AREA



NOTES:

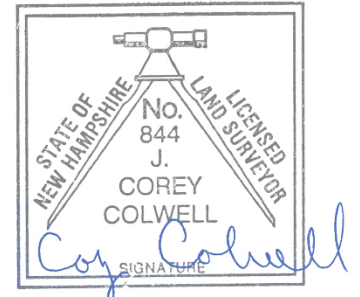
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 MARTIN HUSSLAGE
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 RYE, NH 03870
 RCRD BK.#5742 PG.#1401
- TOTAL PARCEL AREA:
 MAP 138 LOT 47
 9,927 S.F.
 (0.2279 ACRES)
- DIMENSIONAL REQUIREMENTS: GRC**

LOT AREA	REQUIRED: 3,500 SF	PROPOSED: LOT "A": 5,664 SF	PROPOSED: LOT "B": 4,264 SF
MINIMUM LOT DIMENSIONS:			
LOT AREA PER DWELLING UNIT	3,500 SF	2,832 SF*	4,264 SF
CONTINUOUS STREET FRONTAGE	70'	70.6' LANGDON ST.	54' LANGDON ST. 78.5' MCDONOUGH ST.
DEPTH	50'	79.4'	78.5'
MINIMUM YARD DIMENSIONS:			
FRONT	5'	15.9' LANGDON ST.	8.0' LANGDON ST. 10.0' MCDONOUGH ST.
SIDE	10'	17.7'	11.0'
REAR	20'	20.7'	20.3'
MAXIMUM STRUCTURE DIMENSIONS:			
BUILDING HEIGHT	35'	32.7'	29.6'
ROOF APPURTENANCE HEIGHT	8'	<8'	<8'
BUILDING COVERAGE	35%	22.2%	34.9%
MINIMUM OPEN SPACE:	20%	66.7%	53.6%

*VARIANCE REQUIRED PER THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ZONING ORDINANCE, SECTION 10.521.

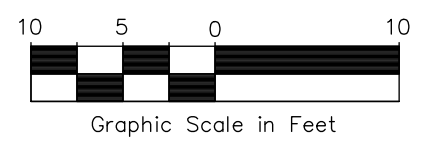
- THE PURPOSE OF THIS PLAN IS TO CONCEPTUALLY SHOW A 2 LOT SUBDIVISION ON MAP 138 LOT 47, AND POTENTIAL RESIDENTIAL BUILDINGS ON EACH LOT.
- FIELD SURVEY COMPLETED BY TCE IN MARCH 2021 AND JUNE 2024 USING A LEICA TS-16 AND CARLSON RT-4 DATA COLLECTOR.
- HORIZONTAL DATUM IS NAD83 (2011) PER STATIC GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 1 FOOT.
- 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.
- THIS PARCEL IS SUBJECT TO THE CITY OF PORTSMOUTH ZONING ORDINANCE ARTICLE 5 SECTION 10.516.30 "CORNER OF LOT VISION OBSTRUCTION" THAT REQUIRES ON A CORNER LOT NO STRUCTURE, ACCESSORY STRUCTURE, LANDSCAPING, OR SCREENING WHICH OBSTRUCTS VISIBILITY SHALL BE ERRECTED OR MAINTAINED BETWEEN THE HEIGHTS OF 2.5 AND 10 FEET ABOVE THE EDGE OF PAVEMENT GRADES WITHIN 20 FEET FROM THE INTERSECTION OF STREET SIDELINES.

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 JULY-SEPTEMBER 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.



12/24/2024
DATE

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 48 Constitution Drive, Bedford, N.H. 03110
 All rights reserved. These plans and materials may not be copied, duplicated, replicated or otherwise reproduced in any form whatsoever without the prior written permission of TFMoran, Inc.
 This plan is not effective unless signed by a duly authorized officer of TFMoran, Inc.



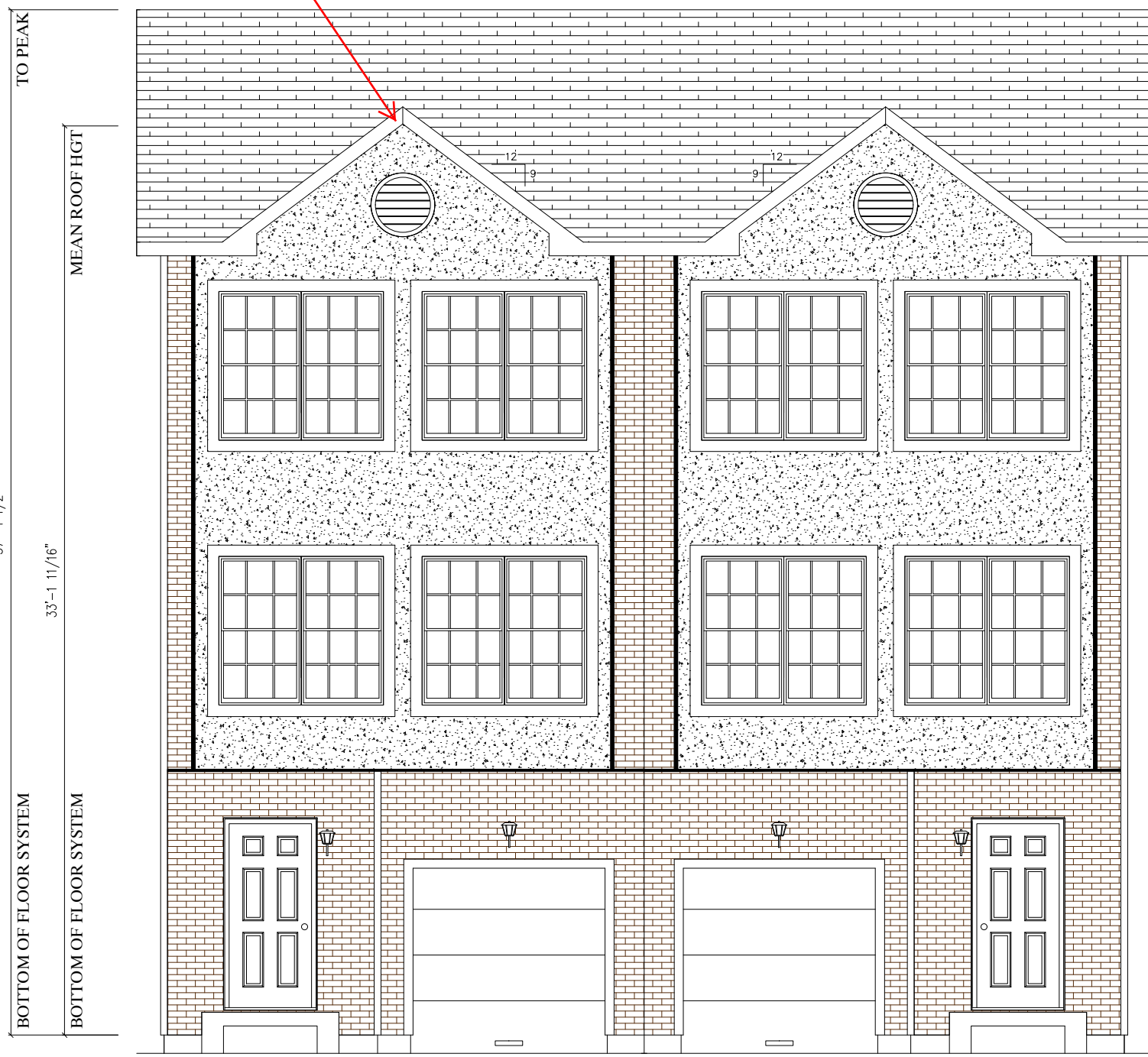
MAP 138 LOT 47
CONCEPTUAL SUBDIVISION/PROPOSED CONDITIONS PLAN
 48-50 LANGDON STREET
 PORTSMOUTH, NEW HAMPSHIRE
 COUNTY OF ROCKINGHAM
 OWNED BY
MARTIN HUSSLAGE
 SCALE: 1" = 10' (22x34)
 1" = 20' (11x17)
 DECEMBER 24, 2024

Seacoast Division		Civil Engineers	170 Commerce Way, Suite 102
TFM		Structural Engineers	Portsmouth, NH 03801
		Traffic Engineers	Phone (603) 431-2222
		Land Surveyors	Fax (603) 431-0910
		Landscape Architects	www.tfmoran.com
		Scientists	
FILE	47229-01	DR	RJB
		CK	JCC
		FB	CADFILE
			573
			SEE MARGIN

REV.	DATE	DESCRIPTION	DR	CK

QUOTE IS FOR ONE LIVING UNIT

EXHIBIT 2



FRONT ELEVATION

NOTE — ACTUAL HOUSE MAY VARY FROM ELEVATION NICKL 7/14/2017 2:39:26 PM

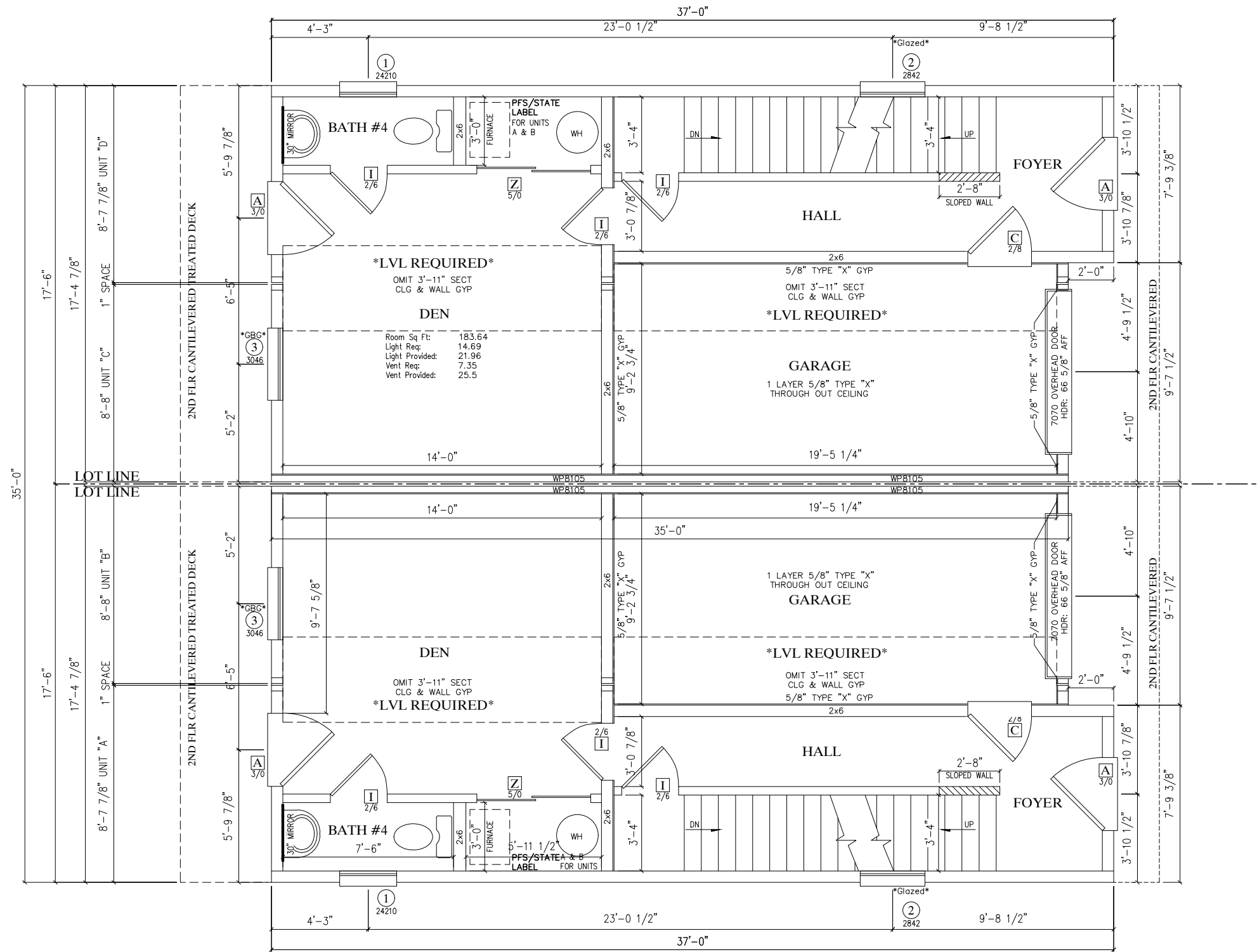
CEILING 8'-0"
 FLOOR
 CEILING 8'-0"
 FLOOR
 CEILING 8'-0"
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CEILING
 FLOOR
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 CEILING
 FLOOR

PAGE:	DATE:	3/3/2010	DRAWN BY:	KMC	STATUS:	PRINT REQUEST	BUILDER:	JACOB NOBLE	CUSTOMER:	JACOB NOBLE			
		6/18/10	NCL		REVISIONS		CITY:	PHILADELPHIA	COUNTY:	PHILADELPHIA			
							WIND SPEED:	90	3	SECOND GUST:	20	STATE:	PA
							ORDER NO.:	SERIAL NO.:	FILE NO.:	SQ. FT.:	1979		
							ORDER #	SERIAL #	STANDARD #	16 (PINE MEADOW)			

1839 - TOWNHOUSE
 FRONT ELEVATION

Custom Building Systems LLC
 200 Custom Ave
 Middleburg, PA 17842
 (888) 553-1414
 www.custombuildingsystems.net



NICKL 7/14/2017 2:39:26 PM

NOTES: 1.* - DENOTES ADDITIONAL COLUMN IN BASEMENT
 2. 2X6 EXTERIOR WALLS 16" O.C.
 3. 2X3 MARRIAGE WALLS 16" O.C.
 4. 8'-0" CLG.

5. STAIRS TO BE 8 1/4" RISERS AND 9" TREADS.
 6.
 7.
 8.

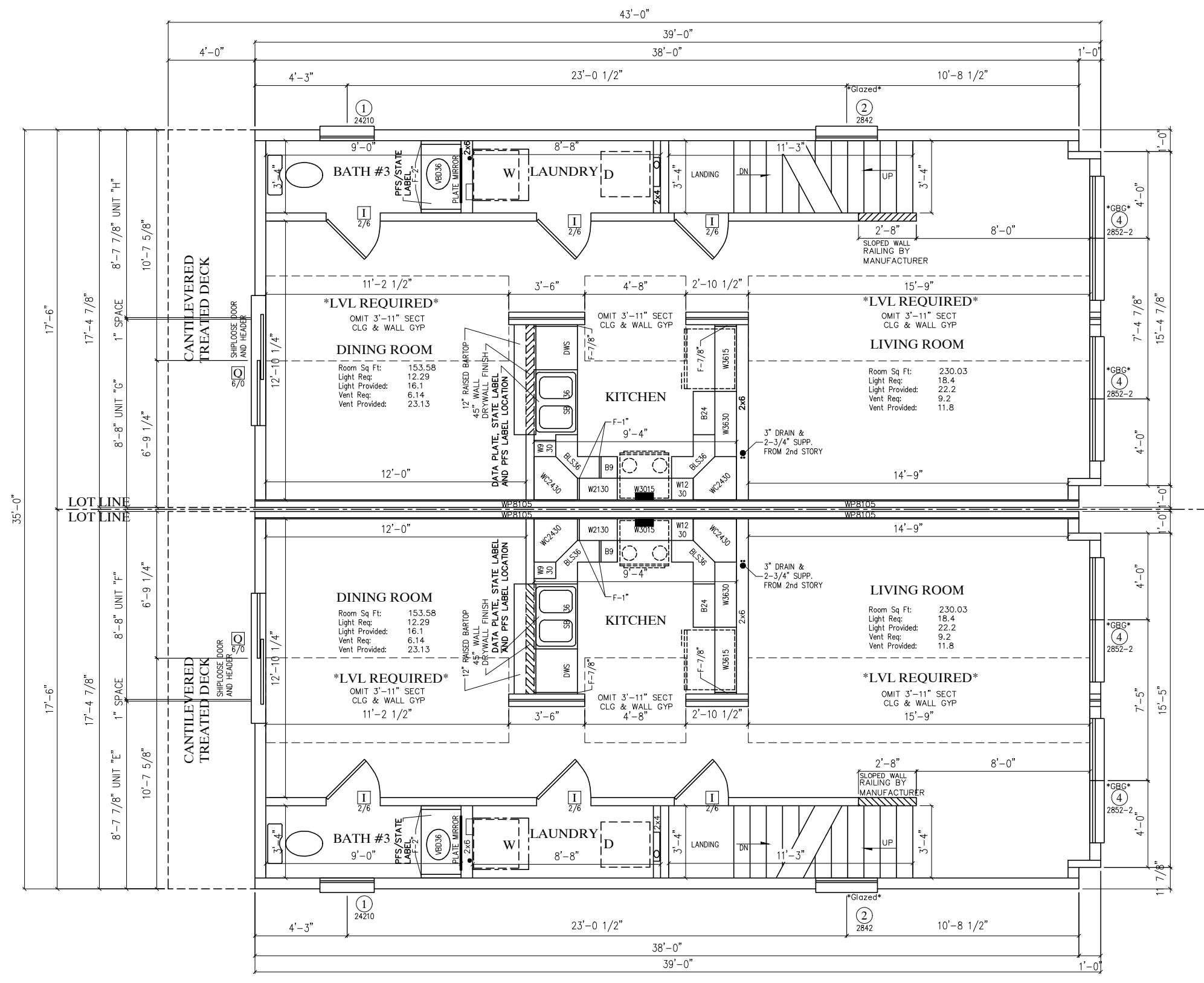
9.
 10.
 11.
 12.

DATE:	3/3/2010	DRAWN BY:	KMC	STATUS:	PRINT REQUEST
	6/18/10		NCL		REVISIONS
PAGE:		BUILDER:	JACOB NOBLE	CUSTOMER:	JACOB NOBLE
		CITY:	PHILADELPHIA	COUNTY:	PHILADELPHIA
		STATE:	PA	SNOW LOAD:	20
		ORDER NO.:	90 3 SECOND GUST	FILE NO.:	1979
		ORDER #:	STANDARD 16 (PINE MEADOW)	SERIAL #:	

1839-TOWNHOUSE
 1st STORY FLOOR PLAN

Custom Building Systems LLC
 200 Custom Ave.
 Middleburg, PA 17842
 (888) 553-1414
 www.custombuildingsystems.net





NOTES: 1.* - DENOTES ADDITIONAL COLUMN IN BASEMENT
 2. 2X6 EXTERIOR WALLS 16" O.C.
 3. 2X3 MARRIAGE WALLS 16" O.C.
 4. 8'-0" CLG.

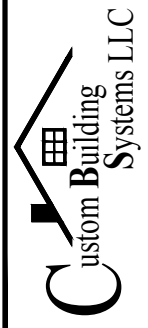
- 5.
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- 7.
- 8.
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- 12.

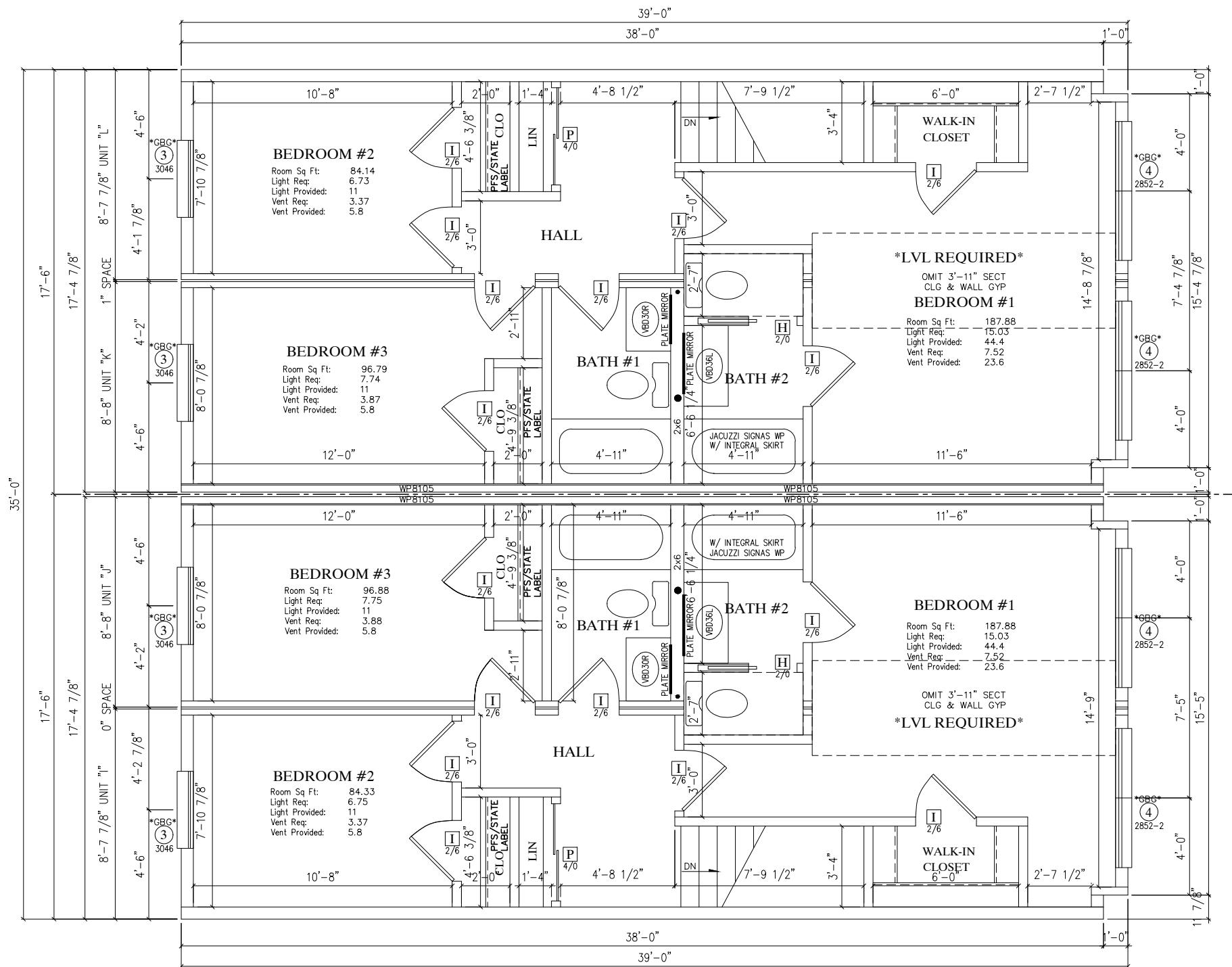
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DATE:	3/3/2010	DRAWN BY:	KMC	STATUS:	PRINT REQUEST	CUSTOMER:	JACOB NOBLE
	6/18/10		NCL		REVISIONS		JACOB NOBLE
PAGE:						CITY:	PHILADELPHIA
						STATE:	PA
						SNOW LOAD:	20
						FILE NO.:	1979
						ORDER NO.:	90 3 SECOND GUST
						SERIAL NO.:	STANDARD 16 (PINE MEADOW)

1839-TOWNHOUSE
 2nd STORY FLOOR PLAN

Custom Building Systems LLC
 200 Custom Ave.
 Middleburg, PA 17842
 (888) 553-1414
 www.custombuildingsystems.net





BUILDER	JACOB NOBLE	CUSTOMER	JACOB NOBLE
CITY	PHILADELPHIA	COUNTY	PHILADELPHIA
STATE	PA	SNOW LOAD	20
ORDER NO.	90 3 SECOND GUST	FILE NO.	1979
SERIAL NO.		SERIAL #	STANDARD 16 (PINE MEADOW)

1839-TOWNHOUSE
3rd STORY FLOOR PLAN

Custom Building Systems LLC
 200 Custom Ave.
 Middleburg, PA 17042
 (888) 553-1414
 www.custombuildingsystems.net

DATE:	3/3/2010	DRAWN BY:	KMC	STATUS:	PRINT REQUEST
	6/18/10		NCL		REVISIONS

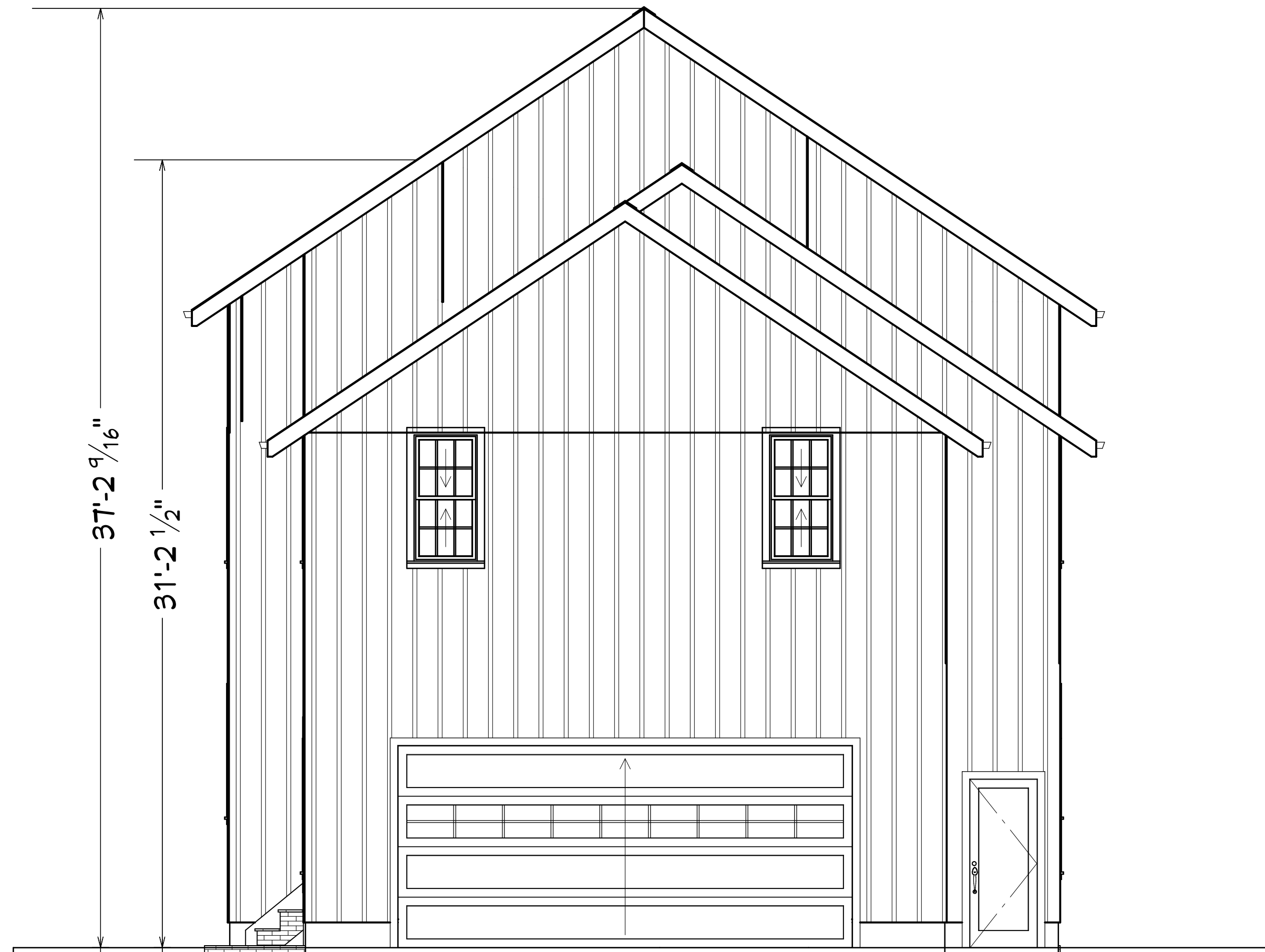
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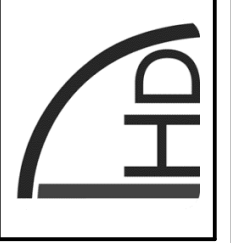
- NOTES: 1.* - DENOTES ADDITIONAL COLUMN IN BASEMENT
- 2X6 EXTERIOR WALLS 16" O.C.
 - 2X3 MARRIAGE WALLS 16" O.C.
 - 8'-0" CLG.

- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

EXHIBIT 3



Front Elevation



NO.	DESCRIPTION	BY	DATE
1	Town Review	MH	8/8/2024

SHEET TITLE:
Front Elevation

PROJECT DESCRIPTION:
48/50 Langdon Street Lot B
Single Family w ADU

DRAWINGS PROVIDED BY:
Home Designer Pro

DATE:
12/11/2024

SCALE:
1/4" = 1"

SHEET:
A-1



NO.	DESCRIPTION	BY	DATE
1	Town Review	MH	8/8/2024

SHEET TITLE:
First Floor

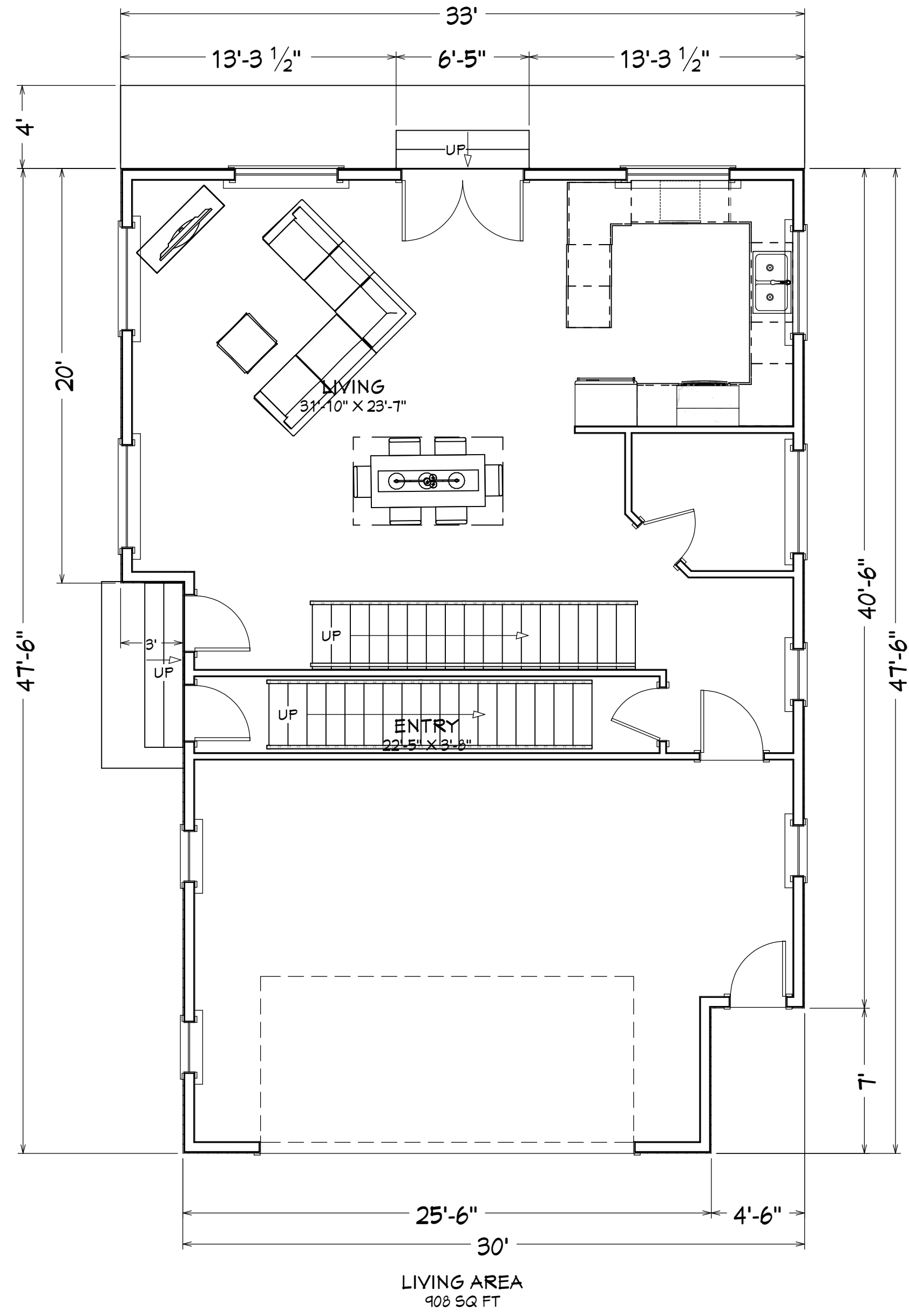
PROJECT DESCRIPTION:
48/50 Langdon Street Lot B
Single Family w ADU

DRAWINGS PROVIDED BY:
Home Designer Pro

DATE:
12/11/2024

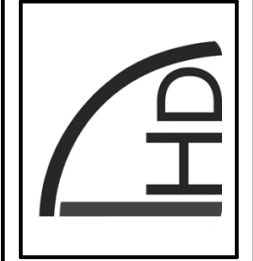
SCALE:
1/5" = 1"

SHEET:
A-2



First Floor

11:00 AM 12/11/2024



NO.	DESCRIPTION	BY	DATE
1	Town Review	MH	8/8/2024

SHEET TITLE:
Second Floor

PROJECT DESCRIPTION:
48/50 Langdon Street Lot B
Single Family w ADU

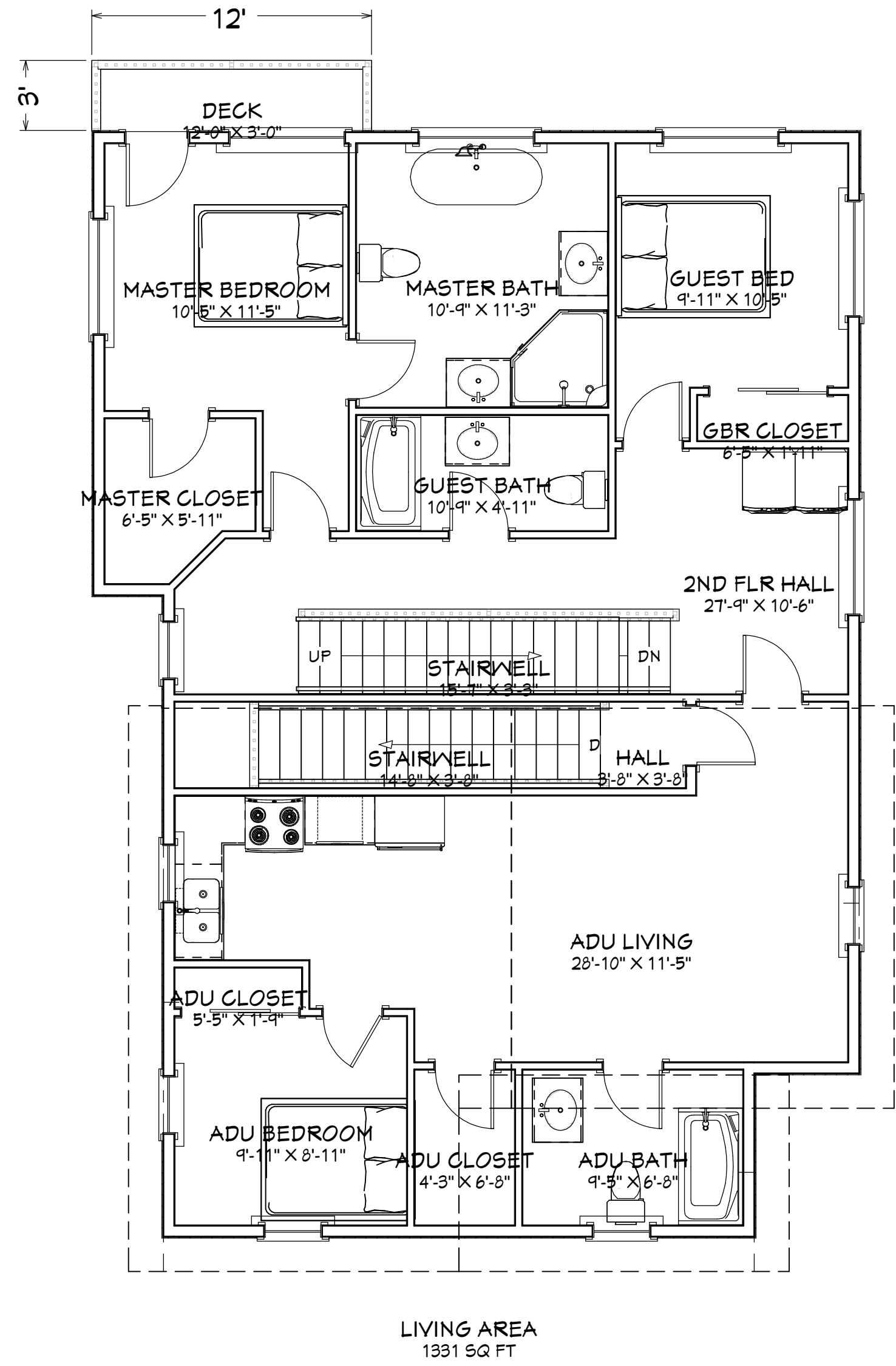
DRAWINGS PROVIDED BY:
Home Designer Pro

DATE:
12/11/2024

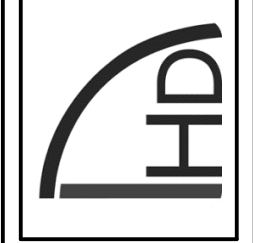
SCALE:
1/5" = 1"

SHEET:

A-3



Second Floor



NO.	DESCRIPTION	BY	DATE
1	Town Review	MH	8/8/2024

SHEET TITLE:
Third Floor

PROJECT DESCRIPTION:
48/50 Langdon Street Lot B
Single Family w ADU

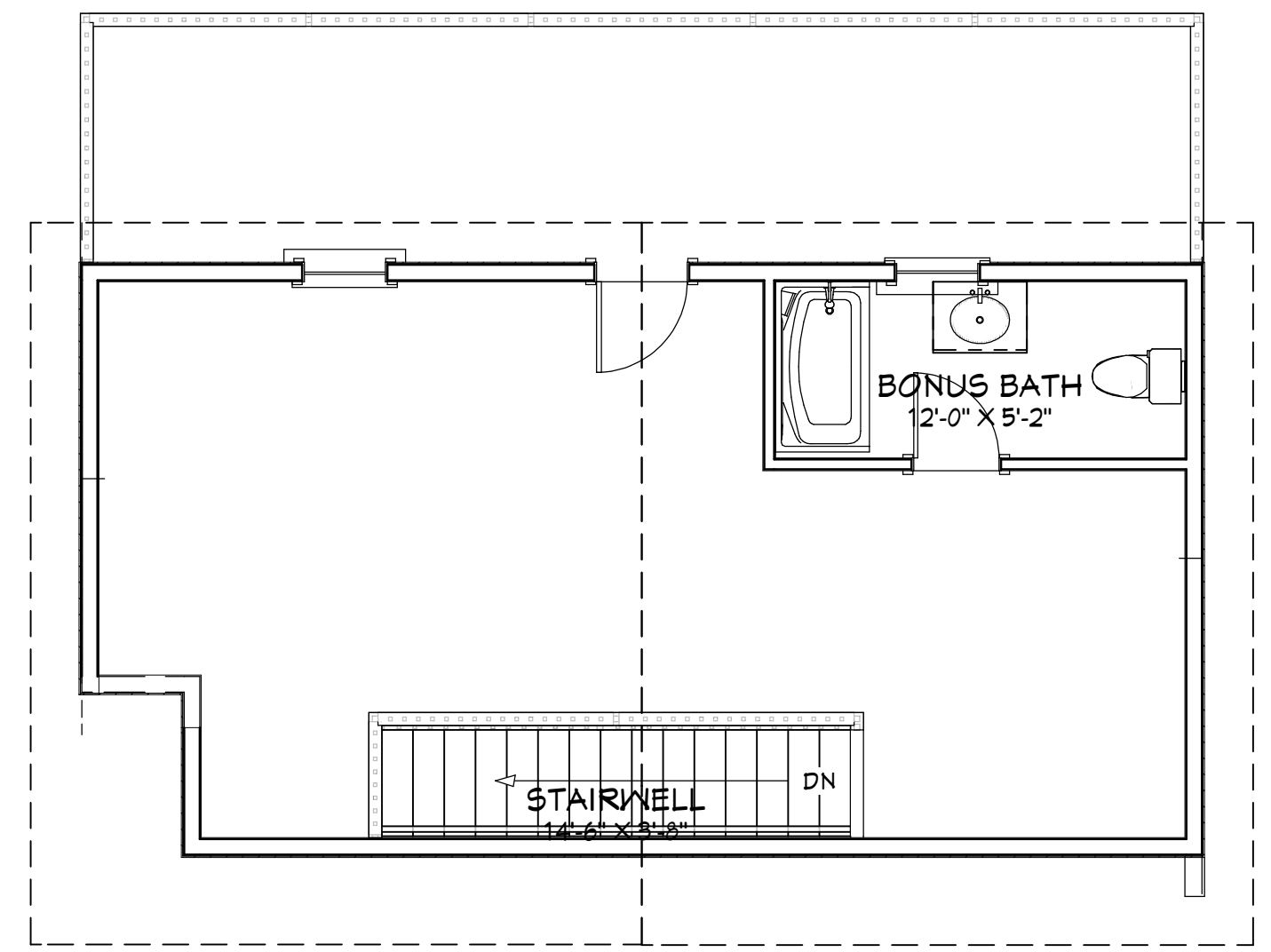
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Home Designer Pro

DATE:
12/11/2024

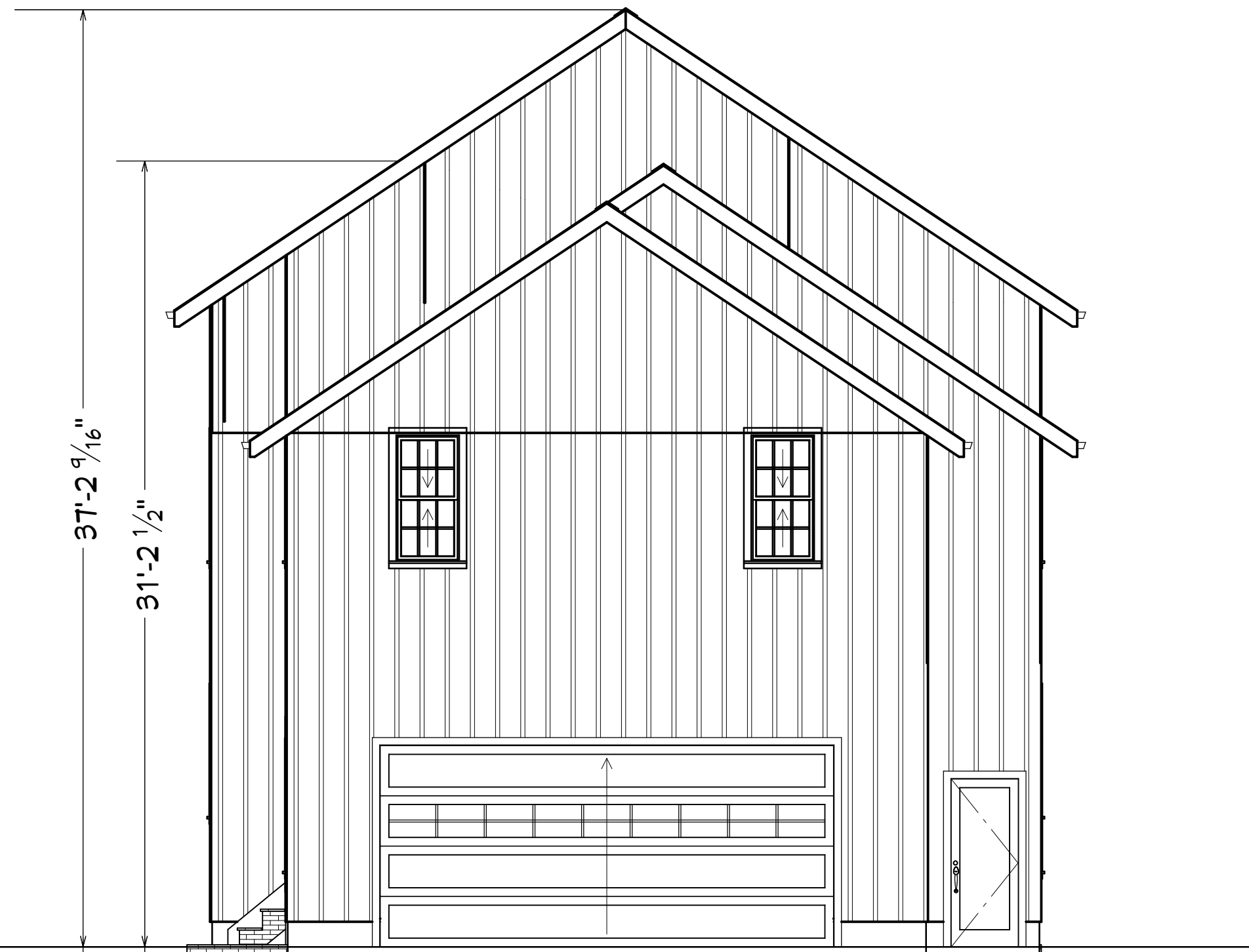
SCALE:
1/5" = 1"

SHEET:

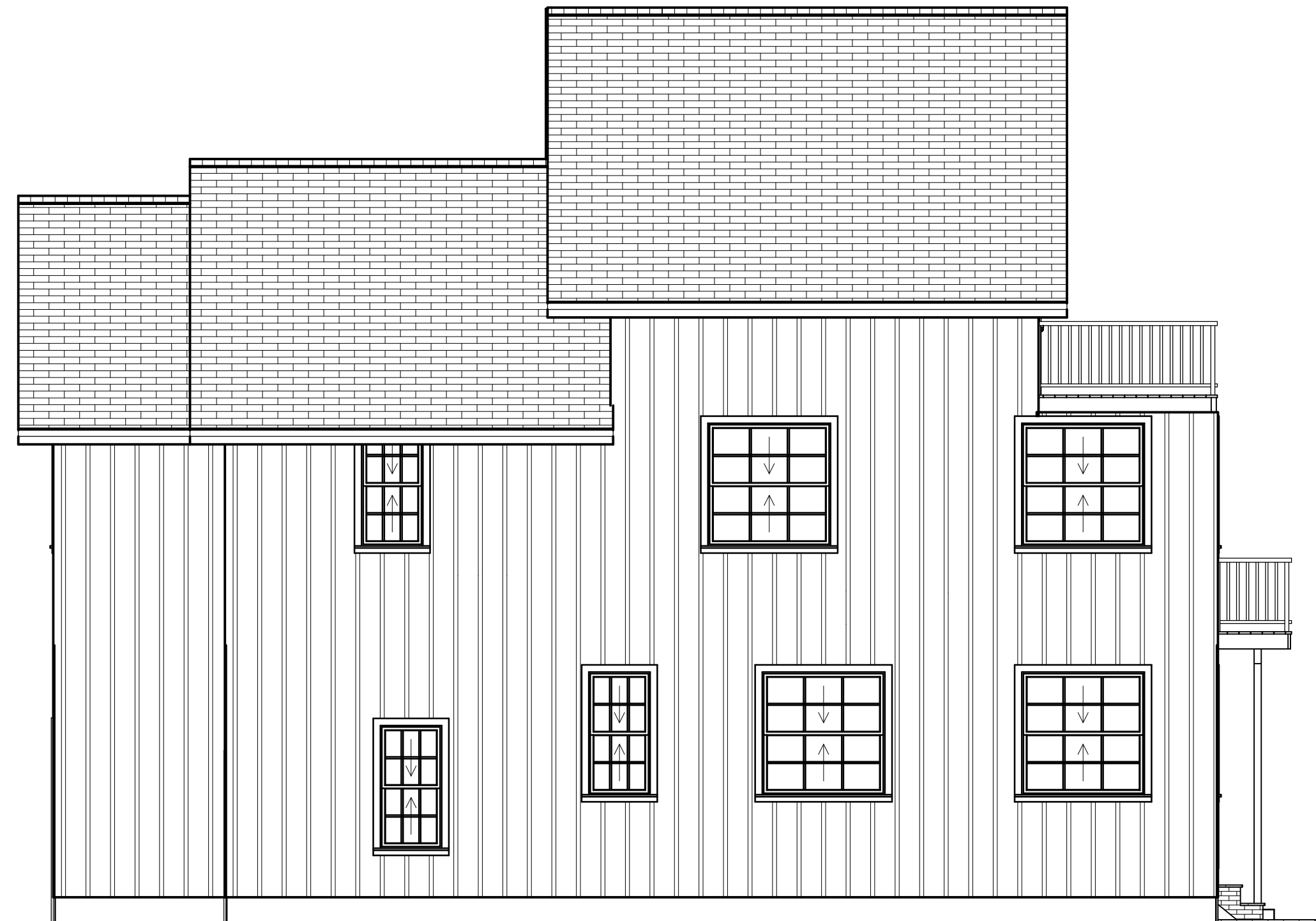
A-4



Third Floor



Front Elevation



Right Elevation



Back Elevation



Left Elevation



NO.	DESCRIPTION	BY	DATE
1	Town Review	MH	8/8/2024

SHEET TITLE:
Building Elevations

PROJECT DESCRIPTION:
48/50 Langdon Street Lot B
Single Family w ADU

DRAWINGS PROVIDED BY:
Home Designer Pro

DATE:
12/11/2024

SCALE:
1/5" = 1"

SHEET:
A-5

Google Maps 48 Langdon St



Imagery ©2024 Google, Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 50 ft

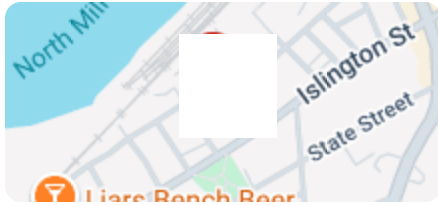
EXHIBIT 4

Google Maps 50 Langdon St

Portsmouth, New Hampshire
Google Street View
Sep 2019 [See more dates](#)



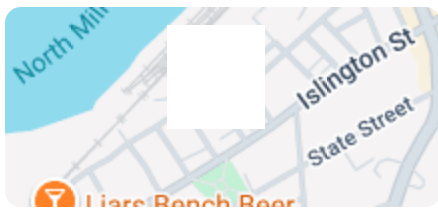
Image capture: Sep 2019 © 2024 Google

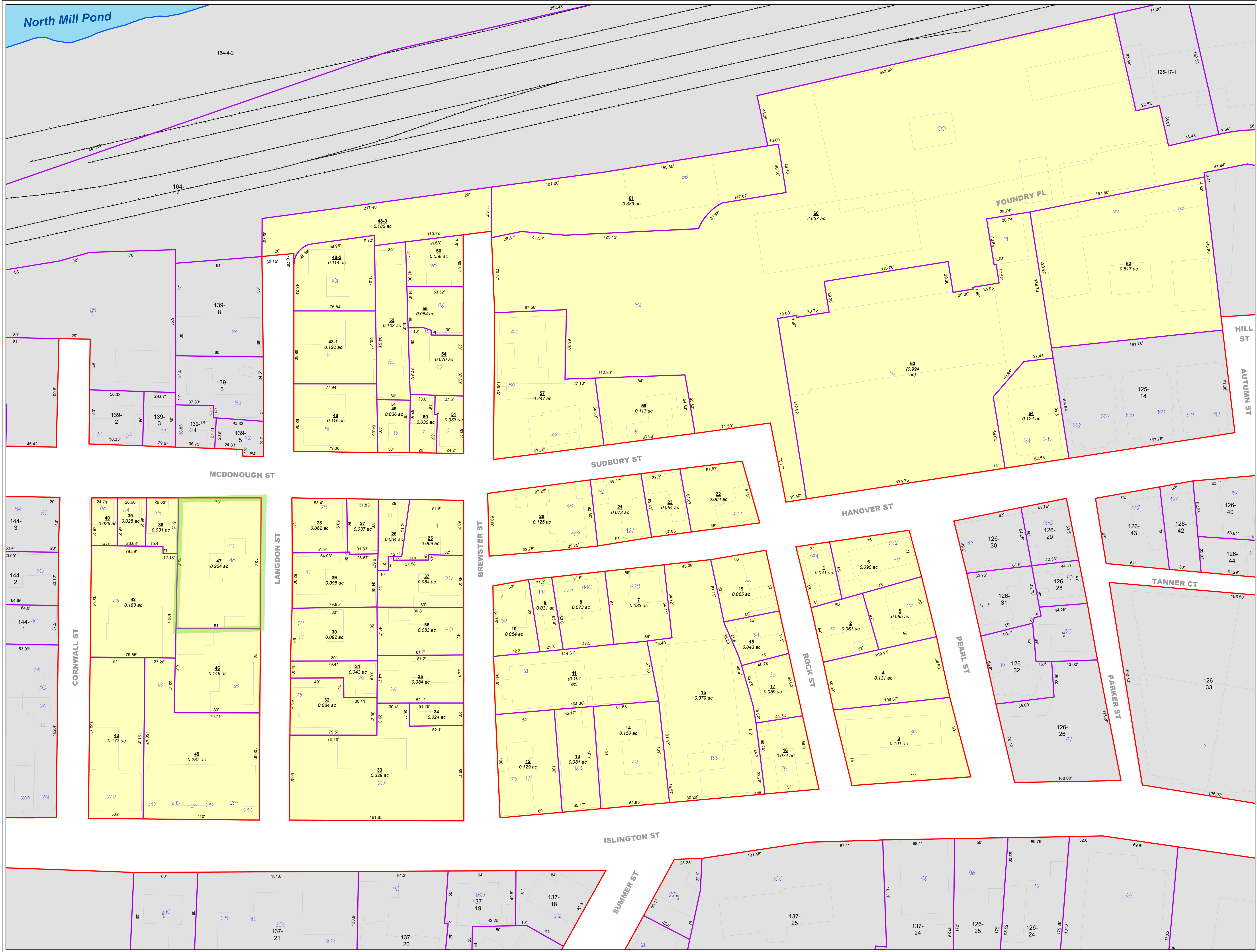


Google Maps 50 Langdon St



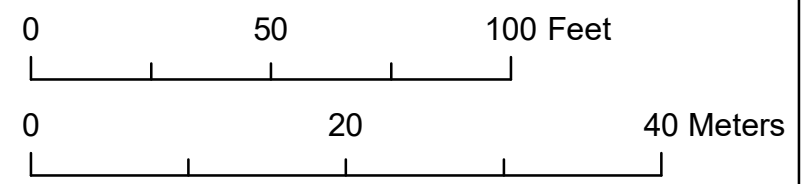
Image capture: Sep 2019 © 2024 Google



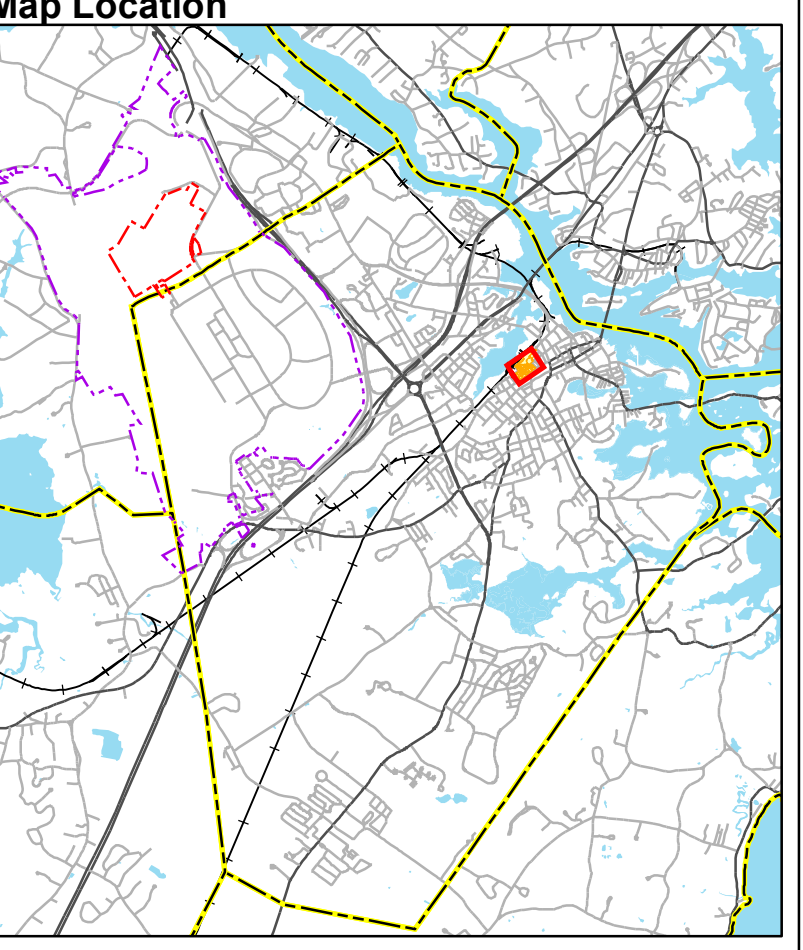
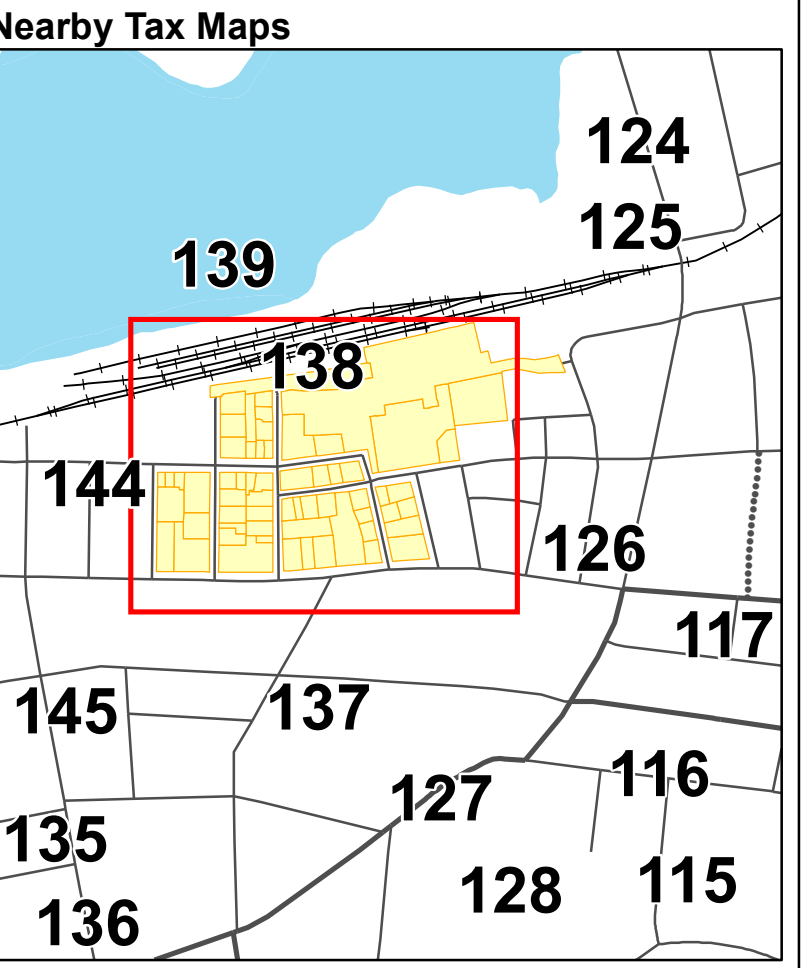


- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - Address number
 - 233-137 Parcel number from a neighboring map
 - 68' Parcel line dimension
 - Street name
- SIMS AVE**
 Street name
- Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
- Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)

EXHIBIT 5



This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



2025-01-09
TFMoran Inc.
Project#: 47229-03 Huslage
*Coverage Calcs

BUILDING COVERAGE CALCS.

- LOT A BUILDING AREA= 1,257
- LOT A SF=5,664
- BUILDING COVERAGE= $1,257/5,664=22.2\%$

- LOT B BUILDING AREA= 1,453
- LOT B BUILDING COVERAGE (2ND STORY DECK+HOUSE)=1489.5
- LOT B SF=4,264
- BUILDING COVERAGE= $1,489.5/4,264=34.9\%$

OPEN SPACE BY LOT

- LOT A OPEN SPACE (GREEN AREA)= 3,778.946 SF
 - MIN OPEN SPACE= 66.72%

- LOT B OPEN SPACE (GREEN AREA)= 2286.6734 SF
 - MIN OPEN SPACE= 53.6%