

**LOT LINE REVISION APPLICATION**  
**City of Rochester, New Hampshire**

Date: 03/01/2021 [office use only. Check # \_\_\_\_\_ amount \$ \_\_\_\_\_ date \_\_\_\_\_ ]

**Property information**

Tax map #: 263; lot #'s: 10 & 10-3; zoning district: A

Property address/location: 106 & 104 England Road

Name of project (if applicable): \_\_\_\_\_

**Property owner – Parcel A**

Name (include name of individual): Mark G. Phillips (Lot 10)

Mailing address: 35 Hodgdon Farm Lane, Newington NH 03801

Telephone #: 603-396-1635 Email: greatbaynh@comcast.net

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

Name (include name of individual): Timothy J. and Amy L. O'Connell (Lot 10-3)

Mailing address: 104 England Road, Rochester NH 03867

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

**Surveyor**

Name (include name of individual): John Chagnon - Ambit Engineering, Inc.

Mailing address: 200 Griffin Road, Unit #3, Portsmouth NH 03801

Telephone #: 603-430-9282 Fax #: 603-436-2315

Email address: jrc@ambitengineering.com Professional license #: 738

**Proposed project**

What is the purpose of the lot line revision? to correct deed and mortgage descriptions to Lot 10-3, which had

used descriptions taken from prior plans

Will any encroachments result? No

(Continued Lot Line Revision application Tax Map: 263 Lot: 10 & 10-3 Zone           )

### Comments

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

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### 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)

Date: 2/11/2021

Signature of property owner: \_\_\_\_\_  
(Parcel B)

Date: \_\_\_\_\_

Signature of agent: \_\_\_\_\_

Date: \_\_\_\_\_

**APPLICATION OF MARK G. PHILLIPS**  
**LOT LINE ADJUSTMENT**  
**104 & 106 ENGLAND ROAD**  
**Tax Map 263, Lots 10 and 10-3**

**APPLICANT'S NARRATIVE**

This office represents Mark Phillips, (the "Applicant") the owner of 106 England Road. The Applicants property is depicted as Lot 263-10 (the "Phillips Lot 10") on a plan entitled "Lot Line Revision, England Road, Tax Map 263, Lots 10 & 10-4, Rochester, NH, Strafford County" dated September 2011, by Norway Plains Associates, Inc., and recorded at the Strafford County Registry of Deeds as Plan 103-14 (copy enclosed) (the "2011 Plan"). The Plan also depicts Lot 263-10-4, which is currently owned by Boston North Construction Company Inc. (the "Sprague Lot") and Lot 10-3, which is currently owned by Timothy and Amy O'Connell (the "O'Connell Lot 10-3").

The Applicant seeks a lot line adjustment between his property known as Tax Map 263, Lot 10 and the O'Connell Lot located at Tax Map 263, Lot 10-3 as shown on the plan entitled "Survey of Land, Tax Map 263, Lots 10, 10-3 and 10-4, Current Owners of Record: Map 263 Lot 10 Mark G. Phillips, Tax Map 263 Lot 10-3 Timothy J. and Amy L. O'Connell, Tax Map 263 Lot 10-4 Boston North Construction Company, Inc. Property located at 104 & 106 England Road, & Peterson Road, City of Rochester, County of Strafford, State of New Hampshire" dated January 2021 and prepared by Ambit Engineering, Inc. (the "2021 Plan")

By way of background, in 2007, the Applicant purchased 34.70 acres of land, which he then subdivided into several lots, including the Phillips Lot, the O'Connell Lot and the Sprague Lot.

The Phillips Lot 10 and the O'Connell Lot 10-3 both have frontage on England Road, and they share a common boundary; the Phillips Lot 10 is situated directly east of the O'Connell Lot 10-3. The lots were originally depicted on plans for the "Subdivision of Land, England Road, Rochester, NH, Strafford County for Mark Phillips" by Norway Plains Associates, Inc. recorded at the Strafford County Registry of Deeds as Plans #96-98 and 96-99. Both Plans 96-98 and 96-99 depict access to the O'Connell Lot via a driveway from Peterson Road.

In 2010, access to the O'Connell Lot 10-3 via Peterson Road was replaced with an access directly from England Road. This change is depicted on a plan entitled "Revised Lot Plan, England Road, Tax Map 263, Lots 10 & 10-3, Rochester, NH, Strafford County, Prepared for Mark Phillips" by Norway Plains Associates, Inc., and recorded at the Strafford County Registry of Deeds on June 21, 2010, as Plan 99-58.

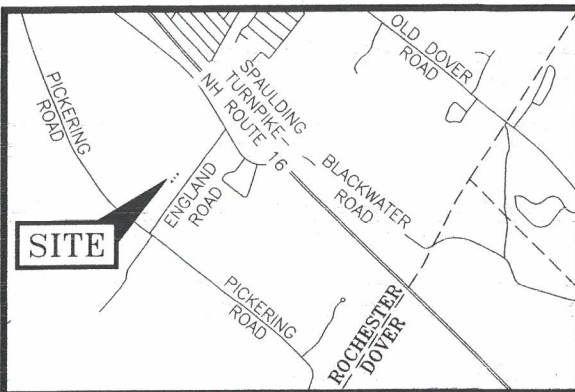
The elimination of the driveway from Peterson Road means that the Phillips Lot 10 now shares its northern boundary with Lot 263-10-4 instead of the driveway; this is also depicted on Plan 99-58.

Applicant conveyed Lot 10-3 to Dale Sprague on July 3, 2014, by deed recorded at the Strafford County Registry of Deeds at Book 4225, Page 877. Dale Sprague then conveyed Lot 10-3 to the O'Connells by deed dated September 17, 2015, and recorded at the Strafford County Registry at Book 4324, Page 925. Although both of these conveyances were made after access to Lot 10-3 was provided via England Road, the descriptions in the deeds refer to Plans 96-98 and 96-99, instead of Plan 99-58.

The O'Connells have agreed to convey the portion of land depicted as "Area to be Quitclaimed from Parcel 263/10-3 to Parcel 263/10 (O'Connell to Phillips)" in the 2021 Plan, to Applicant..

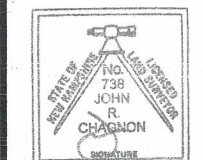
The purpose of this Application is to clarify boundary lines and parcel descriptions which, due only to a scrivener's error in the deeds conveying Lot 10-3, referred to outdated plans which had been superseded by more than one other plan depicting updated lot lines approved by the Rochester Planning Board, and to convey a small portion of land (formerly the driveway to Lot 10-3) which was inadvertently conveyed as a result of the reference to outdated plans.





LOCATION MAP SCALE: 1" = 2000'

- LEGEND:**
- N/F NOW OR FORMERLY
  - RP RECORD OF PROBATE
  - SCRD STRAFFORD COUNTY
  - RR SPK RAILROAD SPIKE
  - MAP 11/LOT 21
  - IRON ROD FOUND
  - IRON PIPE FOUND
  - IRON ROD SET
  - DRILL HOLE FOUND
  - DRILL HOLE SET
  - NHDB NHDOT BOUND FOUND
  - TOWN BOUND
  - BOUND WITH DRILL HOLE
  - STONE BOUND WITH DRILL HOLE



"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

*John R. Chagnon* 2/24/21  
JOHN R. CHAGNON, LLS DATE

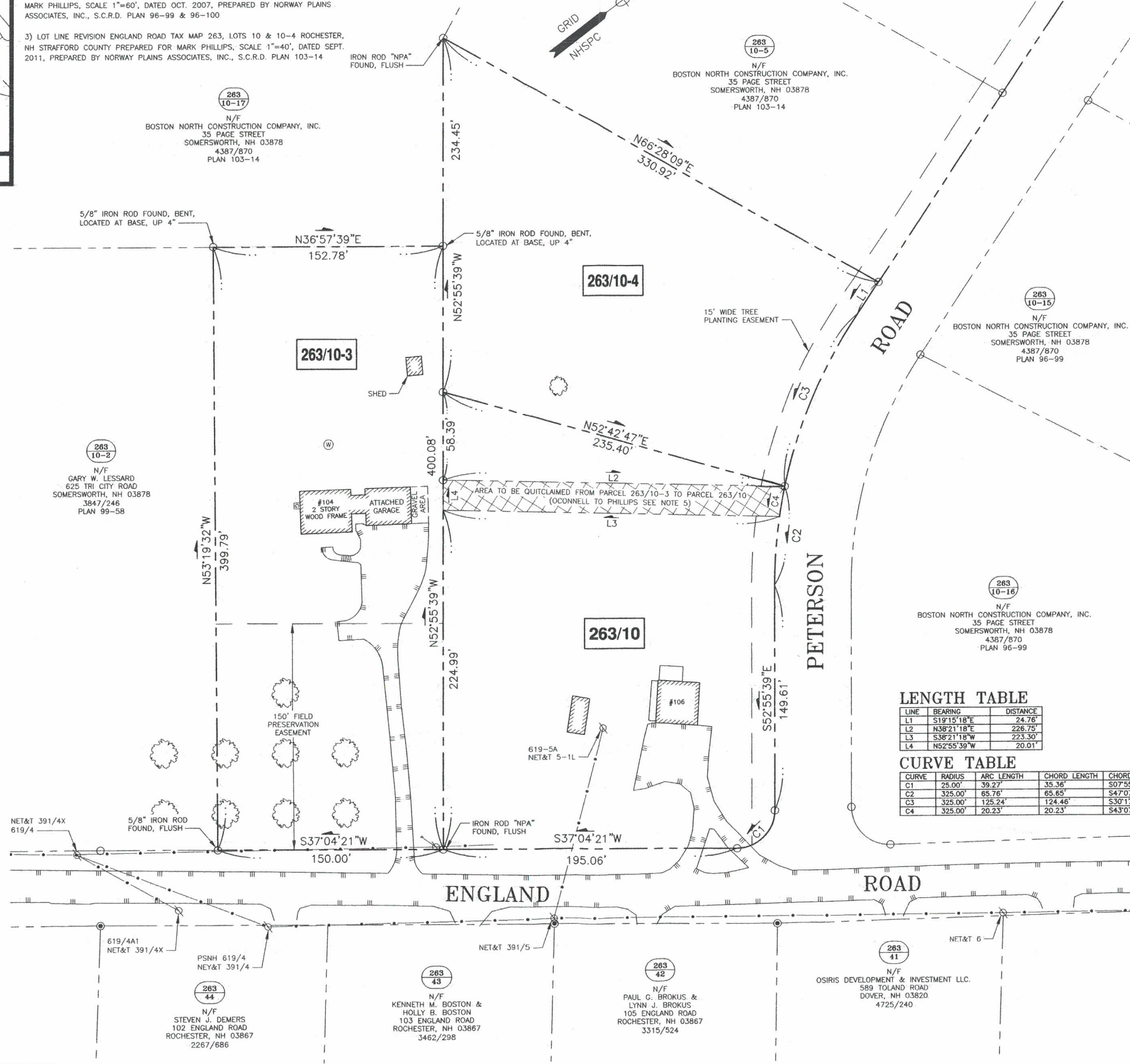
**SUBDIVISION APPROVAL:**  
WHETHER OR NOT OTHERWISE EXPRESSLY RECITED ON THE SUBDIVISION PLAN, THE SUBDIVISION APPROVAL GRANTED IS CONDITIONED ON FAITHFUL AND DILIGENT ADHERENCE BY THE OWNERS OF ALL TERMS, CONDITIONS, PROVISIONS AND SPECIFICATIONS OF THE CITY OF ROCHESTER LAND SUBDIVISION REGULATIONS AS AMENDED OR AS MAY LATER BE AMENDED, IN EFFECT ON THE DATE OF APPROVAL, UNLESS OR EXCEPT INsofar AS EXPRESSLY WAIVED, IN ANY PARTICULAR, BELOW, NON-ADHERENCE MAY RESULT IN A REVOCATION OF APPROVAL. ANY VARIATION FROM THE APPROVED PLAN WILL REQUIRE A RESUBMISSION FOR SUBDIVISION APPROVAL.

APPROVED BY THE ROCHESTER PLANNING BOARD ON \_\_\_\_\_ DATE

SIGNED BY \_\_\_\_\_ POSITION

**PLAN REFERENCES:**

- 1) OVERALL SUBDIVISION OF LAND ENGLAND ROAD ROCHESTER, NH STRAFFORD COUNTY FOR MARK PHILLIPS, SCALE 1"=100', DATED JULY 2007, PREPARED BY NORWAY PLAINS ASSOCIATES, INC., S.C.R.D. PLAN 96-98
- 2) SUBDIVISION OF LAND ENGLAND ROAD ROCHESTER, NH STRAFFORD COUNTY FOR MARK PHILLIPS, SCALE 1"=60', DATED OCT. 2007, PREPARED BY NORWAY PLAINS ASSOCIATES, INC., S.C.R.D. PLAN 96-99 & 96-100
- 3) LOT LINE REVISION ENGLAND ROAD TAX MAP 263, LOTS 10 & 10-4 ROCHESTER, NH STRAFFORD COUNTY PREPARED FOR MARK PHILLIPS, SCALE 1"=40', DATED SEPT. 2011, PREPARED BY NORWAY PLAINS ASSOCIATES, INC., S.C.R.D. PLAN 103-14

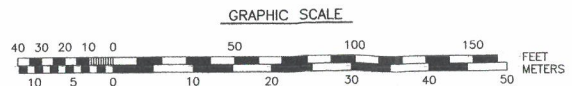


**LENGTH TABLE**

LINE	BEARING	DISTANCE
L1	S19°15'18"E	24.76'
L2	N38°21'18"E	226.75'
L3	S38°21'18"W	223.30'
L4	N52°55'39"W	20.01'

**CURVE TABLE**

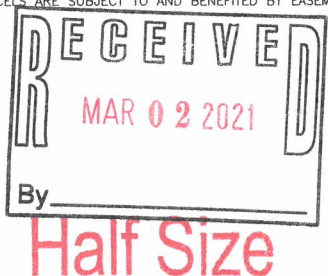
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.27'	35.38'	S07°55'39"E	90°00'01"
C2	325.00'	65.76'	65.65'	S47°07'49"E	11°35'38"
C3	325.00'	125.24'	124.46'	S30°17'39"E	22°04'42"
C4	325.00'	20.23'	20.23'	S43°07'00"E	3°34'00"



**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
200 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-9282  
Fax (603) 436-2315

**NOTES:**

- 1) PARCELS ARE SHOWN ON THE CITY OF ROCHESTER ASSESSOR'S MAP 263 AS LOTS 10, 10-3 & 10-4.
- 2) OWNERS OF RECORD:  
MAP 263 LOT 10  
MARK G. PHILLIPS  
35 HODGDON FARM LANE  
NEWINGTON, NH 03801  
3546/866  
  
MAP 263 LOT 10-3  
TIMOTHY J. & AMY L. O'CONNELL  
104 ENGLAND ROAD  
ROCHESTER, NH 03867  
4324/925  
  
MAP 263 LOT 10-4  
BOSTON NORTH CONSTRUCTION COMPANY INC.  
35 PAGE STREET  
SOMERSWORTH, NH 03878  
4387/870
- 3) PARCELS ARE NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33017C0214D. EFFECTIVE MAY 17, 2005.
- 4) EXISTING LOT AREA:  
MAP 263 LOT 10  
60,000 S.F.  
1.38 ACRES  
MAP 263 LOT 10-3  
60,545 S.F.  
1.39 ACRES  
MAP 263 LOT 10-4  
50,314 S.F.  
1.16 ACRES
- 5) THE PURPOSE OF THIS PLAN IS TO SHOW AND CLARIFY BOUNDARY LINES ON THE SUBJECT PARCELS. IT IS THE INTENT OF THIS PLAN TO SHOW THE CURRENT CONFIGURATION OF THE SUBJECT PARCELS.
- 6) PARCELS ARE SUBJECT TO AND BENEFITED BY EASEMENTS OF RECORD.



NO.	DESCRIPTION	DATE
3	ISSUED FOR APPROVAL	2/24/21
2	REVISED PER COMMENTS	1/26/21
1	REVISED PER COMMENTS	1/14/21
0	ISSUED FOR COMMENT	1/8/21

**SURVEY OF LAND**  
TAX MAP 263, LOTS 10, 10-3 & 10-4  
**CURRENT OWNERS OF RECORD:**  
TAX MAP 263 LOT 10  
MARK G. PHILLIPS  
TAX MAP 263 LOT 10-3  
TIMOTHY J. & AMY L. O'CONNELL  
TAX MAP 263 LOT 10-4  
BOSTON NORTH  
CONSTRUCTION COMPANY INC.  
**PROPERTY LOCATED AT:**  
104 & 106 ENGLAND ROAD, &  
PETERSON ROAD  
CITY OF ROCHESTER  
COUNTY OF STRAFFORD  
STATE OF NEW HAMPSHIRE

SCALE: 1" = 40' JANUARY 2021