



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898
603/868-8064
www.ci.durham.nh.us

Town Planner's Review
Wednesday, October 24, 2018

VIII. ***Public Hearing – Bay Road Lot Line Adjustment.*** Lot line adjustment/lot reconfiguration among several properties on Tax Map 20: Lot 3-2A, 575 Bay Road owned by Cheney Trust; Lot 3-2B, 573 Bay Road owned by Bennett; Lot 3-2C, 576 Bay Road owned by Shankhassic, c/o Katrak (3-2A, 3-2B, and 3-2C all part of Wooden Nutmeg Farm Condominium); Lot 6, 557 Bay Road owned by Golini; Lot 7-2, 565 Bay Road owned by Katrak Trust; and Lot 7-3, 551 Bay Road owned by Daly (Contact Planning Department for detailed ownership information). Bill Doucet, Doucet Survey, surveyor. Residence Coastal District.

➤ I recommend approval as shown below.

The application was provided to the members of the Technical Review Group and there were no concerns.

Draft
NOTICE OF DECISION

Project Description:	Boundary Line Adjustment
Address:	Bay Road, including Wooden Nutmeg Farm Condominium
Applicant:	Four lots on Tax Map 20: Lot 3-2A, 575 Bay Road owned by Cheney Trust; Lot 3-2B, 573 Bay Road owned by Bennett; Lot 3-2C, 576 Bay Road owned by Shankhassic, c/o Katrak (3-2A, 3-2B, and 3-2C all part of Wooden Nutmeg Farm Condominium); Lot 6, 557 Bay Road owned by Golini; Lot 7-2, 565 Bay Road owned by Katrak Trust; and Lot 7-3, 551 Bay Road owned by Daly (See plan for full ownership information).
Surveyor:	Bill Doucet, Doucet Survey
Zoning:	Residence C
Date of approval:	October 24, 2018

This application is approved as submitted and as stated below.

Precedent Conditions

All of the precedent conditions below must be met by the applicant prior to the plans being certified by the Planning Department. Once these precedent conditions are met and the plans are certified the approval is considered final.

*Please note. If all of the precedent conditions are not met within 6 calendar months to the day of the board's approval - by April 24, 2018 - the board's approval will be considered to have lapsed and resubmission of the application will be required (unless an after-the-fact extension is granted by the Planning Board). *It is the sole responsibility of the applicant (or his/her agent) to ensure that these conditions are met by this deadline.*

- 1) Plan modification. The plan drawings are to be modified as follows:
 - a) Change approval block on each page of drawings for signature of Planning Department. It should read: "Final Approval by Durham Planning Board. Certified by Michael Behrendt, Town Planner _____ Date _____"
 - b) Adjust vertical spacing of list of owners under the scale to be more clear which lot is associated with which owner
- 2) Plan notes. Add the following note to the plan drawings: "For more information about this boundary line adjustment, or to see the complete plan set, contact the Town of Durham Planning Department, 15 Newmarket Road, Durham, NH 03824. (603) 868-8064."
- 3) Notarized deed. The applicant must submit to the Planning Department a copy of the two signed and notarized deeds (or drafts) which will provide for the conveyance of the affected areas.
- 4) Signature. Sign this notice at the bottom.
- 5) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town: (a) one large set of black line drawings; (b) one set of 11"x17" drawings; plus (c) one electronic version by pdf or CD. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. (The primary set of plans was last received January 3, 2014).

General and Subsequent Terms and Conditions

All of the conditions below are attached to this approval.

- 1) Recording. The plat, this notice of decision (per RSA 676:3 III), and the deeds shall be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified. See RSA 478:1-a regarding plat requirements.
- 2) Monumentation. Provide a certificate of monumentation for the new pins to the Planning Department.
- 3) Execution. The project must be executed exactly as specified in the approved application package unless changes are approved by the Town.

- 4) Approval. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.
- 5) Zoning Review. A variance was granted on October 9, 2018 to allow for reduction in Lot 3-2 since there are two dwelling units on the lot and the area is being reduced to 150,000 square feet (150,000 square feet required per unit). Otherwise, the changes comply with zoning: all lots meet the minimum 150,000 square foot lot size and the 300 feet of frontage (or the amount of existing nonconforming frontage is not being reduced). Lot 3-2 fronts on a private road.
- 6) Findings of fact. **A)** The applicant submitted an application, supporting documents, and plans for the project; **B)** The Planning Board accepted the application as complete on October 10, 2018 and held a public hearing on the application on October 24, 2018; **C)** The Planning Board reviewed the application in accordance with state law, the Durham Zoning Ordinance, the Durham Subdivision Regulations, and other applicable law and found that the application meets all requirements; **D)** No substantive concerns with the application were raised in the course of the review; **E)** It is recognized that the lot line adjustment/lot configuration is beneficial for the property owners and the Town as the lot arrangement is far more comprehensible and regular than the prior arrangement; and **F)** The Planning Board duly approved the application as stated herein.

Signature of applicant
Firoze Katrak, agent

date

Signature of Planning Board Chair

date