



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

NOTICE OF DECISION

Project Name: Lot Line Adjustment – Back River Road

Action Taken: APPROVAL

Project Description:

Lot line adjustment between two lots:

- a) 33 Back River Road, Map 207, Lot 5, *Durham*/117 Piscataqua Bridge Road, Map 11, Lot 9, *Madbury* – owned by Lisa Beaudoin Trust
- b) 115 Piscataqua Bridge Road, Map 11, Lot 9B, *Madbury* – owned by Jay and Susan Trahan.

Surveyor: Scott Boudreau

Zoning: Residence Coastal in Durham

Date of approval: October 25, 2023

[Office use only. Date certified: _____]

“Applicant,” herein refers to the applicant and his/her/their/its agents, successors and assigns.

PRECEDENT CONDITIONS

All of the precedent conditions below must be met by the applicant prior to the plans being certified by the Town Planner. Certification of the plans is required prior to recording the plans. 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 one year of the board’s approval - by October 25, 2024 - the Planning Board’s approval will be considered to have lapsed. Extension(s) may be granted by the Planning Board for reasonable cause.

Plan Modifications

Make the following modifications to the plans/plan set that were reviewed and approved by the Planning Board (Items do not need to be physically constructed as a precedent condition):

- 1) Monumentation. Show that the new monuments have been set.
- 2) Miscellaneous. Move the notation about Tax Map 11, Lot 9 near the town boundary so that the side setback in Durham can be discerned; move the notation about Parcel A near the town boundary so that the side setback in Madbury can be discerned; and add the Town’s phone number in note 12.

Notes on Plans

Add the following notes on the plans/plan set that were reviewed and approved by the Planning Board:

- 3) Additional information. “For more information about this lot line adjustment, or to see the complete plan set, contact the Town of Durham Planning Department, 8 Newmarket Road, Durham, NH 03824. (603) 868-8064.”

Other Precedent conditions

- 4) Madbury approval. Provide confirmation that the lot line adjustment has been approved by the Town of Madbury.
- 5) Town Assessor. The Town Assessor will review the lot line adjustment and determine if any changes are needed to assessment records based on the conveyance, addition of land on Map 11, Lot 9B in Durham, and location of the house straddling the municipal boundary. Any appropriate changes will be incorporated into the final plans.
- 6) Leach field. Clarify whether relocating the lot line within 40 feet or so of the leach field on Map 11, Lot 9 meets NHDES requirements.
- 7) Signature. The applicants must sign this notice at the bottom.
- 8) Notarized deed. The applicants must submit to the Planning Department a draft deed which will complete the conveyance of the affected land. (After the plat is certified by the Planning Department the original deed and the plat will then be recorded simultaneously (see below).
- 9) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town Planner: a) two large sets of black line drawings (one for recording); b) one set of 11"x17" drawings; plus c) one electronic version by pdf. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor responsible for the plans.

CONDITIONS SUBSEQUENT AND GENERAL TERMS

- 10) Recording. The plat, this notice of decision (per RSA 676:3 III), and the deed must be recorded together at the Strafford County Registry of Deeds within 60 days of when the plat is certified. Failure to comply with this requirement herein shall render the lot line adjustment null and void.

Findings of fact. **A)** The applicant submitted an application, supporting *documents*, and plans for the project on October 11, 2023 and the board accepted the application as complete; **B)** The Planning Board held a *public hearing* on the application on October 25, 2023; **C)** The Planning Board reviewed the application in accordance with the Durham Zoning Ordinance and the Durham Subdivision Regulations and found that the application *meets all requirements*; **D)** The Planning Board duly *approved the application* as stated herein; and **E)**

