



TOWN OF DURHAM
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Town Planner's Recommendation
Wednesday, May 8, 2024

VIII. ***Public Hearing - 30 and 32 Old Piscataqua Road – Lot Line Adjustment.*** Lot line adjustment between two lots both owned by John and Judith Churchill. Adam Fogg, Surveyor. Map 209, Lot 86 and Map 209, Lot 86-2. Residence A District.

➤ I recommend approval as stated below.

Draft

NOTICE OF DECISION

Project Name: 30 and 30 Old Piscataqua Road – Lot Line Adjustment
Action Taken: APPROVAL
Property Owner: John and Judith Churchill
Surveyor: Adam Fogg
Engineer: Tobin Farwell
Map and Lot: Map 209, Lot 86 and Map 209, Lot 86-2
Zoning: Residence A
Date of approval: May 8, 2024

[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 May 8, 2025 (or as extended) - the Planning Board's approval will be considered to have lapsed. Extension(s) may be granted by the Planning Board for

reasonable cause. It is the sole responsibility of the applicant (or his/her agent) to ensure that the precedent conditions are met by this deadline.

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) Identify the proposed property line and the property line to be abandoned clearly. Use distinct line forms for each. Place the label and arrow for each so they are clear.
- 2) Eliminate barn access easement for Lot 86.2.
- 3) Add note at the top that the parcel being conveyed is .22 acres /-.
- 4) Add an easement onto the plan for the electric/cable line serving Map 209, Lot 86 for the small section that will now cross Lot 86.2 due to this lot line adjustment.

Other Precedent conditions

- 5) Signature. Sign this notice at the bottom.
- 6) Monumentation. The surveyor shall provide a certificate of monumentation to the Planning Department for the two new corner pins.
- 7) 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 or engineer responsible for the plans.

CONDITIONS SUBSEQUENT AND GENERAL TERMS

All of the conditions below are also attached to this approval.

- 8) Recording. The plat, *including both the lot line adjustment and the utilities sheets*, and this notice of decision (per RSA 676:3 III) 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.
- 9) Approval. All of the documentation submitted in the application package by the applicant is part of this approval unless otherwise updated or revised.

Findings of fact. **A)** The applicant submitted an application, supporting *documents*, and plans for the project; **B)** The Planning Board held a *public hearing* on the application on May 8, 2024; **C)** The Planning Board reviewed the application in accordance with the

