



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

NOTICE OF DECISION

Project Name: Bennett Road Lot Line Adjustment
Action Taken: APPROVAL
Address: 86 and 90 Bennett Road
Applicant: Stephen and Lori Lamb
Surveyor: Joseph M. Wichert
Property Owners: Stephen & Lori Lamb and the University of New Hampshire
Map and Lot: 14-34-1 and 14-34UNH
Zoning: Rural
Date of approval: November 9, 2016

"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.

Precedent Conditions

[Office use only. Date certified: _____ ROD received? _____]

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Department. Certification of the plans is required prior to recording of any 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 6 calendar months to the day of the board's approval - by June 30, 2017 - the board's approval will be considered to have lapsed and resubmission of the application will be required (unless an 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 modifications. The plan drawings are to be modified as follows:
 - a) Change approval block to be certified by Michael Behrendt, Durham Town Planner.
 - b) Use different symbols for corner markers to be set and other items pointed to, rather than a • for both.
 - c) Clarify what the "107.34" refers to or eliminate it. Move the arrow to point to "15" more precisely.
 - d) On the easterly side of the site two rectangular footprints are shown straddling/encroaching into the side setback. Label the plans showing these not as buildings but as easements outlined with granite block and covered with crushed stone.

- 2) Add the following notes (or equivalent) to the plan drawings: “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.”
- 3) Structure. Physically remove the concrete block shed along the northerly lot line that encroaches into the side setback.
- 4) 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 black line drawing; (b) one 11"x17" drawing; plus (c) one electronic version by pdf.

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), the deed, and the restriction release agreement with UNH must be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified. Failure to comply with this requirement herein shall render the lot line adjustment null and void.
- 2) Execution. The project must be executed exactly as specified in the approved application package unless changes are approved by the Town.
- 3) 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) 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 November 9, 2016; c) The Planning Board/Town Planner reviewed the application in accordance with the Durham Zoning Ordinance, the Durham Subdivision Regulations, and other applicable law and found that the application meets all requirements; and d) The Planning Board duly approved the application as stated herein.

Stephen Lamb

Date

Lori Lamb

Date

William Janelle
Associate Vice President for Facilities
University of New Hampshire

Date

Andrew Corrow
Chair, Planning Board

Date