



**TOWN OF DURHAM**  
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[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

**Town Planner's Review**  
**Wednesday, October 11, 2017**

VIII. **Public Hearing - Packers Falls Road – Wiswall Road Subdivision.** 2-lot porkchop subdivision of 235 Packers Falls Road/Map 14, Lot 16 and boundary line adjustment between Map 14, Lot 16 and 8 Wiswall Road/Map 14, Lot 18-1. Vince Todd, owner of Lot 16. Cheryle St. Onge, owner of Lot 18-1. Corey Colwell, surveyor, TF Moran. Rural District.

**A. Boundary line adjustment**

➤ I recommend approval as stated below

**\*Draft\***

**NOTICE OF DECISION**

**Project Name:** Packers Falls Road – Wiswall Road Boundary Line Adjustment  
**Action Taken:** Approval  
**Address:** 235 Packers Falls Road – Map 14, Lot 16 and 8 Wiswall Road – Map 14, Lot 18-1  
**Property Owner:** 235 Packers Falls Road – Vince Todd; 8 Wiswall Road – Cheryle St. Onge  
**Surveyor:** Corey Colwell, TF Moran  
**Zoning:** Rural  
**Date of approval:** October 11, 2017

*[Office use only. Date certified: \_\_\_\_\_ Recorded at Register: \_\_\_\_\_ ]*

**Precedent Conditions**

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 April 11, 2018 - the board's approval will be considered to have lapsed and become null and void and resubmission of the application will be required. 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. Change approval block to read: “Final Approval by Durham Planning Board. Certified by Michael Behrendt, Town Planner,  
\_\_\_\_\_ Date \_\_\_\_\_”
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings: “The fence and horse paddock shown on the plans must be physically relocated as stated on the plans (as a precedent condition prior to plan certification).”
- 3) Sign this notice at the bottom.
- 4) Notarized deed. The applicant must submit to the Planning Department a copy of the signed and notarized deed which will affect the conveyance of the affected land (the land within the lot lines being adjusted). (After the plat is certified by the Planning Department the original deed and the plat will then be recorded simultaneously (see below). The deed may refer to the plat and state that the conveyance is not effective until such time as the plat is certified and all documents are recorded.)
- 5) Final drawings. The following complete sets of final approved drawings shall be submitted for signature (except the electronic version) by the Town: (a) two large sets of black line drawings; (b) one set of 11"x17" drawings; plus (c) one electronic version by pdf or CD. Each individual sheet must be stamped and signed by the land surveyor, responsible for the plans.

### **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 deed must be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified (e.g. if certified September 9th they must be recorded by November 9th). See RSA 478:1-a regarding plat requirements. Failure to comply with this requirement herein shall render the lot line adjustment null and void.
- 2) 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.
- 3) 2-lot porkchop subdivision. The applicants also submitted to the Durham Planning Board a related application for a 2-lot porkchop subdivision of Map 14, Lot 16. The purpose of this boundary line adjustment is to provide required frontage for the subdivision. This boundary line adjustment is independent of the 2-lot subdivision and may proceed whether or not the subdivision proceeds (However, the 2-lot subdivision is dependent upon this boundary line adjustment). See separate approval for the subdivision.
- 4) Findings of fact. a) The applicant submitted an application, supporting documents, and plans for the project; b) The Planning Board held at least one public hearing on the application; 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 (including any waivers, conditional uses, special exceptions, and/or variances that might have been granted); and e) The Planning Board duly approved the application as stated herein.

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Signature of applicant

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date

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Printed name of applicant

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Signature of applicant

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date

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Printed name of applicant

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Signature of Planning Board Chair

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date

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Printed name of Planning Board Chair