



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

NOTICE OF DECISION

Project Name: 215 and 221 Packers Falls Road – Lot Line Adjustment
Action Taken: APPROVAL
Applicant: Arne LLC, c/o Ray Donahue
Surveyor: Scott Boudreau
Map and Lot: 215 Packers Falls Road – Map 17, Lot 13-2
221 Packers Falls Road – Map 17, Lot 13-1
Zoning: Rural District
Date of approval: December 12, 2018

Conditions Precedent

All of the precedent conditions below must be met by 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 6, 2019 - the board's approval will be considered to have lapsed and resubmission of the application will be required. See RSA 674:39 on vesting.

- 1) Plan modifications. The plan drawings are to be modified as follows:
 - a) Correct lot numbers and street addresses in coordination with the Town Assessor and Fire Department and show corrected information on the plan.
 - b) Delete "See Note 9" next to the shed.
 - c) Add note: "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 (603) 868-8064."
- 2) Physically remove the shed that is straddling the new lot line.
- 3) NHDES. Obtain okay (email is acceptable) from NHDES for reduction in size of Lot 13-2.

- 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) two large sets of black line drawings; (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, engineer, or architect responsible for the plans. *Please note*. If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings.

General and Subsequent Terms and Conditions

All of the conditions below are attached to this approval.

- 1) Proposed well. A separate review will be needed to place the well proposed for Lot 13-2 within the 100 foot wetland buffer. The review is conducted for a permitted use in accordance with Section 175-60 B. 1. of the Zoning Ordinance.
- 2) Recording. The plat and this notice of decision must be recorded together at the Strafford County Registry of Deeds within two calendar months to the date the plat is certified.
- 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) Findings of fact. a) The applicant submitted an application, supporting documents, and plans for the project; b) The Planning Board held one public hearing on the application; c) The Town staff and Planning Board 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; d) The application was presented to the Technical Review Group on December 4, 2018 and no concerns were expressed; e) There were three lots of record on the deed but two were combined in the past so there are two lots presently; f) Two special exceptions and one variance were granted related to the lot line adjustment; and g) The Planning Board duly approved the application as stated herein.

By his signature below the applicant accepts all of the conditions of this approval.

Signature of applicant

date

Printed name of applicant

Signature of Planning Board Chair

date

Printed name of Planning Board Chair