



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

Town Planner's Review
Wednesday, January 12, 2022

IX. ***Public Hearing - Lot Line Adjustment – 21 and 31 Newmarket Road.*** Lot line adjustment between 21 Newmarket Road, owned by Joan and Jeffrey Osborn, Map 6, Lot 11-6 and 31 Newmarket Road, owned by Great Bay Animal Hospital, c/o James McKiernan, Map 6, Lot 11-8. Kevin McEneany, Surveyor. Residence Coastal District.

➤ I recommend approval as stated below.

Draft

NOTICE OF DECISION

Project Name: Lot line adjustment – 21 and 31 Newmarket Road
Action Taken: APPROVAL
Property Owners: Joan and Jeffrey Osborn & Great Bay Animal Hospital, c/o James McKiernan, respectively
Surveyor: Kevin McEneany
Map and Lot: Map 6, Lot 11-6 and Map 6, Lot 11-8, respectively
Zoning: Residence Coastal
Date of approval: January 12, 2022

[Office use only. Date certified: _____]

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

CONDITIONS PRECEDENT

All of the conditions precedent 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 conditions precedent are met and the plans are certified the approval is considered final.

Please note. If all of the conditions precedent are not met within one year of the board’s approval - by January 12, 2022 (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 conditions precedent are met by this deadline. No changes to the plans that were reviewed and approved by the Planning Board may be made except for the specific required changes that follow.

Plan Modifications

Approval block. Change the approval block to read: “Final Approval by Durham Planning Board. Certified by Michael Behrendt, Town Planner _____ Date _____”

Additional information. 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 03824. (603) 868-8064.”

Development. Add note: “There may be potential constraints for the development or subdivision of the parcel being conveyed due to frontage requirements, limitations in the access easement, or other matters. Any party contemplating developing or subdividing the parcel should contact the Town of Durham Planning Department for guidance.”

Other Conditions Precedent

Signature. Sign this notice at the bottom.

Notarized deed. The applicant must submit to the Planning Department a draft copy of the deed which will complete 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).

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.

CONDITIONS SUBSEQUENT AND GENERAL TERMS

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

Recording. The plat, this notice of decision (per RSA 676:3 III), and the deed (a deed is required if the lots are owned by two separate parties or if one lot is sold prior to recording of this plat; see precedent condition above) 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.

Waivers. The Planning Board granted a waiver from showing utilities.

Tax Implications. It is recommended that the applicants contact Jim Rice, Durham Tax Assessor, to learn about any tax implications of this lot line adjustment. You can contact Mr. Rice at (603) 868-8064 or jrice@ci.durham.nh.us

Findings of fact. **A)** The applicant submitted an application, supporting *documents*, and plans for the project which was accepted as complete on December 15, 2021; **B)** The Planning Board held a *public hearing* on the application on January 12, 2022; **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* (including any a waiver that was granted for showing utilities); and **D)** The Planning Board duly *approved the application* as stated herein.

Signature(s). As the applicant(s), I/we accept and acknowledge all of the terms and conditions of this approval herein.

Signature of applicant

date

Printed name of applicant

Signature of applicant

date

Printed name of applicant

Signature of applicant

date

Printed name of applicant

Signature of Planning Board Chair

date

Printed name of Planning Board Chair