



Town of Moultonborough Planning Board

Notice of Decision

Boundary Line Adjustment

The Sally B. Watts Revocable Trust - 2008 and Blackey 37 Realty Trust Tax Map 172, Lots 1 & 2 and Tax Map 173, Lot 52

October 9, 2014

**Applicants: The Sally B. Watts Revocable Trust - 2008
Sally B. Watts and Robert H. Watts, Trustees
49 Blackey Cove Road
Moultonborough, NH 03254**

**Blackey 37 Realty Trust
Frederick and Karen L. Van Magness, Trustees
243 Franklin Street
Reading, MA 01867**

**Location: 43, 49 & 37 Blackey Cove Road
(Tax Map 172, Lots 1 & 2 and Tax Map 173, Lot 52)**

On October 8, 2014 the Planning Board of the Town of Moultonborough opened a public hearing on the application of Sally & Robert Watts and Frederick & Karen Van Magness (hereinafter referred to as the "Applicant(s)" and/or "Owner(s)") for a Boundary Line Adjustment conveying an area of 0.338 acre from TM 172, Lot 1 to adjacent TM 172, Lot 2 resulting in Lot 2 area becoming 1.64 ± acres, and to convey an area of 0.336 acre from TM 172, Lot 1 to adjacent TM 173, Lot 52 resulting in Lot 52 area becoming 1.08 ± acres, resulting in the elimination of TM 172, Lot 1, located in the Residential Agricultural (RA) Zoning District.

The public hearing was closed on October 8, 2014. At the regularly scheduled Planning Board meeting on October 8, 2014, the Board voted seven (7) in favor (J. Bartlett, Kumpf, Farnham, Quinlan, Wakefield, Howard, Margeson), none (0) opposed, to **GRANT** their request for a Boundary Line Adjustment subject to the following conditions:

1. Conformance with Plan

All pins shall be set in conformance with the plan entitled, "Boundary Line Adjustment Plan, Surveyed For Frederick and Karen L. Van Magness, Co-trustees of the Blackey 37 Realty Trust, Tax Map 173, Lot 52, Tax Map 172 Lot 1, Robert H. and Sally B. Watts, Co-trustees of the Sally B. Watts Rev. Tr. 2008, Tax map 172, Lots 1 & 2, Moultonborough, Carroll County, New

Hampshire, September 14, 2014, Scale 1" = 30'" By Advanced Land Surveying Consultants prior to the signing of the plat by the Planning Board Chair.

2. Endorsement of Plan

Following the vote of approval by the Planning Board, and the statutory thirty (30) day appeal period in accordance with RSA 677:15, the Planning Board Chairman shall sign the approved plan, subject to conditions of this approval, which shall be recorded at the Carroll County Registry of Deeds. The conditions of approval of this Boundary Line Adjustment review shall be placed on the final plan, or this decision shall be recorded with the plan, at the Carroll County Registry of Deeds, in accordance with RSA 676:3 (III), within ninety (90) days of signing of the plan by the Planning Board Chair and prior to any construction commencing (if any).

3. Conformance with Subdivision Regulation 5.4 – Final Plat

The applicant shall fully comply with Section 5.4 of the Subdivision Regulations pertaining to Boundary Line Adjustments and the recording of executed Deeds within one hundred and twenty (120) days of endorsement of the plat.

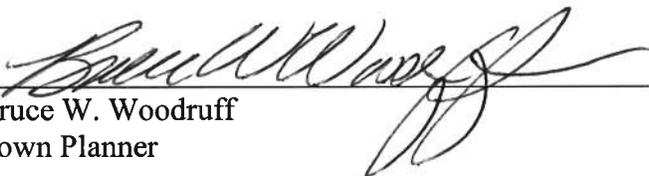
4. Testimony and Representation at Public Meetings

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) and Public Meeting(s) shall be incorporated into this approval and part of this Notice of Decision, including obtaining a demolition permit and the demolition of the existing dwelling located on Lot 1.

5. Final Plat

Adding the owners' signatures to the plat prior to recording of plat at the Carroll County Registry of Deeds, and that the final plat be submitted to the Development Services Office in electronic format to include both a pdf and an approved cadd file format.

This decision shall not take effect until thirty (30) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, it is recorded in the Carroll County Registry of Deeds, in accordance with RSA 677:15.



Bruce W. Woodruff
Town Planner

Date 10-23-14