



## *Town of Moultonborough*

### *Planning Board*

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Moultonborough, NH 03254

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### **Boundary Line Adjustment**

#### **-Lands of-**

**Jeffrey White & Mary Alice Klaft and Michael & Rebecca Weeks**

**Tax Map 44 Lot 11 and Tax Map 51 Lot 17**

**January 31, 2024**

#### **Applicants:**

Jeffrey White & Mary Alice Klaft  
PO Box 431  
Moultonborough, NH 03254

Michael & Rebecca Weeks  
PO Box 474  
Moultonborough, NH 03254

**Location:** 98 Governor Wentworth Highway and 34 Rory Lane  
Tax Map 44 Lot 11 and Tax Map 51 Lot 17

On January 10, 2024, the Planning Board of the Town of Moultonborough held a public hearing on the application of Jeffrey White & Mary Alice Klaft (Tax Map 44 Lot 11) and Michael & Rebecca Weeks (Tax Map 51 Lot 17) (hereinafter referred to as the “Applicant(s)” and/or “Owner(s)”) for a Boundary Line Adjustment conveying a 2.13-acre portion of TM 44 Lot 11 (White/Klaft) to TM 51 Lot 17 (Weeks), which are located in the Residential Agricultural (R/A) Zoning District, within the Groundwater Protection Overlay District.

Prior to public input on January 10, 2024, The Planning Board voted seven (7) in favor (Kelly, Larson, Bartlett, Claypoole, Annaian, Connolly, Quinlan) that this proposed boundary line adjustment did not have the potential for Regional Impact.

The Planning Board then voted seven (7) in favor (Kelly, Larson, Bartlett, Claypoole, Annaian, Connolly, Quinlan) to grant the request for wetlands delineation (of residual Lot 11) (Subdivision Section 4.3.1.4) as the residual Lot is 5.19 acres in size with an existing residence and associated improvements. The soils map and unit density sheet reflect the approximate wetland area on the lot. The unit density sheet indicates the lot could support over 3 units. This adjustment in no way impacts the existing site improvements in relation to the wetland soils.

After testimony, the hearing was closed on January 10, 2024, and the Planning Board voted seven (7) in favor (Kelly, Larson, Bartlett, Claypoole, Annaian, Connolly, Quinlan) to **approve** the Boundary Line Adjustment subject to the following conditions:

## **1. Conformance with Plan**

All pins set in conformance with the plan entitled, "Boundary Line Adjustment Plan, Land Owned by Jeffrey S. White & Mary Alice Klaft (PO Box 431, Moultonborough, NH 03254) Tax Map 44 Lot 11 – 98 Governor Wentworth Highway And Michael S. & Rebecca J. Weeks (PO Box 474, Moultonborough, NH 03254) Tax Map 51 Lot 17 – 34 Rory Lane, Moultonborough, Carroll Co., NH, December 2023, By Hambrook Land Surveying (Revision date January 11, 2024) prior to the signing of the plat by the Planning Board Chair.

## **2. Endorsement of Plan**

Following 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 one hundred and twenty (120) days of signing of the plan by the Planning Board Chair.

## **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.

## **4. Testimony and Representation at Public Meetings**

All testimony and representations made by the applicant or their representatives during the Public Hearing(s) shall be incorporated into this approval and part of this Notice of Decision.

## **5. Final Plat**

Conditions precedent, to be completed prior to signature of final plans by the Planning Board Chairman. No site improvements or approved uses shall commence, and no building permit shall be issued until plan is signed and recorded:

- 1) Add the following plan notes/revisions prior to submission of final plan for Planning Board signature:
  - a. All pins to be set and identified on plan.
  - b. All conditions subsequent shall be incorporated as plan notes.
  - c. Correct references regarding Lot 15, to be Lot 17 under Notes #2 & #7.
- 2) All required federal, state, and local approvals shall be obtained, to include DES subdivision approval or confirmation from DES that such approval is not required.
- 3) Conditions precedent to be completed, and plan shall be signed and recorded, by 1/10/2025.

Conditions subsequent, to be continually complied with:

- 4) Approved uses: Lots may undertake uses permitted in the Residential/Agricultural District, subject to applicable application and permitting requirements.

- 5) All uses of both lots shall perpetually comply with Groundwater Protection Overlay District requirements.
- 6) All uses of both lots shall perpetually comply with Wetlands Ordinance requirements, as any exemptions per Zoning Article 9.1.5 shall no longer apply because this boundary line adjustment represents the “creation” of lots after 1/3/2008.
- 7) All representations made by the applicant and applicant’s agent shall be incorporated as a condition of approval.

The final plat to be submitted to the Land Use Department in appropriate electronic format to include both a pdf and an approved CAD 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.

Yours truly,



Sandra M. Kelly  
Chairman

cc.

- Map Lot Document File
- James Hambrook (by email only at [jimhambrook@gmail.com](mailto:jimhambrook@gmail.com))
- Tom Hughes, Town Assessor (by email only at [thughes@moultonboroughnh.gov](mailto:thughes@moultonboroughnh.gov))
- Scott Dvorak, CEO (by email only at [sdvorak@moultonboroughnh.gov](mailto:sdvorak@moultonboroughnh.gov))