



*Town of Moultonborough
Planning Board*

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**Boundary Line Adjustment and Subdivision
-Lands of-
Margaret Gavenonis
Tax Map 161 Lot 22 and Tax Map 179 Lot 1**

August 27, 2024

Margaret Gavenonis
86 Curtis Lane
Moultonborough, NH 03254

Location: 86 Curtis Lane and Shaker Jerry Road
Tax Map 161 Lot 22 and Tax Map 179 Lot 1

On August 14, 2024, the Planning Board of the Town of Moultonborough held a public hearing on the application of Margaret Gavenonis (Tax Map 161 Lot 22 and Tax Map 179 Lot 1) (hereinafter referred to as the “Applicant(s)” and/or “Owner(s)”) for a Boundary Line Adjustment conveying a 0.63-acre portion of TM 179 Lot 1 to TM 161 Lot 22, including a Subdivision of the newly enlarged TM 161 Lot 22 into two lots of record of 2.58 acres and 1.87 acres which are located in the Residential Agricultural (R/A) Zoning District, within the Groundwater Protection Overlay District.

Prior to public input on August 14, 2024, The Planning Board voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly) that this proposed boundary line adjustment and subdivision did not have the potential for Regional Impact.

The Planning Board then voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly) to grant the request for wetlands delineation (of residual Lot 11) (Subdivision Sections 4.3.1.3 - 13) as requested as the strict conformity with the regulation would pose an unnecessary hardship to the applicant and would not be contrary to the spirit and intent of the regulations.

After testimony, the hearing was closed on August 14, 2024, and the Planning Board voted seven (7) in favor (Annaian, Larson, Bartlett, Claypoole, Connolly, Quinlan, Kelly) to **approve** the proposed subdivision with associated boundary line adjustment for Margaret Gavenonis to subdivide TM 161-22 and transfer 0.63 acres from TM 179-1 creating one new lot of 1.87 acres +

with a residual lot of 2.58 acres (TM 161-22) and 30.37 acres \pm (TM 179-1), subject to the following conditions:

1. Conformance with Plan

All pins set in conformance with the plan entitled, "Subdivision and Boundary Line Adjustment Plan, Land Owned by Margaret Mary Gavenonis Tax Map 161 Lot 22 – 86 & 87 Curtis Lane Tax Map 179 Lot 1 – Shaker Jerry Road Moultonborough, Carroll Co., NH April 2024 By Hambrook Land Surveying, 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:

Add the following plan notes/revisions prior to submission of final plan for Planning Board signature:

1. All conditions subsequent shall be incorporated as plan notes
2. All required federal, state, and local approvals shall be obtained, to include DES subdivision approval, and said approvals shall be identified on plan by approval date and permit number.
3. Conditions precedent shall be completed, and plan shall be signed and recorded, by 12/12/2024, per Subdivision Section 5.4.

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 all three lots shall perpetually comply with Wetlands Ordinance requirements, as any exemptions per Zoning Article 9.1.5 shall no longer apply because this action represents the "creation" of lots after 1/3/2008.
 6. Perpetually comply with Groundwater Protection Overlay District requirements.
 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.

- o Map Lot Document File
- o James Hambrook (by email only at jimhambrook@gmail.com)
- o Tom Hughes, Town Assessor (by email only at thughes@moultonboroughnh.gov)
- o Jeff Blackwell, CEO (by email only at jblackwell@moultonboroughnh.gov)