



## Town of Moultonborough Planning Board

### Notice of Decision

#### Boundary Line Adjustment

Mark C. & Denise H. Toomey, Malcolm & Eileen MacRae and Mark C. & Denise H. Toomey, and Malcolm K. & Eileen M. MacRae, Tax Map 129, Lots 51, 52 & 53

April 27, 2017

**Applicants:** Mark C. & Denise H. Toomey  
7 Assinippi Ave # 015  
Norwell, MA 02061

Malcolm & Eileen MacRae et al.  
11 Fillmore Drive  
Billerica, MA 01821

Malcolm K. & Eileen M. MacRae  
11 Fillmore Drive  
Billerica, MA 01821

**Location:** 33 Paglia St., Paglia St. and 221 Castle Shore Road  
(Tax Map 129, Lots 51, 52 & 53)

On April 26, 2017 the Planning Board of the Town of Moultonborough opened a public hearing on the application of Mark C. & Denise H. Toomey, Malcolm & Eileen MacRae and Mark C. & Denise H. Toomey, and Malcolm K. & Eileen M. MacRae (hereinafter referred to as the "Applicant(s)" and/or "Owner(s)") for a Boundary Line Adjustment conveying 5,772 square feet from Tax Map 129, Lot 52 to adjacent parcel Tax Map 129, Lot 51 resulting in Lot 52 area becoming 0.40 acres, and to convey an area of 5,772 square feet from Tax Map 129, Lot 52 to adjacent parcel (other side) Tax Map 129, Lot 53 resulting in Lot 53 area becoming 0.43 acres, resulting in the elimination of TM 129, Lot 52, located in the Residential Agricultural (RA) Zoning District.

The public hearing was closed on April 26, 2017. At the regularly scheduled Planning Board meeting on April 26, 2017, the Board voted six (6) in favor (Bartlett, Farnham, Hoch, Thorman, Lindamood, Wakefield), none (0) opposed, to approve the Boundary Line Adjustment with the following waivers; to depict setback lines, topography, soils & slope information, off site Geographic's and depict the location and dimensions of property lines of the outboard lots where nothing is changing, and 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 Lands of Mark C. & Denise H. Toomey, Tax Map 129 Lot 51 / 33 Paglia Street; Malcom & Eileen MacRae and Mark C. & Denise H. Toomey, Tax Map 129 Lot 52 / Paglia Street; & Malcom K. & Eileen M. MacRae, Tax Map 129 Lot 53 / 221 Castle Shore Road, Moultonborough, Carroll County, NH, 20 March 2017" By David M. Dolan Associates, P.C. 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 one hundred and twenty (120) 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.

**5. Final Plat**

Owners' signatures added to plat and the owners shall sign 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.

Bonnie L. Whitney for  
Scott R. Bartlett  
Chairman

Date 5/1/17