



Town of Moultonborough Planning Board

Notice of Decision
Boundary Line Adjustment
James M. & Nancy L. Gagne and
The Sally Ann Lyon 2015 Revocable Trust
Tax Map 201 Lots 35 & 34

January 24, 2019

Applicants: James M. & Nancy L. Gagne
PO Box 1622
Center Harbor, NH 03226

The Sally Ann Lyon 2015 Revocable Trust
Sally A. Lyon, Trustee
32 Kona Farm Road
Moultonborough, NH 03254

Location: 22 Kona Farm Road and 32 Kona Farm Road
(Tax Map 201 Lot 35 and Tax Map 201 Lot 34)

On January 23, 2019 the Planning Board of the Town of Moultonborough opened a public hearing on the application of James M. & Nancy L. Gagne and The Sally Ann Lyon 2015 Revocable Trust (hereinafter referred to as the "Applicant(s)" and/or "Owner(s)") for a Boundary Line Adjustment for an equal exchange of 5,926 square feet of land between Tax Map 201 Lot 35 and Tax Map 201 Lot 34, located in the Residential Agricultural (R/A) Zoning District.

The public hearing was closed on January 23, 2019 and a vote of the Planning Board was made. The Board voted seven (7) in favor (Bartlett, Hoch, Larson, Lindamood, Kelly, Quinlan, Stephens), none (0) opposed, to approve the Boundary Line Adjustment with the following waivers of Section 4.3(A) (3), (5), (10) & (12) relating to wetlands, topography, soil and slopes, and off site geographic facts within 200 feet of the property, and to **GRANT** their request for a Boundary Line Adjustment subject to the following conditions:

1. Conformance with Plan

All pins having been set in conformance with the plan entitled, "Boundary Line Adjustment Plan of Land of, James M. & Nancy L. Gagne, Tax Map 201 Lot 35, 22 Kona Farm Road, And Land of, Sally Ann Lyon 2015 Revocable Trust, Tax Map 201 Lot 34, 32 Kona Farm Road, Moultonborough, Carroll County, New Hampshire, 18 December 2018 (Revised 01/24/2019) 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 Land Use Department 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.



Scott R. Bartlett
Chairman

Date 1-24-19