

The Planning Board Town of Frankestown, NH

NOTICE OF DECISION

RE: Case No. 23-SD-01

Tax Map 9, Lots 9-26.02, 9-22.01 and 9-23 – Bible Hill Road

Applicants: Brenda and Lester Greenwood and the Lara K. Gilman Revocable Trust

At a meeting on Monday, January 22nd, 2023, the Frankestown Planning Board voted to approve, with conditions, an application for a subdivision of land and lot line adjustment on Bible Hill Road: Tax Map 9, Lots 9-23 and Lot 9-26-02, owned by Brenda and Lester Greenwood and Lot 9-22-01, owned by Lara K. Gilman Revocable Trust. The plan was prepared by Huntley Survey and Design, P.L.L.C

Findings of Fact:

1. The lot line adjustment transfers 7.3 acres from Lot 9-26-02 to Lot 9-22-01
2. The subdivision creates 3 conforming front lots of 5.596 acres, 4.516 acres, and 3.474 acres on Bible Hill Road from 2 lots: lot 9-23 (7.8 acres) and the remainder of lot 9-26-02 (7.99 acres).
3. The Board found that the plan is substantially in conformance with the Subdivision Regulations
4. A substantive portion of the proposed new lot identified on the plat as 9-26-03 contains land in the Conservation Overlay District (Zoning Ordinance Article II-A.2 and II.A.3)
5. The frontage of the proposed new lot identified on the plat as 9-26-03 contains land in the Steep Slope District and therefore, in accordance with Zoning Ordinance Article II, Section 2-A.3, prior to any development, a Sediment and Erosion Control Plan must be approved by the Planning Board.
6. The Board found that the applicant has provided or agreed to provide all necessary documents and plans, including but not limited to:
 - Letter from the fire chief (provided)
 - Letter from the highway department (provided)
 - Copy of all easements
 - Erosion and Control Plan (to be provided)
 - Revised plan suitable for recording (to be provided)
7. The Applicant requested and the board granted the following waivers:
 - Section V.C.11 & Section V.H. Sediment and Erosion Control Plans - for any driveways proposed to be crossing slopes greater than 15% *until such time as the lot owner applies for a building or driveway permit.*
 - Section V.G.9: a waiver from providing HIS or SSS Maps
 - Section V.N.1 a waiver from providing NHDES subdivision approvals *until such time as the proposed subdivision plan is conditionally approved by the planning board.*

This approval is subject to the following Conditions Precedent:

1. Correct the lot designations on the portion of land to be annexed to read:
"Portion of (9-26-02) to be annexed to (9-22-01)"
2. Remove proposed note 12 (waiver requests)
3. Add the following note 12: "Any site development will meet all standards established in Section V-H of the Subdivision Regulations."
4. On proposed lot 9-26-03, show a designated building envelope which is outside of conservation overlay areas and building setbacks, and include as note #13: **"A building envelope is established on lot 9-26-03. All primary structures, accessory buildings, and systems will be located within the designated building envelope."** (Subdivision Regs V. A.5.(j))
5. Receipt of DES approval of all lots under 5 acres, in accordance with Section V-N.1 of the Subdivision Regulations
6. Submission of final Mylar - Sheet 1, suitable for recording at HCRD, with statement on plat that all boundary markers and monuments have been set, plus two copies of both pages of the final approved plan sized 22" X 34", plus three copies sized 11" x 17" (in accordance with Subdivision Regs, Section VII-C.7).
7. Receipt of digital plan and payment of recording fees (both as specified in the Francestown Subdivision Regulations Appendix A #9 - Recording Fees).

Due to the nature of the above conditions, the Chairperson and Secretary shall sign the final plat when they receive evidence that all the conditions precedent have been met. This subdivision shall be deemed to be finally approved on the date the plat is signed.

This approval is also subject to the following Conditions Subsequent:

1. Prior to any site development on steep slopes (over 15%) or any further town approvals, Planning Board approval & certification of a sedimentation and erosion control plan, and payment of fees incurred for independent review of the proposed plan, is required. (In compliance with zoning ordinance 2-A.3.1 and Subdivision Regs: Section V-H.2 and-C.11).

No building or driveway permits will be issued by the Town of Francestown until all conditions included in this Notice of Decision are deemed to have been met.

THE FRANCESTOWN PLANNING BOARD

By: Sarah Hibbard Pyle, Acting Chair

Date: January 22, 2023

cc: Planning Board Members
Applicants, Surveyor,
Town Clerk, Board of Selectmen

Posted at: Town Offices, Francestown Post Office
www.francestownnh.org