

**THE PLANNING BOARD
TOWN OF FRANCESTOWN
FRANCESTOWN, NH**

NOTICE OF DECISION

Case No. 23-SD-02
Tax Map 3, Lot 104
Applicant: Ann S. Rainey

At a meeting following a Public Hearing on Tuesday, November 14th, 2023, the Frankestown Planning Board voted to **approve, with conditions**, an application for a subdivision of land on Dodge Hill Road, Tax Map 3, Lot 104, owned by Ann S. Rainey.

Findings of Fact:

1. This subdivision creates one new lot on the west side of Dodge Hill Road consisting of 4.18 acres, and a remainder lot, on both sides of Dodge Hill Road, consisting of 76.73 acres.
2. The proposed plan was prepared by J. E. Belanger Land Surveying, PLLC.
3. The subdivision and lot line adjustment as proposed is in conformity with the Frankestown Zoning Ordinance, and is substantially in conformity with the Frankestown Subdivision Regulations.
4. Waivers were requested for relief from subdivision regulations requiring surveying and wetland delineation for the areas of the remainder lot on the property. The Board unanimously approved these waivers because they do not affect the proposed subdivision, and there is an exsistant recorded plan #7398 in the Hillsborough County Registry of Deeds that includes this information.
5. Specifically, 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)
 - Revised plan suitable for recording (to be provided)
 - Proposed easement (to be provided)

This approval is subject to the following Conditions Precedent:

1. Note #5 on the plat is to be amended to add the following: “the property includes land in the Steep Slope Overlay District” of the Frankestown Zoning Ordinance.
2. A new Note #9 is to be added to the plat saying that the buildable acreage is from the eastern boundary line to the boundary line of the Steep Slope Overlay District.
3. Receipt of proposed Deed language changes, including an easement for access across the new lot from Dodge Hill Road to the fields north of the new lot, are to be provided in a form acceptable to Town Counsel.
4. Total frontage of new lot is to be indicated on Plats.

5. Submission of final 2-page Mylar suitable for recording at HCRD, with statement on plat that all boundary markers and monuments have been set, plus three full-sized copies of the final approved plat sized 22" X 34", plus three copies sized 11" x 17" (in accordance with Subdivision Regs, Section VII-C.7).
6. 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 subject to the following Conditions Subsequent:

7. Conditions required in the opinion letter from the Francestown Road Agent shall be deemed by the Board to have been met.
8. DES approval of all lots that are less than 5 acres (in accordance with Subdivision Regulations, Section V-N.1).
9. All deeds of conveyance for the approved lots shall reference the restrictions on the plan (Notes 16 & 17) and shall include the HCRD recording information for the plan; a draft of said deed language shall be provided to the Planning Board at a compliance hearing.

Compliance

A Planning Board compliance hearing will be held at a later date to determine whether the applicant has met the requirements of Conditions Subsequent #7, 8 and 9 as noted, listed above.

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 FRANCETOWN PLANNING BOARD

By: Robert Lindgren, Chair
Date: November 14, 2023

cc: Planning Board Members
J. E. Belanger Land Surveying, PLLC
Ann S. Rainey
Town Clerk
Board of Selectmen

Posted at: Town Offices
Francestown Post Office