



TOWN OF WAKEFIELD, NEW HAMPSHIRE

LAND USE DEPARTMENT

2 HIGH STREET
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Notice of Decision Map 58, Lot 50-1 and Map 68, Lot 21 Boundary Line Adjustment Application

Applicant: Steven Oles, Norway Plains Associates

Owner: Montvale Realty LLC, and Kevin Train

Location: Lord Road, TM 58-50-1; and 128 Camp Road, TM 68-21

On February 15, 2024 the Planning Board of the Town of Wakefield conducted a public hearing for a boundary line adjustment whereby the applicant requested approval of a Boundary Line Adjustment Application whereby parcel 58-50-1 would convey a 1.25 acre parcel to TM 68-21 and a 2.38 acre parcel to TM 68-22. The result would adjust the size of TM 58-50-1 to 24.56 acres, TM 68-21 to 1.58 acres, and TB 68-22 to 2.79 acres.

In consideration of the Boundary Line Adjustment Application, the planning board found that:

- The application was complete as submitted.
- There are no wetlands on the land to be conveyed.
- The applicant's intent of the proposed boundary line adjustment is to provide additional area where the owners of Tax Map Lots 68-21 may place a new septic system and/or garage on opposite side of Camp Road from the existing parcel of land.
- Tax map and lot 68-21 has an existing septic easement on the opposite side of Camp Road, the proposed Boundary Line Adjustment would result in the dissolution of the easement and grant ownership of the land to the existing easement holder.
- Tax Map 68, Lot 21 is a small, steep lot with limited ability to replace the septic system.
- The land to be conveyed from Map 58, Lot 50-1 includes slopes that exceed 25% slope and cannot be subdivided as a separate lot that meets the minimum buildable area.
- The board discussed whether the proposed lot line adjustment that conveys a segment of the private Camp Road and adjacent land on the opposite side of the road is compliant with the Town of Wakefield Zoning Ordinance. Where the road segment is to be conveyed as part of the land transferred from Tax Map Lot 58-50-1 to 68-21, maintaining a singular area of land, the board found the proposal to be permissible.
- The board found that where a portion of Camp Road is to be conveyed, the easement location must be clearly delineated on the plan drawing and specified in the plan notes. The planning board called for a 30-foot-wide right-of-way, providing 20 feet for the travelled right of way for road plus 5 feet on either side for drainage and any needed improvements. The applicant proposed the easement be established as 15 feet from the centerline of the existing road.

The applicant requested waivers from the Development Regulations, Article IV, Section 4.06, items:

- 11-Delineation of all wetlands and wetlands buffers
- 12-Delineation of all slopes over twenty-five percent (25%)

The board voted 4-0-0 to approve the waivers requested from the Development Regulations, Article IV, Section 4.06, items 11 and 12.

The Boundary Line Adjustment Application was approved by a vote of 4-0-0 with the following conditions:

- **Delineate a 30' wide easement on the plat drawing and notes wherein all lots abutting Camp Road have rights to cross and re-cross for access to their properties.**
- **Correct the purpose statement included in note 1, to indicate this is a lot line adjustment to convey land from Map 58, Lot 50-1 to Map 68, Lot 21 and Map 68, Lot 22.**
- **There shall be no further subdivision of Map 68, Lot 21 subsequent to this boundary line adjustment.**
- **Remove note 8 regarding the septic easement for Map 68, Lot 21.**
- **No septic systems shall be located within the 30' Camp Road Right of Way.**

The Board based its decision on the application, plans, and supporting oral and written information and the record provided by the applicant, professional staff for the applicant and Board, and public comment, as reflected in the minutes on file at Wakefield Town Hall. This information shall be incorporated into the decision by reference.

Please note that the selectmen, any party to the action, or any person directly affected, has the right to appeal this decision within 30 days from the notice of decision. See RSA Chapter 677:15.



Tom Dube
Planning Board Chair

2/23/24
Date