



TOWN OF WAKEFIELD, NEW HAMPSHIRE
LAND USE DEPARTMENT

2 HIGH STREET
SANBORNVILLE NH 03872
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**Notice of Decision
Map 025, Lot 005
Minor Subdivision Application**

Applicant: Kerry Fox, Fox Survey Company

Owner: Province Line Associates, LLC

Location: Leighton Corners Road, TM 025-005

On March 21, 2024 the Planning Board of the Town of Wakefield conducted a public hearing for a minor subdivision application whereby the applicant requested to subdivide a 6.03 acre parcel for use as a residential building lot from the 232.6-acre TM 025-005. The lot is located in the Agricultural Zone within the Aquifer overlay.

In consideration of the Minor Subdivision Application, the planning board found that:

- The application was complete as submitted.
- This application is the second of two minor subdivision applications submitted seeking to create new parcels from the parent lot TM 025-005. The first was conditionally approved by the planning board at their September 7, 2023, meeting, creating TM 025-005-001.
- Pursuant to section 4.05 of the Town's Development Regulations, any subsequent subdivision of lot TM 025-005, within 48 months of the approval creating lot 025-005-01, must be filed as a major subdivision application.
- There were no identified compliance issues identified with the plan as submitted.
- The applicant has not provided a copy of the plat version that will be recorded with the registry of deeds. The mylar and final version to be recorded will be submitted for the board's signature once the conditions of approval have been met.
- The well protective radius as shown extends beyond the property bounds however, does not encroach upon an area where a septic system could be placed.
- The wetlands and steep slopes have been delineated on the 6-acre portion of the proposed lot 025-005-2 to be subdivided from the parent parcel.

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

- 9-Property boundary lines, inclusive of distances and angles
- 11-Delineation of all wetlands and wetlands buffers
- 12-Delineation of all slopes over twenty-five percent (25%)
- 13-Location of buildings within fifty feet of the subject site
- 14-Location of all roads or driveways within fifty feet of the subject sites
- 15-Existing access roads, recreational trails, and boundaries

The board found that the costs of delineating topography and these additional features beyond the area required for a new lot by town regulations provided no additional benefit. The large lots as presented were more than adequate to meet the standards of the Zoning Ordinance and Development Regulations. **The board voted 4-0-0 to approve the waivers requested from the Development Regulations, Article IV, Section 4.06, items 9, 11, 12, 13, 14, and 15.**

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

- **Boundary monuments to be set and noted on the plan**
- **Add the date of approved waivers to the plan**

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

3/28/24
Date