



TOWN OF WAKEFIELD, NEW HAMPSHIRE  
LAND USE DEPARTMENT

2 HIGH STREET  
SANBORNVILLE NH 03872  
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**Notice of Decision**  
**Map 126, Lots 19 and 20**  
**Boundary Line Adjustment Application**

**Applicant:** Kerry Fox, Fox Survey

**Owner:** Estate of Bruce White, Executor Steven Fugarazzo

**Location:** 63 and 75 North Shore Drive, TM 126-019 and 020

On March 21, 2024 the Planning Board of the Town of Wakefield conducted a public hearing for a Boundary Line Adjustment application to increase the lot size of TM 126-20 from .479 acres to .910-acres and decrease the lot size of TM 126-19 from 1.473 acres to 1.033 acres.

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

- The application was complete as submitted.
- The two lots as they exist are pre-existing, non-conforming lots without the required road or shoreline frontage. There are no proposed changes to road frontage south of North Shore Drive or the shoreline frontage.
- As proposed, TM 126-19 remains in conformance with the minimum land area and TM 126-20 becomes more nearly compliant with the required minimum lot size.
- Because the subject parcels are pre-existing non-compliant properties, the side setbacks are reduced from 20 feet to 10 feet.
- This segment of North Shore Drive to be transferred from TM 126-19 to 126-20 is owned by the Bruce White Estate and the board further discussed the need to maintain the right to pass and repass along North Shore Drive for all properties along the road.
- The board discussed the merits of how to incorporate the easement to ensure future property owners are aware of the rights to pass and repass along North Shore Drive and concluded that it needs to be clearly delineated on the plat to be recorded and noted within the revised deed language.
- 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 applicant requested waivers from the Development Regulations, Article IV, Section 4.06, items:

- 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

**The board voted 4-0-0 to approve the waivers requested from the Development Regulations, Article IV, Section 4.06, items 13 and 14.**

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

- **Add a note on the final plan and in the deed stating that properties along North Shore Road shall retain their right to pass and repass along North Shore Road and this lot line adjustment shall not impact that right.**
- **Add a plan note stating that the lots cannot be further subdivided.**
- **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.

  
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Tom Dube  
Planning Board Chair

3/28/24  
Date