

**AGENDA
PLANNING BOARD
APRIL 8, 2019**

**AGENDA ITEM #6A
PUBLIC HEARINGS - NEW**

**JUSTIN & VICTORIA
CARVER, 75&77 SLAYTON
HILL ROAD (Tax Map 120, Lot
4 & Tax Map 119, Lot 46), zoned
RL-2 & RL-3**



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

PLANNING BOARD

April 8, 2019 Meeting

Staff Memorandum – # PB2019-05-BLA

APPLICATION INFORMATION

Agenda Item: 6.A

Application ID#:
#PB2019-05-BLA

Application Type:
Boundary Line Adjustment

Property Location(s):
75 Slayton Hill Road (120-4);
77 Slayton Hill Road (119-46)

Tax Map(s) / Lot(s) #:
120-4 and 119-46

Property Owner(s):
Justin Carver (120-4);
Justin Carver & Victoria Crawford
(119-46)

Applicant(s): same

Property Sizes (existing)*:
+/-19.62 acres (120-4);
+/-4.09 acres (119-46)

*per boundary line adjustment plan

Zoning District(s):
75 Slayton Hill Rd (120-4): RL-2
77 Slayton Hill Rd (119-46): RL-2
& RL-3

Overlay District(s):
Wetlands Conservation District

HEARING NOTICE

JUSTIN & VICTORIA CARVER, 75 & 77 SLAYTON HILL ROAD (Tax Map 120, Lot 4 & Tax Map 119, Lot 46), zoned RL-2 & RL-3: Request for a Boundary Line Adjustment of lands located at 75 & 77 Slayton Hill Road. #PB2019-05-BLA

DRAWINGS AND OTHER SUBMISSIONS

- ▶ Application form
- ▶ Technical Checklist
- ▶ Letter from Scott C. Sanborn, LLS, of Cardigan Mountain Land Surveys, LLC, dated March 11, 2019 (project description).
- ▶ Plan titled "Proposed Minor Lot Line Adjustment for Justin Carver and Justin and Victoria Carver", prepared by Cardigan Mountain Land Surveys, LLC, dated March 11, 2019, last revised March 21, 2019, Project # 18-4123,8246.

COMPLETENESS REVIEW

This application has been reviewed in accordance with the Lebanon Subdivision Regulations, and no waivers have been requested from the submission requirements. The Planning Department recommends that the Board find that the application is complete enough to accept jurisdiction and to commence review.

APPLICATION OVERVIEW

This is a request for a Boundary Line Adjustment between lands located at 75 Slayton Hill Road (Map/Lot 120-4) and 77 Slayton Hill Road (Map/Lot 119-46). A boundary line adjustment for these properties was previously approved on May 14, 2018 (#PB2018-07-BLA) which adjusted the properties as follows: . As proposed, the changes in the lot areas resulting from the Boundary Line Adjustment are as follows:

- ▶ Map/Lot 120-4 decreased by +/-2.72 Ac. to +/-19.62 Ac.
- ▶ Map/Lot 119-46 increased by +/-2.72 Ac. to +/-4.09 Ac.

With the current application, the proposed changes in the lot areas are as follows:

- ▶ Map/Lot 120-4 will increase by +/-19.62 Ac. to +/-20.65 Ac.
- ▶ Map/Lot 119-46 will decrease by +/-20.65 Ac. to +/-3.05 Ac.

STAFF COMMENTS

ASSESSING

The Boundary Line Adjustment will be subject to a Land Use Change Tax.

BUILDING INSPECTION

No comment.

ENGINEERING / PUBLIC WORKS

No comment.

FIRE

No comment.

PLANNING

The applicant has addressed the Planning Department's comments regarding the information presented on the plat. The Planning Department also recommends that the applicant add "75 Slayton Hill Road" to the title block underneath "Property Location".

POLICE

No comment.

ZONING

Both lots currently conform to the minimum lot sizes and dimensional requirements of the Rural Lands Two (RL-2) zoning district and will continue to after reconfiguration.

WAIVER REQUESTS

Per §7.15 ("Waiver of Regulations") of the Subdivision Regulations, the applicants request the following waivers from the submission requirements of Section 8 ("Minor Lot Line Adjustments or Boundary Line Agreements") of the Subdivision Regulations: *No waivers have been requested.*

STAFF RECOMMENDATIONS

If the Board moves to approve this application, then based on the information reviewed by City staff, the Planning Department recommends that the Board approve the application with the following conditions:

1. Prior to the signing and recording of the final plat, the applicant shall provide two revised plans depicting the following revision, to the satisfaction of the Planning Department: "75 Slayton Hill Road" shall be added to the title block underneath "Property Location".
2. Prior to the signing and recording of the final plat, the applicant shall provide to the City a draft copy of the deed of the land transfer for review to ensure the transfer will be completed properly for Assessing and recording purposes.
3. Prior to the signing and recording of the final plat, the applicant shall provide a digital record drawing (Cad .dwg Format using NH State Plane Coordinate system).

Attachments

cc (via e-mail): Scott C. Sanborn
Justin & Victoria Carver
David Brooks, Planning & Development Director
File

**CITY OF LEBANON
APPLICATION FOR**

SPECIAL EXCEPTION	<input type="checkbox"/>	<input type="checkbox"/>	SITE PLAN REVIEW
VARIANCE	<input type="checkbox"/>	<input type="checkbox"/>	SUBDIVISION
MOTION FOR REHEARING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LOT LINE ADJUSTMENT
APPEAL OF AN ADMIN. DECISION	<input type="checkbox"/>	<input type="checkbox"/>	OTHER ()

PROPERTY OWNER (APPLICANT):

NAME: Justin Carver, Justin & Victoria Carver TEL.#: (603)-667-3154
 MAILING ADDRESS: 77 Slayton Hill Road Lebanon, NH 03766
 E-MAIL ADDRESS: justin.m.carver@gmail.com

CO-APPLICANT, AGENT, OR LESSEE:

NAME: Scott C. Sanborn, Cardigan Mt. Land Surveys TEL.#: (603) 523-7535
 MAILING ADDRESS: 32 Peaslee Road Orange, NH 03741
 E-MAIL ADDRESS: scott.sanborn@cardigansurveys.com

PROJECT LOCATION:

TAX MAP #: 119, 120 LOT#: 46, 4 PLOT #: ZONE: RL-2, RL-3
 STREET ADDRESS OF PROJECT: 77 Slayton Hill Road + 75 Slayton Hill Rd
 IS THIS PROPERTY LOCATED IN THE: **WETLANDS** YES NO **HISTORIC DISTRICT** YES NO
FLOOD PLAIN YES NO *(small portions only, no impacts proposed)

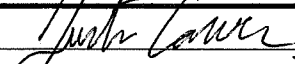
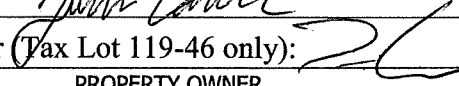
SCOPE OF PROJECT:


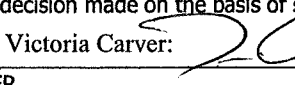
Minor Lot Line Adjustment, transfer of 2.71 ac. from Tax Lot 119-46 to 120-4 and 1.68+/- ac. from 120-4 to 119-46, resulting in 119-46 changing from 4.09 ac. To 3.05+/- ac., and 120-4 from 19.62+/- ac. To 20.66+/- ac.

TYPE OF OCCUPANCY:

EXISTING VACANT ONE FAMILY TWO FAMILY MULTI-FAMILY COMMERCIAL INDUSTRIAL
 PROPOSED VACANT ONE FAMILY TWO FAMILY MULTI-FAMILY COMMERCIAL INDUSTRIAL
 Tax Lot 119-46 residential, Tax Lot 120-4 vacant
 IF USE IS **COMMERCIAL OR INDUSTRIAL**, PLEASE NOTE **SPECIFIC USE**:

SIGNATURE BLOCK:

Justin Carver:  Date: 3/6/19
 Victoria Carver (Tax Lot 119-46 only):  DATE: 3/6/2019
 PROPERTY OWNER

NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.
 Justin Carver:  Victoria Carver:  DATE: 3/6/2019
 PROPERTY OWNER

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #	FEE - \$ AMOUNT	DATE PAID	VOUCHER #
3/11/19	119-46 120-4	PB2019- 05-BLA	70	3/11/19	17055

CITY OF LEBANON, NH	
SUBDIVISION REGULATIONS – TECHNICAL CHECKLIST	
MINOR LOT LINE ADJUSTMENT / BOUNDARY LINE AGREEMENT	
PROJECT NAME: Justin Carver / Justin & Victoria Carver	
APPLICANT: Same	DATE: 3/11/19
GENERAL SUBMISSION REQUIREMENTS:	

All applications to the Planning Board for Subdivision Review must be submitted by 12:00 Noon on the day of the filing cutoff. [§7.7.C] Submissions must be accompanied by the following information or review of the application may be delayed:

- A properly completed and signed Application Form. [§7.7.A(1)]
- The appropriate filing fees. [§7.7.A(2)]
- A written project description. [§7.7.A(3)]
- A list of the names and mailing addresses of all persons to be notified, by certified mail, of the public hearing. [§7.7.A(4)]
- A completed and signed Technical Checklist. [§7.7.B]
[Applicants must complete the entire checklist to ensure that all necessary information and materials have been provided with the application or that written requests for waivers have been properly provided in accordance with Section 7.15 of the Subdivision Regulations, as appropriate.]
- Eight (8) sets of project plans to be distributed for Staff Review. [§8.2.A]
[A Staff Review meeting is held at City Hall one (1) week following the cutoff date. Staff Review meetings begin at 2:00PM, unless otherwise noted. All revised and/or additional information or materials must be submitted within one (1) week following the Staff Review meeting.]
- A digital copy of Subdivision plan in .PDF format. [§8.2.B]

NOTE: Applications shall contain sufficient information to enable the City Staff and the Planning Board to evaluate the proposed development for compliance with the Zoning Ordinance, the Planning Board's Regulations, and other applicable City Codes, and for the Planning Board to make an informed decision.

All required application materials shall be submitted as a single inclusive package, including any appropriate waiver requests as permitted by the Regulations. Submission of a complete application package ensures that the review process by City Staff is as efficient and effective as possible.

The purpose of the filing deadline is to provide adequate time for City review of the proposal. Submission of any altered, additional, or substitute application materials required by the Regulations, subsequent to the filing deadline, other than as directed by City Staff, shall cause the application to be deemed untimely filed, and such application shall not be heard until a subsequent month.

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS - TECHNICAL CHECKLIST
MINOR LOT LINE ADJUSTMENT / BOUNDARY LINE AGREEMENT

PLAN SUBMITTAL TECHNICAL CHECKLIST:

NOTE: Minor Lot Line Adjustment / Boundary Line Agreement plans shall include the information described below pursuant to Section 8 of the Lebanon Subdivision Regulations. Plans shall be submitted on sheets no larger than 24" x 36". Plan sets with multiple sheets shall include sheets of uniform size and be bound on the left edge. When more than three (3) sheets are required, an additional cover sheet shall be attached including a table of contents. The scale of the plans shall be appropriate to the size of the overall development. All lettering shall be of a size and type that is legible.

In order to facilitate the use of the City's Geographic Information System (GIS) for planning purposes, all surveys and engineered plans submitted for Subdivision Review shall utilize the NH State Plane Coordinate system and shall reference the North American Vertical Datum of 1988 (NAVD 88), unless prior approval to use an alternate coordinate system and/or vertical datum is granted by the Planning Office.

A written request for waiver shall be required, pursuant to Section 7.15 of the Subdivision Regulations, for any submission requirement for which the information or data is not provided by the applicant. [§8.2.C]

Plan Requirements	Info. Provided	Waiver Sought
8.2.A(1) - - Name of the City and County in which the subdivision is proposed; - A Locus map; - North arrow; - Scale of the plat; - Date of the plat and of any revisions to the plat; (NOTE: The date on the plat at the time of initial submission for application review shall be included on all subsequent submissions to the City. Any subsequent change(s) to the plat shall include a revision date and description of the revision(s).)	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
8.2.A(2) - Names and mailing addresses of Applicant(s); Owner(s) of Record of subject properties; Owners of abutting properties, including tax map and lot references; and Holders of any easements, rights-of-way, or other restrictions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.2.A(3) - Names and business addresses of the surveyor, including license number and seal, and of every engineer, architect, soil scientist, or wetlands scientist whose professional seal appears on any plan or document submitted to the Board.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.2.A(4) - Zoning District in which the subject lots are located, including district boundaries if in more than one district.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.2.A(5) - Location of all existing structures on the subject lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.2.A(6) - Site location map showing the original boundaries of the subject lots and adjacent lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.2.A(7) - The new surveyed property line(s) as a result of the application, including bearings and distances, as determined by an actual field survey by a licensed land surveyor, including the date of the completion of the survey. All dimensions shall be shown in feet and decimals, and the area of the altered lots shall be shown in square feet and acres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CITY OF LEBANON, NH
SUBDIVISION REGULATIONS - TECHNICAL CHECKLIST
MINOR LOT LINE ADJUSTMENT / BOUNDARY LINE AGREEMENT

Plan Requirements (cont.)	Info. Provided	Waiver Sought
<u>8.2.A(8)</u> - The plat shall be titled to include the names of the owners of all lots altered by the application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>8.2.A(9)</u> - A statement shall be placed on the plat as follows: "This plan shows Minor Lot Line Adjustments / Boundary Line Agreements and does not require the approval of the Lebanon Planning Board as a subdivision."	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: THE APPLICANT IS RESPONSIBLE FOR PROVIDING THE REQUIRED INFORMATION PURSUANT TO SECTION 8 OF THE SUBDIVISION REGULATIONS. PLEASE BE AWARE THAT THIS CHECKLIST IS FOR INFORMATION AND GUIDANCE ONLY AND DOES NOT REPRESENT THE LAW DICTATING SUBMITTAL REQUIREMENTS NOR IS IT COMPLETE AND INCLUSIVE THEREOF.

Completed By: Scott C. Sanborn

Planning office Use Only:		
Date Received ___/___/___	Checklist Complete YES or NO	Checked by: _____

(Last Revised 05/22/13)

Cardigan Mountain

LAND SURVEYS, LLC

Scott C. Sanborn
LLS #848

(603) 523-7535
cms@valley.net

32 Peaslee Road
Orange, NH 03741

11 March 2019

Lebanon Planning Board
51 North Park Street
Lebanon, NH 03766

**Re: Proposed Boundary Line Adjustment, Justin Carver/Justin & Victoria Carver
77 Slayton Hill Road Tax Lots 119-46 and 120-4**

To whom it may concern;

Please find included herewith, an application for a boundary adjustment between the properties referenced above. The proposal is to annex 1.66 acres ("Parcel B") from the 19.6 acre Tax Lot 120-4 to the adjacent Tax Lot 119-46, presently 4.09 acres, and 2.67 acres ("Parcel A") from 119-46 to 120-4. The resulting lot sizes will be approximately 20.62 and 3.05 acres respectively. Both parcels are owned by Justin Carver; 119-46 being in common with Victoria Carver (formerly Crawford).

The existing boundaries are the result of a Boundary Line Adjustment approved by the Lebanon Planning Board on 5/14/2018, although no deeds have been executed as a result of that adjustment. The application submitted herewith is a re-adjustment between the two subject properties.

The proposed annexation will be occurring in the RL-2 zone, though a portion of Tax Lot 120-4 lies in the RL-3 district. Tax Lot 120-4 includes a garage with driveway access but is otherwise undeveloped except for some clearing. Lot 119-46 includes a residence with associated infrastructure. After the boundary adjustment both lots will continue to be in compliance with all dimensional and setback requirements except for the pre-existing condition of a very small portion of the house encroaching into the front yard setback.

An easement is being reserved through Parcel B in order for Tax Lot 12-4 to have the option for an alternate access should it be desired in the future. There are no immediate plans for development of this easement and it is not necessary to the subject application therefore no permitting of any kind is being addressed at this point.

Included herewith are all of the hard-copy items listed under the General Submittal Requirements for a minor lot line adjustment. A .pdf copy will be emailed under separate cover, and mylar plats will be provided upon approval of the plan.

Thank you for your consideration. Please call or e-mail if there are any questions or additional information is required.

Very truly yours,



Scott C. Sanborn

