



CENTER HARBOR PLANNING BOARD
36 Main Street
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Center Harbor, NH 03226
603-253-4561
ctrhtownoffice@metrocast.net

November 20, 2020

Edwin D. Kline
PO Box 526
Center Harbor, NH 03226

John Hayes
Amanda Nason
PO Box 721
Center Harbor, NH 03226

**Re: Notice of Decision: Case No. 2020-0505: Boundary Line Adjustment/Amended
Subdivision of Edwin D. Kline et al.**

Dear Mr. Kline, Mr. Hayes and Ms. Nason:

You are hereby notified that, at the Planning Board Meeting on November 17, 2020, the Request by the Applicant, Mr. Kline, to waive the requirement of the Town's Subdivision Regulations for a hydrological report of the area of this Boundary Line Adjustment and road improvement has been APPROVED by a unanimous vote of the Planning Board.

You are further notified that at said meeting, the November 5th version of the Kline Road Subdivision Plan ("the Plan") has been APPROVED by a unanimous vote of the Planning Board with the following terms and conditions:


1. The Boundary Line Adjustment approved by the Planning Board on May 19, 2020 with the Nason/Hayes property must be completed per the conditions set at that meeting and the deed for the portion of the former roadway becoming part of the Nason/Hayes property recorded at the Belknap County Registry of Deeds contemporaneously with the recording by the Town of the Mylar for this Plan.
2. All necessary approvals from the NH Department of Environmental Services ("DES") must be obtained and tendered to the Town within Nine (9) months of the date of this

approval and before the mylar for this Plan is signed by the Chairman of Planning Board. Minor changes made during the DES approval process shall be reviewed by the Code Enforcement Officer and the Chairman of the Planning Board. Any major changes shall come back to the Planning Board for review.

3. All Plan amendments called for by the Town Engineer in his report dated November 16, 2020 shall be made within Thirty (30) days of the date of this approval and before the mylar for this Plan is signed by the Chairman of the Planning Board.
4. The construction of the cul-de-sac originally approved for this Subdivision needs to be completed as configured on the original plan within Eighteen (18) months from the date of this approval regardless of when DES gives approval for the downslope/wetlands impacts for this road.
5. A bond in the amount of Two Hundred Forty-Three Thousand Dollars (\$243,000.00) for all future road construction to be valid for at least TWO (2) years, needs to be filed with the Town within Sixty (60) days from the date of this approval in a form to be approved by the Planning Board and Town Attorney and before the mylar for this Plan is signed by the Chairman of the Planning Board.
6. All costs incurred by the Town to date for engineering fees associated with the review of this Application must be paid in full before the mylar for this Plan is signed by the Chairman of the Planning Board.
7. The Applicant has indicated that at this time no further development of Lot 9 on the Plan will be taking place. Any proposed future subdivision of Lot 9 must come before the Center Harbor Planning Board for Subdivision Review, which may be limited due to the substandard nature of this roadway being approved to provide access to Lots 8 and 9.

Please note that any party to the action or any person directly affected has a right to appeal this decision to Superior Court within Thirty (30) days of the date of the Planning Board's vote on November 17th. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Town Office during regular office hours and on the State of New Hampshire website. This Notice of Decision has been placed on file and made available for public inspection in the records of the Planning Board on November 20, 2020.

Sincerely,


Charley Hanson
Chairman, Planning Board

Copy: Carl Johnson
Center Harbor Board of Selectmen
David Driscoll, Center Harbor Code Enforcement Officer