



16 Merrill Access Road  
Thornton, NH 03285

## TOWN OF THORNTON PLANNING BOARD

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### Notice of Decision

Meeting Date: June 15, 2023  
Plan Name: Old Sawmill Road  
Application Date: May 23, 2023  
Plan Description: Create a 2-Lot subdivision; A = 2.23 acres, B = 74.75 acres  
Map/Lot: Map 228, Lot 09  
Zone: General Residential  
Location: 86 Old Sawmill Road  
Owner(s): Shirley and Jerel Benton  
Agent: Jack McCormack

On June 15, 2023 the Thornton Planning Board held a Public Hearing to consider a subdivision to create two (2) lots on Old Sawmill Road. After initial review of the application, the Thornton Planning Board voted to approve the subdivision.

**The Planning Board finds that the subdivision plan meets all town ordinances, zoning regulations, site plan regulations, and subdivision regulations. Adequate materials were submitted to make an informed decision on the application with the following conditions:**

Prior to signing and recording the plats, the following conditions will be satisfied:

- a. Receipt of NHDES Subdivision Approval for creation of proposed outparcel with acknowledgement of approval receipt noted on final plat.
- b. Receipt of correspondence from Keach-Nordstrom Associates, Inc. acknowledging Planning Matters No. 1 through No. 8, specified in correspondence dated June 08, 2023, have been resolved to their satisfaction.
  1. The subdivision plat currently identifies the proposed outparcel as “Lot 3”. We recommend amendment of the final subdivision plan to identify and label the proposed outparcel by the map and lot numbers assigned by the assessor’s office.
  2. As acknowledged at Note No. 8 on the subdivision plan, the limited extent of jurisdictional wetland shown was identified and delineated by a Certified Wetland Scientist. We recommend the professional stamp of that individual appear on the final subdivision plan.
  3. The abutters list submitted with the application correctly identifies the owner of Map 228 – Lot 10 as Martin Joseph Forde. We recommend amendment of the final subdivision plan to indicate the same.
  4. We recommend expansion of the subdivision plan to specify appropriate boundary monuments are to be installed at both the westerly and easterly ends of a boundary segment identified as Curve 1 (C1). To satisfy Section IV.E of the Subdivision Regulations, we recommend installation of each boundary monument identified as “to be set” on the final plan prior to or as condition of application approval.

**Note:** The Selectmen, any party to the action or any person directly affected has a right to appeal this decision, in a timely fashion as prescribed by the New Hampshire Revised Statutes Annotated, Chapter 677, available at the Thornton Town Office. This notice has been placed on file and made available for public inspection in the records of the Thornton Planning Board. Copies of this Notice of Decision have been distributed to: The Applicant, Board of Selectmen, Town Clerk, and Property Tax Assessor. A copy of this Notice of Decision has been posted at the Thornton Town Office and the Town of Thornton website.

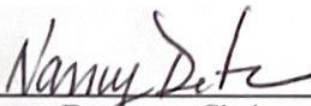


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5. To satisfy Section V.B.1 of the Subdivision Regulations we recommend expansion of the plan indicate the current owner's mailing address.
  6. To satisfy Section V.B.4 of the Subdivision Regulations we recommend expansion of the plan to specify the right-of-way width of Old Sawmill Road along the frontage of the proposed outparcel.
  7. To satisfy Section V.B.6 of the Subdivision Regulations we recommend expansion of the final plan to include a note indicating current Flood Insurance Rate Mapping published by FEMA suggests the proposed outparcel is not located within a Special Flood Hazard Area.
  8. Section III.M.1 of the Subdivision Regulations reads as follows: "*The sub-divider shall make legal provisions for the long-term maintenance of all roads and driveways within the subdivisions serving more than one lot. Said provisions shall be stated on the final plat and shall be a deed covenant in all conveyances from the owner at the time of final approval to all new owners.*" We recommend a note stating this requirement appear on the final plat. As a practical matter, given planned future condominium form of ownership, it is understood applicant's counsel intends to fulfill this requirement via provision contained in the declaration of condominium (See Article IV – Section 4.1 (e) of draft declaration). Nevertheless, given the proposed outparcels dependency on Old Sawmill Road, a private way, for frontage and access, for regulatory compliance, we recommend the text highlighted *in italics* above appear on the final plat.
- c. Planning Board Assistant's acknowledgment of receipt of requested/required number of copies of final drawings and state agency permit(s).
  - d. Receipt of confirmation by Planning Board Assistant that all application fees, recording fees and third-party review/legal fees, if any, have been paid in full.

Be advised that all conditions noted above must be met and confirmed by the Planning Department prior to applying for any zoning compliance applications. A signed and recorded copy of the plan, if applicable, must be on file with the Planning Department prior to applying for any zoning compliance applications.

For the Thornton Planning Board,

  
\_\_\_\_\_  
Nancy Decoteau, Chairman

06/22/2023  
Date

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