

BOYD FARM SUBDIVISION

SB# 10-22

STAFF REPORT

January 25, 2023

SITE: 19 Boyd Road, Map 106 Lot 044

ZONING: General-1 (G-1)

PURPOSE OF PLAN: Two lot subdivision 46.66 acres total at 19 Boyd Road, Hudson NH.

PLANS UNDER REVIEW:

Subdivision Plan / Boyd Farm, Map 106 Lot 44, 19 Boyd Road, Hudson, NH 03051; prepared by: Arago Land Consultants, LLC, 31 Old Nashua Road, Suite 1, Amherst, NH 03031; prepared for: Dan Dubowik, 223 Hudson Street, Hudson, NH 03051; consisting of 9 sheets and general notes 1-8 on Sheet 1; dated November 15, 2022; last revised January 10, 2023.

ATTACHMENTS:

- A. Department Comments responsive to initial submittal.
- B. Applicant response, prepared by Arago Land Consultants, LLC, received December 19, 2022.
- C. Applicant response #2, prepared by Arago Land Consultants, LLC, received January 11, 2023.
- D. Department Comments responsive to January 11, 2023 submission.
- E. CAP Fee worksheet

APPLICATION TRACKING:

- November 22, 2022 – Application received.
- December 28, 2022 – Public hearing deferred.
- January 25, 2023 – Public hearing scheduled.

WAIVER REQUESTS

1. Waiver request for the driveway Design Criteria [§193-10. H & I]: the applicant is requesting a waiver to allow a shared driveway spanning the property line between the two proposed parcels.
2. Waiver request for the General Plan Requirements [§276-11.1 B(2)]: the applicant is requesting a waiver to allow for a plan scale of 100 feet to the inch in order to include the full extent of both lots on one sheet.

3. Waiver request for the Applicability Thresholds for a Stormwater Management and Erosion Control Plan [§290-3(C)]: the applicant is requesting a waiver from the requirement to submit a Stormwater Management and Erosion Control Plan.

COMMENTS & RECOMMENDATIONS:

BACKGROUND

The site is a 46.66 acre undeveloped, primarily forested parcel with an existing gravel drive. There are large wetlands along the northeast and western boundaries, totaling 11.4 acres. The wetlands are in a 0.2 percent annual chance flood hazard area. The eastern portion of the parcel has a large section of steep slope. The parcel slopes upward from west to east, with the highest elevation point along the southeast boundary.

The applicant proposes subdividing the exiting lot into two lots: 21.565 and 25.088 acres. The lots would each be serviced by an individual well and septic. The applicant would like to build a home and barn on each lot and improve the existing drive, or shared driveway, to access both lots. The proposed shared driveway requires a waiver from §193-10. H & I, instead of building a driveway for each lot off of Boyd Road. Driveway permits will still be required from the Engineering Department.

The proposed shared driveway follows the proposed lot line running between the two lots. Each lot would have a 25-foot access and utility easement for its portion of the driveway on each other's property. This proposal requires a waiver from §193-10 H&I which has been submitted for the Planning Board's consideration. Due to their distance from the public road, the Fire Department and Applicant have agreed that:

1. Each house would have a sprinkler system. Additionally due to the distance and purpose of
2. The shared driveway is proposed to be 20-feet wide, with 14-feet of reclaimed asphalt and 3-feet of gravel shoulder on either side.
3. There will be minimum compaction requirements of 95% every 150-feet.
4. Slopes and vertical clearance profiles meet requirements of Engineering and Fire Department.

(See plans and Attachment C for additional detail)

Additionally, as the existing driveway appears to slightly encroach on the wetland buffer, the Applicant has agreed to restore the encroachment and install a fence along the buffer's edge where the driveway nears the wetlands in lieu of town conservation markers.

The applicant is requesting a waiver from the requirement to submit a Stormwater Management and Erosion Control Plan (Applicability Thresholds for a Stormwater Management and Erosion Control Plan [§290-3(C)]). It appears that some portions of the individual driveways branching off the shared driveway disturb slopes greater than 10% over a length of 25-feet or more. Staff requested the Applicant to show areas of 10% slopes but this was not provided. Nevertheless, a waiver has been requested in response to this issue. The Engineering Department has no objections to waiving this requirement.

Finally, the Applicant is requesting a waiver to allow for a plan scale of 100 feet to the inch in order to include the full extent of both lots on one sheet (§276-11.1 B(2)).

DEPARTMENT COMMENTS

See **Attachment A** for comments from town departments in the initial submittal. The applicant submitted responses on December 19, 2022 (**Attachment B**) and also met with Planning, Engineering and Fire on December 22, 2022. As a result of the meeting the Applicant submitted revised plans and an additional response on January 11, 2023 (**Attachment C**). This letter submits responses to an email from the Town Planner summarizing the items resolved at the December 22, 2022 meeting.

1. Assessing: See the attachment for initial review comments from the Chief Assessor. The sub-lot number has been updated to the satisfaction of the Chief Assessor.
2. Engineering: See the attachment for initial review comments from the Town Engineer. All comments have been addressed to the Town Engineer's satisfaction. Concerns related to shared access way standards and wetland buffer.
3. Fire Department: See the attachment for initial and follow-up review comments from the Fire Marshal. All comments have subsequently been addressed to the Fire Marshal's satisfaction. The primary concerns related to the ability of emergency service vehicles to safely reach the proposed residences, and the distance of each proposed residence to the nearest public road. The Applicant and the Fire Department agreed upon the design of the shared access/private road and to install sprinkler systems in the proposed houses (does not include accessory buildings).
4. Zoning: See the attachment for initial review comments from the Zoning Administrator. The comments have been addressed to the Zoning Administrator's satisfaction. The applicant should consider installing wetland buffer boundary markers, especially within proximity of proposed development/improvements.

RECOMMENDATIONS

The Applicant has revised their plans and application to the satisfaction of Town Departments. Staff recommends the Planning Board accept the application, receive public testimony, consider the waiver requests and deliberate the merits of the application.

As part of considering a decision, Staff recommends the Planning Board consider the characteristics of the proposed shared driveway. First, note that the two proposed lots each have sufficient frontage on Boyd Road, a public road. However, the shared driveway providing access has characteristics of what one might consider a private road. Furthermore, it is proposed to be constructed to a standard agreed upon with the Engineering and Fire Departments, that which exceeds driveway standards but less than that of a public street. And although the distinction between a shared driveway and a private road lacks distinction in the Zoning Ordinance or Land Use Regulations, Staff recommends the Planning Board consider the following conditions of potential approval:

- Potential approval should be conditioned on a notice of limits of municipal responsibility,
- There should be a reciprocal easement for both lots to use the portion of the road on the other’s property, (the initial submittal showed the easement out of alignment with the proposed drive but has been corrected in revised plans)
- A maintenance agreement should be recorded in the chain of title to lots that covers plowing, maintenance, etc., to avoid future disputes and,
- The shared driveway may require a name to comply with Emergency 9-1-1 standards upon request of the Fire Department.

DRAFT MOTIONS

ACCEPT the subdivision application:

I move to accept the subdivision application for the Subdivision Plan / Boyd Farm, 19 Boyd Road, Map 106 Lot 044.

Motion by: _____ Second: _____ Carried/Failed: _____

CONTINUE the public hearing to a date certain:

I move to continue the subdivision application for the Subdivision Plan / Boyd Farm, 19 Boyd Road, Map 106 Lot 044, to date certain, _____, 2023.

Motion by: _____ Second: _____ Carried/Failed: _____

To GRANT a waiver:

I move to grant a waiver from §193-10. H & I, to allow a driveway in the side setback area to accommodate a shared driveway serving both lots, based on the Board’s discussion, the testimony of the Applicant’s representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion by: _____ Second: _____ Carried/Failed: _____

To GRANT a waiver:

I move to grant a waiver from §276-11.1 B(2), to allow a plan scale of 100 feet to an inch, based on the Board’s discussion, the testimony of the Applicant’s representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion by: _____ Second: _____ Carried/Failed: _____

To GRANT a waiver:

I move to grant a waiver from §290-3(C), to not require the submittal of a Stormwater Management and Erosion Control Plan, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

Motion by: _____ Second: _____ Carried/Failed: _____

(Continued on the following page)

APPROVE the subdivision application:

I move to approve the subdivision application entitled: Subdivision Plan / Boyd Farm, Map 106 Lot 44, 19 Boyd Road, Hudson, NH 03051; prepared by: Arago Land Consultants, LLC, 31 Old Nashua Road, Suite 1, Amherst, NH 03031; prepared for: Dan Dubowik, 223 Hudson Street, Hudson, NH 03051; consisting of 9 sheets and general notes 1-8 on Sheet 1; dated November 15, 2022; last revised January 10, 2023; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD, together with the Plan.
2. A cost allocation procedure (CAP) amount of \$6,136.00 shall be paid prior to the issuance of a Certificate of Occupancy for each new house lot.
3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
4. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
5. Notice of Limits of Municipal Responsibility and Liability: The Town of Hudson neither assumes responsibility for maintenance of the shared driveway shown on the Plan as "Gravel Road," nor liability for any claim, loss, or damages, including those arising for failure to provide municipal services, including police, fire, or ambulance services, resulting in any way from the use of said shared driveway. The Owners shall be responsible for transporting any children residing on the shared driveway to the nearest regular school bus stop. The Owners shall be responsible, at the Owners own expense, for maintaining the shared driveway in a reasonable and safe condition at all times.
6. Easements, reciprocal for both lots for access and utilities on the other's property, shall be favorably reviewed by Town Counsel and recorded prior to issuance of Certificate of Occupancy.
7. A maintenance agreement for the shared driveway shall be favorably reviewed by Town Counsel and recorded in the chain of title to both properties prior to issuance of Certificate of Occupancy.
8. The shared driveway will require a road name upon request of the Fire Department.
9. Compaction of the shared driveway shall be witnessed by, or satisfactory information shall be provided to the Engineering Department for review and approval.
10. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.

Motion by: _____ Second: _____ Carried/Failed: _____



LAND SURVEYING | LANDSCAPE DESIGN

31 Old Nashua Road, Suite 1, Amherst, NH 03031

Phone: 603-732-0008 | Fax: 603-673-1584

www.AragoLand.com

November 21, 2022

**BOYD FARM
MAP 106 LOT 44
19 BOYD ROAD, HUDSON, NH**

Dan Dubowik acquired Map 106 Lot 44, 19 Boyd Road per Book 9464 Page 2328, May 3, 2021. This is a 46.66 acre parcel, as shown on Hillsborough County Registry of Deeds Plan #34670.

Dan proposes to subdivide Map 106 Lot 44 into 2 lots, 21.565 acres & 25.088 acres. There is an existing drive accessing the interior of the parcel, which Dan would like to use as access for both lots. His intent is to have a home and barn on each lot. The proposed property line between the two lots runs approximately in the center of the existing drive, with both lots having a 25 foot access & utility easement (50' total) along the proposed lines. Each lot will be serviced by an individual well and septic system.

A handwritten signature in blue ink that reads "Cynthia Dea Boisvert". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Cynthia Dea Boisvert, LLS #639



*Town of Hudson
12 School Street
Hudson, NH 03501*

SUBDIVISION APPLICATION

Revised August 1, 2022

The following information must be filed with the Planning Department *at the time of filing a site plan application*:

1. One (1) original completed application with original signatures, and one (1) copy.
2. Three (3) full plan sets (sheet size: 22" x 34").
3. One (1) original copy of the project narrative, and one (1) copy.
4. A list of direct abutters and a list of indirect abutters, and two (2) sets of mailing labels for abutter notifications.
5. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.
6. All plans shall be folded and all pertinent data shall be attached to the plans with an elastic band or other enclosure.

The following information is required to be filed with the Planning Department *no later than 10:00 A.M., Tuesday ONE WEEK prior to the scheduled Planning meeting. The purpose of these materials is hardcopy distribution to Planning Board members, not review. Any plan revisions that require staff review must be submitted no later than 10:00A.M., Tuesday TWO WEEKS prior to the scheduled Planning meeting. Depending on the complexity of changes, more time may be required for review. Please contact the Town Planner if you have any questions on this matter.*

1. Submission of fifteen (15) 11" X 17" plan sets, revised if applicable.
2. Submission of two (2) full plan sets (sheet size: 22" x 34"), if revised.
3. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.

Note: Prior to filing an application, it is recommended to schedule an appointment with the Town Planner.

SUBDIVISION APPLICATION

Date of Application: _____ Tax Map #: 106 Lot #: 44

Site Address: 19 Boyd Road

Name of Project: Boyd Farm

Zoning District: 6 General 1 General SB#: _____
(For Town Use Only)

Z.B.A. Action: _____

PROPERTY OWNER:

Name: Dan Dubowik

Address: 223 Hudson Street

Address: Hudson NH 03051

Telephone # 603-508-7387

Email: dubowikequipment@aol.com

DEVELOPER:

Same

PROJECT ENGINEER:

Name: N/A

Address: _____

Address: _____

Telephone # _____

Email: _____

SURVEYOR:

Arago Land Consultants

Cynthia Boisvert

31 Old Nashua Road Suite 1

Amherst NH 03031

603-732-0008 cbd@aragoland.com

PURPOSE OF PLAN:

Two Lot Subdivision 46.66 Acres Total

19 Boyd Road

Hudson NH

(For Town Use Only)

Routing Date: _____ Deadline Date: _____ Meeting Date: _____

_____ I have no comments _____ I have comments (attach to form)

(Initials) Title: _____ Date: _____

Department: _____

Zoning: ___ Engineering: ___ Assessor: ___ Police: ___ Fire: ___ DPW: ___ Consultant: ___

SUBDIVISION PLAN DATA SHEET

PLAN NAME: Boyd Farm

PLAN TYPE: Conventional Subdivision Plan or ~~Open Space Development~~ (Circle One)

LEGAL DESCRIPTION: MAP 106 LOT 44

DATE: _____

Address: 19 Boyd Road

Total Area: S.F. 2,032,393 SF Acres: 46.66

Zoning: 6 General 1

Required Lot Area: 87,120 SF

Required Lot Frontage: 200'

Number of Lots Proposed: 2

Water and Waste System Proposed: Well & Septic

Area in Wetlands: 496,619 SF/ 11.4 AC

Existing Buildings To Be Removed: None

Flood Zone Reference: FEMA 33011C0509D

Proposed Linear Feet Of New Roadway: None

SUBDIVISION PLAN DATA SHEET

Dates/Case #/Description/
 Stipulations of ZBA, N/A
 Conservation Commission, N/A
 NH Wetlands Board Action: N/A

(Attach Stipulations on
 Separate Sheet)

List Permits Required: N/A

**Waivers Requested:*

| | | |
|--|-----------------------------------|-------------------------------|
| | <u>Hudson Town Code Reference</u> | <u>Regulation Description</u> |
|--|-----------------------------------|-------------------------------|

| | | |
|--|------------------|--------------------------|
| | 1. 193-10. H & I | Driveway Design Criteria |
| | 2. 276-11.1 B(2) | Plan Scale |
| | 3. | |
| | 4. | |
| | 5. | |
| | 6. | |
| | 7. | |

**(Left Column for Town Use)*

(For Town Use Only)

Data Sheets Checked By: _____ Date: _____

SUBDIVISION PLAN APPLICATION AUTHORIZATION

I hereby apply for *Subdivision Plan* Review and acknowledge I will comply with all of the Ordinances of the Town of Hudson, New Hampshire State Laws, as well as any stipulations of the Planning Board, in development and construction of this project. I understand that if any of the items listed under the *Subdivision Plan* specifications or application form are incomplete, the application will be considered rejected.

Pursuant to RSA 674:1-IV, the owner(s) by the filing of this application as indicated above, hereby given permission for any member of the Hudson Planning Board, the Town Planner, the Town Engineer, and such agents or employees of the Town or other persons as the Planning Board may authorize, to enter upon the property which is the subject of this application at all reasonable times for the purpose of such examinations, surveys, tests and inspections as may be appropriate. The owner(s) release(s) any claim to or right he/she (they) may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on his/her (their) property in connection with this applications.

Signature of Owner: *Daniel A Dubowik* Date: *11/21/22*
Print Name of Owner: *DANIEL A Dubowik*

- ❖ If other than an individual, indicate name of organization and its principal owner, partners, or corporate officers.

Signature of Developer: *Daniel A Dubowik* Date: *11/21/22*
Print Name of Developer: *DANIEL A Dubowik*

- ❖ The developer/individual in charge must have control over all project work and be available to the Code Enforcement Officer/Building Inspector during the construction phase of the project. The individual in charge of the project must notify the Code Enforcement Officer/Building Inspector within two (2) working days of any change.

WAIVER REQUEST FORM

Name of Subdivision/Site Plan: Boyd Farm

Street Address: 19 Boyd Farm

I Dan Dubowik hereby request that the Planning Board waive the requirements of item 193-10. H & I of the Hudson Land Use Regulations in reference to a plan presented by Arago Land Consultant, LLC Cynthia Boisvert, LLS (name of surveyor and engineer) dated Nov. 15, 2022 for property tax map(s) 106 and lot(s) 44 in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Land Use Regulations.

Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

193-10 Design Criteria H - Side & Rear set back area for driveways

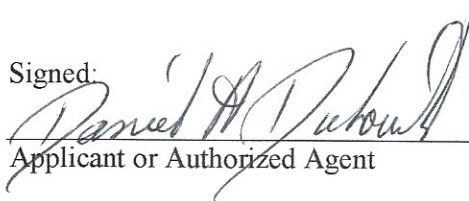
I - Shared Driveway

We would like to use the existing driveway for access both lots. The existing driveway currently extends back into the property, where we intend to build 1 home on each lot.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations: (if additional space is needed please attach the appropriate documentation hereto):

The existing driveway currently services the parcel. We do not see the need for parallel driveways when the existing driveway 22' +/- wide is sufficient.

Signed:


Applicant or Authorized Agent

WAIVER REQUEST FORM

Name of Subdivision/Site Plan: Boyd Farm

Street Address: 19 Boyd Farm

I Dan Dubowik hereby request that the Planning Board waive the requirements of item 276-11. 1. B (2) of the Hudson Land Use Regulations in reference to a plan presented by Arago Land Consultants, LLC, Cynthia Boisvert, LLC (name of surveyor and engineer) dated Nov 15 2022 for property tax map(s) 106 and lot(s) 44 in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Land Use Regulations.

Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

276-11. 1. B(2), Scale shall be no smaller than 50 feet to an inch.

Map 106 Lot 44 is 46.653 Acres. The site can all be shown on one sheet drawn to a scale of 100'.

The subdivision is for 2 lots, 21.868 acres and 24.785 acres. Each lot can be shown in its entirety on a 100' scale sheet.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations: (if additional space is needed please attach the appropriate documentation hereto):

The existing parcel & proposed 2 lots on one sheet are clearer, easier to understand total

Lot configuration, than to have match lines for multiple sheets

Signed:


Applicant or Authorized Agent

WAIVER REQUEST FORM

Name of Subdivision/Site Plan: **Boyd Farm**_____

Street Address: **19 Boyd Road**_____

I, **Dan Dubowik** hereby request that the Planning Board waive the requirements of item **290-3(C) – Submittal of Stormwater Management and Erosion Control** of the Hudson Land Use Regulations in reference to a plan presented by **Cynthia D. Boisvert, LLS and Trevor R, Yandow, PE** (name of surveyor and engineer) dated **Dec. 21, 2022** for property tax map **106** and lot **44** in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Land Use Regulations.

Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

The project proposes a single-family home and associated barn for agricultural use on each of the two proposed lots. The impact from this amount of development does not warrant the design and construction of stormwater mitigation infrastructure. Providing stormwater mitigation infrastructure will provide no appreciable benefit to protecting the health, safety and general welfare of the Town and its residents.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations: (if additional space is needed please attach the appropriate documentation hereto):

Based on the overall size of the existing parcel and the development proposed, the effect on the rate and volume of stormwater generated on-site is not expected to increase in any appreciable way and will maintain existing drainage patterns. Given the site topography and the existing areas which receive the flow from this site, there are no adverse impacts anticipated as a result of the development.

Signed:



~~Applicant~~ or Authorized Agent



TOWN OF HUDSON

Office of the Chief Assessor

Jim Michaud
Chief Assessor, CAE
email: jmichaud@hudsonnh.gov
www.hudsonnh.gov



12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6009 · Fax: 603-598-6481

To: Brian Groth, Town Planner

December 8, 2022

From: Jim Michaud, Chief Assessor 

Re: Subdivision Plan – “Boyd Farm” - Tax Map 106 Lot 044

In reviewing the proposed subdivision plan I would offer the following map/lot/sublot numbers to be utilized, if the proposed layout of the lots does not change after Planning Board consideration. The submitted plan proposes Tax Map 106 Lot 044 Sublot 001 to have one lot subdivided off of it, we already have a Tax Map 106 Lot 044 Sublot 001 in existence, so that will need to be renumbered, as per below.

| CURRENT-From Plan | Assigned Map/Lot to be used on plan |
|----------------------------|-------------------------------------|
| Map 106 Lot 044 Sublot 001 | Map 106 Lot 044 Sublot 004 |

From: Dhima, Elvis
Sent: Thursday, December 8, 2022 10:02 AM
To: Dubowik, Brooke; Groth, Brian
Cc: Hebert, David
Subject: RE: Dept Signoff SB#10-22 Boyd Farm Subdivision

Please see below

1. Applicant shall provide profile for the existing gravel access road
2. Plan indicates minimal impact within the 50 foot wetland buffer. Applicant shall file for conditional use permit or restore the disturbed area, to be witnessed by Engineering Department.
3. Plans related to driveway and road profiles shall be stamped by NHPE
4. Applicant shall provide turn around means for emergency apparatus
5. Applicant shall install conservation tags, available at Engineering Dep, at the 50 foot wetland buffer mark

Thanks

E

Elvis Dhima, P.E.
Town Engineer

12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Mobile: (603) 318-8286





TOWN OF HUDSON

FIRE DEPARTMENT

INSPECTIONAL SERVICES DIVISION



12 SCHOOL STREET, HUDSON, NEW HAMPSHIRE 03051

Emergency 911
Business 603-886-6005
Fax 603-594-1142

Scott Tice
Chief of Department

TO: Brian Groth
Town Planner

FR: David Hebert
Fire Marshal

DT: 12/12/22

RE: 19 Boyd Rd/Subdivision

HFD Areas of concerns: Inadequate design for fire apparatus access from Boyd Road to all four structures. The plan indicates 2400+ feet from Boyd Road to the furthest structure. No designed water supply. The proposed driveways design will not support emergency vehicles or a tanker shuttle in the event of a structure fire. The proposed gravel driveways will not structurally support fire apparatus. HFD is requiring the following:

- 1) There shall be a turnaround area at the end of the common drive cul-de-sac. The dimensional criteria of the cul-de-sac shall be in conformance with NFPA 1 Chapter 18 for fire department access.
- 2) The proposed 14' gravel common driveway shall have an all-weather surface and a 3' wide shoulder on each side for vehicle passing and snow.
- 3) Fire protection shall be provided due to the distances from Boyd Road to all four proposed structures. Provide a 30,000gal fire cistern at the end of the cul-de-sac.
- 4) The proposed driveway slope of both structure driveways are too steep. The proposed slope transition shown on both driveways are too severe at the crown and the valley.
- 5) The design engineer shall submit a fire department access plan from Boyd Road to all four structures with design criteria to include, all-weather surface width, shoulders, dimensions, slopes, crown and valley slope transitions.

David Hebert
Fire Marshall



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Subdivision application #10-22 Zoning Review/Comments

JB 12-13-22

December 13, 2022

Re: Map 106 Lot 044
Address: 19 Boyd Rd
Zoning district: General One (G-1)
Proposal: 2 lot subdivision.
Review submitted plans: 1-6 dated Nov 15, 2022

1) Minimum buildable lot area. There is no note (or calculation) of any deduction/reduction with the resultant minimum buildable lot area, due to > 25% slopes as required per §334-27.1 General Requirements. (B): **The minimum buildable lot area shall not contain wetlands, as defined by the Hudson Zoning Ordinance, shall be contiguous dry land and shall contain no slopes in excess of 25%.**

2) Minimum lot area. There is no note (or calculation) of any deductions/reduction with resultant minimum lot area, due to 25% slopes as required per §334-27.2 Lot requirements for subdivision of land. "The minimum lot area shall be contiguous land and shall not be separated by a wetland, a waterway, or a right-of-way. **The minimum lot area shall not contain wetland, as defined by the Hudson Zoning Ordinance, and shall contain no slopes in excess of 25%.**"

3) This comment is more for a practical use of the property as a landowner, and that would be to erect/install "wetland buffer boundary markers", especially within proximity of proposed development/improvements.

Bruce Buttrick
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth - Town Planner
file



LAND SURVEYING | LANDSCAPE DESIGN

31 Old Nashua Road, Suite 1, Amherst, NH 03031

Phone: 603-732-0008 | Fax: 603-673-1584

www.AragoLand.com

MLS #11342.00

December 19, 2022

Page 1 of 4

Town of Hudson
 Attention: Brian Groth, AICP, Town Planner
 12 School Street
 Hudson, NH 03051
 (603) 886-6008
bgroth@hudsonnh.gov

Re: Subdivision Plan - Boyd Farm
Tax Map 106 Lot 044

Dear Mr. Groth,

Arago Land Consultants, LLC, (Arago) and **Meridian Land Services, Inc.** (Meridian) have reviewed the Town of Hudson department comments received via email on December 13th, 2022, for the above-referenced project. We have revised the plans and supporting documentation to address or respond to the comments. The original comments are below, in verbatim, with Meridian’s responses in *italics*.

===== **Begin Assessing Comments prepared by Jim Michaud dated 12/08/2022** =====

In reviewing the proposed subdivision plan I would offer the following map/lot/sublot numbers to be utilized, if the proposed layout of the lots does not change after Planning Board consideration. The submitted plan proposes Tax Map 106 Lot 044 Sublot 001 to have one lot subdivided off of it, we already have a Tax Map 106 Lot 044 Sublot 001 in existence, so that will need to be renumbered, as per below.

| CURRENT-From Plan | Assigned Map/Lot to be used on plan |
|----------------------------|-------------------------------------|
| Map 106 Lot 044 Sublot 001 | Map 106 Lot 044 Sublot 004 |

The plan has been revised utilizing the recommended proposed lot number.

===== **End Assessing Comments prepared by Jim Michaud dated 12/08/2022**=====

===== **Begin Engineering Comments prepared by Elvis Dhima dated 12/08/2022**=====

1. Applicant shall provide profile for the existing gravel access road.
A plan and profile for the existing gravel driveway will be prepared.
2. Plan indicates minimal impact within the 50 foot wetland buffer. Applicant shall file for conditional use permit or restore the disturbed area, to be witnessed by Engineering Department.
The gravel driveway is existing. No improvements are proposed within the buffer, therefore there will be no impact in the buffer. A Conditional Use Permit is not necessary, as there is nothing proposed in the buffer area.
3. Plans related to driveway and road profiles shall be stamped by NHPE.
The requisite existing and proposed driveway plans will include a professional engineers stamp.
4. Applicant shall provide turn around means for emergency apparatus.
The existing gravel drive and proposed driveways provide adequate maneuverability for emergency vehicle. Per comments 5 from the Fire Department below, a fire department access plan will be prepared and included in the subsequent submission.
5. Applicant shall install conservation tags, available at Engineering Department, at the 50 foot wetland buffer mark.
The applicant is aware of the 50' buffer which is in close proximity to the existing driveway. The remaining buffer areas have an existing physical separation (i.e., stone wall, bottom of slope) between the proposed improvements.

===== **End Engineering Comments prepared by Elvis Dhima dated 12/08/2022**=====

===== **Begin Fire Department Comments prepared by David Hebert dated 12/12/2022**=====

1. There shall be a turnaround area at the end of the common drive cul-de-sac. The dimensional criteria of the cul-de-sac shall be in conformance with NFPA 1 Chapter 18 for fire department access.
The existing gravel driveway provides adequate turnaround space for fire department access.
2. The proposed 14' gravel common driveway shall have an all-weather surface and

a 3' wide shoulder on each side for vehicle passing and snow.

The common driveway is an all-weather surface (compacted gravel) and does conform to the minimum width requirements.

3. Fire protection shall be provided due to the distances from Boyd Road to all four proposed structures. Provide a 30,000 gallon fire cistern at the end of the cul-de-sac

The requirement of the 30,000 gallon cistern for two proposed dwellings seems excessive. The applicant would like to discuss in further detail with the Fire Department in order to come up with potential alternatives. There is a hydrant within one mile of this property.

4. The proposed driveway slope of both structure driveways are too steep. The proposed slope transition shown on both driveways are too severe at the crown and the valley.

The driveways have been designed to conform to the Town of Hudson requirements. Every effort has been made to provide adequate transition area at changes in grade, as shown on the plan and profile sheets.

5. The design engineer shall submit a fire department access plan from Boyd Road to all four structures with design criteria to include, all-weather surface width, shoulders, dimensions, slopes, crown and valley slope transitions.

A fire department access plan will be incorporated within the plan and profile sheets, which shows adequate access for fire department vehicles to the proposed structures.

===== **End Fire Comments prepared by David Hebert dated 12/12/2022**=====

===== **Begin Zoning Comments prepared by Bruce Buttrick dated 12/13/2022**=====

1. Minimum buildable lot area. There is no note (or calculation) of any deduction/reduction with the resultant minimum buildable lot area, due to >25% slopes as required per §334-27.1 General Requirements. (B): ***The minimum buildable lot area shall not contain wetlands, as defined by the Hudson Zoning Ordinance, shall be contiguous dry land and shall contain no slopes in excess of 25%.***

Note 3 on sheet 1 has been updated to include areas associated with non-buildable areas (wetlands and steep slopes >25%) on the lot.

2. Minimum lot area. There is no note (or Calculation) of any deductions/reduction with resultant minimum lot area, due to 25% slopes as required per §334-27.2 Lot requirements for subdivision of land. ***"The minimum lot area shall be contiguous land and shall not contain wetland, a waterway, or right-of-way. The minimum lot area shall not contain wetlands, as defined by the Hudson Zoning Ordinance, and shall contain no slopes in excess of 25%."***

See note 3 on sheet 1 as indicated in the previous response.

3. This comment is more for a practical use of the property as a landowner, and that would be to erect/install "wetland buffer boundary markers", especially within proximity of proposed development/improvements.
See response to engineering comment number 5.

===== End Zoning Comments prepared by Bruce Buttrick dated 12/13/2022 =====

Arago is of the opinion that the comments have been adequately addressed or responded to. Should you require any additional information or wish to discuss, please do not hesitate to contact me.

Thank you for your time and consideration regarding this matter.

Sincerely,

Arago Land Consultants



Cynthia Dea Boisvert, LLS

Meridian Land Services, Inc.



Trevor R. Yandow, PE



LAND SURVEYING | LANDSCAPE DESIGN

31 Old Nashua Road, Suite 1, Amherst, NH 03031

Phone: 603-732-0008 | Fax: 603-673-1584

www.AragoLand.com

January 10, 2023

Our responses to the meeting summary email below in *italics*.

Cynthia D Boisvert, LLS

President

Arago Land Consultants, LLC

31 Old Nashua Road, Suite 1, Amherst, NH 03031

P (603) 732-0008 F (603) 673-1584

Trevor R. Yandow, PE

Project Manager

Meridian Land Services, Inc.

From: Groth, Brian <bgroth@hudsonnh.gov>

Sent: Thursday, December 22, 2022 4:42 PM

To: Cynthia Boisvert <CDB@aragoland.com>; Daniel Dubowik <dubowikequipment@aol.com>; Trevor Yandow <TRYandow@meridianlandservices.com>

Cc: Dhima, Elvis <edhima@hudsonnh.gov>; Hebert, David <dhebert@hudsonnh.gov>; Tice, Scott <STice@hudsonnh.gov>; Dubowik, Brooke <bdubowik@hudsonnh.gov>; Rearick, Emma <erearick@hudsonnh.gov>; Paquette, James <jpaquette@hudsonnh.gov>

Subject: Boyd Road Subdivision

All,

Thank you for the productive meeting today. Below are my notes on the resolved items. Please add or comment if needed.

A. Emergency access:

1. 20-feet in total width: 14-feet with reclaimed asphalt, 3-feet gravel shoulders on either side.
Meridian to submit details.

The proposed shared access is specified to have a 14-foot width, surfaced with reclaimed asphalt and 3-foot crushed gravel shoulders. See detail on sheet 9.

2. Minimum compaction of 95% every 150-feet.

This is noted in the detail referenced above.

3. Driveway grades can be up to 10% where within 150-feet of house, otherwise maximum grade is 7%.

Driveway grades are proposed to not exceed the town requirement of 10%.

4. Meridian to submit profile to satisfy vertical clearance needed for fire apparatus.
The submitted driveway profiles have been verified to provided adequate vertical clearances for the town fire apparatus based on the submitted specification for the ladder truck, provided by the Fire Department.

B. Fire protection:

1. Instead of cistern, houses will have sprinkler systems.
The applicant indicated the homes would be sprinklered.

C. Wetlands/Access road layout:

1. Proposed driveway will be shown outside of wetland buffer.
Sheet 3 of the plans shows the area of the existing gravel drive is to be loamed and seeded to restore the buffer area.
2. To propose rock wall or fence along buffer boundary instead of town markers.
A fence is noted to be installed along the 50-foot buffer where the shared access is near the wetlands in lieu of town markers.
3. Loam and seed restoration area.
This is noted on sheet 3.
4. Proposed access road to match easement area.
The easement and shared access are in alignment.

D. Stormwater:

1. Waiver request related to critical area (submitted already).
Waiver submitted on 12/23/2022.
2. Describe stormwater/runoff strategy.
Discussed in waiver request.
3. Show erosion control detail. Details have been added to plan and profile sheets.
Details are provided on sheet 9.

Again, please add or comment as needed.

Thank you

Brian

Brian Groth, AICP

Town Planner

Town of Hudson, NH

12 School Street

Hudson, NH 03051

Phone: (603) 886-6008

Fax: (603) 594-1142

bgroth@hudsonnh.gov

From: Michaud, Jim
Sent: Thursday, January 12, 2023 3:40 PM
To: Groth, Brian; Dubowik, Brooke; Bianchi, Dave; Buttrick, Bruce; Dhima, Elvis; Rearick, Emma; Hebert, David; Kirkland, Donald
Cc: Twardosky, Jason; Tice, Scott
Subject: RE: Dept Signoff SB#10-22 Boyd Farm Subdivision

Assessing is all set, with that adjustment to the subplot number.

Thank you

Jim

From: Dhima, Elvis
Sent: Thursday, January 12, 2023 2:43 PM
To: Groth, Brian; Dubowik, Brooke; Bianchi, Dave; Buttrick, Bruce; Rearick, Emma; Hebert, David; Kirkland, Donald; Michaud, Jim
Cc: Twardosky, Jason; Tice, Scott
Subject: RE: Dept Signoff SB#10-22 Boyd Farm Subdivision

ENG is all set , no further comments

E

Elvis Dhima, P.E.
Town Engineer

12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Mobile: (603) 318-8286



From: Hebert, David
Sent: Thursday, January 12, 2023 2:54 PM
To: Groth, Brian; Dubowik, Brooke; Bianchi, Dave; Buttrick, Bruce; Dhima, Elvis; Rearick, Emma; Kirkland, Donald; Michaud, Jim
Cc: Twardosky, Jason; Tice, Scott
Subject: RE: Dept Signoff SB#10-22 Boyd Farm Subdivision

Fire is all set unless Chief Tice has any comments. All items discussed appear to be addressed

Dave Hebert
Fire Marshal
Hudson Fire Department
Inspectional Services Division
12 School Street
Hudson, NH 03051
603-886-6005



From: Tice, Scott
Sent: Thursday, January 12, 2023 4:58 PM
To: Hebert, David; Groth, Brian; Dubowik, Brooke; Bianchi, Dave; Buttrick, Bruce; Dhima, Elvis; Rearick, Emma; Kirkland, Donald; Michaud, Jim
Cc: Twardosky, Jason
Subject: RE: Dept Signoff SB#10-22 Boyd Farm Subdivision

I am all set

Scott Tice, Chief
Hudson Fire Department
39 Ferry Street, Hudson, NH 03051
603-886-6021





TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Subdivision application #10-22 Zoning Review/Comments Resubmittal

January 12, 2023

Re: Map 106 Lot 044
Address: 19 Boyd Rd
Zoning district: General One (G-1)
Proposal: 2 lot subdivision.
Review submitted plans: 1 & 2 of 9 dated Nov 15, 2022 **Rev #1 1/10/23**

Prior comments of December 13, 2022 have been addressed.

This comment is more for a practical use of the property as a landowner, and that would be to erect/install "wetland buffer boundary markers", especially within proximity of proposed development/improvements.

Bruce Buttrick
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth - Town Planner
file



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman



12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6008 · Fax: 603-594-1142

CAP FEE WORKSHEET - 2023

Date: 1-25-23 Zone # 1 Map/Lot: 106/044-001
(19 Boyd Road parent lot address)

Project Name: Boyd Farm 2-lot Subdivision SB #10-22

Proposed ITE Use #1: Single Family Residential Lot

Proposed Building Area (square footage): N/A S.F.

CAP FEES: (ONE CHECK NEEDED)

| | | | |
|----|-----------------------|----------------------|--------------------|
| 1. | (Bank 09) 2070-701 | Traffic Improvements | \$ <u>2,158.00</u> |
| 2. | (Bank 09) 2050-182 | Recreation | \$ <u>400.00</u> |
| 3. | (Bank 09) 2080-051 | School | \$ <u>3,578.00</u> |
| | | Total CAP Fee | \$ <u>6,136.00</u> |

Check should be made payable to the Town of Hudson.

Thank you,
Brian Groth
Town Planner