

# **BURNS HILL ROAD 2-LOT SUBDIVISION**

SB# 09-22

## **STAFF REPORT**

February 22, 2023

**SITE:** 52 Burns Hill Road, Map 211 Lot 065

**ZONING:** Residential-2 (R-2) and General (G)

**PURPOSE OF PLAN:** To subdivide the existing parcel into two separate lots.

### **PLANS UNDER REVIEW:**

Subdivision Plan / TGG Realty Trust -Burns Hill Road, Map 211 Lot 65, 52 Burns Hill Road, Hudson, New Hampshire 03051, Hillsborough County; prepared by Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: TGG Realty Trust, 50 Burns Hill Road, Hudson, NH 03051, BK. 7438 PG. 516; consisting of 2 sheets with no cover sheet and general notes 1-13 on Sheet 1; dated October 17, 2022.

### **ATTACHMENTS:**

- A. Lot Development Plan Lot 65-1
- B. Lot Development Plan Lot 65
- C. HCRD Plan #28957 and HCRD Plan #30879
- D. Department Comments
- E. CAP Fee worksheet

### **APPLICATION TRACKING:**

- October 17, 2022 – Application received.
- January 25, 2023 – Public hearing deferred.
- February 22, 2023 – Public hearing scheduled.

### **COMMENTS & RECOMMENDATIONS:**

#### **BACKGROUND**

The site is 28.51 acres within the R-2 and G zoning districts. The northeastern portion of the site contains a large wetland area that is adjacent to Second Brook. Part of those wetlands are in the Special Flood Hazard area. Smaller wetlands are scattered throughout the site. The site will be served by municipal water and private septic. The applicant proposes subdividing the existing parcel into two separate lots: one would be 2.06 acres and the other would be 26.45 acres.

### STAFF COMMENTS

Bisecting the proposed 2.06 acre lot is 19,100 square-feet of wetland, limiting access to the upland area in the back portion of the lot. A narrow, two-foot portion of upland connects the front and back of the lot next to the proposed southeast lot line. Still, the upland area adjacent to the road meets the minimum lot size requirement in R-2 for a single-family home on Town water and a private septic system. The applicant provided a lot development plan that shows the upland area next to the road can accommodate a house and leach field (**Attachment A**). The 50' wetland buffer would restrict use of the proposed backyard. **Attachment B** shows the proposed driveway location for the 26.45 acre lot.

The plan notes that portions of the existing Map 211 Lot 065, the lot to be subdivided, were intended to be merged with Map 211 Lot 064 in 1985 and 2000. **Attachment C** shows those two approved lot line relocations. However, the two areas, located on the northwest portion of the lot and shown as Area A and Area B on the plan, were never deeded and merged. These two areas were also excluded from the TGG Realty Trust, the owner of Map 211 Lot 065. The applicant has drafted a deed to convey areas A and B that they have agreed to record at the same time as this plan.

### DEPARTMENT COMMENTS

See **Attachment D** for comments from town departments. The Applicant provided information to satisfy the initial comments made by these departments, but the information of provided for background.

1. Engineering: Applicant shall provide plan and profile for both proposed curb cuts, as well as dwelling, septic system, and well location (if applicable, as municipal water is available) for LOT 65-1.

*Applicant has addressed the comments to the Town Engineer's satisfaction.*

2. Fire Chief: Plan excludes proposed driveways so Fire Department access requirements cannot be verified.

*Applicant has provided a plan and profile for the two proposed driveways to the satisfaction of the Fire Department.*

3. Zoning & Planning: Initially, it appeared to the Zoning Administrator that Lot 65-1 violates §334-27.2 and §334-27.1 for reasons that wetlands bisected the buildable lot areas and thus was not contiguous. Upon closer examination, there is a 2-foot span connecting the front upland to the upland in the rear of the lot. While not exactly functional (nor buildable) it does not technically violate the requirement that the buildable lot area be contiguous. Regardless of contiguity, the upland at the front of the lot measures 43,591 s.f., thereby meeting the minimum lot size of once acre for a single family home in R-2, with or without public utilities. Note that a duplex requires 60,000 s.f. in R-2 when without either Town water or sewer.

*The applicant responded that the upland area next to the road measures 43,591 SF and meets the minimum one acre lot size area.*

**DRAFT MOTIONS**

**ACCEPT the subdivision application:**

I move to accept the subdivision application for the Subdivision Plan / TGG Realty Trust -Burns Hill Road, 52 Burns Hill Road, Map 211 Lot 65.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**CONTINUE the public hearing to a date certain:**

I move to continue the subdivision application for the Subdivision Plan / TGG Realty Trust -Burns Hill Road, 52 Burns Hill Road, Map 211 Lot 65, to date certain, \_\_\_\_\_, 2023.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**DEFER the public hearing to a date certain:**

I move to defer the subdivision application for the Subdivision Plan / TGG Realty Trust -Burns Hill Road, 52 Burns Hill Road, Map 211 Lot 65, to date certain, \_\_\_\_\_, 2023.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

*(Draft Motion to approve on following page.)*

**APPROVE the subdivision application:**

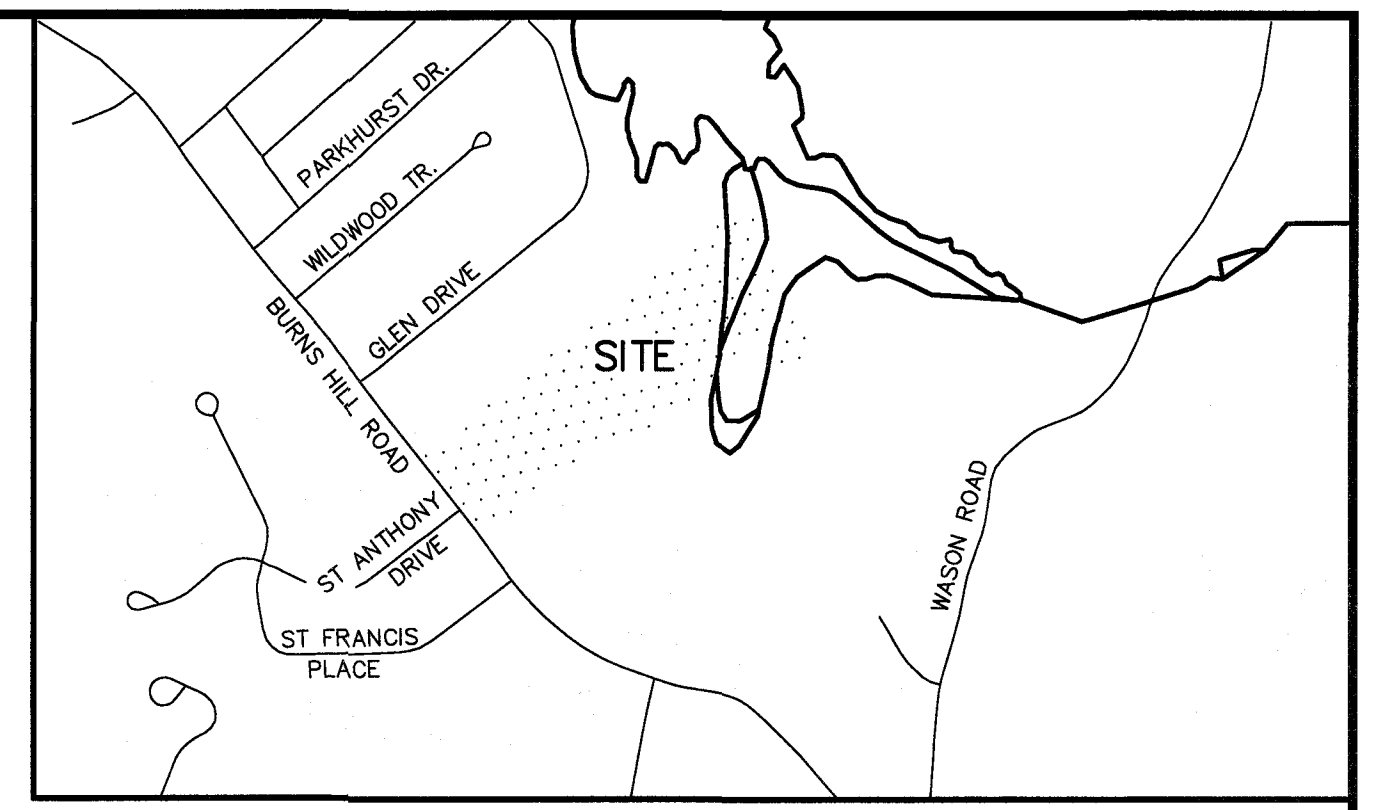
I move to approve the subdivision application for the Subdivision Plan / TGG Realty Trust - Burns Hill Road, Map 211 Lot 65, 52 Burns Hill Road, Hudson, New Hampshire 03051, Hillsborough County; prepared by Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: TGG Realty Trust, 50 Burns Hill Road, Hudson, NH 03051, BK. 7438 PG. 516; consisting of 2 sheets with no cover sheet and general notes 1-13 on Sheet 1; dated October 17, 2022; 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 for a single-family home or \$5,621 per unit within a duplex shall be paid prior to the issuance of a Certificate of Occupancy for the new house lot.
3. Prior to recording of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
4. Prior to recording of the Plan, the deed to Area A and Area B as noted on the plan shall be recorded.
5. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
6. 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: \_\_\_\_\_

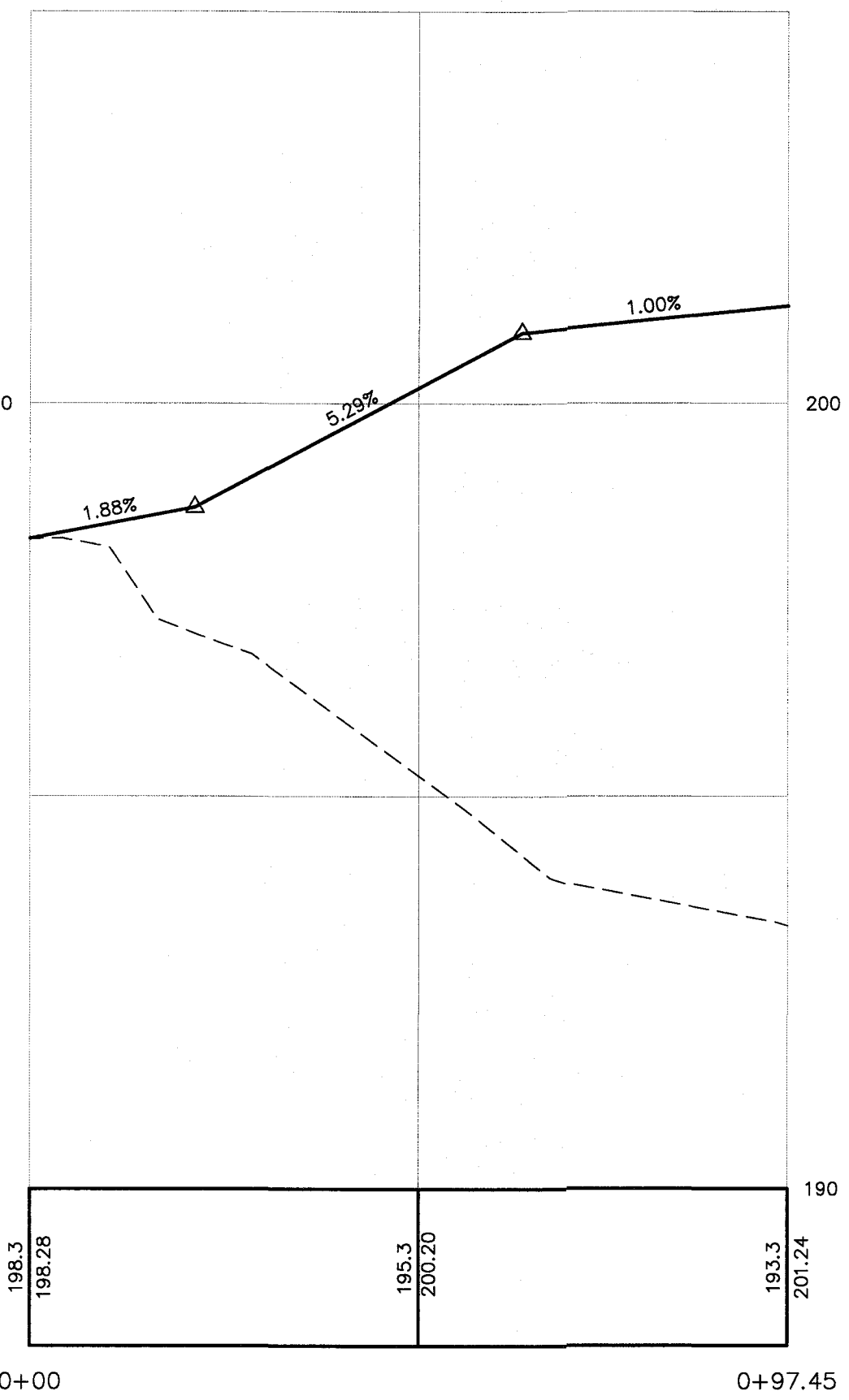
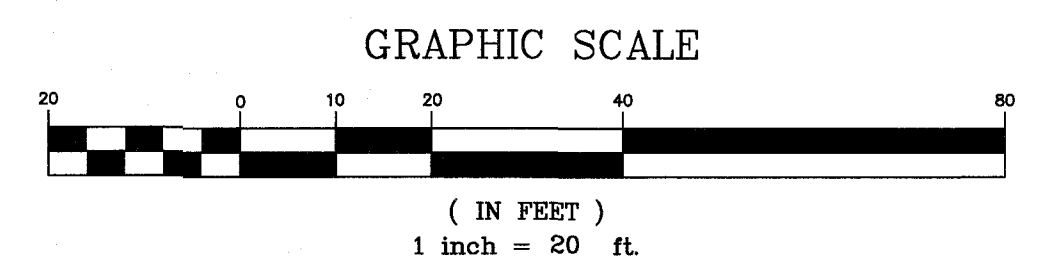
**REFERENCE PLANS:**

- "SUBDIVISION PLAN OF LAND IN HUDSON, N.H. PREPARED FOR A & W ASSOCIATES, INC. SCALE: 1" = 80' DEC. 6, 1972" PREPARED BY L.W. SZUGDA AND SONS, SURVEY CONSULTANTS, HUDSON, N.H. H.C.R.D. PLAN #8251.
- "SUBDIVISION PLAN BURNS HILL ROAD, HUDSON, N.H. SCALE: 1" = 100' DATE: JUNE 1978" PREPARED BY A.E. MAYNARD CIVIL ENGINEER, NASHUA, N.H. H.C.R.D. PLAN #11464.
- "LOT LINE RELOCATION PLAN - LOTS 161-2 & 162/MAP 14, KONIS LOT LINE RELOCATION, GLEN DRIVE, HUDSON, NEW HAMPSHIRE" SCALE: 1" = 50' DECEMBER 21, 1988 PREPARED BY MAYNARD & PAQUETTE INC., NASHUA, N.H. H.C.R.D. PLAN #24262.
- "PLAN OF GIUFFRIDA SUBDIVISION LOCATED IN HUDSON, N.H. TAX MAP 15 LOT 14 PREPARED FOR CONCETTO, ANN & JOEL GIUFFRIDA" DATE: APRIL 17, 1990, LAST REVISED 8/15/91 SCALE: 1" = 50' PREPARED BY CHRISTIANSEN & SERGI, HAVERHILL, MA H.C.R.D. PLAN #25443.
- "LOT LINE RELOCATION PLAN: LOT 176 & 176-1 / MAP 14 BURNS HILL ROAD, HUDSON, NEW HAMPSHIRE SCALE: 1" = 100' DATE: JUNE, 1985" PREPARED BY MAYNARD & PAQUETTE INC., NASHUA, N.H. H.C.R.D. PLAN #28957.
- "AMENDED LOT LINE RELOCATION PLAN MAP 14 / LOT 176 & 176-1, BURNS HILL ROAD, HUDSON, NEW HAMPSHIRE" SCALE: 1" = 100' DATE: FEBRUARY 10, 2000 PREPARED BY MAYNARD & PAQUETTE INC., NASHUA, N.H. H.C.R.D. PLAN #30879.
- "TAKING/BOUNDARY PLAN (LOTS 7 & 26, MAP 15 & LOT 176, MAP 14) HUDSON DUMP, BURNS HILL ROAD, HUDSON, NEW HAMPSHIRE SCALE: 1" = 150', 6 MARCH 2000" PREPARED BY HAYNER/SWANSON, INC, NASHUA, NEW HAMPSHIRE H.C.R.D. PLAN #31606.



**VICINITY PLAN**  
SCALE: 1" = 1,000±

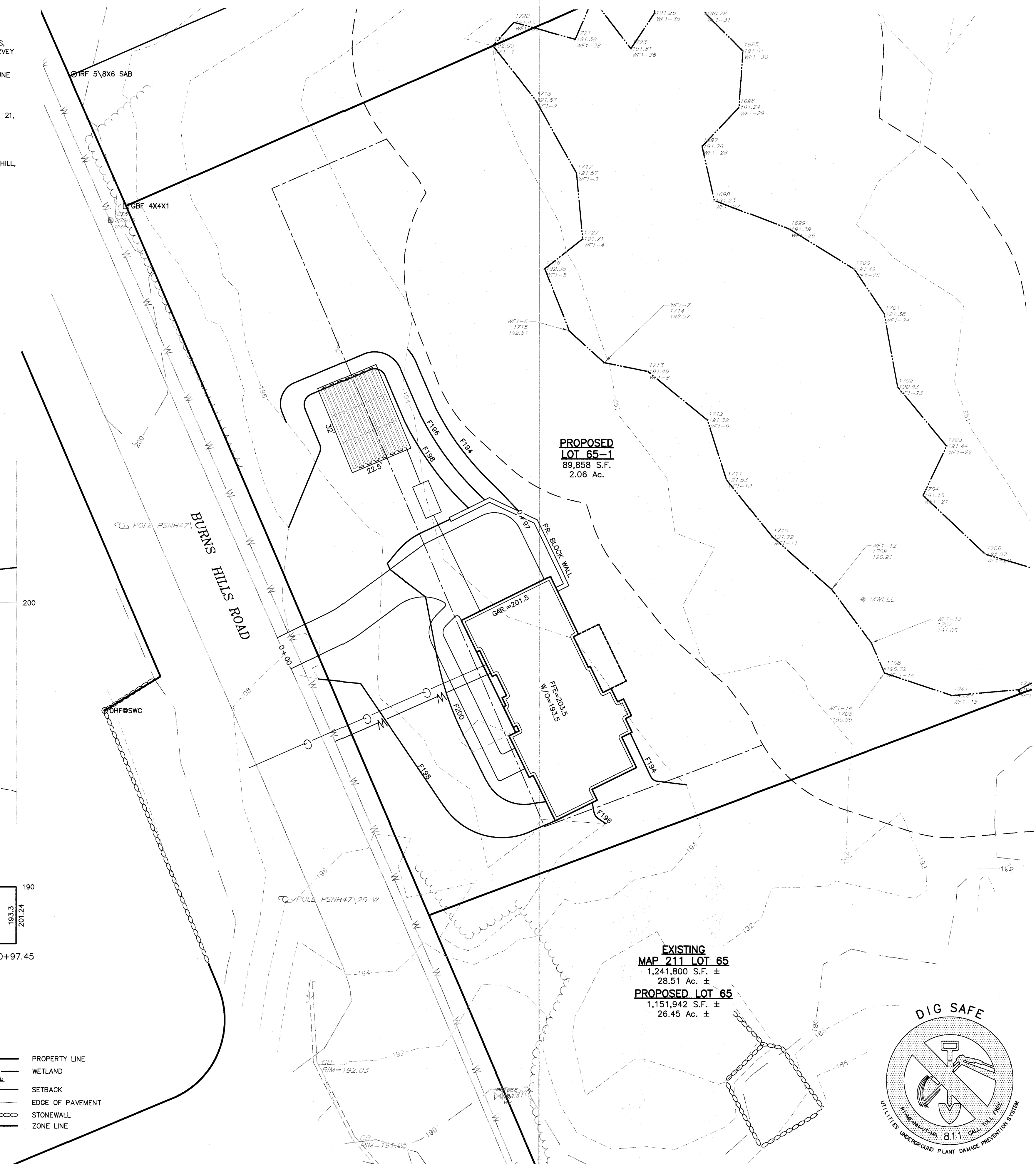
- THE PURPOSE OF THIS PLAN IS TO DEPICT A PROPOSED HOUSE LOCATION FOR THE FUTURE SINGLE-FAMILY HOUSE LOT FROM THE FORTHCOMING SUBDIVISION OF MAP 211 LOT 65 IN HUDSON, NEW HAMPSHIRE. INTO TWO (2) LOTS.
- THIS PLAN SHALL BE CONSIDERED NON-BINDING AND SUBJECT TO CHANGE.



**DRIVEWAY PROFILE**

**LEGEND**

- |       |                         |   |                  |
|-------|-------------------------|---|------------------|
| □ GBF | GRANITE BOUND FOUND     | — | PROPERTY LINE    |
| ○ IRF | IRON ROD FOUND          | — | WETLAND          |
| ● DHF | DRILL HOLE FOUND        | — | SETBACK          |
| ● DHS | DRILL HOLE SET          | — | EDGE OF PAVEMENT |
| ●     | IRON PIN TO BE SET      | — | STONEWALL        |
| ■     | GRANITE BOUND TO BE SET | — | ZONE LINE        |
| - - - | ABUTTER LINE            |   |                  |



**PROPOSED LOT 65-1**  
89,858 S.F.  
2.06 Ac.

**EXISTING MAP 211 LOT 65**  
1,241,800 S.F. ±  
28.51 Ac. ±

**PROPOSED LOT 65**  
1,151,942 S.F. ±  
26.45 Ac. ±



**LOT DEVELOPMENT PLAN**  
**52 BURNS HILL ROAD**

MAP 211 LOT 65  
52 BURNS HILL ROAD  
HUDSON, NEW HAMPSHIRE 03051  
HILLSBOROUGH COUNTY

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**OWNER:**  
TGC REALTY TRUST  
50 BUSH HILL ROAD  
HUDSON, NH 03051  
BK. 7438 PG. 516

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**KMA** KEACH-NORDSTROM ASSOCIATES, INC.  
Civil Engineering Land Surveying Landscape Architecture  
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2881


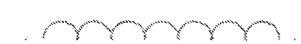

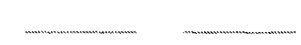

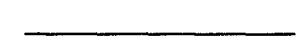

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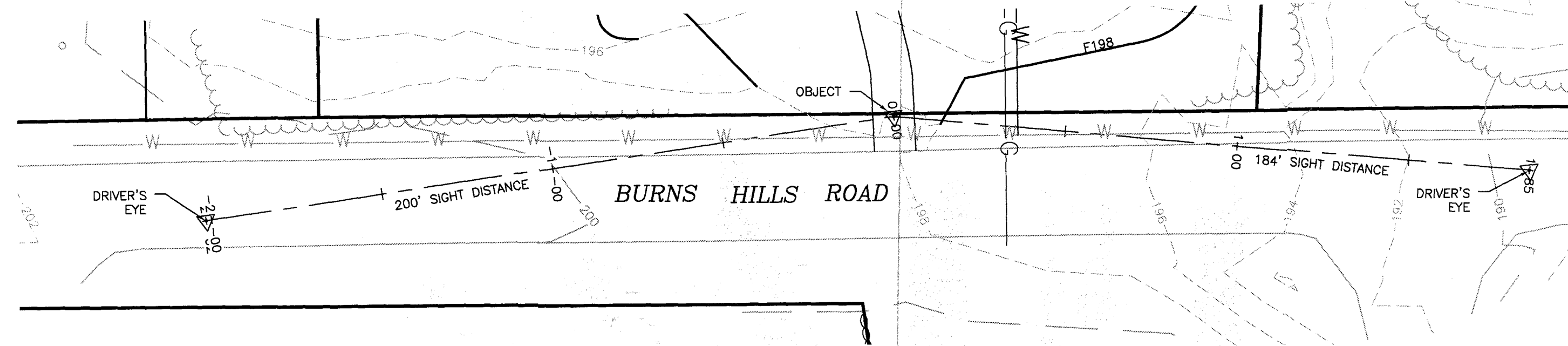
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No.	DATE	DESCRIPTION	BY

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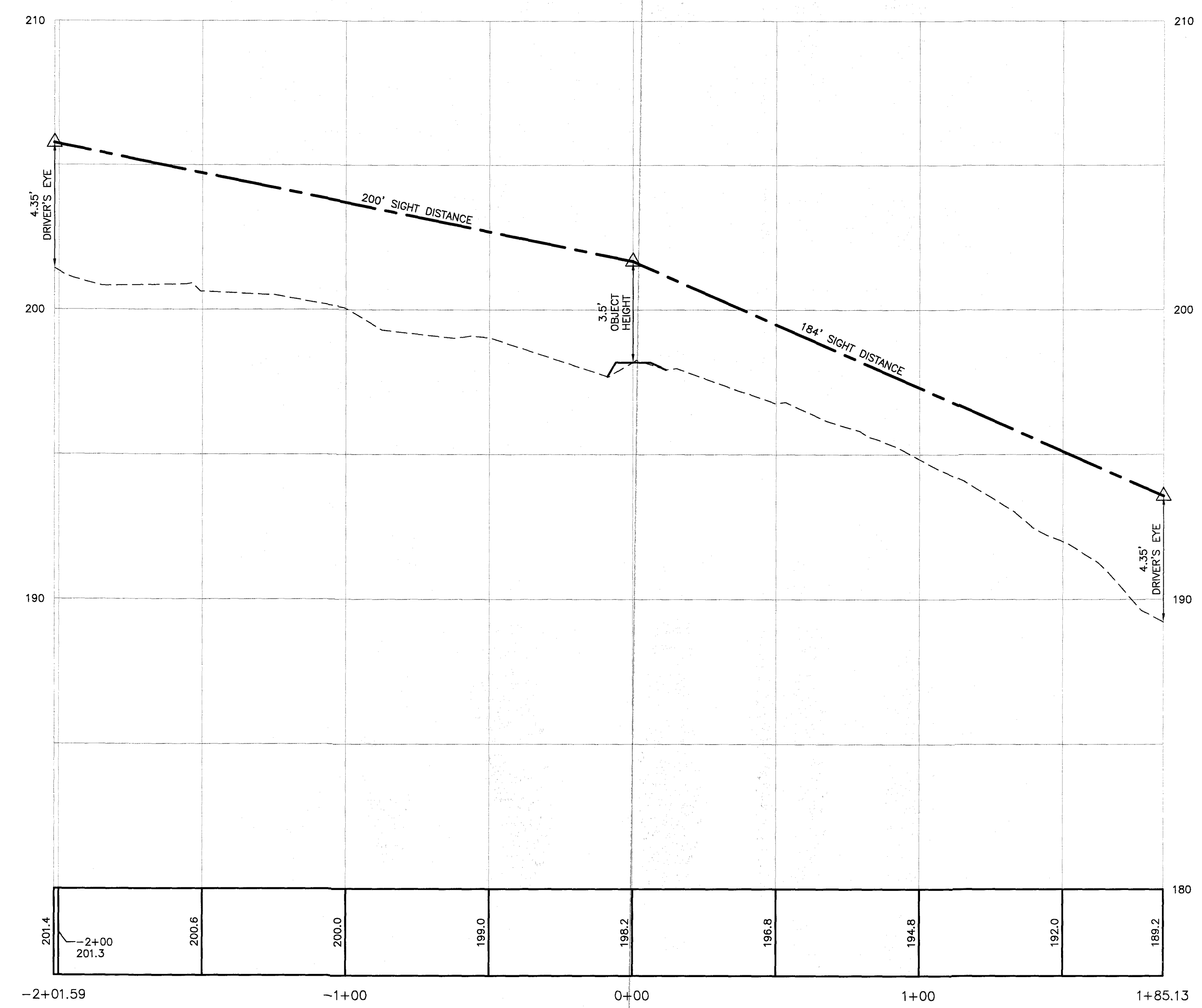
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PROJECT NO: 22-0502-1      SHEET 1 OF 2

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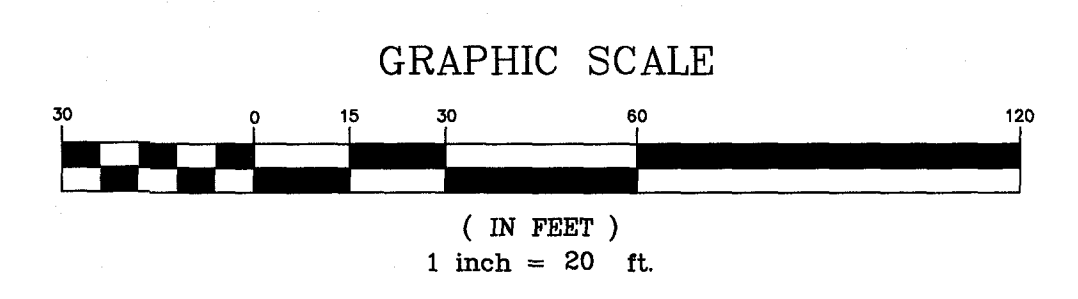
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-  TREELINE
-  EDGE OF PAVEMENT
-  10' CONTOUR
-  2' CONTOUR
-  PROPOSED EDGE OF PAVEMENT
-  PROPOSED 2' CONTOUR



**SIGHT DISTANCE PLAN**  
SCALE: 1" = 30'



**SIGHT DISTANCE PROFILE**  
SCALE: 1" = 30' (HORIZ.)  
1" = 3' (VERT.)



**SIGHT DISTANCE PLAN & PROFILE**  
**52 BURNS HILL ROAD**

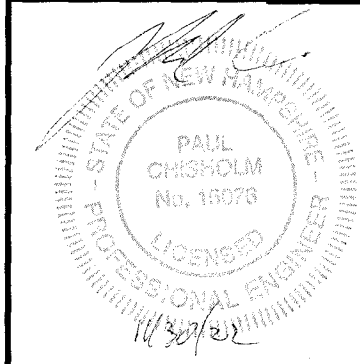
MAP 211 LOT 65  
52 BURNS HILL ROAD  
HUDSON, NEW HAMPSHIRE 03051  
HILLSBOROUGH COUNTY

**OWNER:**  
TGG REALTY TRUST  
50 BUSH HILL ROAD  
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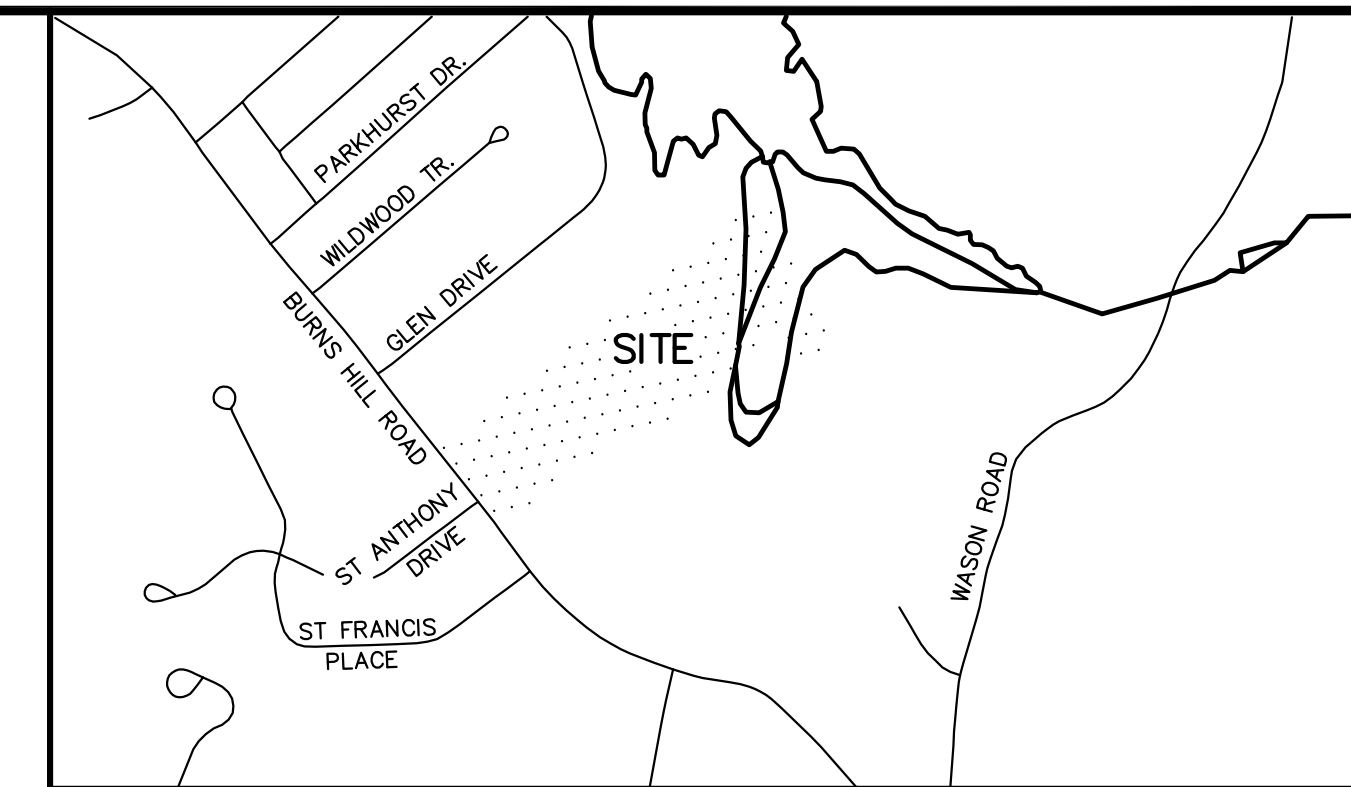
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DATE: NOVEMBER 13, 2022      SCALE: 1" = 30'  
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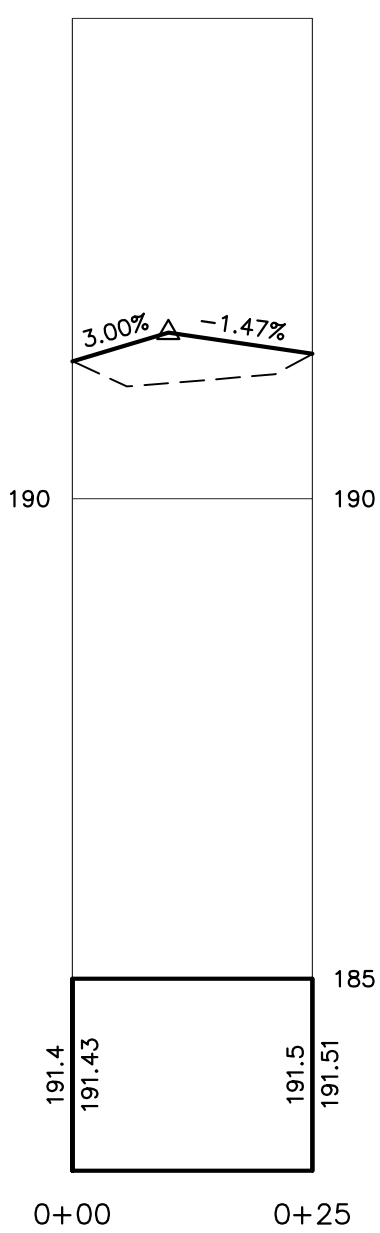
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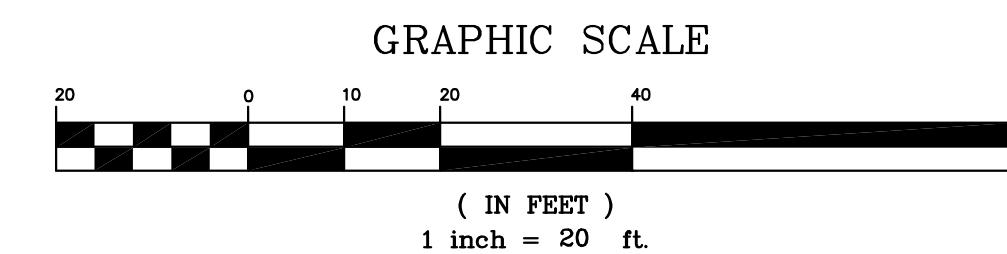
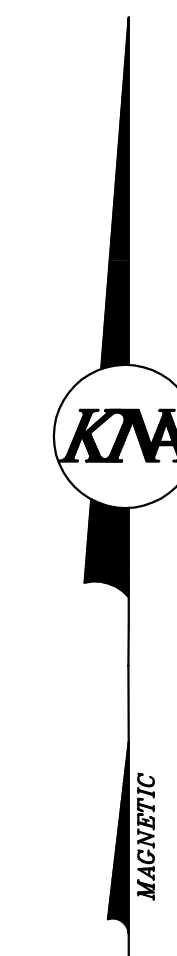


**VICINITY PLAN**  
SCALE: 1" = 1,000±

- THE PURPOSE OF THIS PLAN IS TO DEPICT A PROPOSED DRIVEWAY STUB FOR THE FUTURE SINGLE-FAMILY HOUSE LOT FROM THE FORTHCOMING SUBDIVISION OF MAP 211 LOT 65 IN HUDSON, NEW HAMPSHIRE. INTO TWO (2) LOTS.
- THIS PLAN SHALL BE CONSIDERED NON-BINDING AND SUBJECT TO CHANGE.



**DRIVEWAY PROFILE**



**LEGEND**

□ GBF	GRANITE BOUND FOUND	—	PROPERTY LINE
○ IRF	IRON ROD FOUND	—	WETLAND
● DHF	DRILL HOLE FOUND	—	SETBACK
● DHS	DRILL HOLE SET	—	EDGE OF PAVEMENT
●	IRON PIN TO BE SET	—	STONEWALL
■	GRANITE BOUND TO BE SET	—	ZONE LINE
- - -	ABUTTER LINE		



**LOT 65 DRIVEWAY & PROFILE**  
**52 BURNS HILL ROAD**

MAP 211 LOT 65  
52 BURNS HILL ROAD  
HUDSON, NEW HAMPSHIRE 03051  
HILLSBOROUGH COUNTY

**OWNER:**  
TGG REALTY TRUST  
50 BUSH HILL ROAD  
HUDSON, NH 03051  
BK. 7438 PG. 516

**KMA** KEACH-NORDSTROM ASSOCIATES, INC.  
Civil Engineering Land Surveying Landscape Architecture  
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REVISIONS			
No.	DATE	DESCRIPTION	BY

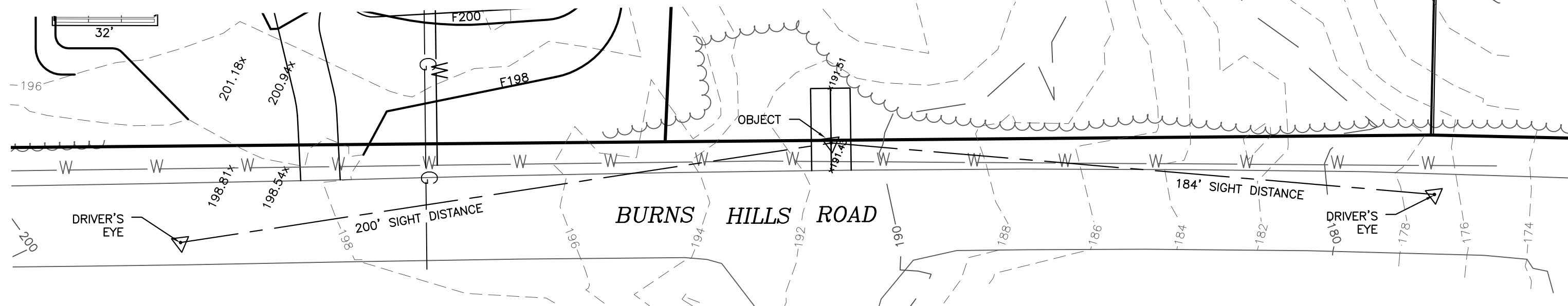
DATE: JANUARY 23, 2023      SCALE: 1" = 20'  
PROJECT NO: 22-0502-1      SHEET 1 OF 2

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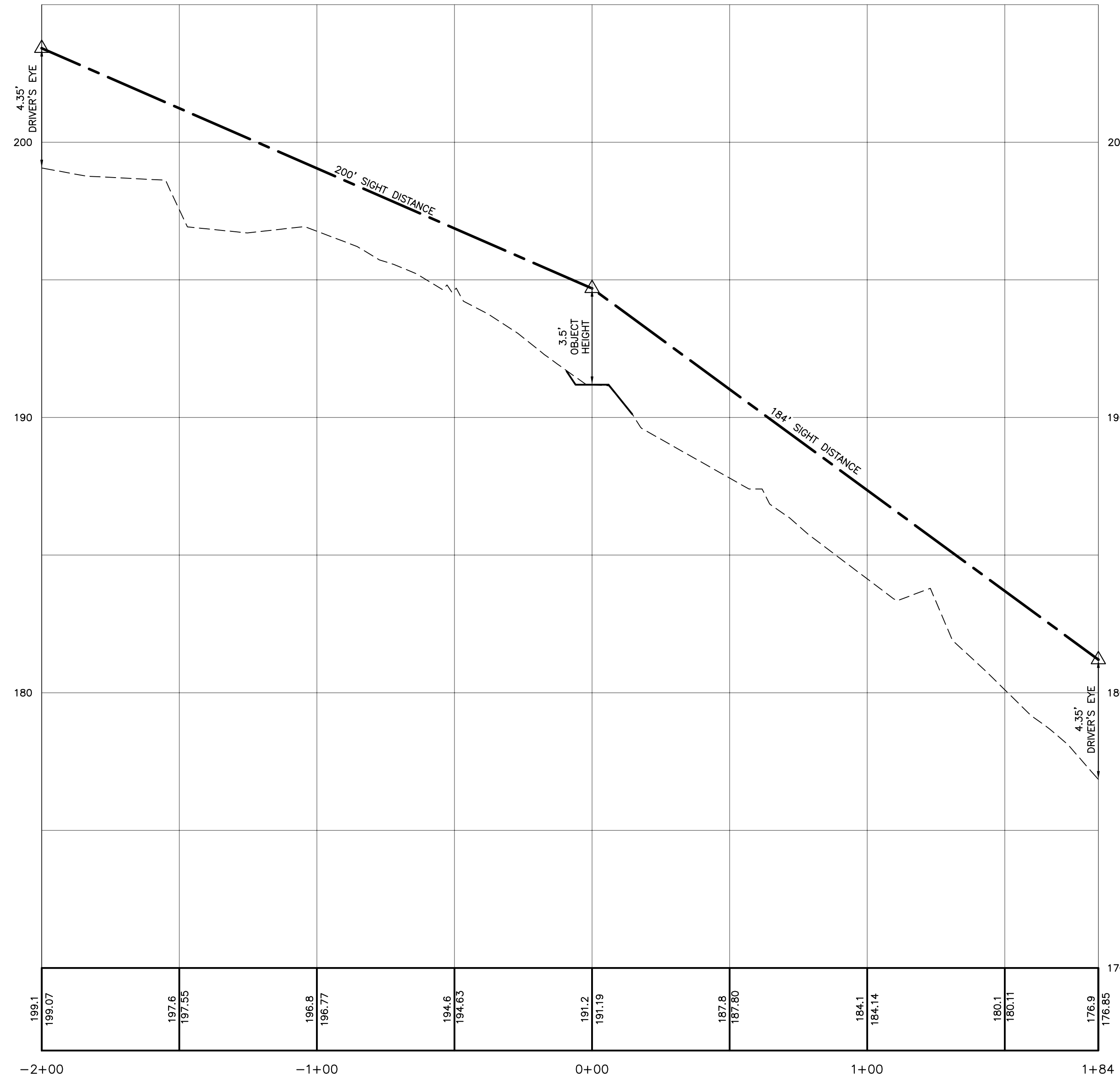


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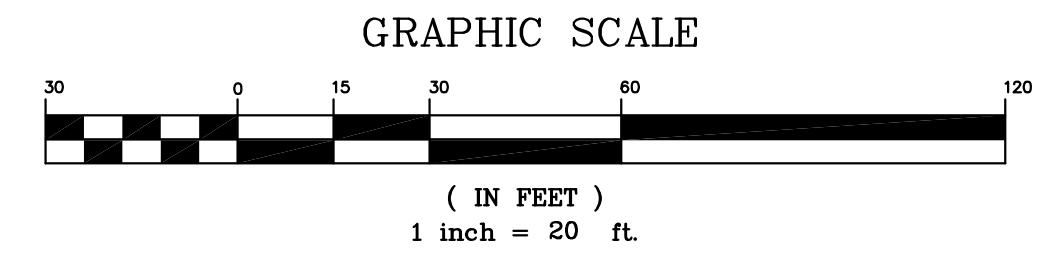
-  PROPERTY LINE
-  TREELINE
-  EDGE OF PAVEMENT
-  10' CONTOUR
-  2' CONTOUR
-  PROPOSED EDGE OF PAVEMENT
-  PROPOSED 2' CONTOUR



**SIGHT DISTANCE PLAN**  
SCALE: 1" = 30'



**SIGHT DISTANCE PROFILE**  
SCALE: 1" = 30' (HORIZ.)  
1" = 3' (VERT.)



**SIGHT DISTANCE PLAN & PROFILE**  
**52 BURNS HILL ROAD**  
MAP 211 LOT 65  
52 BURNS HILL ROAD  
HUDSON, NEW HAMPSHIRE 03051  
HILLSBOROUGH COUNTY

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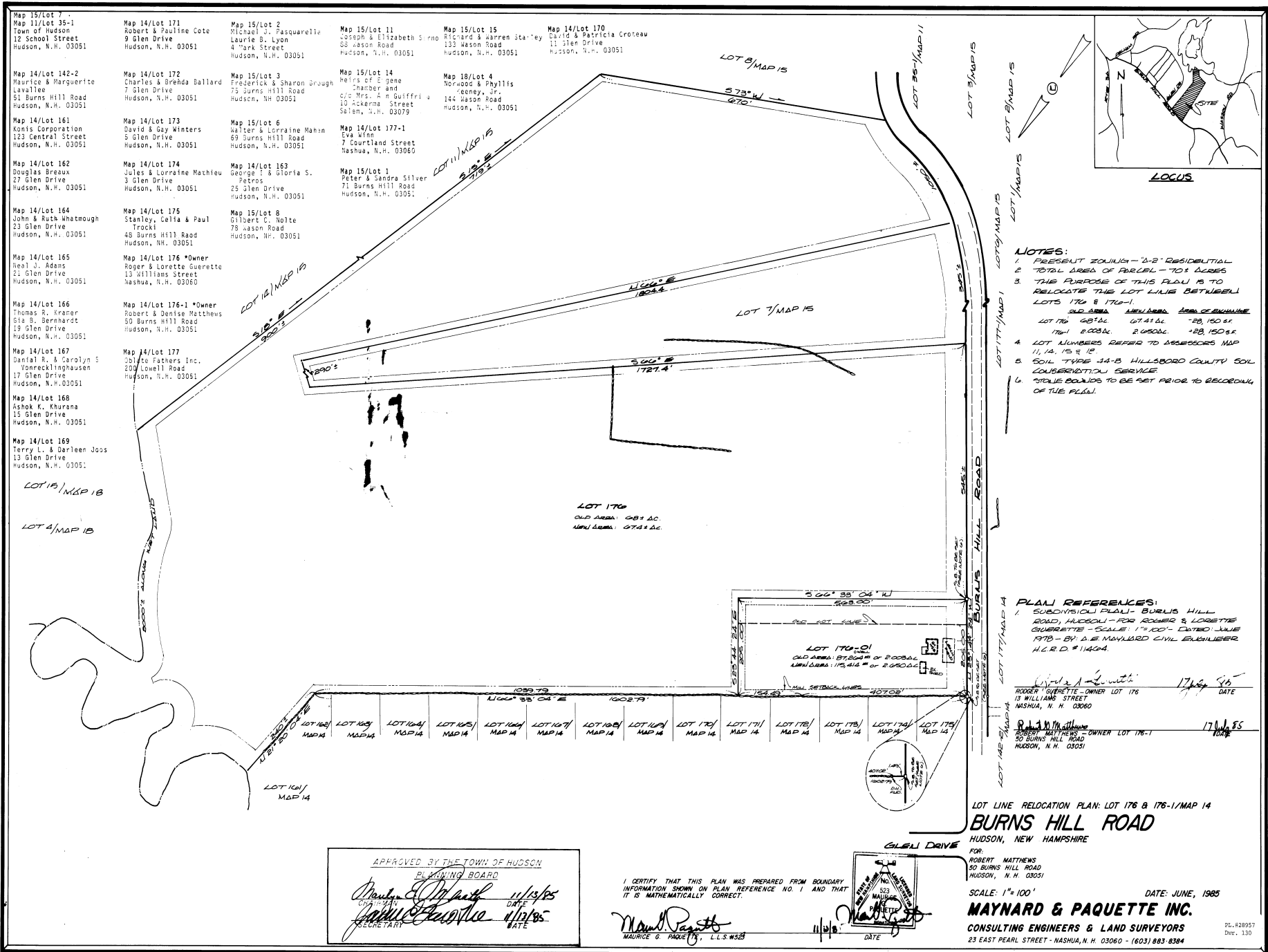
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REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: JANUARY 23, 2023      SCALE: 1" = 30'  
PROJECT NO: 22-0502-1      SHEET 2 OF 2

O:\projects\2205021\Drawings\Production Drawings\2205021-Lot Development\Plan.dwg - LOT 65 SIGHT DISTANCE - 1/23/2023 9:24:02 AM





- NOTES:**
1. PRESENT ZONING - "A-2" RESIDENTIAL
  2. TOTAL AREA OF PARCEL - 70.1 ACRES
  3. THE PURPOSE OF THIS PLAN IS TO RELOCATE THE LOT LINE BETWEEN LOTS 176 & 176-1.
  4. LOT NUMBERS REFER TO ASSESSORS MAP 11, 14, 15 & 16.
  5. SOIL TYPE - 34-B HILLSBORO COUNTY SOIL CONSERVATION SERVICE
  6. STOLE BOUNDS TO BE SET PRIOR TO RECORDING OF THE PLAN.

- PLAN REFERENCES:**
1. SUBDIVISION PLAN - BURNS HILL ROAD, HUDSON - FOR ROGER & LOBETTE GUERRETTE - SCALE: 1"=100' - DATED: JUNE 1978 - BY: A.E. MAYNARD CIVIL ENGINEER N.E.C.D. #14494.

ROGER GUERRETTE - OWNER LOT 176  
13 WILLIAMS STREET  
NASHUA, N. H. 03060  
DATE: 17 JUN 85

ROBERT MATTHEWS - OWNER LOT 176-1  
50 BURNS HILL ROAD  
HUDSON, N. H. 03051  
DATE: 17 JUN 85

LOT LINE RELOCATION PLAN: LOT 176 & 176-1/MAP 14  
**BURNS HILL ROAD**  
HUDSON, NEW HAMPSHIRE

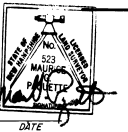
APPROVED BY THE TOWN OF HUDSON  
PLANNING BOARD

*Robert E. Matthews* 11/15/85  
CHAIRMAN DATE

*Franklin S. Paquette* 11/15/85  
SECRETARY DATE

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCE NO. 1 AND THAT IT IS MATHEMATICALLY CORRECT.

*Maurice G. Paquette* 11/15/85  
MAURICE G. PAQUETTE, L.L.S.#255 DATE

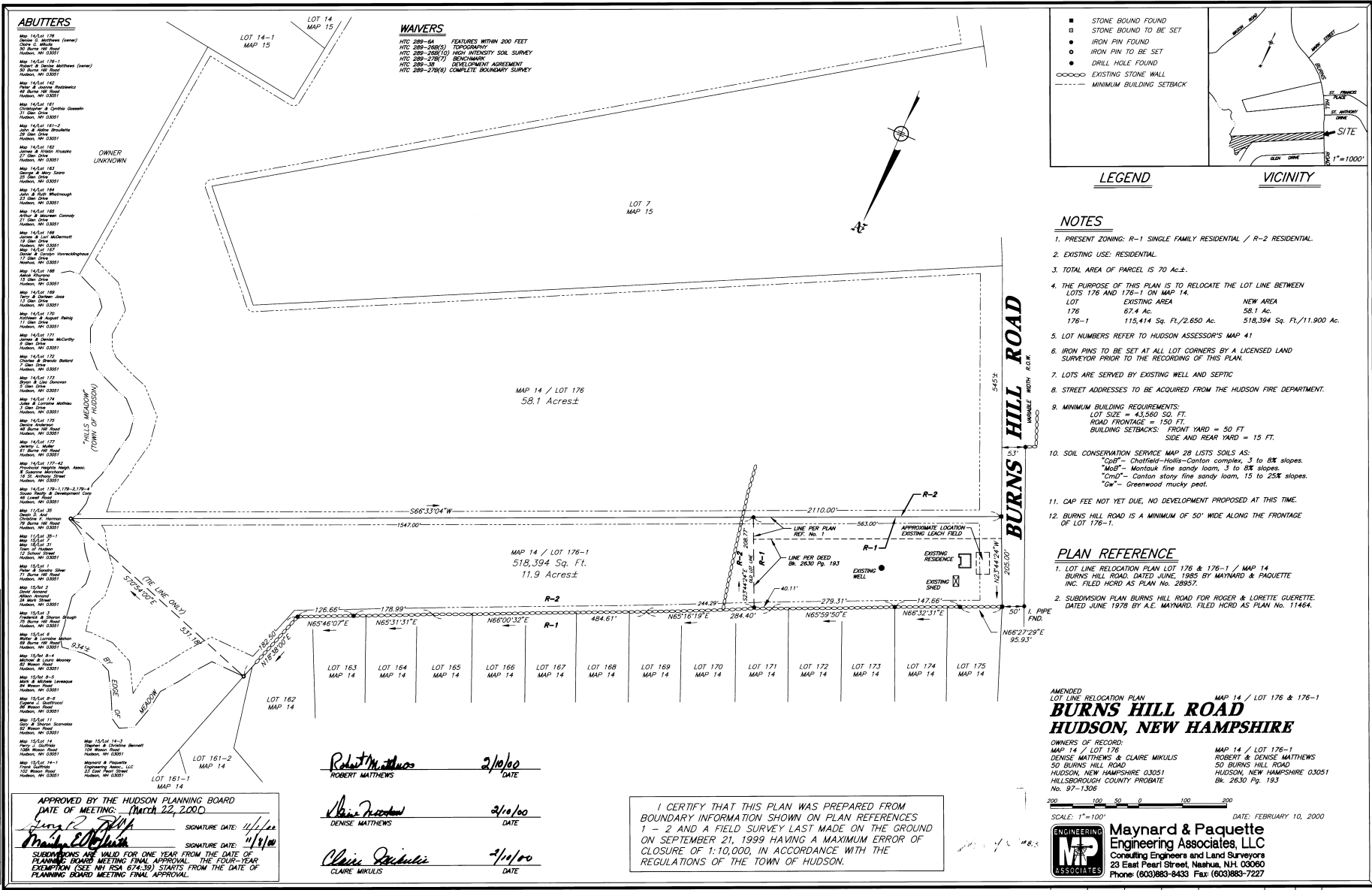


FOR:  
ROBERT MATTHEWS  
50 BURNS HILL ROAD  
HUDSON, N. H. 03051

SCALE: 1"=100' DATE: JUNE, 1985

**MAYNARD & PAQUETTE INC.**  
CONSULTING ENGINEERS & LAND SURVEYORS  
23 EAST PEARL STREET - NASHUA, N. H. 03060 - (603) 883-8384

PL-428957  
Draw. 130



- ABUTTERS**
- Map 14.01 176  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 176-1  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 142  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 191  
Owner: Denise Matthews  
30 Burns Hill Road  
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  - Map 14.01 181-2  
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Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 192  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 193  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 194  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 195  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 196  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 197  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 198  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 199  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 200  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 201  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 202  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 203  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 204  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 205  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 206  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 207  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 208  
Owner: Denise Matthews  
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Hudson, NH 03051
  - Map 14.01 209  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 210  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 211  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 212  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 213  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 214  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 215  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 216  
Owner: Denise Matthews  
30 Burns Hill Road  
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  - Map 14.01 217  
Owner: Denise Matthews  
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  - Map 14.01 218  
Owner: Denise Matthews  
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Owner: Denise Matthews  
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  - Map 14.01 220  
Owner: Denise Matthews  
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  - Map 14.01 221  
Owner: Denise Matthews  
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Owner: Denise Matthews  
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  - Map 14.01 223  
Owner: Denise Matthews  
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  - Map 14.01 224  
Owner: Denise Matthews  
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  - Map 14.01 225  
Owner: Denise Matthews  
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Hudson, NH 03051
  - Map 14.01 226  
Owner: Denise Matthews  
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Hudson, NH 03051
  - Map 14.01 227  
Owner: Denise Matthews  
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  - Map 14.01 228  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 229  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 230  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 231  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 232  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 233  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 234  
Owner: Denise Matthews  
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Hudson, NH 03051
  - Map 14.01 235  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 236  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 237  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 238  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 239  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 240  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 241  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 242  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 243  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 244  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 245  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 246  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 247  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 248  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 249  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051
  - Map 14.01 250  
Owner: Denise Matthews  
30 Burns Hill Road  
Hudson, NH 03051

- WAIVERS**
- HTC 289-54 FEATURES WITHIN 200 FEET
  - HTC 289-288(5) TOPOGRAPHY
  - HTC 289-288(10) HIGH INTENSITY SOIL SURVEY
  - HTC 289-278(7) BENCHMARK
  - HTC 289-289 DEVELOPMENT AGREEMENT
  - HTC 289-278(6) COMPLETE BOUNDARY SURVEY

**LEGEND**

- STONE BOUND FOUND
- STONE BOUND TO BE SET
- IRON PIN FOUND
- IRON PIN TO BE SET
- DRILL HOLE FOUND
- EXISTING STONE WALL
- MINIMUM BUILDING SETBACK

**VICINITY**

- NOTES**
- PRESENT ZONING: R-1 SINGLE FAMILY RESIDENTIAL / R-2 RESIDENTIAL.
  - EXISTING USE: RESIDENTIAL.
  - TOTAL AREA OF PARCEL IS 70 AC±.
  - THE PURPOSE OF THIS PLAN IS TO RELOCATE THE LOT LINE BETWEEN LOTS 176 AND 177-1 ON MAP 14.
  - LOT NUMBERS REFER TO HUDSON ASSESSOR'S MAP 41
  - IRON PINS TO BE SET AT ALL LOT CORNERS BY A LICENSED LAND SURVEYOR PRIOR TO THE RECORDING OF THIS PLAN.
  - LOTS ARE SERVED BY EXISTING WELL AND SEPTIC
  - STREET ADDRESSES TO BE ACQUIRED FROM THE HUDSON FIRE DEPARTMENT.
  - MINIMUM BUILDING REQUIREMENTS:  
LOT SIZE = 41,500 SQ. FT.  
ROAD FRONTAGE = 150 FT.  
BUILDING SETBACKS: FRONT YARD = 50 FT  
SIDE AND REAR YARD = 15 FT.
  - SOIL CONSERVATION SERVICE MAP 28 LISTS SOILS AS:  
"CgB" - Chaffield-Hollis-Canton complex, 3 to 8% slopes.  
"MgB" - Montauk fine sandy loam, 3 to 8% slopes.  
"CmB" - Canton stony fine sandy loam, 15 to 25% slopes.  
"Gw" - Greenwood mucky peat.
  - CAP FEE NOT YET DUE, NO DEVELOPMENT PROPOSED AT THIS TIME.
  - BURNS HILL ROAD IS A MINIMUM OF 50' WIDE ALONG THE FRONTAGE OF LOT 176-1.

- PLAN REFERENCE**
- LOT LINE RELOCATION PLAN LOT 176 & 176-1 / MAP 14 BURNS HILL ROAD, DATED JUNE, 1985 BY MAYNARD & PAQUETTE INC. FILED HCRD AS PLAN NO. 28857.
  - SUBDIVISION PLAN BURNS HILL ROAD FOR ROGER & LORETE GUERRETE, DATED JUNE 1976 BY A.C. MAYNARD, FILED HCRD AS PLAN NO. 11464.

APPROVED BY THE HUDSON PLANNING BOARD  
DATE OF MEETING: MARCH 22, 2000

*Yvonne R. Pella* SIGNATURE DATE: 11/1/00  
*Denise Matthews* SIGNATURE DATE: 11/1/00

SUBDIVISIONS ARE VALID FOR ONE YEAR FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL. THE FOUR-YEAR EXEMPTION (SEE NH RSA 674:36) STARTS FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL.

*Robert Matthews* 2/10/00  
ROBERT MATTHEWS DATE

*Denise Matthews* 2/10/00  
DENISE MATTHEWS DATE

*Claire Mikulis* 2/10/00  
CLAIRE MIKULIS DATE

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCES 1 - 2 AND A FIELD SURVEY LAST MADE ON THE GROUND ON SEPTEMBER 21, 1999 HAVING A MAXIMUM ERROR OF CLOSURE OF 1:10,000, IN ACCORDANCE WITH THE REGULATIONS OF THE TOWN OF HUDSON.

AMENDED  
LOT LINE RELOCATION PLAN  
**BURNS HILL ROAD**  
**HUDSON, NEW HAMPSHIRE**

OWNERS OF RECORD:  
MAP 14 / LOT 176 DENISE MATTHEWS & CLARE MIKULIS  
50 BURNS HILL ROAD HUDSON, NEW HAMPSHIRE 03051  
No. 97-1304

MAP 14 / LOT 176-1 ROBERT & DENISE MATTHEWS  
50 BURNS HILL ROAD HUDSON, NEW HAMPSHIRE 03051  
Bk. 2630 Pg. 193

SCALE: 1"=100'  
DATE: FEBRUARY 10, 2000

**ENGINEERING**  
**Maynard & Paquette**  
Engineering Associates, LLC  
Consulting Engineers and Land Surveyors  
23 East Pearl Street, Nashua, NH 03060  
Phone: (603)883-8433 Fax: (603)883-7227

JUNY	JUNY			578/75	1	0	10440
DESIGNED	DRAWN	CHECKED	APPROVED	BOOK & PAGE	REVISION	SIZE	SHEET NUMBER

PLAN 30879  
DWR 142

**From:** Dhima, Elvis  
**Sent:** Tuesday, October 18, 2022 1:17 PM  
**To:** Dubowik, Brooke; Groth, Brian  
**Subject:** RE: Department Sign-Off Burns Hill Rd 2-Lot Subd. SB# 09-22

Please see below

1. Applicant shall provide plan and profile for both proposed curb cuts serving the lots in question
2. Applicant shall provide dwelling, septic system and well location, if applicable ( municipality water is available) for LOT 65-1

E

*Elvis Dhima, P.E.*  
*Town Engineer*

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



**From:** Dhima, Elvis  
**Sent:** Tuesday, February 14, 2023 8:58 AM  
**To:** Groth, Brian; Hebert, David  
**Cc:** Rearick, Emma; Dubowik, Brooke  
**Subject:** RE: SB #09-22 Burns Hill

All good on my end

E

*Elvis Dhima, P.E.*  
*Town Engineer*

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



---

**From:** Groth, Brian <bgroth@hudsonnh.gov>  
**Sent:** Tuesday, February 14, 2023 8:50 AM  
**To:** Hebert, David <dhebert@hudsonnh.gov>; Dhima, Elvis <edhima@hudsonnh.gov>  
**Cc:** Rearick, Emma <erearick@hudsonnh.gov>; Dubowik, Brooke <bdubowik@hudsonnh.gov>  
**Subject:** SB #09-22 Burns Hill

Hi Dave & Elvis,

Attached are development/driveway and site distance plans for the proposed 2-lot subdivision at 50 Burns Hill Road in response to your review comments. Please let us know if your concerns have been addressed.

Thank you,  
Brian

**SUBDIVISION APPLICATION**

Date of Application: October 17, 2022 Tax Map #: 211 Lot #: 65

Site Address: 52 Burns Hill Road

Name of Project: Matthews - Burns Hill Road Subdivision

Zoning District: Residential 2 (R-2) & General (G) General SB#: 09-22  
(For Town Use Only)

Z.B.A. Action: N/A

**PROPERTY OWNER:**

Name: TGG Realty Trust, Denise G. Matthews

Address: 50 Burns Hill Road

Address: Hudson, NH 03051

Telephone # 603-546-5095

Email: tanka@yahoo.com

**~~DEVELOPER:~~ APPLICANT:**

(Same)

**PROJECT ENGINEER:**

Name: Keach-Nordstrom Associates, Inc.

Address: 10 Commerce Park North, Suite 3

Address: Bedford, NH 03110

Telephone # 603-627-2881

Email: pchisholm@keachnordstrom.com

**SURVEYOR:**

Keach-Nordstrom Associates, Inc.

10 Commerce Park North, Suite 3

Bedford, NH 03110

603-627-2881

pchisholm@keachnordstrom.com

**PURPOSE OF PLAN:**

The purpose of the plan is to subdivide the existing parcel into two separate lots.

(For Town Use Only)

Routing Date: 10/18/22 Deadline Date: 10/26/22 Meeting Date: TBD-Nov.

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

DRA Title: Fire Marshal Date: 10/20/22  
(Initials) Site plan excludes proposed driveways.

Department: Cannot verify Fire Dept access requirements

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

**From:** Hebert, David  
**Sent:** Tuesday, February 14, 2023 12:02 PM  
**To:** Groth, Brian; Dhima, Elvis  
**Cc:** Rearick, Emma; Dubowik, Brooke  
**Subject:** RE: SB #09-22 Burns Hill

Fire is all set

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



---

**From:** Groth, Brian <bgroth@hudsonnh.gov>  
**Sent:** Tuesday, February 14, 2023 8:50 AM  
**To:** Hebert, David <dhebert@hudsonnh.gov>; Dhima, Elvis <edhima@hudsonnh.gov>  
**Cc:** Rearick, Emma <erearick@hudsonnh.gov>; Dubowik, Brooke <bdubowik@hudsonnh.gov>  
**Subject:** SB #09-22 Burns Hill

Hi Dave & Elvis,

Attached are development/driveway and site distance plans for the proposed 2-lot subdivision at 50 Burns Hill Road in response to your review comments. Please let us know if your concerns have been addressed.

Thank you,  
Brian



# TOWN OF HUDSON

## Land Use Division



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

### Subdivision application #09-22 Zoning Review/Comments

Oct 19, 2022

Re: Map 211 Lot 065  
Address: 52 Burns Hill Rd  
Zoning districts: Residential Two (R-2) and General (G)  
Proposal: 2 lot subdivision.  
Review submitted plans: 1 of 2 dated Oct 17, 2022 and 2 of 2 dated Oct 17, 2022.

- 1) Lot 65-1: violates §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%."***
- 2) Lot 65-1 violates §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%.***
- 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" in the R-2 district at the following lots: 65-1 and 65-000.
- 4) This comment is for future consideration the resultant lot 65-000: Any future development/use of the property may entail at a minimum Conditional Use permits for access around/through wetland buffers.

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

cc: Public Folder  
B. Groth - Town Planner  
file





# TOWN OF HUDSON

## Land Use Division



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

### Subdivision application #09-22 Revised - Zoning Review/Comments

February 14, 2023

Re: Map 211 Lot 065  
Address: 52 Burns Hill Rd  
Zoning districts: Residential Two (R-2) and General (G)  
Proposal: 2 lot subdivision.

Revised review: of November 29, 2022 email from Paul Chisholm.  
Of Lot 65-1:

1) §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%.”***

**BB Comment:** This appears to be satisfied, as the hatched lines comprise of 43,591 sqft, where the minimum lot area of 43,560 is required.

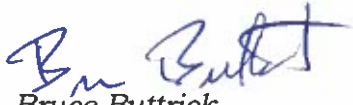
2) §334-27.1 General Requirements. (B): ***The minimum buildable lot area shall not contain wetlands, as defined by the Hudson Zoning Ordinance, shall be contiguous dry land and shall contain no slopes in excess of 25%.***

**BB Comment:** The resultant lot configuration requires the following: for the front yard setback requirement is 50 ft (front) and the wetland buffer setback is 50 ft (rear) which leaves approx.. 50 ft (avg) lot depth for a building/structure.

This “tight” dimension could lead to encroachment issues: decks, pools etc, as there is no practical rear “useable” yard.

As for access to the rear of lot 65-1, any practical access would be violating wetland, or trespassing onto other adjoining properties.

For future consideration of the resultant lot 65-000:  
Any future development/use of the property may entail at a minimum Conditional Use permits for access around/through wetland buffers.



*Bruce Buttrick*

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
B. Groth - Town Planner  
file

**Groth, Brian**

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**From:** Paul Chisholm <pchisholm@keachnordstrom.com>  
**Sent:** Tuesday, November 29, 2022 2:13 PM  
**To:** Groth, Brian; Dhima, Elvis  
**Cc:** Dubowik, Brooke  
**Subject:** RE: Department Sign-Off Burns Hill Rd 2-Lot Subd. SB# 09-22

**EXTERNAL: Do not open attachments or click links unless you recognize and trust the sender.**

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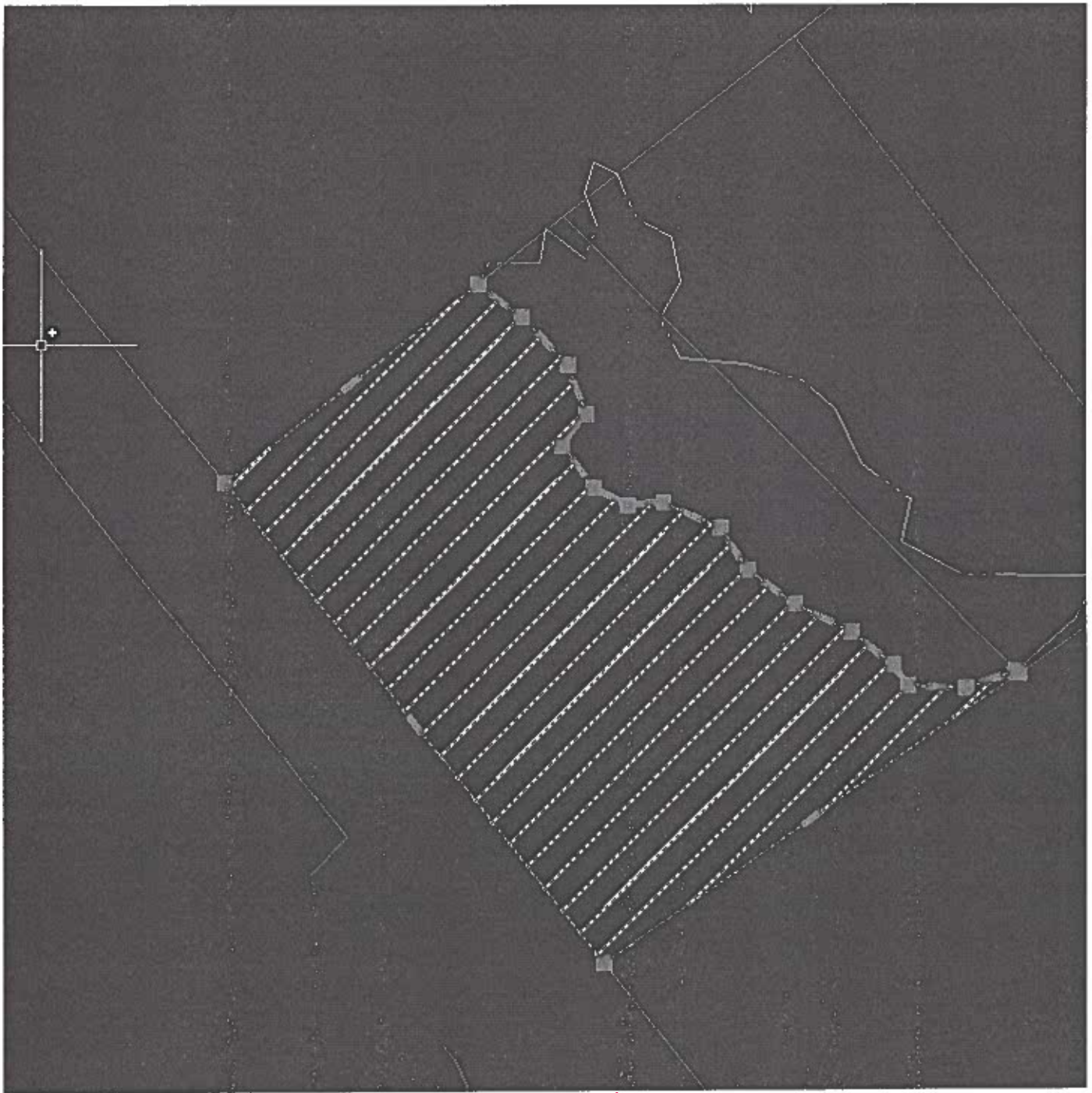
Brian,

This lot would meet the one acre min. lot area without the back land (see screenshot below). The hatched cyan lines represent upland area 'in front of the wetland' that totals 43,591-sf. Again, the extra area behind the house is client driven so they can have over 2-acres of land, which was important to them.

I should note that the wetland was delineated first, as part of the initial field work and surveying effort, and the proposed lot line was drawn around it. Not the other way around. I'm not sure why one would think that the wetland line isn't believable. We have gone about this in a correct manner and will have no issue making that statement at the public hearing if necessary.

I agree that the house is larger than most in Town, but the minimum distance between the wall and the buffer line is 11-ft (more than enough to construct it) and the house is between 17' (from corner of deck) and 44' to the buffer. The walkout nature of the basement makes this work quite well with the land. I have already passed on, in no uncertain terms, that the Town will not likely ever approve a buffer impact on this property and if the Planning Board feels the need to state that as well, it is what it is.

Would you prefer if we set up a time to meet and discuss with our client?



**Paul Chisholm, PE**  
Vice President – Engineering  
Keach-Nordstrom Associates, Inc.  
10 Commerce Park North, Suite 3  
Bedford, NH 03110  
t. (603) 627-2881 | f. (603) 627-2915  
[pchisholm@keachnordstrom.com](mailto:pchisholm@keachnordstrom.com) [www.keachnordstrom.com](http://www.keachnordstrom.com)

↖ 43,591 SQ FT PROPOSED  
43,560 SQ FT REQUIRED

**From:** Groth, Brian <bgroth@hudsonnh.gov>  
**Sent:** Tuesday, November 29, 2022 12:56 PM



# 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: 2-15-23 Zone # 2 Map/Lot: 211/065-000

52 Burns Hill Rd.

Project Name: Burns Hill Road 2-Lot Subdivision

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) 2070-702	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>
		<b>Total CAP Fee</b>	<b>\$ <u>6,136.00</u></b>

Check should be made payable to the Town of Hudson.

Thank you,

*Brooke Dabowik*

Administrative Aide



# 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: 2-15-23 Zone # 2 Map/Lot: 211/065-000

52 Burns Hill Rd.

Project Name: Burns Hill Road 2-Lot Subdivision

Proposed ITE Use #1: Two-Family (Duplex per side)

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

#### CAP FEES: (ONE CHECK NEEDED)

1.	(Bank 09) 2070-702	Traffic Improvements	\$ <u>2,158.00</u>
2.	(Bank 09) 2050-182	Recreation	\$ <u>400.00</u>
3.	(Bank 09) 2080-051	School	\$ <u>3,063.00</u>
<b>Total CAP Fee (per side)</b>			\$ <u>5,621.00</u>

Check should be made payable to the Town of Hudson.

Thank you,

*Brooke Dabowik*

Administrative Aide