19 WEST ROAD 2-LOT SUBDIVISION

SB# 01-23 STAFF REPORT

August 23, 2023

SITE: 19 West Road / Map 101 Lot 006

ZONING: Business (B)

PURPOSE OF PLAN: To subdivide existing 10.5 acre lot into one 1.5 acre lot and remainder lot of 9 acres.

PLANS UNDER REVIEW:

Bosowski Subdivision, Map 101 Lot 6, 19 West Road, Hudson, New Hampshire; prepared by: Maynard & Paquette Engineering Associates, LLC, 31 Quincy Street, Nashua, NH 03060; prepared for: Bosowski Properties, LLC, 40 Temple Street, Nashua, NH 03060; consisting of 2 sheets and general notes 1-11 on Dwg. No. 1; dated March 21, 2023, last revised July 10, 2023.

ATTACHMENTS:

- A. Peer Review, prepared by Fuss & O'Neill, received May 9, 2023.
- B. Applicant Response to Peer Review, prepared by Consultant, received July 14, 2023.

APPLICATION TRACKING:

- April 21, 2023 Application received.
- July 14, 2023 Revisions and responses received.
- August 23, 2023 Public hearing scheduled

COMMENTS & RECOMMENDATIONS:

BACKGROUND

The subject lot is approximately 10.52 acres with approximately 380.65 feet of frontage along West Road. The lot is in the Business zone and abuts the Londonderry town line along the northeast portion. There are wetlands along the eastern end and the southwestern end, totaling 22,100 SF of wetlands altogether. It is in flood Zone X, an area of minimal flood risk. The site is served by municipal water and requires private septic. The applicant proposes subdividing Map 101 Lot 006 into two lots, one of approximately 1.5 acres and the other approximately 9 acres. Both lots would have frontage along West Road.

Map 101 Lot 006 was part of a lot line relocation, SB#02-22, that the planning board approved in May 2022. The lot line relocation moved 0.138 acres from Map 101 Lot 006 to Map 101 Lot 013. The existing baseball field on the site is leased to AJ's Sports Bar.

SB# 01-23 Staff Report Page 1 of 3

PEER REVIEW

Fuss & O'Neill reviewed the subdivision plan on May 9, 2023 (Attachment A). The Applicant responded to the Peer Review comments in Attachment B.

Initially, the Applicant submitted a conceptual site plan along with this subdivision application which resulted in some of the comments issued by the Peer Review letter. The Applicant now puts forth just the subdivision plan to meet subdivision requirements and a site plan application is expected in the future.

RECOMMENDATIONS

Staff recommends making the procedural determination of whether or not the application constitutes a development of regional impact (DRI). Unless determined to be a DRI, Staff recommends accepting the application and holding a public hearing, followed by deliberation and consideration of approval.

The Applicant has addressed all comments issued by Peer Review and Town Staff, the application meets applicable zoning and land use regulation criteria.

DRAFT MOTIONS

<u>REGIONAL IMPACT</u> in accordance with RSA 36:56:

I move to determine that the subdivision application for the 19 West Road 2-Lot Subdivision SB# 01-23, 19 West Road, Map 101 Lot 006 (**IS** or **IS NOT**) a development of regional impact.

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

ACCEPT the subdivision application:

I move to accept the subdivision application for the 19 West Road 2-Lot Subdivision SB# 01-23, 19 West Road, Map 101 Lot 006.

Motion by: ______Second: _____Carried/Failed: _____

<u>APPROVE</u> the subdivision application:

I move to approve the subdivision application for the Bosowski Subdivision, Map 101 Lot 6, 19 West Road, Hudson, New Hampshire; prepared by: Maynard & Paquette Engineering Associates, LLC, 31 Quincy Street, Nashua, NH 03060; prepared for: Bosowski Properties, LLC, 40 Temple Street, Nashua, NH 03060; consisting of 2 sheets and general notes 1-11 on Dwg. No. 1; dated March 21, 2023, last revised July 10, 2023; and: That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing;

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. All monumentation shall be set or bonded for prior to Planning Board endorsement of the Plan-of-Record.
- 3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.

Motion by:	Second:	Carried/Failed:
J		



May 9, 2023

Mr. Brian Groth Town Planner Town of Hudson 12 School Street Hudson, NH 03051

Re: Town of Hudson Planning Board Review 19 West Road Subdivision Plan Tax Map 101, Lot 6, Acct. #1350-303 Reference No. 20030249.2270

Dear Mr. Groth:

Fuss & O'Neill, Inc. has reviewed the first submission of the materials received on April 24, 2023, related to the above-referenced project. Authorization to proceed was received on April 25, 2023. A list of items reviewed is enclosed. The scope of our review is based on the Subdivision Plan Review Codes, Stormwater Codes, Driveway Review Codes, Sewer Use Ordinance 77, Zoning Regulations, and criteria outlined in the CLD Consulting Engineers Proposal approved September 16, 2003, revised September 20, 2004, June 4, 2007, September 3, 2008, and October 2015.

We have included a copy of Fuss & O'Neill's evaluation of the checklist for your reference. We note that several items could not be verified by Fuss & O'Neill and require action by the Town.

The project appears to consist of subdividing lot 101/6 and creating a two (2)-lot subdivision out of the 10.52-acre existing lot. The new proposed lot 101/6-1 will have an area of approximately 1.5 acres. The lots are proposed to be serviced by municipal water and private subsurface disposal systems. No new roadways are proposed as part of the subdivision plan.

The following items are noted:

The Gateway Building 50 Commercial Street Manchester, NH 03101 t 603.668.8223 800.286.2469

www.fando.com

California Connecticut Maine Massachusetts New Hampshire Rhode Island Vermont

1. Administrative and Subdivision Review Codes (HR 276 & HR 289)

- a. Hudson Regulation 276-11.1.B.(13). The applicant has not shown any proposed signs on the plan set.
- b. HR 276-11.1.B.(14). The applicant has not shown any lighting on the plan set or provided a note stating that none is proposed. We note that adjacent utility poles do not have overhead street lights attached.
- c. HR 276-11.1.B.(17). The applicant has not provided a benchmark on the plans.
- d. HR 276-11.1.B.(18). The applicant has not shown any proposed topography on the plan set. The applicant should confirm that existing grading will generally be maintained or provide proposed site grading.



Mr. Brian Groth May 9, 2023 Page 2 of 4

- e. HR 289-18.X. The applicant has not proposed a sidewalk to be constructed as part of this project, and there isn't an existing sidewalk along West Road. The applicant should confirm with the Town that a sidewalk is not required.
- f. HR 289-22. The applicant has not proposed any specific open spaces on the plan set.
- g. HR 289-26.B.(3). The applicant has not shown any existing easements on the plan set.
- h. HR 289-26.B.(5). The applicant has not noted the Right-of-Way width of existing streets on the plan set.

2. Driveway Review Codes (HR 193-10)

- a. HR 193-10.A. & 193-10.E. The applicant has shown the location of a proposed driveway for lot 6 on the plan set. The applicant has not provided sight distance information on the plan set for this driveway location. If clearing is needed for adequate driveway sight lines this should be noted on the plans as well.
- b. HR 193-10.C. Proposed grading at driveways is not shown on the plans. The applicant should confirm that the proposed driveway grading is intended to match the grading of the existing gravel driveway.
- c. HR 193-10.H. The applicant has proposed a driveway connection to lot 6-1 from lot 6 that crosses side setback areas. The applicant should confirm that a shared access is required by the Planning Board for lot 6-1.
- d. HR 193-10.J. The applicant has not included any driveway details or typical sections on the plan set.

3. Roadway Design

a. HR 289-18. The applicant is not proposing any new roadways or changes to the existing roads.

4. Drainage Design / Stormwater Management (HR 289-20.C. / Chapter 290)

- a. HR 289-20. and 290-3.A.(1). The applicant has not shown any drainage improvements on the plans nor provided a stormwater report or any drainage calculations in the package received for review. The applicant has not provided a total cumulative disturbed area for the project. The potential disturbed area for lot 101/6-1 appears to be greater than 20,000 square feet, and a potential disturbed area for lot 101/6 isn't shown. The applicant would be required to submit a Stormwater Management and Erosion Control Plan for disturbed areas greater than 20,000 square feet.
- b. The applicant will be required to comply with the provisions of the Town of Hudson's MS4 permit, including but not limited to annual reporting requirements, construction site stormwater runoff control, and record keeping requirements.



Mr. Brian Groth May 9, 2023 Page 3 of 4

5. Zoning (HR 334)

- a. HR 334-14 The applicant has not noted any proposed building heights on the plan set.
- b. HR 334-20. The site is located in the Business (B) District. The applicant has noted that the proposed use is business but has not provided any further details that would allow review with the permitted uses for this district.
- c. HR 334-27. The applicant has provided a table of Business District lot requirements for the subdivided lots. The proposed lots appear to meet the minimums required by the Ordinance.
- d. HR 334-33. The applicant has shown wetlands and buffers on the plan set. The applicant has not shown any development within these buffers.
- e. HR 334-62. There are no sign installations proposed as a part of this project.
- f. HR 334-83. The site is not located in a designated flood hazard area. The applicant has noted this on the plans.

6. Sewer/Water Design/Conflicts & Utility Design/Conflicts (HR 276-13.E.)

- a. HR 276-13.A. The applicant has not shown the location of any electric, telephone, television or other utility services on the plan set.
- b. HR 276-13.G. & 289-26.B.(4). The applicant has shown test pit information on the plan. The applicant has not provided any typical details for the septic system, not shown a proposed 4k area for lot 101/6.
- c. HR 276-13.H. & 289-26.B.(4). The applicant has not shown the proposed water service locations for each lot or shown the existing water main location. The applicant has also not provided any details for those connections.
- d. HR 289-21. The applicant has not shown any existing or proposed utility easements on the plan set.

7. Erosion Control/Wetland Impacts

- a. HR 290-6. The applicant has not shown any proposed erosion and sedimentation control measures on the plan set.
- b. The Town should reserve the right to require additional erosion control measures.

8. State and Local Permits

- a. The applicant has noted a NHDES Subdivision plan approval number on the plan set.
- b. Additional local permitting may be required.

9. Other

a. In note #8 'Hazard' is spelled incorrectly.

SB #01-23 - 19 West Rd Subdivision - Attachment A



Mr. Brian Groth May 9, 2023 Page 4 of 4

Please feel free to call if you have any questions.

Very truly yours,

Athleh

Steven W. Reichert, PE

SWR:elc

Enclosure

cc: Town of Hudson Engineering Division – File Maynard & Paquette Engineering Associates, LLC 31 Quincy Street Nashua, NH 03060 mpeallc@aol.com

SB #01-23 - 19 West Rd Subdivision - Attachment B



Maynard & Paquette Engineering Associates,LLC Consulting Engineers and Land Surveyors 31 Quincy Street, Nashua, NH 03060 Phone (603)883-8433 Fax (603)883-7227 mpeallc@aol.com

Brian Groth Town Planner 12 School Street Hudson, NH 03051

July 12, 2023

Re: Bosowski Subdivision 19 West Road Map 101 / Lot 6

Dear Brian,

With regards to the Fuss & O'Neil comments dated May 9,2023 we offer the following responses:

- 1. a.& b. There are no proposed improvements that require signage or lighting at this time.
 - c. Benchmark will be added to plan.
 - d. There is no proposed building or improvements at this time. Existing grading at the site is relatively flat and will easily accommodate a range of potential improvements.
 - e. No sidewalk is proposed for this site. There are no other sidewalks in the area.
 - f. No development is proposed at this time. Proposing specific open space areas would be premature.
 - g. There are no easements of record on this site.
 - h. Right of way width will be noted.
- 2. a. No new driveway is proposed at this time. Existing driveway will be used.
 - b. No changes to existing grading is proposed at this time.
 - c. No specific driveway is proposed at this time.
 - d. No new driveway construction is proposed at this time.
- 4 a. There are no proposed improvements at this time. Appropriate calculations, designs and plans will be prepared when a specific site plan is proposed.
 - b. Noted
- 5 a. No specific building is proposed at this time.
 - b. No specific use is proposed at this time.

- 6 a. No specific improvements are proposed at this time.
 - b. No specific septic system size, type or location is proposed at this time.
 - c. No specific improvements or service locations are proposed at this time. Town of Hudson has confirmed that municipal water is available for this site. Approximate location shown on the plan.
 - d. No specific improvements or need for easements are proposed at this time.
- 7 a. & b. There are no proposed improvements at this time. Appropriate designs, plans and details will be prepared when a specific site plan is proposed.
- 9. a. Typo will be corrected.

Very Truly Yours

NV John W. Yule, LLS

Maynard & Paquette Engineering Associates, LLC



Page 2 of 2

SUBDIVISION APPLICATION

Date of Application:April 20, 2023	_ Tax Map #:101 Lot #:6
Site Address:19 West Road	
Name of Project:Bosowski Subdivision	
Zoning District:B	General SB#:01-23
Z.B.A. Action:	(For Town Use Only)
PROPERTY OWNER:	DEVELOPER:
Name: Bosowski Properties, LLC	
Address:40 Temple Street	
Address: Nashua, NH 03060	
Telephone #603-233-1328	
Email:	
PROJECT ENGINEER:	SURVEYOR:
Name: _Maynard & Paquette Eng. Assoc., LLC	
Address:31 Quincy Street	
Address:Nashua, NH 03060	
Telephone #603-83-8433	
Email:	
MPEALLC@AOL.COM	
PURPOSE OF PLAN: To subdivide existing 10.5 of 9 ac	ac. Lot into one 1.5 ac lot and remainder lot
	u Use Only)
Routing Date: <u>4/24/23</u> Deadline Date: <u>5</u>	/3/23 Meeting Date: TBD
I have no commentsI hav	e comments (attach to form)
Title: (Initials)	Date:
Department:	
Zoning: Engineering: Assessor: Police	e:Fire: DPW: Consultant:

Page 2 of 8 Subdivision Application - Hudson NH 080122

SUBDIVISION PLAN DATA SHEET

PLAN NAME:Bosowski S	ubdivision	
PLAN TYPE: Conventional S	Subdivision Plan or Open	Space Development (Circle One)
LEGAL DESCRIPTION:	MAP101	_LOT6
DATE:March 20, 2023		
Address:		
Total Area:	S.F458,572	Acres:10.52
Zoning:	Business	
Required Lot Area:	43,560 S.F	R
Required Lot Frontage:	150.00	
Number of Lots Proposed:	2	
Water and Waste System Proposed:	Municipal	water, individual septic
Area in Wetlands:	22,100 S.F	
Existing Buildings To Be Removed:	None	
Flood Zone Reference:	_Zone X, Area of minima	al flooding FIRM 33011C0508D
Proposed Linear Feet Of New Roadway:	None	

SUBDIVISION PLAN DATA SHEET

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

(Attach Stipulations on Separate Sheet)

List Permits Required:

NHDES Subdivision - eSA2023031401

*Waivers Requested:	Hudson Town Code Reference	Regulation Description
	1.	
	2.	
	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.

Date: 3/23/22 Signature of Owner: BOSOWSKÍ Benjamin Print Name of Owner:

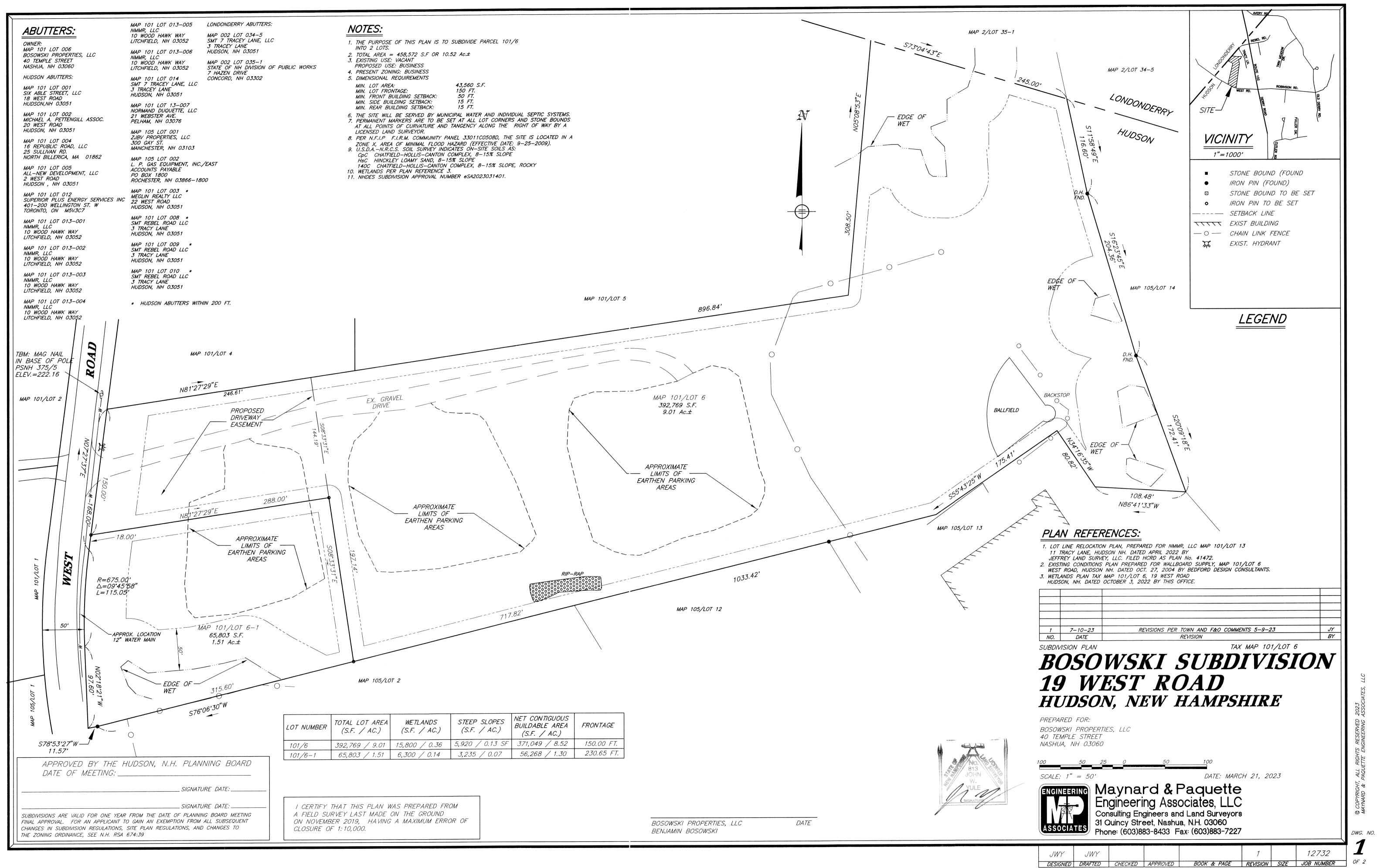
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If other than an individual, indicate name of organization and its principal owner, partners, or corporate officers.

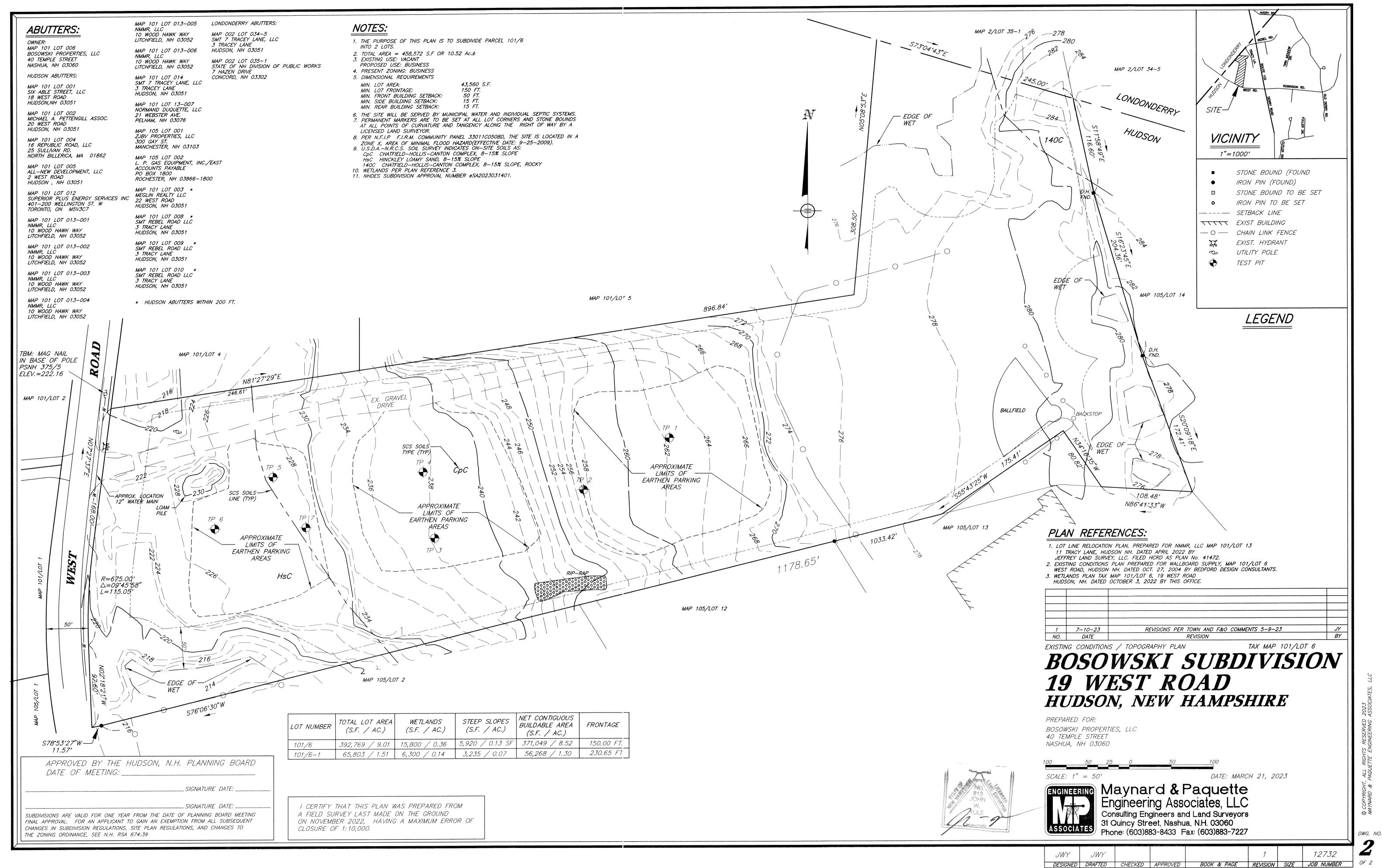
Date: 3/23/23 Signature of Developer: <u>Behjamin</u> ROSOUSUI

•*•

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.



DPES C.)	NET CONTIGUOUS BUILDABLE AREA (S.F. / AC.)	FRONTAGE
13 SF	371,049 / 8.52	150.00 FT.
0.07	56,268 / 1.30	230.65 FT.



SLOPES / AC.)	NET CONTIGUOUS BUILDABLE AREA (S.F. / AC.)	FRONTAGE
' 0.13 SF	371,049 / 8.52	150.00 FT.
/ 0.07	56,268 / 1.30	230.65 FT

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