

91 PELHAM ROAD DRIVEWAY WAIVER

WR# 04-23

STAFF REPORT

November 8, 2023

SITE: 91 Pelham Road; Map 200 Lot 004-000

ZONING: General (G)

PURPOSE OF PLAN: To pave an existing gravel driveway with two curb cuts.

APPLICATION UNDER REVIEW:

Driveway Waiver Request related to Driveway Permit Application, Map 200/Lot 004-000, 91 Pelham Road, Town of Hudson, New Hampshire; prepared for: Charles Noble, 91 Pelham Road, Hudson, NH 03051; originally dated October 13, 2023.

ATTACHMENTS

- A. Department Comments

APPLICATION TRACKING:

- November 8, 2023 – Public hearing scheduled.

COMMENTS & RECOMMENDATIONS:

BACKGROUND

The lot currently has a horseshoe shaped gravel driveway with two curb-cuts onto Pelham road. Wishing to pave the driveway, the new homeowner submitted a driveway permit application to the Engineering Department. Because it has two curb-cuts, Engineering considers this to be two driveways, thus deferring the matter to the Planning Board for a waiver from §193-10.G. Aerial photography on file shows the second cutout existing since at least 1998. Staff notes that while the applicant's waiver request is for §193-10.H, the waiver required is for §193-10.G, for having more than one driveway on a single-family residential property. The application provides narrative and reasoning for the waiver request.

DEPARTMENT COMMENTS

See **Attachment A**.

Engineering, Fire, Police, Public Works & Zoning all responded with no objection or no comment.

RECOMMENDATIONS

There are no staff objections to this waiver. Staff recommends that the Planning Board consider the application and testimony of the Applicant and/or its representative.

DRAFT MOTIONS

GRANT the driveway waiver:

I move to grant the driveway waiver from §193-10.G, Design Criteria, to allow a horseshoe shaped driveway with two curb-cuts at 91 Pelham Road, as depicted in the Driveway Waiver Request Form related to the Driveway Permit Application for 91 Pelham Road, Charles Noble, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Driveway Waiver Request Form for said waiver.

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

Dubowik, Brooke

From: Dhima, Elvis
Sent: Thursday, October 26, 2023 4:14 PM
To: Dubowik, Brooke
Cc: Gradert Benjamin; Groth, Brian; Hebert, David; Kirkland, Donald; McElhinney, Steven; Michaud, Jim; Sullivan, Christopher; Twardosky, Jason
Subject: Re: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23
Attachments: image001.png; 91 PELHAM RD WAIVER SUBMITTAL.pdf

No objections to this request. Our ortho images indicate that this second curb cut has been there since 1998

E

Elvis Dhima P.E.
Town Engineer
12 School Street
Hudson, NH 03051
Sent from my iPhone

Dubowik, Brooke

From: Sullivan, Christopher
Sent: Thursday, October 26, 2023 4:17 PM
To: Dubowik, Brooke; Dhima, Elvis; Gradert Benjamin; Groth, Brian; Hebert, David; Kirkland, Donald; McElhinney, Steven; Michaud, Jim; Twardosky, Jason
Subject: RE: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23

I have no issue with this waiver.

Chris Sullivan
Zoning Administrator



Town of Hudson

12 School Street
Hudson, NH 03051
603-816-1275 (Direct)
603-594-1142 (Fax)

Dubowik, Brooke

From: McElhinney, Steven
Sent: Friday, October 27, 2023 6:34 AM
To: Twardosky, Jason; Dubowik, Brooke; Dhima, Elvis; Gradert Benjamin; Groth, Brian; Hebert, David; Kirkland, Donald; Michaud, Jim; Sullivan, Christopher
Subject: RE: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23

No objections

Dubowik, Brooke

From: Hebert, David
Sent: Thursday, October 26, 2023 3:54 PM
To: Dubowik, Brooke
Subject: RE: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23

No comments



Dave Hebert
Fire Marshal
Hudson Fire Department
Inspectional Services Division

Town of Hudson | 12 School Street | Hudson, NH 03051
603-886-6005 (Main) | 603-816-1271 (Direct)

Dubowik, Brooke

From: Twardosky, Jason
Sent: Thursday, October 26, 2023 4:19 PM
To: Dubowik, Brooke; Dhima, Elvis; Gradert Benjamin; Groth, Brian; Hebert, David; Kirkland, Donald; McElhinney, Steven; Michaud, Jim; Sullivan, Christopher
Subject: RE: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23

No objections

Jason Twardosky
Town of Hudson New Hampshire
Director of Public Works
2 constitution Dr.
Hudson, NH. 03051
(603) 886-6018

Dubowik, Brooke

From: Michaud, Jim
Sent: Monday, October 30, 2023 8:09 AM
To: Dubowik, Brooke
Subject: RE: Dept Sign Off - Driveway Waiver 91 Pelham Road WR# 04-23

No issue

DRIVEWAY WAIVER REQUEST FORM
Town of Hudson, New Hampshire

Street Address: 91 PELHAM RD

I CHARLES NOBLE hereby request that the Planning Board waive the requirements of item 193-10-H of Chapter 193 Driveways in reference to a plan presented by TATE BROTHERS PAVING (name of surveyor/engineer) dated 10/13/23 for property tax map(s) 200 and lot(s) 004-000 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. (For Subdivisions) and RSA 674:44, III (e) (For Site-Plans). 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 Driveway regulations.

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

I AM REQUESTING RELIEF FOR THE EXISTING SECOND CURB CUT THAT HAS BEEN AN EXISTING CONDITION SINCE AT LEAST 1998. (WE WANT TO PAVE THE EXISTING GRAVEL DRIVEWAY)

Reason(s) for granting this waiver, relative to not being contrary to the Spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attach the appropriate documentation hereto):

Signed:

CHARLES NOBLE



Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____

Waiver Not Granted _____



Town of Hudson
Driveway Permit Application

OFFICE USE
Application Fee \$50.00
Receipt #
Date:
Permit #

Date 10/24/2023 Map 200 Lot 004-000

Driveway Address 91 pelham rd

Applicant Name charles noble Telephone # 8609168894

Applicant Address 91 pelham rd. hudson nh

Email Address charlesnoble.dsgn@gmail.com Cell Phone # 8609168894

Driveway grade percent (%) 6 (10% maximum grade).

Driveway surface (check one): [X] Paved [] Gravel [] Stone

Length of driveway from street to end 132 ft.

Width of driveway at street entrance 12 ft.

At the point of intersection with the street, the driveway, at a 3.5 ft. elevation above the driveway grade, shall provide in both directions of the street an AASHTO Safe Sight Distance, as shown in Table 2.2: Recommended Decision Sight Distance Values.

Sight distance: 75' Left 120' Right Speed Limit: 30

Distance to nearest intersection: 1500' Left 600' Right

Proposed roadway drainage improvements:

[] Swale [] Curb & Catch Basins [] Other (describe)

Special conditions requested (e.g., construct a turnaround at end of driveway):

The existing driveway has 2 curb cuts, I would like to keep both when paving the driveway.

Is this application for a second driveway on the parcel? [] Yes [X] No

- * Second driveways are not permitted for single family homes or ALU's (per Zoning Ordinance).
* No Water Shut-offs and/or Sewer Clean-outs will be allowed on new residential driveways.

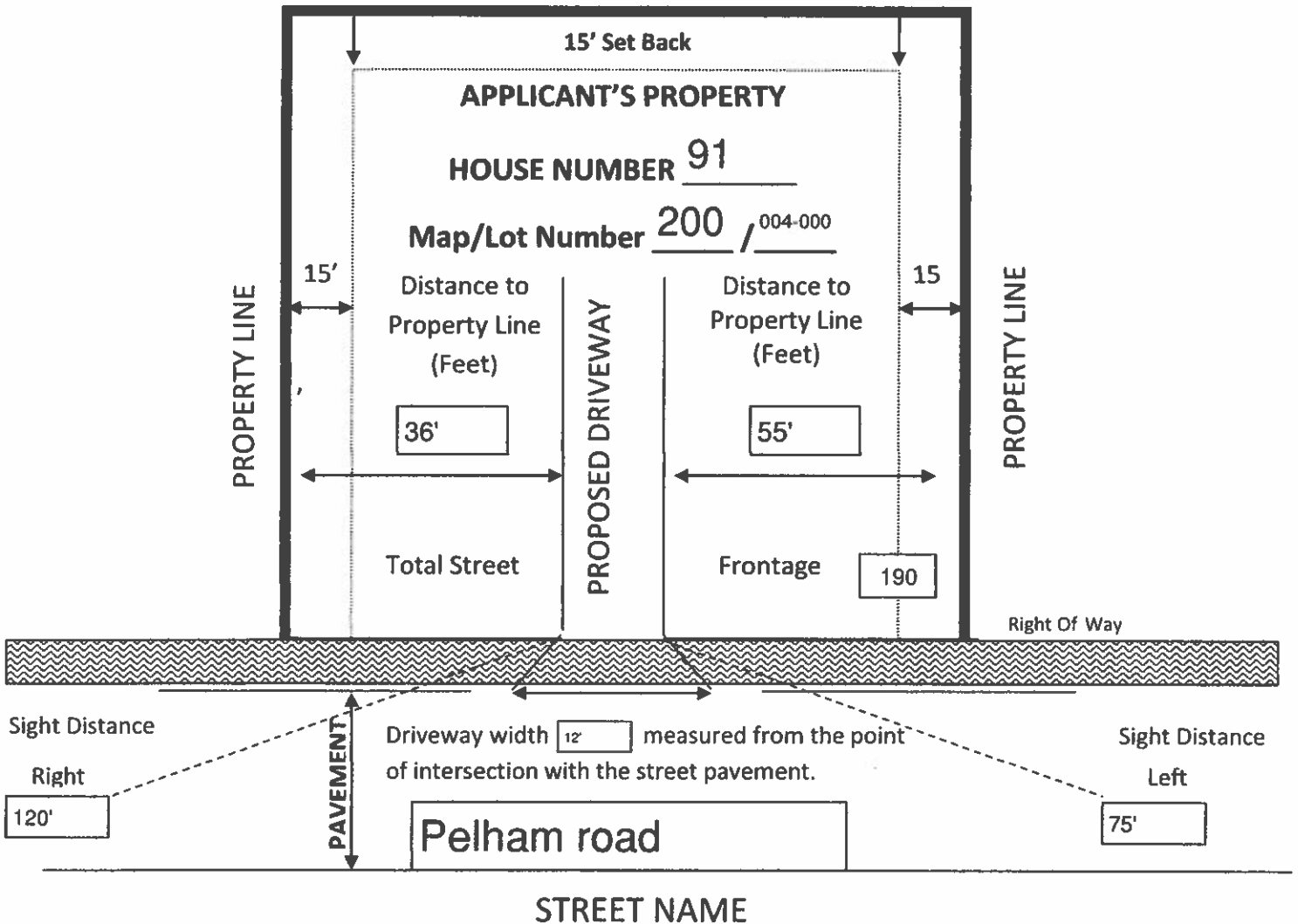


Town of Hudson
Driveway Permit Application

Driveway Layout Plan

In the below Driveway Layout Plan, please fill-in all blank boxes with their respective actual measurements in feet. In accordance with the Planning Board's Driveway Regulations, Chapter 193, the minimum setback for driveways is 15 feet from side and rear lot lines. Also, driveways shall intersect with the adjoining street at 90 degrees, and the dimensions indicated below must include the street frontage of the parcel.

* A Plan and Profile will be required for any driveway accessing public roads.






TOWN OF HUDSON
DRIVEWAY PERMIT APPLICATION
AND NH RSA 36-A: 4 (III) DISCLOSURES

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By filing this application, the owner(s) hereby grants permission to the members of the Hudson Planning Board and Conservation Commission, as well as their assigned agents, to enter upon the associated property at all reasonable times and for the express purpose of conducting examinations, surveys, tests and inspections as may be appropriate to enable the office of the Town Engineer to process this application. I/we also hereby waive and release any claim or right I/we may have now or hereafter against any of the aforementioned parties resulting from said examinations, surveys, tests and inspections conducted on my/our property in connection with this application.

I/we hereby attest to the accuracy of the information submitted herein, including any attachments, and acknowledge that any inaccuracies or omissions can result in revocation of this permit and loss of any rights, vested or otherwise to this permit.

The undersigned hereby acknowledges that before signing this application s/he/they read this application form that contains the follow disclosure as required by NH RSA 36-A:4 (III). The inspection to be conducted by the Hudson Conservation Commission is undertaken to evaluate the impact of the proposed permit on protected wetlands and wetland buffers as defined in Article IX – Wetland Conservation District – Town of Hudson Zoning Ordinance, §§334-33 through 334-39. The specific features to be studied by the Hudson Conservation Commission would be the area of land that is subject to the activity described in the permit application, and associated landforms, wetlands, and water bodies. The data to be collected by the Conservation Commission will be collected through personal observation by the Conservation Commission members and those observations may be recorded through hand written notes and through digital and cell phone photography. In addition to members of the Hudson Conservation Commission, inspection and data collection may also be carried out by the Public Works Director, the Hudson Fire Department and the Hudson Town Engineer or his designee. The Information collected by the Conservation Commission, or other representatives of the Town of Hudson, would then be further distributed through public discussion at Conservation Commission and Planning Board meetings and that information may also be committed to written documents that may be distributed by the Community Development Department to other interested parties, including but not limited to, the New Hampshire Department of Environmental Services, the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the United States Environmental Protection Agency and members of the public. The possible known consequences of this inspection and data collection include, and are not limited to, denial of a special exception to construct the proposed driveway, the requirement to redefine and readjust a wetland boundary and designation and the associated costs to the applicant for the hiring of a wetlands scientist for this purpose, possible code enforcement actions by the Town of Hudson to abate observed violations of the Hudson Zoning Ordinance and Land Use Regulations and possible enforcement actions against the applicant for violations of State or Federal Law.



Signature(s) of Applicant

10/24/23

date

**Town of Hudson
Driveway Permit Application**

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Routing Sheet

[FOR OFFICE USE ONLY]

**Reviewed by Road Agent if connecting to existing Town accepted road

Approved _____
Town Engineer Date

Comments/stipulations

Approved _____
Public Works Director Date

Comments/stipulations

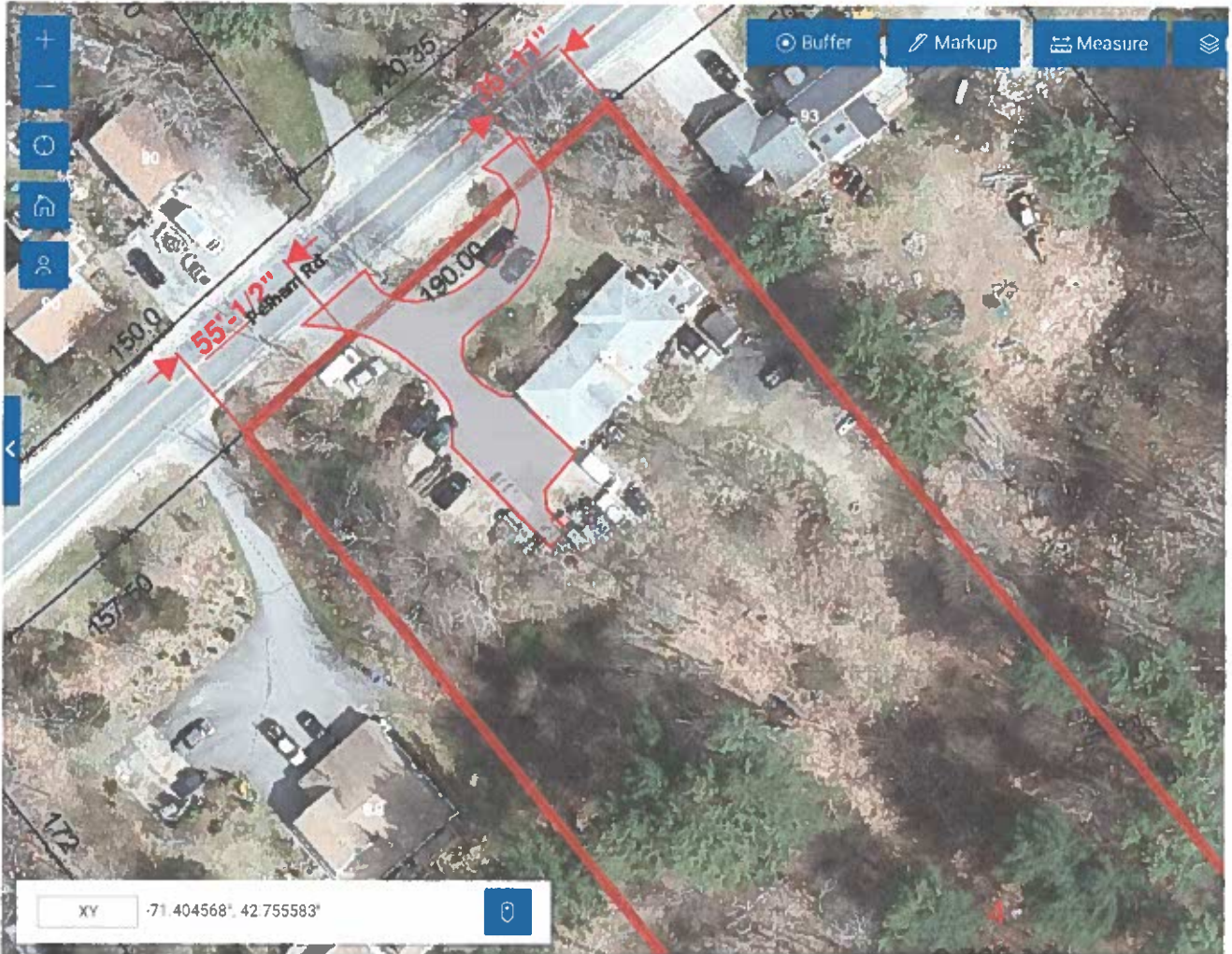
Approved _____
Fire Dept. Date

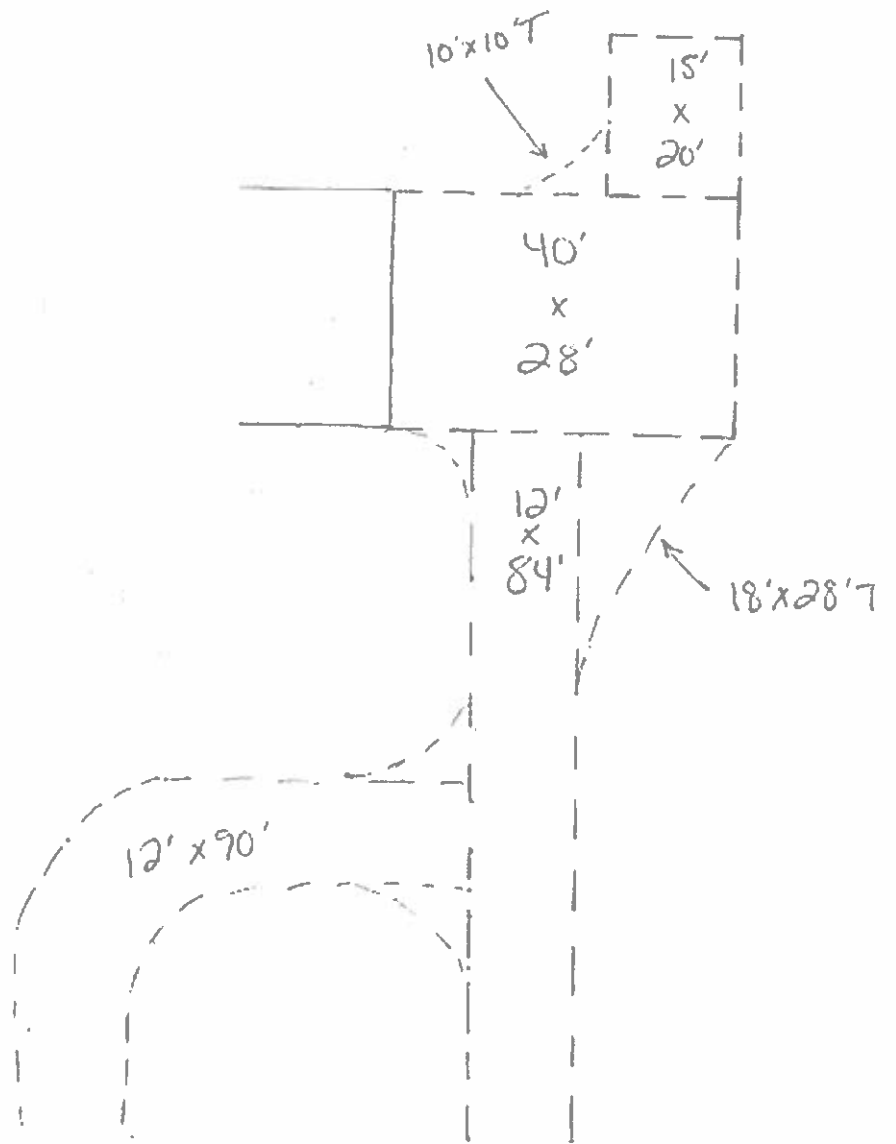
Comments/stipulations

Driveway satisfactorily completed _____
Town Engineer Date

Comments/Final Inspection

* DRIVEWAY SKETCH APPROXIMATION





All measurements approx & not to scale

Abutters List

91 Pelham Road Driveway Waiver

Applicant & Direct Abutters @ \$5.01/ea:

200-004-000
Charles Noble
91 Pelham Road
Hudson, NH 03051

200-005-000
Joshua & Caitlin Fuentes
93 Pelham Road
Hudson, NH 03051

220-003-001
Petra Dollet
89 A Pelham Road
Hudson, NH 03051

220-003-002
Georg & Gabriele Dollet
89 B Pelham Road
Hudson, NH 03051

192-018-000
Daniel J. Levesque
90 Pelham Road
Hudson, NH 03051

193-011-000
Stephanie Tate
92 Pelham Road
Hudson, NH 03051

Indirect Abutters (within 200') @ \$0.66/ea:

193-010-000
Martha H. Dublin, Tr.
95 Pelham Road
Hudson, NH 03051

199-018-001
Tammy J. Burns
87 A Pelham Road
Hudson, NH 03051

199-018-002
Reginald E. Pepin
87 B Pelham Road
Hudson, NH 03051

199-016-000
Edward & Darlene Leor
80 Pelham Road
Hudson, NH 03051

193-012-000
Shana & Brian Annese
94 Pelham Road
Hudson, NH 03051

200-006-000
Kenneth & Diana Forrence
61 Bush Hill Road
Hudson, NH 03051

Total Abutter Fee: **\$34.02**

Please make check payable to: Town of Hudson