

Case# 19-005-SUB Project Name ADA + SERA Dr. Date 3/4/2019



**Town of Nottingham**

P.O. Box 114, 139 Stage Road, Nottingham NH 03290 Office 603-679-9597 ext. 1, Fax 603-679-1013

**PLANNING BOARD PROJECT APPLICATION**

Subdivision Type: Conventional \_\_\_ Open Space X LLA \_\_\_

Site Plan Review: Conventional \_\_\_ Change of Use X

Concurrent- Subdivision/ Site Plan Review \_\_\_

Amendment to Approval of: Subdivision \_\_\_ Site Plan \_\_\_ Other \_\_\_

Total Acreage: 59.69 Acres	Current Use Acreage: YES IN CURRENT USE	# of Proposed Lots: 22
Project Address: US Route 4 Old Turnpike Road		
Current Zoning Districts: Commercial/Industrial Residential/Agricultural		
Overlay Districts: N/A	Map(s): <u>6</u>	Lot (s): <u>22</u>
Request: Proposed 22 lot Open Space Subdivision		

The Property owner shall designate an agent for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required.

All contacts for this project will be made through the Applicant listed below.

- ( ) Form A "Abutters List" has been filed with this application no earlier than 5 days within submittal of this application with 3 labels per address on address labels (same size as Avery 5160/8160)
- ( ) Form B "Authorization to Enter upon Subject Property" has been filed with this application
- ( ) Form C "Authorization to Represent" has been filed with this application
- ( ) 6 sets of full size plans
- ( ) 10 sets of 11"x17" plans
- ( ) Waiver Form(s)
- ( ) Completed Checklist

Case#: <u>19-005-SUB</u>	Project Name: <u>SERA &amp; ADA DRIVE</u>	Date: <u>3-4-19</u>
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Case# 19-005-S03 Project Name ADA + SERA DR.

Date 3/4/19

### ABUTTER(S) LIST

\* PRINT THREE (3) ADDRESS LABELS PER ABUTTER INCLUDING THE APPLICANT, OWNER AND PROFESSIONAL(S)

SEE BS&E FORM

**1. APPLICANT INFORMATION:**

Printed Name: \_\_\_\_\_ Contact Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

**2. OWNER INFORMATION:**

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

**3. PROFESSIONAL(S) INFORMATION:**

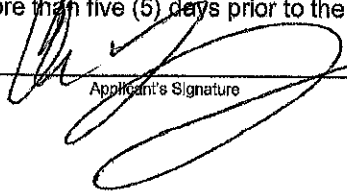
Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Abutter(s) Information					
	Map:	Lot:	Sub. lot:	Name:	Address:
4.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					

See List

I, CHRISTOPHER BERRY, the undersigned, certify that to the best of my knowledge, the above is an accurate and complete abutter(s) list and that the information was obtained from the Nottingham Assessing Office no more than five (5) days prior to the date of this application..

  
Applicant's Signature

3-4-19  
Date

Case#

Project Name

Date



**Town of Nottingham**

P.O. Box 114, 139 Stage Road, Nottingham NH 03290 Office 603-679-9597 ext. 1, Fax 603-679-1013  
Web: <http://www.nottingham-nh.gov> Email: [plan.zone@nottingham-nh.gov](mailto:plan.zone@nottingham-nh.gov)

**OWNER'S AUTHORIZATION FOR REPRESENTATION**

**Property location:** NH ROUTE 4, NOTTINGHAM, NH

I, the undersigned owner(s) of the property listed above, hereby verify that I have authorized:  
BERRY SURVEYING & ENGINEERING to represent me/us and apply for the required approval(s) from the Planning Board in the Town of Nottingham, New Hampshire for the following:

- Subdivision/Lot Line Adjustment       Site Plan Review       Backlot Subdivision
- Design Review       Other \_\_\_\_\_

FOR: THE 22 LOT OPEN SPACE SUBDIVISION OFF US ROUTE 4

Name of Owner	DOMUS DEVELOPERS INC.	
Address of Owner	11 WHITEHORSE DRIVE,	
Signature of Owner	<i>L. Gaur</i>	Date 3-4-19

Name of Owner		
Address of Owner		
Signature of Owner		Date

Name of Owner		
Address of Owner		
Signature of Owner		Date

Name of Owner		
Address of Owner		
Signature of Owner		Date



## **BERRY SURVEYING & ENGINEERING**

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

February 2, 2019

Town of Nottingham  
Planning Office  
Attn: JoAnna Arendarczyk, Planning Secretary  
139 Stage Road  
P.O. Box 114  
Nottingham, NH 03820

RE: Domus Developers Inc.  
Subdivision Review  
Old Turnpike Road  
Nottingham, NH  
Tax Map 6, Lot 22

Mr. Chairman and Members of the Nottingham Planning Board

**In accordance with the Town of Nottingham's Subdivision Regulations, the applicant requests the following waivers:**

**1. Identification of Waiver Request:** Road and Driveway Design and Construction Standards Table 1, minimum of 100' between reverse curves.

- Proposed roadway with one tangent between reverse curves that is less than 100' feet. The proposal allows for 57' and has a very short deflection angle.

The applicant is proposing to construct two roads off US Route 4. The first road on the West side of the parcel will be called Ada Drive and the second road on the East side of the parcel will be called Sera Drive. Sera Drive will service 9 lots within the existing upland on the east side of the parcel. The proposed road was designed so that there would be the least amount of disturbance as possible within the surrounding wetlands.

**2. Waiver Justification:**

**a. Granting the waiver will properly carry out the purpose and intent of the regulations.**

The purpose and intent of the minimum of 100' between reverse curves is to ensure safe vehicular traffic. The proposed road design will not inhibit vehicular traffic in anyway. The road was designed so that it would conform to the existing topography as much as possible in order to limit the cuts and fills needed for the road construction. The center of the cul-de-sac was placed in one of the more flat areas of the site. Minimizing the cuts and fills will also reduce the

**3. Identification of Waiver Request:** Road and Driveway Design and Construction Standards Table 1, Max. 3:1 side slopes.

- The proposed Roadway proposes 2:1 side slopes in certain areas where 3:1 are required by the regulations.

**2. Waiver Justification:**

**a. Granting the waiver will properly carry out the purpose and intent of the regulations.**

The purpose and intent of the minimum of regulation is to provide safe stable slopes on the entire project site. In this case the slopes that are greater than 3:1 are proposed to be 2:1 and are lined with either matting or rip-rap for permanent stabilization. Guard rail is provided where warrants are met.

**b. Strict conformity to the regulations would pose an unnecessary hardship to the applicant.**

Strict conformity to the regulations will pose an unnecessary hardship on the applicant and the Town whereby requiring larger cuts and fills in areas that would not otherwise require them.

**4. Identification of Waiver Request:** Cul-de-sac with a grade of greater than 3% max. 15.1(4)

- The proposed roadway is designed with a cul-de-sac road grade of 4% when the regulations require 3%.

**2. Waiver Justification:**

**a. Granting the waiver will properly carry out the purpose and intent of the regulations.**

The purpose and intent of the maximum regulation is to allow for easy, safe travel of larger vehicles around the cul-de-sac. In this case a 4% grade is both safe and navigable by large equipment.

**b. Strict conformity to the regulations would pose an unnecessary hardship to the applicant.**

Strict conformity to the regulations will pose an unnecessary hardship on the applicant and the Town whereby requiring more cutting in the road design in that location, and reducing the overall impact of the project.



**BERRY SURVEYING & ENGINEERING**

335 Second Crown Pt. Rd., Barrington, NH 03825

(603) 332-2863 / (603) 335-4623 FAX

[www.BerrySurveying.Com](http://www.BerrySurveying.Com)



After recording, return to:  
Donahue, Tucker & Ciandella, PLLC  
P.O. Box 630  
Exeter, NH 03833-0630  
SCS/jh

LCHIP	ROA437397	25.00
TRANSFER TAX	RO085777	4,950.00
RECORDING		18.00
SURCHARGE		2.00

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that **JAMES W. HALEY and VANESSA HALEY-RIZZO, CO-TRUSTEES OF THE HALEY GRANDCHILDREN TRUST**, w/d/t dated December 30, 1996, having an address of P.O. Box 7893, Nashua, New Hampshire 03060, for consideration paid, grant to **DOMUS DEVELOPERS INC.**, a New Hampshire corporation, having an address of 11 Whitehorse Drive, Rye, New Hampshire 03870, with **WARRANTY COVENANTS**, the following described premises:

A certain tract of land situate in Nottingham, County of Rockingham and State of New Hampshire, bounded and described as follows:

Southerly by the Turnpike road leading from Durham to Northwood (now Route 4);

Westerly by land formerly of the Newmarket Manufacturing Company;

Northerly by land formerly of Andrew D. McDaniel, and later formerly of Kenneth Fogg;

Easterly by land formerly of William McDaniel, later formerly of Ira McDaniel, later formerly of Arthur McDaniel and known as the McDaniel Farm Homestead, said premises containing sixty (60) acres, more or less, and known as the Walker Lot.

This parcel is conveyed subject to any existing easements and highway slope easements of record. Notice should also be taken of a land taking of 0.4 acres on Route 4 by the State of New Hampshire for highway purposes recorded in Book 1094, Page 470, if applicable.

EXECPTING land taken by the State of New Hampshire for highway purposes by deed recorded in said Registry of Deeds at Book 3184, Page 1298.

Meaning and intending to describe and convey the same premises as conveyed to James W. Haley and Vanessa Haley-Rizzo, Co-Trustees of The Haley Grandchildren Trust by deed of Donetta J. Haley and James W. Haley, Successor Trustees of the Waldron B. Haley Living

Revocable Trust of 1998, and Vanessa Haley-Rizzo and Donetta J. Haley, Successor Trustees of the Grace M. Haley Living Revocable Trust of 1998, and recorded at the Rockingham County Registry of Deeds at Book 5622, Page 0472.

This is not homestead property.

PURSUANT TO RSA 564-A:7, II, the undersigned Co-Trustees, as co-trustees under The Haley Grandchildren Trust, u/d/t dated December 30, 1996, have full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the trustees have said power or are properly exercising said power, or to see to the application of any trust asset paid to the trustees for a conveyance thereof.

The undersigned Co-Trustees, upon oath, do depose and say that the said Trust is in full force and effect; that the same has not been amended, altered, dissolved or liquidated; and that the said Trust is in good standing in the State of New Hampshire and that they are the sole Trustees of said Trust.

EXECUTED this 31<sup>st</sup> day of January, 2019.

THE HALEY GRANDCHILDREN TRUST

Ameh Aet  
Witness

James W. Haley Co-Trustee  
By: James W. Haley, Co-Trustee, duly authorized

Ameh Aet  
Witness

Vanessa Haley-Rizzo Co-Trustee  
By: Vanessa Haley-Rizzo, Co-Trustee, duly authorized

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, ss

On this 31<sup>st</sup> day of January, 2019, before me, personally appeared James W. Haley, Co-Trustee of The Haley Grandchildren Trust, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.



Amelia G. Sreter  
Notary Public/Justice of the Peace/Commissioner  
of Deeds  
Printed Name: Amelia G. Sreter  
My Commission expires: 7/27/23

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, ss

On this 31<sup>st</sup> day of January, 2019, before me, personally appeared Vanessa Haley-Rizzo, Trustee of The Haley Grandchildren Trust, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.



Amelia G. Sreter  
Notary Public/Justice of the Peace/Commissioner  
of Deeds  
Printed Name: Amelia G. Sreter  
My Commission expires: 7/27/23



Case#

Project Name

Date

**Project Application Checklist  
Nottingham Planning Board**

This checklist is intended to assist applicants in preparing a complete application for subdivision as required by the Nottingham Subdivision Regulations and must be submitted along with all subdivision applications. An applicant seeking subdivision approval shall be responsible for all requirements specified in the Nottingham Subdivision Regulations even if said requirements are omitted from this checklist.

An applicant seeking subdivision approval shall be responsible for providing all the information listed in the column below entitled "Subdivision" and should place an "x" in each box to indicate that this information has been provided. If an item is considered unnecessary for certain application the "NA" box should be marked instead, indicating "Not Applicable". Only certain checklist items are required for lot line adjustments, as noted by the applicable check boxes below.

Check the Appropriate Box or Boxes Below: <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Subdivision Plan See Sections I & II        See Sections I & II, III, IV & V	Subdivision		Office Use	
	Provided	N/A	Provided	N/A
<b>Section I. General Requirements</b>				
1. Completed Application Form	X			
2. Complete abutters list	X			
3. Payment of all required fees	X			
4. <u>Six (6) full size sets of plans and ten (10) sets of plans 11"x 17" submitted with all required information in accordance with the subdivision regulations and this checklist</u>	X			
5. Copies of any proposed easement deeds, protective covenants or other legal documents	X			
6. Any waiver request(s) submitted with justification in writing	X			
7. Technical reports and supporting documents (see Section IX & X of this checklist)	X			
8. Completed Application Checklist	X			
<b>Section II. General Plan Information</b>				
1. Size and presentation of sheet(S) per registry requirements and the subdivision regulations				
2. Title block information:				
a) Drawing title	X			
b) Name of subdivision	X			
c) Location of subdivision	X			
d) Tax map & lot numbers of subjects parcel(s)	X			
e) Name & address of owner(s)	X			
f) Date of plan	X			

Typical  
provided  
after the  
first  
meeting

Case#

Project Name

Date

	Provided	N/A	Provided	N/A
a) Name labeled	X			
b) Status noted or labeled	X			
c) Right-of-way dimensioned	X			
d) Pavement width dimensioned	X			
21. Municipal boundaries (if any)	X			
22. Existing easements (identified by type)	X			
A. Drainage easement(s)	X			
B. Slope easement(s)	X			
C. Utility easement(s)		X		
D. Temporary easement(s) (Such as temporary turnaround)		X		
E. No-cut zone(s) along streams & wetlands (as may be requested by the Conservation Commission)	X			
F. Vehicular & pedestrian access easement(s)		X		
G. Visibility easement(s)		X		
H. Fire pond/cistern(s)		X		
I. Roadway widening easement(s)		X		
J. Walking trail easement(s)		X		
K. Other easement(s) Note type(s)		X		
23. Designation of each proposed lot (by map & lot numbers as provided by the assessor)	X			
24. Area of each lot (In acres & square feet):	X			
a) Existing lot(s)	X			
b) Contiguous upland(s)	X			
25. Wetland delineation (Including Prime Wetlands):	X			
a) Limits of wetlands	X			
b) Wetland delineation criteria	X			
c) Wetland Scientist certification	X			
26. Owner(s) signature(s)	X			
27. All required setbacks	X			
28. Physical features	X			
a) Buildings		X		
b) Wells		X		
c) Septic systems		X		
d) Stone walls	X			
e) Paved drives		X		
f) Gravel drives		X		
29. Location & name (if any) of any streams or water bodies	X			
30. Location of existing overhead utility lines, poles, towers, etc.	X			
31. Two-foot contour interval topography shown over all subject parcels	X			
32. Map & lot numbers, name, addresses, and zoning of all abutting land owners	X			

NOT REQUIRED  
FOR THE  
PROPOSED  
OPEN SPACE  
LOTS

Case#

Project Name

Date

5. Sidewalk detail		X		
6. Traffic signs and pavement markings	X			
7. Drainage structure(s)	X			
8. Outlet protection riprap apron	X			
	Provided	N/A	Provided	N/A
9. Level spreader	X			
10. Treatments swale	X			
11. Typical section at detention basin	X			
12. Typical pipe trench	X			
13. Fire protection details		X		
14. Erosion control details	X			
15. Construction Notes	X			
a) Construction sequence	X			
b) Erosion control notes	X			
c) Landscaping notes	X			
d) Water system construction notes		X		
e) Sewage system construction notes		X		
f) Existing & finish centerline grades	X			
g) Proposed pavement – Typical cross-section	X			
h) Right-of-way and easement limits	X			
i) Embankment slopes	X			
j) Utilities	X			
<b>Section V.</b>				
<b>Supporting Documentation If Required</b>				
1. Calculation of permitted housing density (for Open Space Subdivisions only as required in the Nottingham Zoning Ordinance)	X			
2. Stormwater management report	X			
3. Traffic impact analysis	X			
4. Environmental impact assessment		X		
5. Hydrogeological study		X		
6. Fiscal Impact. study provided		X		
7. Site Inventory and Conceptual Development Plan (from preliminary Open Space Subdivision review only)	X			

SPRINKLERS

IF REQ. BY  
PB

**Note:** This checklist shall be completed and returned as part of the original application packet.