



## TOWN OF NOTTINGHAM, NH - PLANNING BOARD

NOTTINGHAM TOWN OFFICE • 139 Stage Rd., P.O. Box 114 • Nottingham, NH 03290

<https://www.nottingham-nh.gov/planning-board>

[jburdin@strafford.org](mailto:jburdin@strafford.org); [iczyysz@strafford.org](mailto:iczyysz@strafford.org)



Phone: (603) 994-3500

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### Plan Review

<b>PROJECT NAME:</b> Diberto Subdivision		<b>CASE NUMBER:</b> 20-003-SUB
<b>PLAN REVISION DATE:</b>		
<b>MEETING DATE:</b>	<b>APPLICANT(s):</b>	<b>APPLICATION TYPE:</b>
05-13-2020 Continued	Robert Diberto	<input checked="" type="checkbox"/> (SD) <input type="checkbox"/> (EX) Excavation
06-10-2020 Continued	324 Route 108	Subdivision <input type="checkbox"/> (HO) Home Occ.
06-24-2020 Continued	Madbury, NH 03823	<input type="checkbox"/> (SP) Site Plan <input type="checkbox"/> (LLA) Lot Line
07-08-2020 Continued	<a href="mailto:stonegreyhouse@comcast.com">stonegreyhouse@comcast.com</a>	<input type="checkbox"/> Sign      Adjustment
07-22-2020 Continued	(603) 781-4321	
08-12-2020 Continued		
08-26-2020 Continued		
09-24-2020 Tabled		
05-26-2021		
<b>APPLICATION STATUS:</b>	<b>APPLICANT'S REP:</b>	<b>REVIEWED BY:</b>
<input checked="" type="checkbox"/> <b>Accepted:</b> 05/13/2020	Christopher Berry	Stefanie Casella
65 days expires: 07/17/2020	Berry Surveying and Engineering	SRPC Circuit Rider
<b>Emergency Order #23 Pursuant to Executive Order 2020-04 relieves planning board from complying with deadlines for accepting, hearing, and acting on planning board applications under RSA 676:4</b>	335 Second Crown Point Rd	April 15, 2020
	Barrington, NH 03825	<b>Updated by James Burdin</b>
<input type="checkbox"/> <b>Approved:</b>	(603) 332-2863	<b>SRPC Interim Circuit Rider</b>
		<b>May 24, 2021</b>
<b>EXECUTIVE SUMMARY</b>		
May 24, 2021 Updates:		
<ul style="list-style-type: none"> <li>The applicant was granted a variance for 6,717 SF of wetland impacts on December 15, 2020.</li> <li>The applicant has submitted a request for two waivers dated May 5, 2021. This appears to be a resubmittal of a request that was already part of the record.</li> <li>The applicant has submitted a vernal pool assessment dated April 13, 2021 that concluded no existing or potential vernal pools were located on the subject property.</li> <li>The applicant submitted a revised traffic impact analysis dated May 5, 2021 – recommended shoulder improvements to Mitchell road are discussed on pages 15-17.</li> <li>The applicant has provided an “Inspection and Maintenance Manual for Stormwater System Management” dated May 5, 2021.</li> <li>The applicant has provided an updated Drainage Analysis and updated Infiltration Feasibility Report, both dated May 5, 2021.</li> </ul>		
The existing parcel is located on Mitchell Rd, north of Sutton Dr. The parcel is bisected by the Nottingham/Barrington town line with 18.76 acres existing in Barrington along Rt. 4. The Nottingham portion is 40.55 acres with no frontage on Rt 4. (not part of the Nottingham commercial district).		



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NH RSA 674:53 requires notice be given to the adjoining community. Barrington Town Planning Marcia Gasses had been notified and had no issues with the subdivision. A separate application to the Barrington Planning Board is needed as well as final approval from the Barrington Planning Board.

Date of original conceptual consultation: March 4, 2019

Proposed Lot Dimensions:

Lot 1N

Total Area: 2.02 ac (88,171 sq.ft)

Total Upland: 30,418 sq.ft.

Lot 1N-1

Total Area: 2.02 ac (87,946)

Total Upland: 33,023 sq.ft.

Lot 1N-2

Total Area: 2.08 ac (89,598 sq.ft.)

Total Upland: 30,785 sq.ft.

Lot 1N-3

Total Area: 2.08 ac (30,182 sq.ft.)

Total Upland: 30,182 sq.ft.

Lot 1N-4

Total Area: 2.03 ac (88,534 sq.ft.)

Total Upland: 30,264 sq.ft

Lot 1N-5

Total Area: 4.24 ac (184,600 sq.ft)

Total Upland: 33,000 sq.ft.

Lot 1N-6

Total Area: 3.44 ac (149,715 sq.ft)

Total Upland: 30,680 (sq.ft.)

Lot 1N-7

Total Area: 2.98 ac (129,806 sq.ft.)

Total Upland: 52,497 sq.ft.

Lot 1N-8

Total Area: 4.31 ac (187,945 sq.ft.)

Total Upland: 45.473



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Lot 1N-9

Total Area: 2.14 ac (93,304 sq.ft.)

Total Upland: 31,353 sq.ft.

Lot 1N-10

Total Area: 2.56 ac (111,660 sq.ft.)

Total Upland: 31,491 sq.ft.)

Lot 1N-11

Total Area: 2.56 ac (111,425 sq.ft.)

Total Upland: 30,008 sq.ft.

Lot 1N-12

Total Area: 2.34 ac (102,013 sq.ft.)

Total Upland: 31,944 sq.ft.

Lot 1N-13

Total Area: 2.77 ac (120,481 sq.ft.)

Total Upland: 33,710 sq.ft.

Proposed Roads: Lipizzan (or Lizzippan) Drive, Stone Grey Drive

See issues and recommendations below.

**BACKGROUND**

**TAX MAP/LOT:**

Map 7 / Lot 1N

**AREA (ACRES, SQUARE FEET):**

40.55 ac (1,766,568 ft)

**EXISTING LAND USE:**

Vacant

**STEEP SLOPES:**

Intermittent, as identified on plan set

**ROAD ACCESS (FRONTAGE):**

Mitchell Rd (1,733.87 ft)

**CLOSEST INTERSECTION:**

Mitchell Rd and Sutton Drive

**ZONING DISTRICT(S):**

Residential – Agricultural and Commercial

**OVERLAY DISTRICTS:**

Aquifer    Wetlands    Floodplain

**LOCATED ON A SCENIC ROAD?**

Yes    No

**FEMA 100-YEAR FLOOD HAZARD ZONE?**

Yes    No

**WATER BODIES:**

Shoreland Protection    Lamprey River LAC

**OTHER PERMITS AND APPROVALS**



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- |   |   |   |   |  |
|---|---|---|---|--|
| <input type="checkbox"/> Special Exception(s)   | <input checked="" type="checkbox"/> Waivers | <input type="checkbox"/> Variance(s)              | <input checked="" type="checkbox"/> Easement(s) | <input type="checkbox"/> Excavation Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Condo Documents    | <input checked="" type="checkbox"/> State Permits | <input type="checkbox"/> Road Cut               | <input type="checkbox"/> Road Bond         |

**STATUS NOTES:** Two waiver requests have been submitted as part of the subdivision application.

1. Driveway Design and Construction Standards (Subdivision Regulation section 15.6.4) – request for 3:1 side slopes.
2. Streets and Roads (Subdivision Regulation section 9.7.1.1.b – request for construction of a cul-de-sac.

**COMPLETENESS/APPLICATION ACCEPTANCE**

1. All information needed to complete the application review has been submitted
  - (as articulated in Subdivision Regulations section 8.2)
2. Confirm all abutters noticed & fees paid (escrow).
3. Confirm signature and seal of registered surveyor, engineer or architect.
4. Confirm signed application received.

**STAFF TECHNICAL COMMENTS AND MEETING REVIEW HISTORY**

Subdivision Application

Original subdivision application comments were addressed in letter to the Nottingham Planning Board dated April 22, 2020.

Information needed from applicant:

- Written comments and questions regarding comments provided from Nottingham Department heads
  - o Requested at July 8 meeting
- Ground penetrating radar results and report on historical stone and possible burial site

Information needed from Board:

- Is a variance needed for dredge and fill in wetland area?
  - o The applicant requested a variance from Article III Section B.4 of the Nottingham Zoning Ordinance to permit filling of 6,717 SF of a PF01/4eg wetland as part of the road construction for this application.
  - o The variance was approved by the Nottingham ZBA on December 15, 2020
  - o A request for the ZBA to re-hear the application was denied on January 19, 2021 – the variance approval of December 15, 2020 stands.
- Pavement rehab report (referenced at July 8 meeting)

Outstanding Questions:

- Who is responsible for the maintenance of the closed drainage system?



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- The applicant has provided an “Inspection and Maintenance Manual for Stormwater System Management” dated May 5, 2021, including standards for stormwater system maintenance and periodic reporting to the Nottingham Building Department and NHDES AOT.
- What improvements are needed on Mitchell Road and who will be responsible for those improvements?
  - The traffic impact analysis as revised on May 5, 2021 identifies recommended improvements to Mitchell Road - recommended shoulder improvements to Mitchell road are discussed on pages 15-17.
  - These improvements appear to be depicted on Sheet 30 – “Grading Improvements Mitchell Road” of the plan set dated May 5, 2021.
  - A May 18, 2021 memo from the Nottingham Public Works Department indicates support for installation of the recommended Mitchell Road improvements.
  - The applicant should confirm on the record whether the recommended improvements to Mitchell Road are proposed to be constructed at the applicant’s expense.

### HEARING PROCEDURES

1. Convene hearing – note that the application was previously accepted as complete but that the application was tabled in September 2020 and re-noticed for tonight to resume proceedings
2. Presentation by applicant/board questions
3. Abutter testimony
4. Board discussion, comments, questions
5. Act on submitted waiver request(s): Subdivision Regulations section 15.6.4 and 9.7.1.1.b
6. Act on approval, conditions, denial or continue to a date certain

### CONDITIONS OF APPROVAL

Plan copies with professional seals & signatures (surveyor and wetland scientist)

Original Mylar with professional seals & signatures

State Permits:

Curb-cut,

Subdivision (Sub Surface/Septic)

Dredge and Fill

Alteration of Terrain

Shoreland Protection

Changes to Plat as detailed in minutes and this report (List) IF ANY: see issues noted above

Others (List): List any additional conditions identified during the hearing.



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