



# Town of Nottingham PLANNING BOARD

P.O. Box 114, 139 Stage Road, Nottingham NH 03290  
Office 603-734-4881, Fax 603-679-1013

## APPLICATION FOR A CONDITIONAL USE PERMIT

Name of Applicant Five C's Family Trust II

Mailing Address 176 Stevens Hill Road Nottingham, NH 03290

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_ Cell 603-944-0730

Name of Owner(s): (same)

(if same as applicant, write "same")

## PROPERTY INFORMATION

Location of property (Road(s)) 176 Stevens Hill Road

Tax Map(s) 49	Lot(s) 4	Sublot(s) 1
<b>Lot Dimensions:</b> Frontage 203'	<b>Acres</b> 5	<b>Square Feet</b> 217,800+

Present Use of Property: Agricultural

Proposed Use of Property Residential/Agricultural

## CONDITIONAL USE PERMIT

A Conditional Use Permit is requested per Article III Section B.6  
of the Zoning Ordinance to allow: (describe proposed use \*\*Attach a separate document if needed\*\*)

Minor wetland impact for proposed driveway access by installing a stone ford, or other option, as  
recommended by the Nottingham Conservation Commission (NCC)

**SUPPORTING INFORMATION**

**SECTION A**

Explain how the proposal meets the criteria as specified in the above noted Article/Section of the Nottingham Zoning Ordinances:

1. *Describe how the proposed will/will not be constructed in a manner compatible with the spirit and intent of the Nottingham Master Plan and Zoning Ordinance.*

The proposed driveway has been designed and located on the parcel to minimize wetland impact to the greatest extent possible. This is the most practical place for the driveway to access the rear of the property to maintain and protect both the wetland area and agricultural field/farmland of statewide importance.

2. *Detail any existing violations and/ or nonconformance of the Nottingham Zoning Ordinance.*

The "poorly drained" wetland was filled unknowingly without a town or state permit

3. *Describe how the site is suitable for the proposed use. Address the following in your response:*

- a. *Adequate vehicular and pedestrian access for the intended use.*
- b. *The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools, and other municipal services.*
- c. *The absence of environmental constraints (floodplain, steep slope, etc. RSA 483:15 and RSA 483-B)*
- d. *The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities.*
- e. *Adequacy of safety, fire, and law enforcement services to respond to issues that might arise.*

This is the most practical site to enable vehicular traffic, utility installation and emergency response accessibility. The proposed site with its existing terrain contours allow for the least amount of or eliminates the need for culvert placement by installing, as recommended by the NCC, a stone ford vs installing 3+ culverts, retaining walls, excessive fill in middle of field causing irreversible damage/destruction of farmland of statewide importance. Per the NCC, the stone ford will not impact the wetland nor the hydrology of neighboring property.

**4. Describe the external impacts of the proposed use on abutting properties and the neighborhood. Explain how these impacts would be greater than the impacts of adjacent existing uses or other uses permitted in the zone. In your response, address the following: Impacts to Ground Water, Traffic, Noise, Odors, Vibrations, Dust, Fumes, Hours of Operation, And Exterior Lighting and Glare.**

The wetland crossing should have none to minimal impact to the abutters and will not impact ground water, nor create excessive traffic, noise, odors, etc. Outside lighting will not be an issue since there is a thick abutting treeline and the house will sit approximately 400' from the road.

**5. Describe how the location, nature, design, and height of the structure or modification to existing structures and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use will affect the surrounding environment or the appropriate and orderly development and use of land and building in the neighborhood.**

The proposed driveway best fits the terrain of the lot and preserves the rural character of Nottingham's vision. It also protects and preserves the future agricultural use of the property and protects the farmland of statewide importance, as per the National Resources Conservation Services (NRCS) and the Farmland Protection Policy Act (FPPA), and will protect the wetland. The existing culvert has not had any issues in the past 2 years and has not impeded the natural flow of water as evidenced by the property owner.

**6. Explain how the proposed layout and design of the site would be compatible/incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood.**

The alternative driveway location will go through the middle of the field, negatively impacting the view of the wide open field with roaming wildlife, and natural beauty, that the abutters across the street have been able to enjoy for over 30 years on this state designated scenic road. The proposed driveway preserves this for the abutters and protects the farmland from irreversible damage while also protecting the wetland.

**7. Describe how the design of any new buildings or structures and the modification of existing building structures on the site will be compatible or incompatible with the established character of the neighborhood.**

The house will be located on the least visible part of the lot. Also see response #5.

**8. Describe how the proposed site, including all related development activities preserve the identified natural, cultural, historic, and scenic resources on the site and not degrade such identified resources on abutting properties.**

The location of the proposed driveway along the stonewall property line preserves the natural beauty of the wide open field and adheres to the vision of Nottingham and its master plan. It will preserve the agricultural use of the property for future plan of a farm. It will also have none to minimal impact on the abutters. Per the NCC it will protect the wetland and hydrology. It will also protect the farmland of statewide importance from being irreversibly damaged/destroyed.

9. **Explain how the proposed project will/will not result in a greater diminution neighboring property values than would be created under any other use or development permitted in the underlying zone.**

The proposed driveway along the stonewall property line will not change the natural beauty of the field and will retain the rural visual view from the state designated scenic road. The neighboring parcel value may increase by the construction of a new home.

10. **Explain how the project provides adequate and lawful facilities or arrangements for Sewage Disposal and Solid Waste Disposal, Water Supply, Utilities, Drainage, and Other Necessary Public or Private Services, are approved or assured, to the end that the use will be capable of proper operation.**

The proposed house lot is typical of other new house developments in Nottingham and all utilities will be on-site as is customarily required.

11. **Explain whether the proposed use will have a fiscal impact on the Town. (Detail any demand on municipal and school related services and resources).**

There will be no impact to the town above what is standard for a residential lot.

### **Section B**

**A conditional use permit may be granted by the planning board (RSA 674:21 ii) for the construction of roads and other access ways, and for pipelines, powerlines, and other transmission lines provided that all of the following conditions are found to exist:**

**1. Describe how the proposed construction is essential to the productive use of land not within the wetland conservation district.**

The buildable portion of the property is located behind a small area of wetland and it keeps the agricultural/farmland field intact. The square footage of high value farmland that will be irreversibly damaged/destroyed by using the alternate driveway in the middle of the field, thereby negatively impacting the productive use of the land, is approximately 16,600 s.f.

**2. Detail how the design and construction methods will be such as to minimize detrimental impact upon the wetland.**

The lease amount of wetland to be filled for a stone ford, as recommended by the NCC, will have no impact on the wetland or the neighboring hydrology, will allow for the natural movement of hydrology, and will protect the wetland.

**3. Describe how the proposed construction design of powerlines, pipelines, or other transmission lines includes provisions for restoration of the site as nearly as possible to its original grade and condition.**

The underground utilities will run adjacent to the proposed driveway and follow the existing contours of the property.

**4. Detail what alternatives were considered.**

Going through the middle of the field would alter the grades of several hills, add 3 or more culverts and retaining walls, require excessive amount of fill, all of which will create greater runoff to the wetland area, negatively impacting and irreversibly damaging/destroying farmland of statewide importance, and will disturb a major portion of the wetland buffer uphill of the wetland area.

**5. Explain the economic advantage for the proposed construction. Note: Economic advantage alone is not reason for proposed construction.**

The proposed driveway will eliminate the need for or decrease the number of culverts. It will prevent the destruction and alteration of the existing terrain/grades of the hills, and eliminate the need for retaining walls and excessive fill. It will also decrease the length of the driveway by approximately 150'. The productive use of the farmland will be protected and not irreversibly damaged/destroyed.

**I declare under penalty of perjury that all of the submitted information is true and correct to the best of my knowledge and belief. I have read and agree to abide by the regulations and conditions of approval listed on this application. I understand that my misrepresentations of submitted data may invalidate any approval of this application.**

Five C's Family Trust II

Print Applicant's Name

Robin S. Comrau, Trustee

Signature of Applicant

10/4/2022

Date

Five C's Family Trust II

Print Owner's Name

Robin S. Comrau, Trustee

Signature of Owner

10/4/2022

Date

Minor wetland impact for proposed driveway access by installing a stone ford, , or as recommended by the

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## AUTHORIZATION TO ENTER UPON SUBJECT PROPERTY

The property owner(s), by the filing of this application, hereby give permission for the members of the Nottingham Planning Board and such agents or employees of the Town as the Nottingham Planning Board may authorize, to enter upon the property which is the subject of this application at any reasonable time for the purpose of such examinations, surveys, tests and/or inspections as may be appropriate to enable this application to be processed.

I/We hereby waive and release any claim or right I/we may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on my/our property in connection with this application. This authorization expires in one year from date of signature

Property Owner(s) Robin S. Comrau / Trustee 10/4/22  
Signature Date Signature Date

Property Owner(s) \_\_\_\_\_  
Signature Date Signature Date

Property Owner(s) \_\_\_\_\_  
Signature Date Signature Date

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Signature Date Signature Date

\*\*\*\*\*FOR DEPARTMENT USE ONLY\*\*\*\*\*

ADMINISTRATIVE DATA SUMMARY			
Case Number:	Application Received:	Fee(s) Paid:	
		Public Notice Fee:	_____
		Abutter Notice Fee:	_____
		Application Fee:	_____
Planning Department Review:	Date of Public Hearing Notice:	Planning Board Action:	
		<input type="checkbox"/> Approved _____	
		<input type="checkbox"/> Denied _____	
Planning Consultant Review:	Date of Public Hearing:	<input type="checkbox"/> Withdrawn _____	
		Registry Recording Plan Number: _____	