



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 Joseph Falzone
Mailing Address 7B Emery Lane, Stratham, NH 03885
Home Phone _____ Work Phone 603-772-9400 Cell _____
Name of Owner(s): GEORGE P WILLIAMS, DAY ANN KELLEY
(if same as applicant, write "same")

PROPERTY INFORMATION

Location of property (Road(s)) _____

Tax Map(s)	Lot(s)	Sublot(s)
46	0007	

Lot Dimensions:	Frontage	Acres	Square Feet
	1700'+	45	

Present Use of Property: vacant
Proposed Use of Property subdivision

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.

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 driveways are essential for the developement of the land and other land has been protected for mitigation. The proposed drives have been designed and located on the parcel to minimize wetland and buffer impact to the greatest extent possible. Erosion controls will be in place and managed until the areas are stabilized.

- 2. Detail any existing violations and/ or nonconformance of the Nottingham Zoning Ordinance. none

- 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.

Approving the conditional use will provide access to the parcels at the shortest distances for fire and emergency response as compared to long common driveways.

Overhead utilies are available in the existing road and individual wells and septics are proposed. There is a small portion of the property that is within the 100-yr flood plain. This will be entirely in a protected conservation easement. The small areas of steep slopes not within the easement will be avioded by development.

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.

Being an undeveloped large parcel of land an subdividing into 8 conventional lots should not impact the surrounding parcels. Groundwater impacts should be negligible. AASHTO estimate of vehicle trips are 11-12 per unit and due to the volunteered 100' setback from the road lighting will not be an issue.

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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 developer has agreed to a 100' building setback from the road to maintain the existing rural feel of the area and buffer the new homes. The resulting lots will be similar to the abutting parcels.

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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 new lots are of conventional size and separation in kind with the existing homes/lots.

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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.

See previous response & #5.

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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.

As stated there will be a 100' buffer to the existing road and the back portion of the property is to be protected by conservation easement.

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 project as proposed will not change the look and feel of the area being of larger lots on a scenic road. The development could actually improve neighboring parcel values due to new construction.

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.

All utilities will be individual and on-site as is customary with new development. in Nottingham.

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).

The will be no increased 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 builable portions of the property are located just behind a narrow wetland.

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

The proposed crossing locations are at the least impacting areas related to either the wetlands or vernal pools on the site.

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.

In the areas of the wetland crossings the underground utilities will be beneath the driveways. The remaining distance of the lines to the homes will run adjacent to the drives.

4. Detail what alternatives were considered.

Alternate locations and longer common drives were evaluated

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

The crossings simply allow access to the best portion of the buildable areas.

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.

Joseph FALZONE *Joseph Falzone* 8/11/22
Print Applicant's Name Signature of Applicant Date

Print Owner's Name Signature of Owner Date