

BERRY SURVEYING & ENGINEERING

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December 2, 2015

Planning Board
Town of Madbury
13 Town Hall Road
Madbury, NH 03823

Attn: Chairman

RE: Review Letters, dated 11-29-15 & 12-2-15

Dear Chairman & Board Members:

We are in receipt of two review letters from Mr. Jack Mettee, AICP as noted above and offer the following comments regarding his observations. It is our practice to echo the reviewers comment and to respond in a **BOLD** text.

Letter Dated 11-29-15

Sheet 1 of 4 a. Wetlands Boundary incomplete on proposed lot 2. **The wetland scientist was aware of the protective easement granted to the Federal Government, now enjoyed by the City of Portsmouth, and stopped his delineation at a point that was beyond the limits of the easement and buffer impact that the delineation would serve. Continuing the delineation and locating the flags to their confluence with the normal high water mark would serve no purpose.**

Sheet 1 of 4 b. Plan shows "3/4" rebar to be set on the road; should be granite bounds (?). **Subsequent revisions to the plan set will reflect the road frontage bounds are to be granite.**

Sheet 1 of 4 c. Note 6 shows FEMA Map reference to 2005; new map adopted in 2015. **When the subdivision process was initiated the FEMA Flood FIRM data that was available was the noted 2005 data. We were made aware of the update at the Conservation Commission Meeting last week and revision 1 of the plan set includes the revised Flood Plain location and the note has been updated to reflect the current adoption.**

Sheet 2 of 4 a. Under Legend; FIRM FEMA "FLOOP" PLAIN; should be FLOOD (?). **The spelling error has been corrected.**

Sheet 3 of 4 a. Notation "TBM (Hub Set)" not referenced in notes or legend (?).
The abbreviation for Temporary Bench Mark has been clarified in the legend and included in subsequent publishing's of the plans.

Letter Dated 12-02-15

1. The applicant has defined a 250-foot reference line that crosses the proposed lot in the rear (north side) but within the buildable area. Unless I am missing something, I believe the applicant may be referring to the NH State Shoreland Act reference line from a river or water body. However, this lot would be subject to the Town of Madbury Shoreland Protection Boundary (Zoning Article X; page ZO-34 and Shoreland Protection Overlay District Map) which in this area of town is 300 feet (horizontal distance from seasonal high water of the Bellamy Reservoir). This situation may well affect the location of the septic system and any habitable structure. The applicant will need to clarify this issue. **Based on the observations on the ground and on aerial photography, it was our interpretation that the water body adjacent to this parcel was Mallego Brook and as such would be subject to the 75 feet horizontal distance from the seasonal high water level which was located on the ground where feasible.**

2. While the applicant has provided the location for a future driveway easement, it will be important to review and approve the language of such an easement. Having the property owner of the proposed lot subject to crossing the existing property owner's lot with such a long driveway is an unusual situation that needs to be fully vetted and clarified for the affected landowners both presently and in the future. The application letter indicates that a driveway maintenance agreement was included though I did not see one in the town on-line file for this application. This agreement might suffice. **A legal description will need to be prepared for use in transferring the parcel and a copy will be provided to the Planning Board.**

3. Sheet 3 of 4, Topographic Survey Plan--I assume the patterned rectangles on this plan represent the septic area on both lots, though neither is labelled nor referenced on the plan Legend. This should be confirmed. Also the Legend contains items that are not contained on the plan. The applicant should delete those that are not relevant. **The 4,000 square foot suitable leaching area will be identified in the legend and items that are not applicable will be removed.**

4. Finally, it might be helpful if the applicant could indicate a proposed footprint for a house. **There is no specific house foot print that is specified in the documents however, if it helps in clarity, a typical house foot-print can be added to the plans.**

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5. Aside from the questions you raise--I am also curious about the TBM reference--and the above four items, I believe the applicant has addressed the Required Exhibits and Standards of the Subdivision Regulations sufficiently for a project of this nature. It will still require such items as the LCHIP recording fee, a septic system approval from NHDES, a wetland crossing permit, etc. **The Temporary Bench Marks are addressed on Sheet 3 of 4 a. above, and will be clarified. I believe that what the reviewer meant to require is NHDES Subdivision Approval even though the lots are greater than 5 acres and a NHDES Wetland Crossing Permit which is pending.**

We look forward to discussing the merits of the proposed Subdivision with the Planning Board this evening.

Respectfully submitted,

BERRY SURVEYING & ENGINEERING

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