

GARVEY COMPANY LTD

1000 North Main Street
Durham, NH 03824

January 6 , 2016


Fritz Green, Chair
Madbury Planning Board
13 Town Hall Road
Madbury NH 03823

Re; Smith Subdivison
Wetlands Conditional Use

Dear Mr. Green.

As per Madbury Zoning ordinance, the applicant hereby requests a Conditional Use Permit as provided in Article IX, Section 4.C for a wetlands crossing as described in my application for subdivision at Map 1 Lot 22. Required information and materials will be provided as part of the subdivision application.

Signature


David M Garvey

Date 1/6/16

C. Limited and Regulated Uses

The following land uses are allowed in the Wet Areas Conservation Overlay District if the Planning Board approves a Conditional Use Permit:

1. Uses otherwise prohibited (e.g., driveway access or wetland crossing) only if they are found to be consistent with this ordinance, and do not have an adverse impact on the wet area as determined by a wetland scientist and concurred with by the Planning Board.
2. Any use that involves a change to a wet area that requires a state dredge and fill application in accordance with (RSA 483-A).

Encl: Marc Jacobs Letter

Application for Conditional Use Permit
 Madbury Planning Board
 www.madburynh.org

Form Date
 2014-11-11

Please review the conditional use regulations at <http://www.madburynh.org/pb>

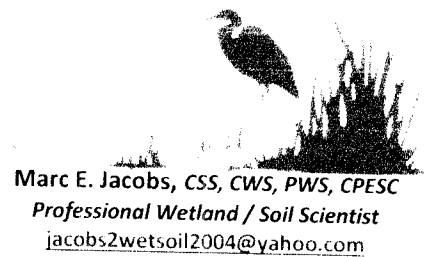
Applicant Name: Carney & Co Ltd **Phone:** 491 2854
Address: PO Box 935 Dunbarton NH 03824
Email: Dave@CarneyCo.com
Contact Name: Dave Carney **Phone:** Same
Address: _____
Email: _____
Owner Name: Lucas S Smith **Phone:** 943 1180
Address: 21 Littleworth Rd Madbury NH 03823
Email: msl06@aol.com
Engineer Name: Chris + Ken Perry **Phone:** 281-3903
Address: 148 Second Plains Pt Burlington NH 03825
Email: CRPerry@metrocast.net kperry@metrocast.net
Surveyor Name: same **Phone:** _____
Address: _____
Email: _____
Soil Scientist Name: Mike Jacobs **Phone:** 534 2645
Address: PO Box 417 Greenland NH 03840
Email: Jacobs2welsoil@aol.com

Map # 1 Lot# 22

Description of proposed conditional use:
Wetland Crossing for driveway access

A complete application must include a \$200 application fee.
 Please submit relevant documents in PDF format to the chairman at fritz.green.bari@gmail.com.

Applicant(s) and Owner(s):
 Signature Lucas S Smith Date 1/5/16
 Signature _____ Date _____
 Signature _____ Date _____



Via email to

January 6, 2015

Mr. David Garvey
Keller Williams Coastal Realty
750 Lafayette Road, Suite 201C
Portsmouth, NH 03801

Re: Laura & Mark Smith
Assessors Map 1, Lot 22
281 Littleworth Road / Route 9
Madbury, NH
NHDES #2015-03329

Dear Mr. Garvey:

A permit application for a minimum impact driveway/wetland crossing has been submitted by others in support of an application for a two-lot subdivision at the above-referenced property. It is my understanding that a question has arisen regarding whether the proposal represents the least impacting alternative as per Env-Wt 302.04(b)(5).

Also, it is my understanding that an application for a Conditional Use Permit under Madbury zoning has been submitted and a question has arisen regarding whether the proposal will result in no adverse impact to the wet area. As the wetland scientist of record for this project I offer the information below.

Least Impacting Alternative

Remote sensing of existing recorded information was conducted to prepare for site investigations of the property which were conducted over a period of months in 2015 by this office. The data indicates that the entire area located between the proposed building envelope on Lot 2 and Littleworth Road is comprised of Scitico (formerly Scantic) and Swanton series soils. Scitico (*Typic Endoaquepts*) and Swanton (*Aeric Epiaquepts*) series soils are both poorly drained hydric soils that are customarily associated with wetlands. These soils are also considered unsuitable for on-site sewage disposal as well.

Mr. David Garvey
281 Littleworth Road
January 6, 2015

No Adverse Impact

The driveway to the otherwise buildable area on proposed Lot 2 makes use of the existing driveway to proposed Lot 1 but requires additional improvements and proposes approximately 2,900 square feet of new impact. The new impact proposes to make use of an existing at-grade logging road or trail. For this reason no or very few new trees will need to be cut to improve the driveway access to proposed Lot 2. The crossing proposes the installation of a culvert to maintain the existing wetland hydrology and drainage pattern. Perimeter siltation controls are not depicted on the site plan but it is assumed that customary siltation barriers will be installed prior to construction to protect downstream water quality.

Assuming that siltation barriers will be installed and maintained in a functional manner during construction I believe that the proposed alternative represents the alternative with the least impact and will also not result in adverse impacts to wetlands which are the subject of the application.

Please contact me with any questions regarding the information above.

Cordially,

Marc Jacobs

Marc Jacobs, CWS, PWS, CSS, CPESC

ecc: Mr. Ken Berry