

2015-12-02

Fritz,

As a follow on to our phone conversation of yesterday afternoon, a couple of issues quickly rose to the top of my list of concerns with respect to the Garvey application for a subdivision on Route 9 for Lot 22 of tax map 1.

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.
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.
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.
4. Finally, it might be helpful if the applicant could indicate a proposed footprint for a house.
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.

Please let me know if you have any questions.

Jack

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