

# Town of Boscawen

116 North Main Street, Boscawen, NH 03303 | Telephone: 603.753.9188 | Fax: 603.753.9183

November 15, 2018

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Mary Weeks Trust  
181 King Street  
Boscawen NH 03303

## NOTICE OF DECISION

On **Tuesday, November 13, 2018 at 6:30pm**, after duly-noticed meeting, the Planning Board found that the application of a **2-Lot Subdivision submitted by Jeffery L. Green, LLS for The Mary E. Weeks Family Trust, 181 King Street Boscawen NH 03303, Map 81A, Lot 37 in the Village District, was incomplete**, for, without limitation, the following reasons:

**Compliance with Boscawen Typical Road Construction Details R6 & R7**, as required by the Public Works Director, Dean Hollins review of application, dated 10.02.18.  
***See Subdivision Regulations, amended 03.06.18, Section III, General Req., B., 14. b.***

**Compliance of Boscawen Subdivision Checklist Requirements as required and in compliance with:**

Checklist Item 8 – Numerous aspects of the Subdivision Site Data are missing (the only part of this item that was provided was the total area subdivided in note 5).  
***See Subdivision Regulations, amended 03.06.18, Section VIII, Design Standards***

Checklist Item 10 – Special features, notably on the westerly portion of the lot where topography and wetlands were not specified. If the applicant is seeking a waiver for wetlands and topography on this portion of the lot this item should also be included in a waiver request.  
***See Subdivision Regulations, amended 03.06.18, Section III. General Requirements, B. 6 & 7***

Checklist Items 13, 18, 19 – As indicated in the letter from Attorney Marshall, an administrative decision was made by the Code Enforcement Officer regarding the extension of Lew Alice Drive and of the “hammer head” turnaround onto the property subject to this application. The proper course of action for the applicant to dispute this would be to appeal this administrative decision to the ZBA, regarding the meeting of 04.24.18. By RSA 674:33, such an administrative appeal would have had to have been done 30 days after the decision was made. Absent a successful appeal to the ZBA the applicant would need to provide a plan that shows the relocation of the hammerhead. The relocated hammerhead has not been shown on the plan as required.  
***No such appeal has been submitted.***

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Checklist Item 30 – Though the driveway location has been shown at the end of Lew Alice Drive, the grading and drainage has not been shown on the plans.

*See Subdivision Regulations, amended 03.06.18, Section III, General Requirements, B, 1, 8, & 17, C, 2, V Development. 10, VII Required Improvements A & B.*

Checklist Item 31 – A drainage study for the relocation of the hammerhead has not been provided.

Checklist Item 32 – Erosion control measures have not been shown on the plans. Specific locations for such measures would be in the vicinity of the proposed driveway, around a relocated hammerhead, and to protect any wetlands near the building envelope for the house.

Checklist Item 33 – Landscaping and screening measures are not addressed on the plans.

Checklist Item 34 – A copy of any pending driveway permit applications filed with the Boscawen Public Works Director.

Checklist Item 35 – As drainage and erosion control was not provided on the plan set the engineer of record certification was not provided. If the drainage and erosion control provisions are put on the plan such a certification would be required.

Checklist Item 42 – A copy of an updated and submitted State Subdivision Approval application.

**Compliance with Boscawen Subdivision Regulation Requirements as required and in compliance with:**

*Subdivision Regulation Section III.8* – This Section specifies dimensions for new driveways. The driveway depicted on the plans do not show any dimensions.

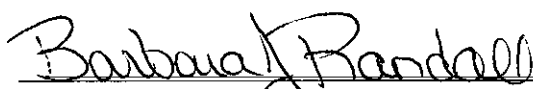
*Subdivision Regulation Section IX* – If the hammerhead is moved and reconstructed onto the subject lot, a performance bond and inspections will be needed.

**Compliance with Boscawen Zoning Ordinance Requirements:**

Article 18.03 – A Conditional Use Permit (CUP), per the provisions of the **Village District**, would need to be acted upon along with the subdivision application. The purpose of the CUP is to assess whether or not the proposal complies with the Ordinance.

That said, short of any adverse findings by the Code Enforcement Officer and/or Planning Board, the proposal seems to comply with the relevant portions of the Ordinance (lot dimensions and sizes).

By Order of the Planning Board,

  
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Barbara Randall, Chair

*Per RSA 677:15, Any person aggrieved by the decision of the planning board concerning a plan or subdivision may appeal to the Superior Court within 30 days.*

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