

April 28, 2020

Mr. James Corliss, Chairman  
Chesterfield Planning Board  
Post Office Box 175  
Chesterfield, New Hampshire 03443

Subject:       **Application for Final Subdivision Approval  
Pine Grove Springs Country Club, Inc.  
NH Route 9A (Tax Map Lots 5K-B-8 & 5N-B-9-1)  
Chesterfield, New Hampshire  
KNA Project No. 20-0326-2**

Dear Mr. Corliss:

As you may recall, on April 16<sup>th</sup> this office issued a letter report germane to the subject application. Within that report we offered a series of comments and recommendations generated as a result of our consideration and review of project plans and supporting documents submitted to your Board by or on behalf of the applicant in the subject matter through that date. On April 22<sup>nd</sup> we received a subsequent submittal, which included copies of the following documents:

- Project plans (9 drawings), dated August 01, 2019 and last revised on April 21, 2020; received under a copy of our cited letter report of April 16<sup>th</sup>, which the applicant's consultant had annotated to describe specific actions taken to positively address individual remarks offered in our report; and
- A draft copy of an amended Declaration of Stormwater Management Easements & Covenants prepared by applicant's counsel.

Based upon our careful consideration and review of the foregoing information we are pleased to advise your Board that it appears that the applicant's consultant was able to satisfactorily address each of our previous comments and recommendations. Consequently, our remaining remarks are limited to the following at this time:

1. As acknowledged by the text of Note No. 12 on Sheet 1 of 9 of the project plans, this subdivision proposal requires the following State project permits: (a) NHDES Subdivision Approval for proposed Lots 5K-B-8-1 through 5K-B-8-4 & 5N-B-9-2; and (b) a NHDOT Driveway Permit for each proposed individual or common driveway intended to intersect with New Hampshire Route 9A. We continue to recommend each permit be received prior to or as a condition of application approval.

2. We continue to recommend application approval be conditional upon receipt of satisfactory review of a final draft of each accompanying legal instrument by Town Counsel prior to signature and recording of the final subdivision plat.
3. In order to satisfy the requirements of Section 700:5 of the Land Development Regulations we previously recommended Sheet 2 be revised to acknowledge intent to install stone or concrete boundary monuments at each relevant point coincident with public right-of-way at NH Route 9A. The applicant's consultant subsequently amended the drawing as requested. Correspondingly, we recommend application approval occur subsequent to, or be conditional upon, your Board's receipt of certification from a Licensed Land Surveyor acknowledging all boundary monuments now specified as "to be set", were in fact installed prior to signature and recording of the final subdivision plat.
4. Our cited letter report of April 16<sup>th</sup> included the following remarks and recommendation (See Planning/Design Matters Comment No. 10):

*A boxed note appearing on Sheet 4 of 9 reads as follows: "The purpose of this plan is to depict potential layout for each lot meeting local regulations. Final house placement is subject to change based on individual land owner preferences." Minutes of a public hearing conducted on February 03, 2020 reflect members of your Board were concerned approval of something other than definitive design plans for individual homes could prove problematic. Given detailed design accommodations for stormwater management undertaken by the applicant's consultants ... we concur. In order to both overcome this concern and provide an effective means of administering future applications for building permits on individual subdivision lots we recommend the following:*

- a. *Sheet 4 of 9 includes boxed data (upper right corner), which identifies the estimated area of future impervious lot coverage realized as a result of construction of individual homes and related improvements in the manner presently illustrated on this drawing. Further, Erosion & Sediment Control Plan Note No. 3 on the same drawing indicates the estimated area of lot disturbance on each lot contemplated by the current design layout. Taken together, these data correspond with assumed conditions considered by the applicant's consultant when designing individual lot by lot stormwater management improvements specified on the drawings and supported by detailed design calculations presented in the Stormwater Management Report. Although we recommend your Board consider verbatim construction of stormwater management improvements shown on the plans mandatory absent future Planning Board approval of an alternate design arrangement on an individual lot basis, it would appear future individual lot owners or builders could be afforded latitude in terms of home dimensions and placement provided threshold area values of impervious lot coverage and lot disturbance currently identified on Sheet 4 are not exceeded. That is to say, if stormwater improvements currently specified on Sheet 4 are constructed in a manner consistent with the current design, it would be reasonable to expect those improvements would effectively treat stormwater from*

*upslope building and site improvements in a manner equivalent to that demonstrated by the design engineer provided the extent of impervious lot coverage and ground disturbance situated upslope of those improvements does not increase.*

- b. It is important to recall that prior to issuance of a building permit for residential construction on any individual lot it will be necessary for the building permit applicant to cause a detailed septic system design plan be prepared and approved by the NHDES. As part of that work, the septic design plan typically identifies dimensions, location and finish grade elevations of the proposed dwelling and associated site improvements. Your Board could require, as a subsequent condition of application approval, that prior to the issuance of individual building permits that the then owner/applicant submit a drawing to your municipal building code official which effectively demonstrates the intent to construct stormwater management improvements shown on Sheet 4, as well as demonstrate the measure of impervious lot coverage and lot disturbance situated upslope of those improvements, are less than or equal to those area values specified on Sheet 4 of the final subdivision plans. If the then owner/applicant is able to demonstrate those outcomes will be achieved by implementation of the then proposed lot development plan, the building code official could then issue the building permit without need for further action by the Planning Board. Alternately, if a future owner/applicant wishes to either modify the design of stormwater management provisions or pursue improvements having additional impervious or disturbed land surface on an individual lot, a properly worded condition could then require that applicant obtain Planning Board approval of an alternate design prior to issuance of a building permit for that specific lot.*

Based upon this writer's discussion with applicant's counsel and yourself subsequent to an April 20<sup>th</sup> public hearing, we understand both members of your Board and applicant's counsel found the foregoing recommendation acceptable. Accordingly, applicant's counsel has amended the draft Declaration of Stormwater Management Easements & Covenants (Declaration) to provide terms and conditions for implementation of the same. In the event your Board elects to adopt our recommendation as a condition of approval we would recommend it be implemented via Declaration provision in the manner contemplated by applicant's counsel. That said, as indicated above, we recommend all final legal instruments, including the Declaration, be of form and content acceptable to Town Counsel.

Mr. James Corliss  
April 28, 2020

We trust the foregoing comments and recommendations will prove useful to your Board in its continued consideration and review of the subject application. As always, please contact the writer in the event you should have specific questions or further instructions germane to this application.

Sincerely:

Steven B. Keach, P.E.  
President  
Keach-Nordstrom Associates, Inc.