

TOWN COUNCIL — AGENDA REQUEST FORM THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, including back up information, <u>8 days prior</u> to the requested meeting date. Public Hearing requests must be submitted <u>20</u>

days prior to the requested meeting date to meet publication deadlines (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

	MEETIN	G INFORMATION		
Date Submitted: 11/30/2023		Date of Meeting: 12/7	7/2023	
Submitted by: Dawn Tuomala		Time Required: 15 M	inutes	
Department: Public Works		Background Info. Supp	plied: Yes 🛛 🏻 1	No 🔲
Speakers: Dawn Tuomala				
CATEGORY OF BUS	ISINESS (F	PLEASE PLACE AN "X" IN THE A	APPROPRIATE BOX)	100 100
Appointment:		Recognition/Resignati	on/Retirement:	
Public Hearing:		Old Business:		
New Business:	\boxtimes	Consent Agenda:		
Nonpublic:		Other:		
	Tr	TLE OF ITEM		
Cider Court drainage and slope	easeme	nt revision.		
	DESCR	IPTION OF I TEM		0.854
Request to revise an existing drain	nage and	slope easement.		
-	REFE	RENCE (IF KNOWN)		
RSA:		Warrant Article:		
Charter Article:		Town Meeting:		
Other:	(N/A:		
EQUIPMENT REQ	QUIRED (P	LEASE PLACE AN "X" IN THE A	PPROPRIATE BOX)	N POT SE
Projector:		Grant Requirements:		
Easel:		Joint Meeting:		
Special Seating:		Other:		
Laptop:	\boxtimes	None:		
IN HOUSE PARTY PARTY	CONTAC	CT INFORMATION		40 -
Name: Dawn Tuomala		Address:	Baboosic Lake Ro	ad
Phone Number: 603-423-8537		Email Address:	dtuomala@merrim	acknh.gov
and the same of the latest the same of		APPROVAL	F	
Town Manager: Yes No No		Chair/Vice Chair: Yes	s No No	
Н	Hold for N	feeting Date:		

07/06





TOWN OF MERRIMACK INTER-DEPARTMENT COMMUNICATION

DATE: November 30, 2023

AT (OFFICE): Department of Public Works

To:

Paul Micali, Town Manager

FROM:

Dawn B. Tuomala, PE, LLS, CWS

DPW Director

SUBJECT: Revised Easement

Chad and Laura Conte

1 Cider Court

Tax Map 7C Lot 30-32

Chad and Laura Conte have asked the town to revise a drainage and slope easement in the rear of their property. The property abuts open space for the Greenfield farms development and the access road that was originally proposed for the Drainage Easement required more land that what was actually needed. Now that the project is complete, and the access road has been graveled, there is an opportunity to revise the easement to require less land use.

A copy of the Proposed Easement Plan, and revised Easement Deed releasing the piece of land back to the property owners are attached as backup for the meeting. All of the documents have been reviewed and approved by the Town Attorney. We are requesting that the Town Council approve this easement revision and authorize the Town Manager to sign as their agent. Once signed, the Easement and the plan can then be recorded in the Hillsborough County Registry of Deeds. A copy of the recorded documents shall be given to the Town.

Should you have any questions please let me know.

Thank you for your help in this matter.

Dawn

CC: File

MOTES.

- THE PURPOSE OF THIS PLAN IS TO:
- THE PURPOSE OF THIS PLAN IS 10:

 A ADJUST THE COMMON LOT LINES BETWEEN TAX MAP 7C / LOTS 28 & 40, THEN

 B. CONSOLIDATE TAX MAP 7C / LOTS 30, 40 & 40-1 AND SUBDANDE THE RESULTING PARCEL INTO

 66 CLUSTER RESIDENTIAL LOTS WITH 3 OPEN SPACE LOTS, SERVICED BY PUBLIC ROADS, WATER AND SEWER IN

 ACCORDANCE WITH THE TOWN OF MERRIMACK CLUSTER RESIDENTIAL DEVELOPMENT ORDINANCE.
- THE OWNERS OF RECORD ARE:

 LOT 76/28: THE ALLAN M. SWENSON REAL ESTATE TRUST OF 1999 AND THE BARBARA J. SWENSON REAL ESTATE TRUST OF 1999, OF 1 WALLACE ROAD, BEDFORD, NH 03110. SEE HORD BK.08425, PG.2612 DATED 5/11/12. LOT 76/30: HAMPSHIRE VENTURES, INC. AND BROOK HOLLOW CORP, OF 317 SOUTH RIVER ROAD, BEDFORD, NH 03110. SEE HORD BK.7643, PG.317, DATED 3/15/06.

 LOT 76/40: OFM DEVELOPMENT, LLC OF 317 SOUTH RIVER ROAD, BEDFORD, NH 03110. SEE HORD BK.7817, PG.790, DATED 12/18/15.

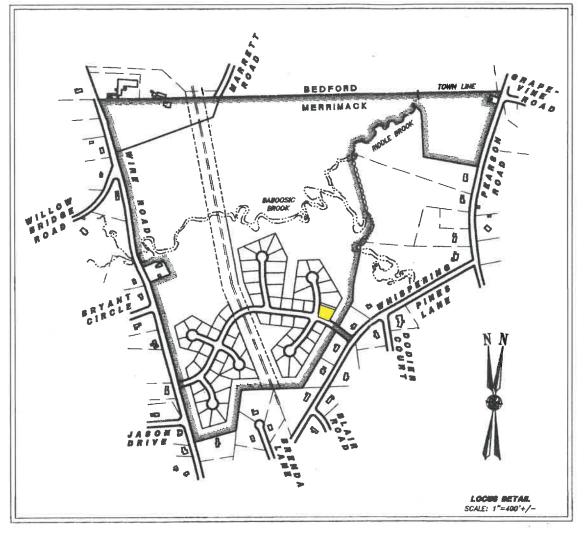
 LOT 76/40-1: HAMPSHIRE VENTURES, INC. OF 317 SOUTH RIVER ROAD, BEDFORD, NH 03110. SEE HORD BK.7713, PG.2989, DATED 7/28/08.

 UN-NAMED ROW: BROOK HOLLOW CORP, OF 317 SOUTH RIVER ROAD, BEDFORD, NH 03110. SEE HORD BK.7643, PG.317, DATED 2/28/06.

- THIS STIE LIES WITHIN THE RESIDENTIAL DISTRICT (R). MINIMUM CONVENTIONAL LOT SIZE, ROAD FRONTAGE, DEPTH AND BUILDING SETBACKS ARE WARRABLE BASED ON SOIL TYPES AND AVAILABILITY OF PUBLIC WATER AND SEWER UTILITIES. THE SITE IS SUBJECT TO BUILDING SETBACK OF 40 FEET TO WETLANDS GREATER THAN 3,000 SQUARE FEET IN SIZE, FOR WHICH THERE IS ALSO A 25 FOOT NO DISTURBANCE BUFFER.
- SEE CONVENTIONAL LOT NOTES SPECIFIC TO THE RESULTING LOT 7C/28 ON SHEET 3 OF 37. CLUSTER RESIDENTIAL DEVELOPMENTS SHALL NOT BE REQUIRED TO CONFORM TO THE MINIMUM PRONTAGE, SETBACK AND LOT SIZES REQUIRED IN THE ZONING ORDINANCE. THE CLUSTER LOTS SHALL HAVE A HAMMANUM BULLAING SETBACK FROM ANY PROPERTY LINE OF FIVE FEET. THE CLUSTER PARCEL SHALL HAVE A 100' LANDSCAPED BUFFER ADJACENT TO DIRECT ABUTTERS.
- THE SITE BOUNDARY IS BASED ENTIRELY ON REFERENCE PLANS \$1-5. TOPOGRAPHIC DETAL IS PER ELECTRONIC DATA PROVIDED BY CLD HOMENEERS, INC. AS SUPPLIEMENTED BY ON SITE FIELD SURVEYS PERFORMED BY THIS OFFICE FROM DECEMBER, 2015 THRU JUNE, 2016, HORIZONTAL ORENTATION IS PER REFERENCE PLAN \$1 AND VERTICAL DATUM IS N.A.V.D.1988 PER REFERENCE PLAN #2.
- THE TOTAL AREA OF THE CONSOLIDATED PARCEL IS 124.63+/- ACRES OR 5,429,012+/- SQUARE FEET.
- WETLANDS ON LOTS 7C/28, 30 & 40-1 WERE DELINEATED BY PETER A. SHALLER, CWS AS SHOWN AND NOTED ON REFERENCE PLANS \$2 & \$3. WETLANDS WITHIN AND DIRECTLY ADJACENT TO THE DEVELOPMENT WERE INSPECTED & UPDATED IN ACCORDANCE WITH THE ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 AND THE NORTHEAST REGIONAL SUPPLEMENT, BY TIMOTHY, J. FERWENDS, C.W.S OF THIS OFFICE DURING NOVEMBER 2015. SITE SPECIFIC SOILS MAPPING WAS PERFORADED BY TIMOTHY J. FERWENDS FOR NEW HAMPSHIRE AND VERMONT VERSION 4.0 DATED FEBRUARY 2011 SSSNINE SPECIAL PUBLICATION NO. 3
- PORTIONS OF THIS SITE LIE WITHIN THE SPECIAL FLOOD HAZARD AREA ZONE AE PER FIRM FLOOD HASURANCE RATE MAP #3301100369D PANEL 369 OF 701 EFFECTIVE DATE SEPTEMBER 25, 2009 AND THE TOWN OF MEMPRIACK; AQUIFER CONSERVATION DISTRICT, FLOOD HAZARO CONSERVATION DISTRICT, WETLAND PROTECTION DISTRICT AND SHORELAND PROTECTION DISTRICT.
- THE CONSOLIDATED PARCEL IS SUBJECT TO ALL MATTERS OF RECORD AND/OR NOTED ON THE REFERENCE PLANS, INCLUDING: PSNH TRANSMISSION EASEMENT, TOWN OF MERRIMACK BRIDGE/HIGHWAY & ACCESS EASEMENT AND SHOWN,
- ALL CLUSTER LOTS ARE TO BE SERVICED BY MERRIMACK VILLAGE DISTRICT WATER WORKS AND TOWN OF MERRIMACK SEWER, ELECTRIC, CABLE AND TELEPHONE SERVICES WILL BE PROVIDED BY UNDERGROUND SERVICE CONNECTIONS, THE LOCATIONS OF JUILILY FEATURES NEED TO BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
- "THE SUBDIVISION REGULATIONS OF THE TOWN OF MERRIMACK ARE A PART OF THIS PLAN, AND APPROVAL OF THIS PLAN, IS CONTINIORATE ON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD OR ANY VARIANCES GRANTED BY THE ZONNIG BOARD OF ADJUSTMENT AND ATTACHED HERETO"
- THE MERRIMACK PLANNING BOARD GRANTED THE FOLLOWING SUBDIVISION REGULATION WAVERS ON 10/04/16: SECTION 4.12.D TO ALLOW THE INTERSECTION APPROACH GRADES AT EACH CUL DE SAC ROAD TO BE -1.5%.
- "THIS PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE TOWN OF MERRIMACK STORMWATER MANAGEMENT STANDARDS (CHAPTER 187 OF THE TOWN CODE). A PRE-CONSTRUCTION MEETING WITH THE COMMUNITY DEVELOPMENT DEPARTMENT AND PUBLIC WORKS DEPARTMENT SHALL TAKE PLACE AT LEAST TWO WEEKS PRIOT TO COMMENCEMENT OF EARTH DISTURBANCE IN ACCORDANCE WITH ARTICLE IV OF THE STORMMATER MANAGEMENT STANDARDS".
- ALL DRAINAGE PIPES INSTALLED SHALL BE VIDEO INSPECTED IN ACCORDANCE WITH SECTION 803.3.7. VIDEOS AND REPORTS SHALL BE DELIVERED TO MERRIMACK PUBLIC WORKS DEPARTMENT TOWN ENGINEER.
- 16. STUMPS ARE TO BE DISPOSED OF IN DESIGNATED AREAS DEPICTED HEREON OR BE REMOVED OFF SITE.
- IN ADDITION TO THE MERRIMACK PLANNING BOARD APPROVAL, THE FOLLOWING DESIGN PERMITS / APPROVALS ARE
- NHDES ALTERATION OF TERRAIN PERMIT: AGT-- 1284, DATED 7/12/17 NHDES SEWER CONNECTION PERMIT: D2016-1203, DATED: 2/15/17 UPON FINAL APPROVAL A COMPLETE SET OF PLANS WILL BE ON FILE WITH THE TOWN OF MERRIMACK, COMMUNITY DEVELOPMENT DEPARTMENT.
- DRIVEWAY LOCATIONS ARE TO BE APPROVED BY PUBLIC WORKS AND SHALL ACCOMMODATE A MINHAUM OF TWO OFF STREET PARKING SPACES.
- SNOW STORAGE AREAS ARE TO BE BEYOND THE EDGE OF PAYEMENT AND WITHIN THE PROPOSED RIGHT OF WAY, OR AS DIRECTED BY THE TOWN OF MERRIMACK DEPARTMENT OF PUBLIC WORKS.
- 21. THE THREE OPEN SPACE LOTS TOTAL 100.09 ACRES OR 80.3% OF THE GROSS CONSOLIDATED/ADJUSTED TRACT AREA.

 OPEN SPACE LOTS 7C/40 & 40-1 WILL BE OWNED FRACTIONALLY BY THE CLUSTER RESIDENTIAL LOT OWNERS AND WILL

 BE FURTHER PROTECTED BY RECREATION AND/OR CONSERVATION RESTRICTIONS. OPEN SPACE LOT 7C/40-2 SHALL BE CONVEYED TO THE TOWN OF MERRIMACK AND WILL BE FURTHER PROTECTED BY RECREATION AND/OR CONSERVATION RESTRICTIONS AND WILL BE SUBJECT TO ACCEPTANCE BY THE TOWN OF MERRIMACK.
- 22. THE DEVELOPMENT MAY BE PHASED BY INDIVIDUAL ROADS AND THEIR RELATED INFRASTRUCTURE, WITH ORCHARD DRIVE (FKA ROAD 'A') CONSTRUCTED FIRST AND SUBSEQUENT ROADS TO FOLLOW AT THE DISCRETION OF THE DEVELOPER.
- THE NET RESIDENTIAL DENSITY OF THE DEVELOPED PORTION OF THE SITE IS 1.78 UNITS PER ACRE, WHICH IS DETERMINED BY 66 CLUSTER RESIDENTIAL LOTS TO BE LOCATED ON 37+/- ACRES.
- HOMEOWNERS ASSOCIATION DOCUMENTS SHALL INCLUDE A REFERENCE TO THE 'HOUSEHOLDS' PORTION OF SECTION 3 OF THE NIBES PUBLICATION ENTILED "BEST IMMAGEMENT FRACTICES TO CONTROL NONPOINT SOURCE POLLUTION A GUIDE FOR CITIZENS AND TOWN OFFICIALS', JANNARY 2004.
- 25. NO BUILDING PERMITS SHALL BE ISSUED FOR ANY OF THE 86 CLUSTER LOTS UNTIL THE SEWER EXTENSION (SEE PLAN REFERENCE ∯6) IS BONDED OR ACCEPTED BY THE TOWN OF MERRIMACK.
- 26. THE DEVELOPMENT WILL BE SUBJECT TO THE LANDSCAPING AND SIGN EASEMENTS AS SHOWN. SIGNAGE IS TO BE APPROVED PER SEPARATE SUBSEQUENT TOWN APPLICATION.
- 27. THE DEVELOPMENT WILL BE SUBJECT TO A FIVE FOOT (5') RIGHT OF WAY DEDICATION EASEMENT FOR THE BENEFIT OF THE TOWN OF MERRIMACK, FOR MAINTENANCE AND WIDENING OF WIRE ROAD AND PEARSON ROAD AS SHOWN.
- 28. THE DEVELOPER WILL BE RESPONSIBLE FOR MAINTENANCE OF STREETS AND FUTURE PUBLIC INFRASTRUCTURE AS WELL AS THE ASSUMPTION OF LUBBILITY FOR INJUMES WHICH MAY OCCUR ON LANDS TO BE DEDICATED TO THE PUBLIC UNTL SUCH THISES AS DEDICATED LAND AND BETTERMENTS HAVE BEEN LAWFULLY ACCEPTED BY TOWN OF MERRIMACK, ANY PROPOSED WORK WITHIN THE PUBLIC RIGHT OF WAY WILL REQUIRE A ROW PERMIT FROM THE HIGHWAY DIMISION OF
- 28. THE FORMER SAND/GRAVEL PIT AREA ON OPEN SPACE LOT 7C/40 WILL BE LOAMED & SEEDED IN CONJUNCTION WITH THE CONSTRUCTION OF THE ADJACENT DRAINAGE BASIN.
- LOTS 1 THROUGH 8, 13, 14, 26 & 27 WILL BE SUBJECT TO A DEED RESTRICTION REQUIRING THAT AT A MINIMUM, 1030 SF OF ROOF AREA BE RECHARGED INTO THE GROUND VIA ROOF GUTTER, DOWNSPOUTS AND TWO (2) SUBSURFACE STORMTECH SC-740 CHAMBERS.



REPRESENCE PLANS.

- 1. "PLAN OF LAND TAX MAP 70 LOT 10 & MAP 7C LOT 28 WHE ROAD AND PEARSON ROAD MERRIMACK, NEW HAMPSHIME BOUNDARY PLAT" SCALE: 1"=100", DATED MARCH 27, 2006. PRÉPARED BY TRUE ENGINEERING, INC. AND RECORDED AT H.C.R.D. AS PLAN # 34830:
- 2. "GREENFIELD FARMS -- PHASE XIV -- TAX MAP 7C LOT 28 -- WIRE ROAD -- MERRIMACK, NEW HAMPSHIRE -SUMBONISION PLAT" SCALE: 1"=50' DATED JUNE 23, 2006. PREPARED BY TRUE ENGINEERING INC., UNRECORDED.
- 3. "SUMDIVISION OF LAND TAX MAP 7C LOTS 30AND 40-1 LAND OFF WHISPERING PINE LANE -MERRIMACK, NEW HAMPSHIRE" SCALE: 1"=50" DATED JANUARY 10, 2007. PREPARED BY TRUE ENGINEERING INC,
- 4. "PLAN OF LAND STRAZZULLA BROS. CO., INC. MERRIMACK, N.H." SCALE: 1"=100', DATED SEPT. 8 1978. PREPARED BY THOMAS F. MORAN INC. AND RECORDED AT H.C.R.D. AS PLAN

 12369.
- 5. "SUBDIVISION PLAN OF LAND OF: VICTOR VILLENEUVE SR. (TAX LOT 7C-40) TWIN BRIDGE ROAD MERRIMACK, N.H." SCALE: 1"=60', DATED 10 FEBRUARY 1987. PREPARED BY GEORGE F. KELLER INC. AND RECORDED AT H.C.R.D. AS PLAN # 20819.
- 6. "LAMONTAGNE BUILDERS INC." PHASE 2 SEWER SIPHON, BRENDA LANE, BLAIR ROAD AND WHISPERING PINE LANE SEWER EXTENSION. SCALE 1"=50", DATED NOVEMBER 5, 2015, REVISED 2/4/16. PREPARED BY MERIDIAN LAND SERVICES, INC., ON FILE AT THE MERRIMACK COMMUNITY DEVELOPMENT DEPARTMENT.

BEPROVEMENT STATEMENT:

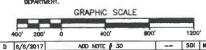
WHEN THIS PLAN IS BUPLEMENTED, THE OWNER OR APPLICANT AGREES TO MAKE ALL IMPROVEMENTS AS MAY BE APPROVED BY THE PLANNING BOARD AND SHOWN ON THIS PLAN, THIS INCLUDES ALL IMPROVEMENTS SHOWN AS GRAPHICS OR CALLED OUT AS NOTES ON THIS PLAN. I UNDERSTAND THAT FAILURE TO IMPLEMENT ALL IMPROVEMENTS MAY RESULT IN THE WITHMOLDING OF THE CERTHFICATE OF OCCUPANCY AT THIS SIFE

alley Sarsus or	9-13-17
OWNER OF TAX MAP 7C LOT 28	DATE
Ballone J Sucroson	9-12-17
OWNER OF TAX MAP 7C LOT 28	DATE
F	2/12/17
OWNER OF TAX MAP 7C LOTS 30, 40 & 40-1	DATE

De Ocho	60/1 34 1	2012	CERTIFIED BY
CHARGON	runts	10	AND
ECRETARY: _	A. Kar	Luo	
ECRETARTY _	Markey	Tipulle	

SHEET MINEX

- COMER SHEET *
 LOT LINE ADJUSTMENT & CONSOLIDATION LOT LINE ADJUSTMENT (LOT 7C/28 DETAIL) *
 TOPOGRAPHIC & SOLS PLAN
 SUBDIVISION SHEETS *
 SP-1 OWERALL PLAN
 SP-2 GRADING PLAN - INFILTRATION BASINS
 SP-3 GRADING PLAN - INFILTRATION BASINS
- 2. GRAGING PLAN INFLITMATION BMSENS 1
 2. dr. Big. 3
 3. GRAGING PLAN INFLITRATION BMSENS 1
 2. dr. Big. 3
 3. ROLD B PARP 1
 3. ROLD B PARP 1
 4. ROLD B PARP 1
 5. ROLD B PARP 1 P-3 P-4 P-5 P-6 P-7 P-8 P-9 D-1 D-2 D-3 D-4 X-1



8 2/21/17 LOT LINE AND EASEMENT REMISIONS -- SDI KCC

-- SDI KCCC

REVIEW COMMENTS

DESCRIPTION

C 3/9/2017 REVISIONS FOR FINAL REVIEW

A 8/29/16

REV. DATE

PE CERTIFICATION

"I CERTIFY THAT I HAVE FOLLOWED THE TOWN OF

ADVERSE EFFECTS ON DOWNSTREAM PROPERTIES."

"I CERTIFF THAT I HAVE FOLLOWED THE TOWN OF MERRIMACK'S SUMBOYSOON REBUILATIONS AS SET FORTH IN SECTION 4.16 STORM DRAMMAGE SYSTEM. FURTHERMORE, MY PROFESSIONAL OPINION, ANY RUMOFF MORIBENT TO THE DEVELOPMENT ON THIS SITE SHALL HAVE NO ADVERSE EFFECTS ON ANY OPEN OR CLOSED, PUBLIC OR PRIVATE, DOWNSTIEM DRAMMAGE FACILITIES, NOR SHALL IT HAVE

MERIDIAN DESIGN PROFESSIONALS:





LLE GERTIFICATION

THE SUBJECT PROPERTY."

"I HEREBY CERTIFY THAT THE BOUNDARY LINES SHOWN ARE PER THE REFERENCE PLAN NOTED HEREON, AND HAVE A MAXIMUM EFRORO OF CLOSURE OF OME PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING



GREENFIELD FARMS XIV

SUBDIVISION PLAN PREPARED FOR

GREENFIELD MANAGEMENT, LLC LAND OF BROOK HOLLOW CORP. HAMPSHIRE VENTURES, INC., OFM DEVELOPMENT, LLC AND ALLAN M & BARBARA J. SWENSON TAX MAP 7C LOTS 28, 30, 40 & 40-1

MERRIMACK, NEW HAMPSHIRE

SCALE: 1" = 400"

MARCH 29, 2016



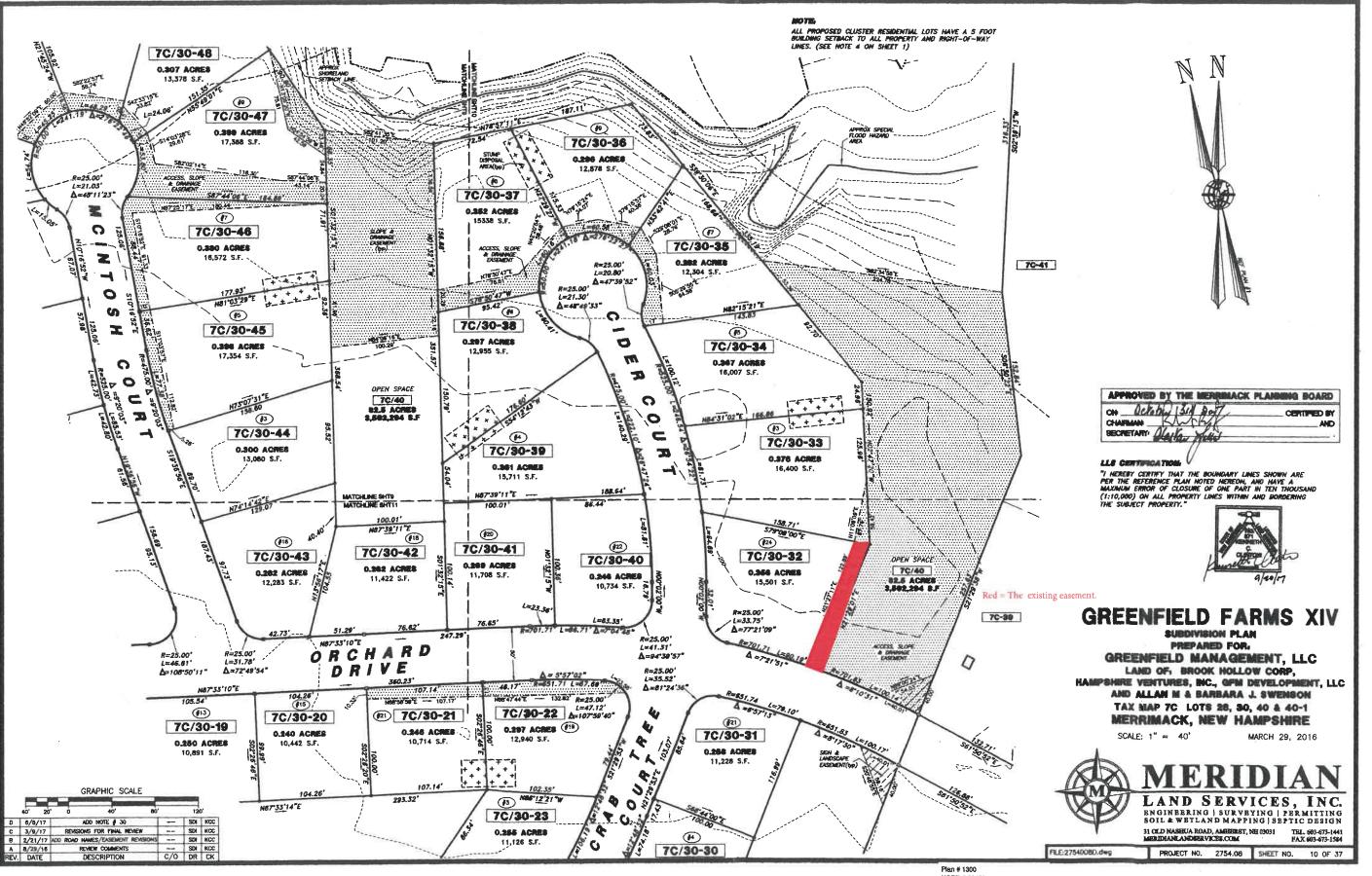
LAND SERVICES, INC.

ENGINEERING | SURVEYING | PERMITTING SOIL & WETLAND MAPPING | SEPTIC DESIGN 31 OLD NASHUA ROAD, AMHERST, NH 03031 TEL. 603-673-1441 MERIDIANLANDSERVICES.COM FAX 603-673-1584

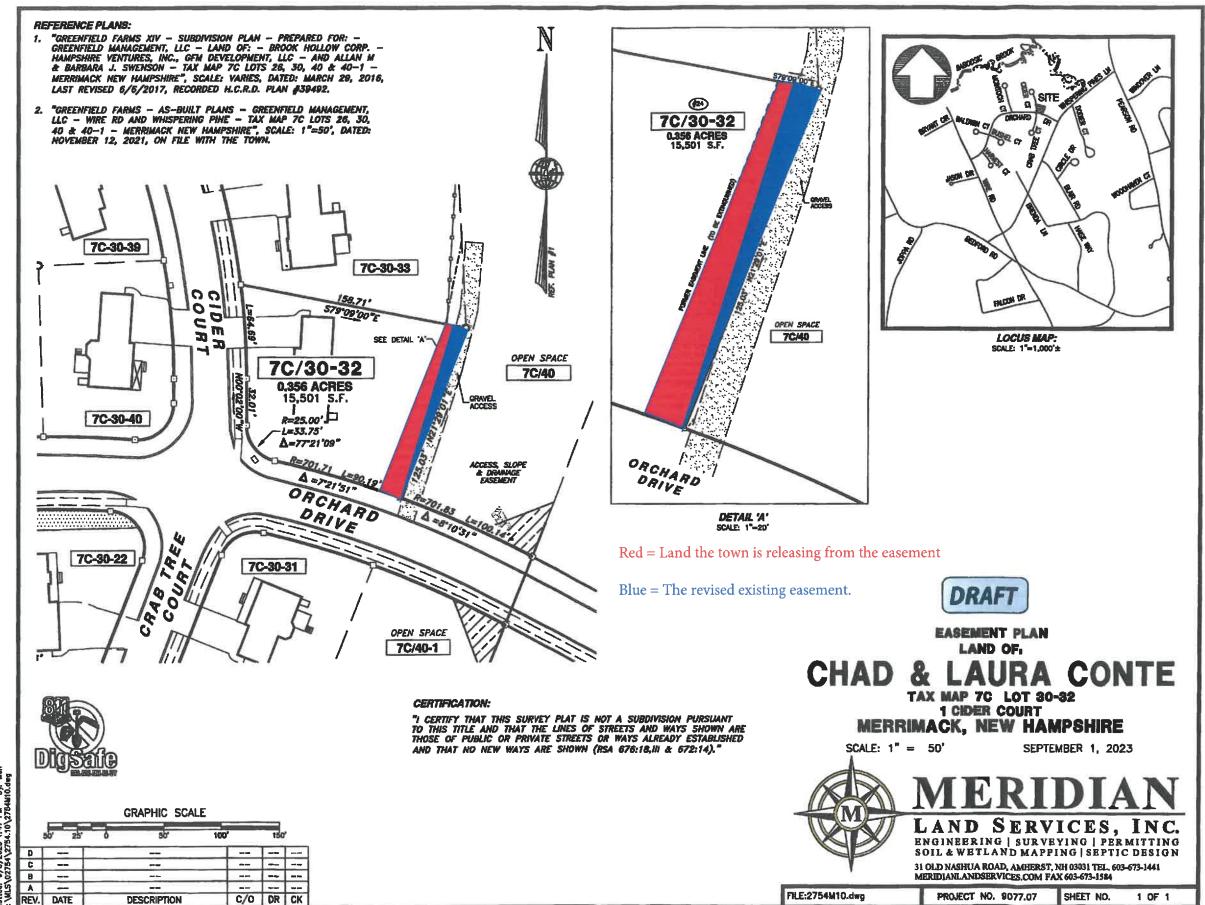
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PROJECT NO. 02754.08 SHEET NO. 1 OF 37

Plan # 1300 HCRD # 39492 PB Approval: 10/4/2016 PB Signed: 10/3/2017



PIBN # 1300 HCRD # 39492 PB Approval: 10/4/2016 PB Signed: 10/3/2017



Distinct 0/8/2021 1.47 PM Bu