



Town of Wilton, NH Planning Board
Phone: (603) 654-9451 x309
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Nashua Regional Planning Commission
Phone: (603) 417-6570
Website: www.nashuarpc.org

STAFF REPORT ON PLAN REVIEW

Plan/Revision Date: 01/04/2022

Project Name: Isaac Frye Holdings LLC	Wilton Case Number: ESP01-1121
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MEETING DATE: Wednesday, February 16, 2022	APPLICANT(s): Isaac Frye Holdings, LLC 586 Turnpike Road New Ipswich, NH 03071	APPLICATION TYPE: <input type="checkbox"/> Sign <input type="checkbox"/> (SD) Subdivision <input checked="" type="checkbox"/> (EX) Excavation <input type="checkbox"/> (SP) Site Plan <input type="checkbox"/> (HO) Home Occ.
APPLICATION STATUS: <input type="checkbox"/> Accepted: 65 days expires: <input type="checkbox"/> Approved: <input type="checkbox"/> Extension to:	APPLICANT'S REP: Jon Rokeh Rokeh Consulting, LLC Mailing Address: PO Box 204, Epsom, NH 03234 Business Address: 89 King Road, Chichester, NH	REVIEWED BY: Caleb Cheng NRPC Circuit Rider 02/11/2022

EXECUTIVE SUMMARY:

An application for an Excavation Site Plan Review for Lot F-003-2 (8.85 acres, 58 feet of frontage) for the removal of 5,183 cubic yards of material from this lot to develop an area for a single family home and driveway. This will include a required reclamation plan. This lot is in the Residence and Agricultural District and in the Aquifer Protection overlay district.

WAIVER REQUESTS:

Via a letter, the Applicant requested waivers for Vegetative buffer and for distance of the excavation from property line. However, these requests were based on the application checklist and Staff had since worked with the Applicant to identify the specific provisions that need waivers.

The Applicant had not submitted a new waiver request letter but one is expected.

DOCUMENTS:

<u>Document Name</u>	<u>Prepared/Submitted by</u>	<u>Date & Notes</u>	<u>New/Change</u>
Excavation Application, includes a waiver request letter	Jon Rokeh Rokeh Consulting, LLC	11/17/2021	
Plan Set (4 sheets) Reclamation Plan & Proposed Residence, Tax Lot F-3-2, Isaac Frye Highway, Wilton, New Hampshire	Jon Rokeh Rokeh Consulting, LLC	Revised 01/04/2022; Orig. dated 11/15/2021	



<u>Document Name</u>	<u>Prepared/Submitted by</u>	<u>Date & Notes</u>	<u>New/ Change</u>
Drainage Report / Stormwater Management Calculations	Jon Rokeh Rokeh Consulting, LLC	01/04/2022	
Existing Conditions (Pre-excavation)	Jon Rokeh Rokeh Consulting, LLC	11/15/2021	X
Recorded Warranty Deed for Lot F/3-2, HCRD Book 9186 Page 2436, 3 pages	Jon Rokeh Rokeh Consulting, LLC	Received 01/12/2022; recorded 07/10/2019	
Specification Sheet – EroNet SC150 Erosion Control Blanket	North American Green; submitted by Jon Rokeh	Received 01/12/2022	
Bond Calculation	Matt Fish Planning Board Member	Presented 01/19/2022	

CASE HISTORY:

1. Zoning Board of Adjustment

- a. The Zoning Board of Adjustment granted a variance on 11/09/2021 (Case# 5/11/21—1) for Section 4.1 to allow the excavation of 5138 yards of gravel, incidental to the construction of a single family dwelling on Lot F-3-2, Isaac Frye Highway, which is outside the Gravel Excavation District, where the excavation has already occurred and the gravel has already been removed from the lot.

The variance is granted:

- subject to the condition that no further earth material may be removed from the lot absent a change in the law or permission duly granted by a Town Board or Body, and
- in recognition of the applicants’ acknowledgment that the excavation is subject to Excavation Site Plan Review by the Wilton Planning Board.

The ZBA found that Excavation Site Plan Review of the excavation by the Wilton Planning Board will satisfy the requirements of section 12.4 of the Wilton Zoning Ordinance, and will therefore render applicants’ request for a variance to that section moot.

2. Planning Board:

- a. Applicant submitted the subdivision review application on 11/17/2021 and the application was first heard by the Board on 01/19/2022.
- b. This is the 2nd NRPC staff report for the new application.



PLANNING STAFF COMMENTS:

1. **Zoning & Permitted Uses:** The lot is within the General Residence and Agricultural (GA) District, Aquifer Protection Overlay District, and Wetlands Conservation Overlay District (for one area of designated wetlands). The proposed single-family residential use involving manufactured housing is permitted in both the GA and Aquifer Protection districts (under Z.O./§A: 6.1, 6.5 & 12.3) and is not within the Wetlands Conservation District.
2. **Dimensional Requirements:** The submitted plan meets all dimensional requirements, including street frontage for being an associated lot to the abutting Lot F-3-1 (under Z.O./§A: 6.3.3).
3. **Waiver Requests:** The list of waiver requests would need to be finalized in a formal letter addressed to the Board.
4. **Reclamation Bond:** At the 01/19/2021 meeting, the Board requested a reclamation bond estimated to be \$88,231 (Member Fish presented a bond calculation worksheet), which the Applicant is not ready to post, but allowed the Applicant to correspond with the Town Counsel on this subject.
5. **Pending Plan Information**
 - a. **Pre-Excavation Plan:** The Applicant had submitted a pre-excavation plan (titled Existing Conditions Plan).

Staff suggested the Applicant also provide a plan that overlays the present conditions on this plan for comparison purposes, to which the Applicant has not yet responded.
 - b. **Survey & Wetlands Verbiage:** The Applicant is awaiting additional verbiage from the surveyor and wetland scientist and will add it to the plan when it is available.
 - c. **Easement:** Based on research, Staff thinks that the existing driveway easement noted on the plan is missing a portion within Lot F-3-2 and has asked the Applicant to verify.
6. **Plan Acceptance:** The above items (#2-4) have to be resolved before the plan can be considered complete.

COLOR KEY ON STAFF'S NOTES

General Information

Issues requiring the Board's consideration

Issues not requiring the Board's consideration

Resolved Issues for the record

Issues to be addressed after plan acceptance

7. **Stormwater Management and Erosion Control (§F: 5.2.2.b & 8.f):** The Applicant had submitted a drainage report for the Stormwater Manager & Town Engineer's review.
8. **Reclaimed Slope Grade (§F: 8.a):** The applicant should demonstrate that the proposed 2:1 grade can be adequately vegetated and stabilized, as it is steeper than the generally permitted 3:1 grade. The Applicant provided documentation of the proposed stabilization product.
9. **Additional planting for screening, natural beauty, and erosion control (§F: 8.e)**
10. **Hours of Operation for the reclamation work (related to §F: 6.4)**
11. **Compliance with the Driveway Regulations (Wilton Land Use Laws & Regulations Section G)**
12. **Any concerns from the Fire Chief, Road Agent, and other Town departments**
13. **Town Counsel's review of legal documents**



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COMMENTS FROM TOWN'S DEPARTMENTS:

Staff had not received any comments from the Town departments.



STAFF'S CHECKLISTS

Tax Map / Lot:	Tax Map F Lot 3-2
Lot Area:	8.85 acres
Current Land Use:	Vacant
Steep Slopes:	Yes, throughout the lot except at the center hilltop
Road Access / (Closest Intersection):	Isaac Frye Highway / Gibbons Highway (NH-101)
Zoning District(s):	<input type="checkbox"/> Res / <input checked="" type="checkbox"/> RA / <input type="checkbox"/> Com / <input type="checkbox"/> DC / <input type="checkbox"/> Ind / <input type="checkbox"/> OP
Overlay Districts:	<input type="checkbox"/> MS / <input type="checkbox"/> ROP / <input type="checkbox"/> GE / <input type="checkbox"/> Watershed / <input checked="" type="checkbox"/> Wetlands
	<input checked="" type="checkbox"/> Aquifer (Wellhead Protection Area): <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No
	<input type="checkbox"/> Floodplain (FEMA Flood Hazard Zone): <input type="checkbox"/> Yes / <input type="checkbox"/> No
Surface Water Bodies:	<input type="checkbox"/> Shoreland Protection / <input type="checkbox"/> Souhegan River (<input type="checkbox"/> Cc: SoRLAC)
Impact Fee Assessment (per ZO Sec A.25.5.2): Refer to the Impact Fee Schedule/Report posted on the Planning Board's Website. <i>Impact fees shall be collected as a condition for the issuance of a Certificate of Occupancy.</i>	

ISSUES:

- Waiver(s) Conditional Use Permit (CUP) Special Exception(s) Variance(s) Easements
- HOA/Condo Documents Road Bond
- State Permit(s): Road cut Subdivision (Sub Surface/Septic) Wetlands (Dredge & Fill)
- Alteration of Terrain Shoreland Protection

APPLICATION ACCEPTANCE CHECKLIST:

- Application properly submitted
- 1 copy of plat plus electronic copy
- All application fees paid, and escrow maintained as required
- Verify Abutters noticed
- Plan meets submission requirements and, if applicable, secures all necessary requirement waivers

APPROVAL CHECKLIST:

- Plan copies with professional seals & signatures
- Original Mylar with professional seals & signatures
- Electronic submission per regulations (As-builts as required)
- Bond estimate (where applicable)



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5. All fees paid, and escrow maintained as required
6. Letters of approval/Comments from all relevant town's departments
7. Changes to Plat as detailed in minutes and this report (list):
8. Any additional conditions and/or fees (list):