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October 18, 2023

Newton Planning Board
Attn. Dennis Moran, Chairman
2 Town Hall Road
Newton NH, 03858

**RE: Response Letter
125 Development NH Corp.
Tax Map 14, Lots 1-1 and 2
Multi-Family Housing – Phase 5: Site Plan Review
JBE Project No. 21117**

We are in receipt of the comments from KV Partners, LLC and Rockingham Planning Commission dated September 7, 2023. Review comments are listed below with our responses in bold.

KV Partners, LLC Comments:

1. *Clarify if off-site improvement requirements are affected by the traffic associated with this development.*
RESPONSE: NHDOT is aware that the development is multi-phased and the additional traffic associated with phase 5 has been considered.
2. *Clarify if the existing driveway that leads to Puzzle Lane is adequate for additional traffic and residential use. Also, clarify that the access drive is fully contained within an access easement.*
RESPONSE: The existing access drive to Puzzle Lane is adequate. The access drive will be contained within the existing right-of-way located between Lots 27-6 & 27-7.
3. *Handicapped parking spaces and curb ramps are required for access to accessible units. Handicapped parking spaces and curb ramps must be shown on the plans.*
RESPONSE: Handicapped parking spaces and curb ramps have been added to the plans.
4. *A retaining wall is proposed at the northwest side of the proposed cul-de-sac. A pedestrian rail may be required considering the height of the wall (over 6' high) and proximity to a residential property.*
RESPONSE: A fence has been added at the top of the retaining wall.
5. *The plan depicts a mailbox station but no details are provided. Also, will the USPS deliver mail on a private roadway?*
RESPONSE: Mailbox station (kiosk) details have been added to the plans. See sheet D7. The USPS currently delivers to points along Puzzle Lane. It is expected that USPS delivery service will be provided at the proposed locations.

6. *Retaining walls along the roadway are depicted on the plans but not shown on the cross sections. Revisions required. Also, the Redi-Rock walls typically require an offset from the back of the wall to a guardrail. Provide a typical section to clarify if adequate space is provided.*

RESPONSE: Retaining walls have been added to the cross sections. See plan set sheets X1 through X6. A typical section with revised offsets has been added on plan set sheet D1.

7. *Specify the bottom width of the proposed roadside ditch in the typical sections.*

Cross sections should match this detail.

RESPONSE: The road sections have been revised to match the typical sections on sheet D1. See plan set sheets X1 through X6 for updated cross sections.

8. *There are several sections where roadside swales are located at the top of roadside slopes. A typical section is required to depict swale construction details including berm width at the top of the swale, depth of the swale, cross slopes, etc.*

RESPONSE: A typical section that shows swale and berm construction has been added to the plans. See sheet D1.

9. *All proposed work is not shown on the plans at the end of the new roadway (Station 53+00 and beyond). Add additional plan coverage and detail to depict how the proposed roadway will connect back into the existing commercial driveway.*

RESPONSE: The plans have been revised to better depict the transition with the existing roadway at this point.

10. *The cross slope on a sidewalk must not exceed 2% along the sidewalks and at all landings where a wheelchair would need to turn. Revise the details to clarify this requirement. Also, detectable panels are only required where a sidewalk enters a street.*

RESPONSE: The sidewalk detail on sheet D2 has been revised to call out maximum allowable slope.

11. *Catch basins must have appropriate sumps (3' minimum). No catch basin sump is included on the detail.*

RESPONSE: During the review for the Alteration of Terrain permit for Phase 2, it was requested that sumps be removed from the plans. No sumps have been provided in the Phase 5 development in anticipation of this request.

12. *Test pits appear to be shown on the watershed plans but test pit data was not provided for all stormwater basins (some were included in the Infiltration Feasibility Report). Provide test pit data for all stormwater basins.*

RESPONSE: Test pit data for all stormwater basins have been provided. See revised drainage report.

13. *The outlet device (orifice) size for Gravel Wetland 3 is shown as slightly different on the plans than in the calculations. Please revise.*

RESPONSE: The outlet device (orifice) size for Gravel Wetland 3 on the plans has been revised to match the size in the calculations.

14. *Bio infiltration Basin #7 is shown as an infiltration basin (no filter media proposed). Is the intent to construct a bio-retention basin as the title indicates or an infiltration basin as designed?*

RESPONSE: Biofiltration Basin #7 detail has been revised and now includes the filter media.

15. *Outlet structure # 7 (associated with Gravel Wetland #1) includes an underdrain outlet. Clarify if underdrains are required at this basin and if so where they are located.*

RESPONSE: Underdrain callout has been revised to be more clear. The perforated cross member underdrain is routed through the weir plate and discharges on the downstream side of the plate.

16. *Sedimentation Basins 1 and 2 include newly graded gravel surfaces as indicated in the calculations. The construction plans do not show the Sedimentation Basins at all (they are shown on the watershed plans). Clarify the intended use of the gravel area and function of the sedimentation basins and provide appropriate construction details.*

RESPONSE: Sedimentation Basins 1 and 2 are associated with the borrow area established with phase 2 of the development and previously disturbed areas. It is expected that the borrow area will remain active throughout the construction of the multi-phase development. Labels in this area have been added to the plan set.

17. *Street name signs, no outlet signs, and speed limit signs are required and must be shown on the plans.*

RESPONSE: Street name signs, no outlet signs, and speed limit signs have been added to the plans.

18. *Section 8.2.3 of the Subdivision Regulations describe the requirements for Stormwater Management associated with the MS4 Regulation requirements. Many of the requirements are met by satisfying the NHDES Alteration of Terrain permit requirements but a couple items will need attention. In summary, these items include the following:*

- a. *Any new development shall submit a description of measures that will minimize salt usage.*
- b. *Items outlined in 8.2.3 E, F and G must be addressed (i.e., legally binding documents, as-built plans, annual inspections/reports).*

RESPONSE: The Drainage Analysis – Erosion and Sediment Control Plan and the Stormwater Management Operation and Maintenance Manual have been updated to meet the requirements of Section 8.2.3

The Stormwater Management O & M has been revised to include the Salt Minimization Plan as well as inspection requirements. The recording of this document should be included as a condition of any approval.

Rockingham Planning Commission Comments:

1. *Future Use Considerations: The applicant provided detail about the proposed development and additional information about the potential future phases of the development. The intention to have the future loop roadway remain private has been expressed by the applicant. The Planning Board should be aware that the potential future development of the parcel can be a consideration of any decision associated with this application. However, the proposed additional phases of this project submitted by the applicant are not bound by the proposed layout. Any future development of the site would need to comply with Newton's zoning regulations at the time of any application. Of particular consideration with this proposal is the loop road construction; see comments regarding the roadway below.*

Response: No response necessary.

2. *Multi-Family Use: The multi-family use is not a permitted use within the district, however, the applicant received a variance to Section XIV.1 to allow more than one dwelling unit. The variance was granted on December 8, 2022 and specifically allows up to 44 bedrooms to be constructed on Lots 14-1-1-1 and 14-1-2. Note that the variance identifies the total number of bedrooms, not dwelling units. The proposal is to construct only one-bedroom dwelling units. Except for the allowance of a multi-family dwelling use on the two lots, all requirements of the Residential A District continue to apply.*

Response: No response necessary.

3. *Approval from Plaistow: Any approval of the site plan by the Newton Planning Board should be conditioned on receipt of approval from the Plaistow Planning Board. For this proposal, the application to Plaistow would be limited to the construction of the roadway on Lot 14—1-27-3; though Plaistow would be advised to understand the development context of the roadway. Note 13 of Sheet C2 should be updated to reflect the date of any approval from Plaistow.*

Response: The proposed roadway has been relocated outside of the Plaistow. The required notes have been updated. The applicant is aware of the requirement for approval by the Town of Plaistow Planning Board.

4. *Variances: A condition of any approval should be that all necessary variances are received, including the use variance granted on December 8, 2022, with the date and any condition being noted on the recorded plan sheet(s).*

Response: Previously received variance regarding the use of Lots 1-1 & 2 has been added to the Cover Sheet. Permits for the additionally required variances have been submitted to the Newton ZBA. Any additional variances granted will be added on the cover sheet.

5. *Roadway: The proposed extension of the existing roadway from Route 108 will likely require an amended driveway permit from NHDOT. It is recommended that the Planning Board request the applicant provide detail about the traffic generation potential from the proposed residential development and potential future development using the connector roadway. Particular attention should be paid to adequacy to both the current proposal and any future development that may utilize the roadway and the impact that use may have on the Town-owned Puzzle Lane. The Planning Board should also seek input from Town Engineer and Road Agent regarding impacts on to Puzzle Lane from the construction of the proposal.*

Additional details regarding the roadway design (both the existing access way from Puzzle Lane and the proposed connection) are required as noted by the Town Engineer. The Planning Board should review the Town Engineer's comments regarding additional details and modification needed to comply with Newton's site plan regulations. Based on his review letter it appears that some items are not consistent with town regulations. The application must either request a waiver to for these regulations or submit design information that is compliant with Newton's Road design standards.

Response: Additional details regarding the roadway construction have been added to the plan set per the Town Engineer comments. Proposed roads to be constructed to Town standards.

6. *Septic Design (SPR 7.1.2.H) The application indicates the location of two septic system on the plan set, however, septic design detail has not been provided. The detail about the septic design (specifically capacity) is important in determining the applicability of SPR 7.5.15.B.3 (Hydrogeologic Study). For any system with a capacity above 2,500 gallons per day a hydrogeologic study is required by Newton. Given that the septic design will impact the requirement for this study, it is recommended that the Planning Board require this information.*

Response: Septic designs have been included in the updated plan set, see sheets S1, S2, & S3.

7. *Stormwater (SPR 7.2.3).: In addition to the comments offered by the Town Engineer including that all operation, maintenance, inspection and reporting is to comply with Newton's stormwater management regulations (SPR 7.2.3). The Planning Board should review Town Engineer's review and require that the missing information has been provided or the applicant may submit a waiver.*

Response: A note to this effect has been added on sheet C3A, note #25. Additionally, see response to Town Engineer's comment #18 above.

1. *Miscellaneous: The following items have been noted as minor issues with the application, beyond those noted by the Town Engineer's review:*

- a. *Existing Conditions: The existing conditions notes on Sheet C1 should be updated to include the zoning district requirements for the Residential A District.*

Response: The existing conditions notes on Sheet C1 has been updated to include the zoning district requirements for the Residential A District.

- b. *Setbacks and Boundaries: On several plan set, zoning district boundaries and setbacks and wetland boundaries and setbacks are indicated on the plan set, but not labeled. The Aquifer Protection District is noted on the existing conditions plan, but not shown on any proposed conditions plan. These should be corrected, particularly on any approved plan sheet being recorded.*

Response: The plans have been revised accordingly.

- c. *Proposed Structures (SPR 7.1.5.C): The proposed first floor building elevations and building height for each structure must be indicated. It appears that the proposed buildings will comply with Newton's height restrictions. The Board may require additional detail on the appearance of the structures beyond the rendering detail within the application.*

Response: No response necessary.

- d. *Landscaping (SPR 7.1.5.I): The applicant has indicated areas of the existing tree line and proposed tree line which generally appears to be adequate screen between the proposed residential development and existing neighboring residential development. However, the Board may require under SPR 7.2.9 that additional landscaping be provided for the benefit to the proposed dwellings; in particular to help buffer them from the impacts of the existing and potential neighboring industrial and commercial uses.*

Response: Additional landscaping has been added to the plan set, see sheet L1.

- e. *Lighting (SPR 7.1.5.J): The proposed lighting appears to be limited to five lighting fixtures within the proposed parking areas. Any outside lighting, including fixtures proposed to be on the buildings or along walkways should be shown, along with illumination readings. The Board may also seek detail as to the specific lighting fixtures being proposed to ensure compliance with SPR 7.2.12.*

Response: Additional lighting has been added to the plan set, see sheet L1.

f. Snow Storage (SPR 7.1.5.M): Small areas of snow storage to the east of Proposed Building 9 have been shown within the Wetland District buffer area. The snow storage should be located outside of the wetland district to help reduce potential impacts to the wetlands. A note stating that no snow storage shall be located within 50 feet of any wetland is recommended to be added to the plan set. Additionally, the dumpsters in between Building 3 and 4 are located within the snow storage area; the dumpsters and/or the snow storage need to be shifted.

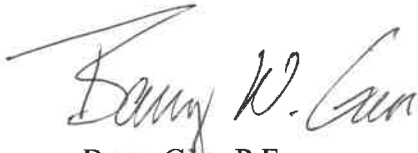
Response: A note stating that no snow storage shall be located within 50 feet of any wetland has been added to the plans, see sheet C2A, note #14. The location of the snow storage has been revised as required.

Included with this response letter are the following:

1. Three (3) Full Size Plan Sets.
2. Sixteen (16) Half Size Plan Sets
3. Updated Drainage Analysis, rev. date 10/10/23
4. Stormwater Management Operation and Maintenance Manual & Salt Minimization Plan
5. Building Plans

Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.



Barry Gier, P.E.
 Vice President

cc: Coleman McDonough, 125 Development NH Corp. (via email)
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