



Newton Planning Board  
2 Town Hall Road  
Newton, NH 03858  
(603) 382-4405 X315



June 15, 2023

Dear Terex / CBI

Attached is the Notice of Decision for your Amended Site Plan application. It is based on the Planning Board decision of June 13, 2023. Please submit your Mylars as soon as possible so they can be reviewed, signed, and recorded. Please note that no permits will be issued until the Mylars have been recorded. As soon as the Mylars have been recorded please contact the Planning Board office and the Town Engineer to schedule a pre-construction meeting with the Town engineer, Building Inspector and Fire Department. The Planning Board has rendered a decision to allow a specific use of the property and does not necessarily address State and Local Building or Fire Codes.

Unless otherwise specified within the notice, you have six months to comply with the Conditions Precedent. If the conditions are not met within six months, the conditional approval shall lapse, unless a mutually agreeable extension has been granted by the Board. Extensions may be granted only if there have been no amendments to the Zoning Ordinance or regulations which would render the plan non-conforming, and if all other required permits are still valid.

Conditions Subsequent and Conditions Ongoing (as listed on your Notice of Decision) are conditions that appear on the final plat and deal with restrictions on the use of property or safeguards that must be observed during development of the parcel or once the project is in use.

Please note that where no active and substantial work has commenced upon a site, plans that are approved and signed by the Board shall expire two years from the date the plan is signed. An extension, not to exceed one year, may be granted by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date.

Thank you,

Signed copy in the Planning Board Office

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Dennis Moran, Chairman  
Newton Planning Board



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## NOTICE of DECISION

*As regards the application from Terex USA, LLC, of Westport, CT requesting a Public Hearing on an Amended Site Plan for 22 Whittier Street, Newton, NH. The lot is referenced as Tax Map 6, Block 13, Lot 2.*

The Newton Planning Board found, in fact:

1. That the plan falls within the scope of the applicable Zoning and Site Plan regulations for an Amended Site Plan.
2. The plan shows a proactive attempt to mitigate any environmental issues that could be on the site.
3. That Justice would be served by approving the application.

It received conditional approval by a **Unanimous** vote of the Planning Board on *June 13th, 2023*, with the following conditions:

### Conditions Precedent:

1. Obtain all Federal, State, and local permits.
2. Meet all Public Health and Safety Codes.
3. A "clean" letter from the Town Engineer.
4. Address the abutter concerns about the drainage pipe running from the easterly corner at Whittier Street to Gussie's Brook.
5. Supply recordable Mylars.
6. Mylars must have all necessary professional stamps.
7. Any State permits shall be listed on the cover or 1<sup>st</sup> recorded sheet of the Mylars.
8. Conditions Subsequent and/or Ongoing shall be listed on the cover or 1<sup>st</sup> recorded sheet of the Mylars.

### Conditions Subsequent:

1. All construction and landscaping shall be in accordance with the recorded site plans. Any changes will need to be approved by the Planning Board through an Amended Site Plan application.
2. Construction/Site work inspections shall be conducted by the Town Engineer.

3. Copies of all as-built plans, including the constructed stormwater management system, shall be provided to the Planning Board.
4. The NPREA account must be maintained to cover the costs of the Town Engineer's inspections until the Town Engineer states in writing that the project is complete.

#### Conditions Ongoing

1. All hazardous or regulated substances on site be handled, stored, and disposed of consistent with local, State, and Federal requirements.
2. No idling of vehicles between 7:00PM and 7:30AM.

Signed copy in the Planning Board Office

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Dennis Moran, Chair  
Newton Planning Board  
June 15<sup>th</sup>, 2023

cc:

***Terex / CBI***

Building Department  
Health Department  
Board of Selectmen  
PB Files

Fire Department      Police Department  
Conservation Commission  
Assessor's Office      Board of Appeals