



**Newton, NH Zoning Board  
of Adjustment  
2 Town Hall Road  
Newton, NH 03858  
(603) 382-4405 X315**



**NOTICE OF DECISION**

On the 12 applications submitted by 125 Development NH Corp of Plaistow requesting relief from Section XXV.1.a (Side yard setbacks), and 1 application for relief from Section XXV.1.c (centerline setback) specifications as shown on Exhibit 1, and shown on the Southern New Hampshire Industrial Park, Phase 5, ZBA Exhibit Plans with a revision date of 11-27-23 to allow setback reductions for driveways, structures, and drainage for a 44-residential-unit site plan and roadway (phase 5) at their property off South Main Street, Newton NH. The Zoning Board of Adjustment found in fact that the intrusions were either to provide access to the property or to be solutions for safety and drainage issues. The properties are referenced as Tax Map 14, Block 1, Lots 1-1, 2, 27-3, 27-6 and 27-7. At the meeting on January 3<sup>rd</sup>, 2024, the Zoning Board of Adjustment found in fact that the 5 Criteria for each variance from Section XXV.1.a (Side yard setbacks) and 1 application for relief from Section XXV.1.c (centerline setback) had been met, however Drive Impact #1 was conditionally approved provided the applicant work with the Newton Conservation Commission to design and implement a natural buffer between stations 17.50 and station 25.50 and the abutting properties. This landscaping will need to be reviewed and approved by the Newton Planning Board, as well as the applicant must post a performance guarantee for the landscaping plan to extend 2 years beyond the completion of the construction of the buffer, and for Structural Impact #5, that the sidewalk leading to the proposed road be eliminated, therefore, the Zoning Board of Adjustment, by **UNANIMOUS** votes, conditionally granted the relief sought.

Signed copy on file with the ZBA office

*John Kozec, Chair*

Newton Zoning Board of Adjustment

January 6, 2024

cc: **125 Development NH Corp c/o Barry Gier, Jones, and Beach Engineering**

Building Department	Fire Department	Police Department	Health Department Conservation
Commission	Board of Selectmen	Assessor's Office	ZBA Files
			Planning Board

Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty (30) days of this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

**125 Development NH Corp, Tax Map 14, block 1, Lots 1-1, 2, 27-3, 27-6 & 27-7**  
**Variance Requests**  
**Exhibit 1**

<b>DRAINAGE IMPACT:</b>			
NO.	AREA (SF)	VARIANCE DIST. (FT)	VARIANCE
1	86	65'-4"	SECT. XXV.1
2	64	115'-8 3/4"	SECT. XXV.1
3	25	10'-8 1/4	SECT. XXV.1
4	297	120'-10 1/4"	SECT. XXV.1
5	46	158'-5 1/2"	SECT. XXV.1
TOTAL	518		
<b>STRUCTURAL IMPACT:</b>			
NO.	AREA (SF)	VARIANCE DIST. (FT)	VARIANCE
1	271	95'-5"	SECT. XXV.1
2	159	45'-6 1/2"	SECT. XXV.1
3	149	93'-8 1/4"	SECT. XXV.1
4	94	59'-5 3/4"	SECT. XXV.1
5		30'-2 3/4"	SECT. XXV.1.c
TOTAL	673		
<b>DRIVE IMPACT:</b>			
NO.	AREA (SF)	VARIANCE DIST. (FT)	VARIANCE
1	17,640	148'-1 1/2"	SECT. XXV.1
2	5,815	200'	SECT. XXV.1
3	5,221	200'	SECT. XXV.1
TOTAL	28,676		