



*Town of New Boston
New Boston Planning Board
P.O. Box 250
New Boston, NH 03070*

November 9, 2011

S&R Holding Company, LLC
8 Wanda Lane
Nashua, NH 03062

NOTICE OF DECISION – Approval

File No. 2010-002

Planning Board, Town of New Boston

You are hereby notified that the request that Condition Precedent #6 from the Notice of Decision dated February 22, 2011, be amended and that the Letter of Credit for the Subdivision of Forest View II, McCurdy Road and Susan Road, Tax Map/Lot #12/19, be released/returned to the applicant, has been approved by majority vote of the members of the Planning Board on November 8, 2011, on the motion(s):

- I **MOVE** to approve the request that Condition Precedent #6 from the Notice of Decision dated February 22, 2011, be amended and that the Letter of Credit for the Subdivision of Forest View II, McCurdy Road and Susan Road, Tax Map/Lot #12/19, be released/returned to the applicant until such time as:

- a) the applicant is ready to build the road and will post a new Letter of Credit/bond/cash security at that time;
- b) the applicant builds the road according to the approved plan, for phase I and /or Phase II, following all of the Town's construction inspection procedures, through some point in construction, at which time a bond/letter of credit/cash security can be established for the remaining items. (NO BUILDING PERMITS WILL BE ISSUED UNTIL SECURITY IS IN PLACE AGAIN. NO CERTIFICATES OF OCCUPANCY WILL BE ISSUED UNTIL THE PREVIOUSLY ESTABLISHED CONDITIONS REGARDING COMPLETION OF OFFSITE ROADS AS WELL AS ONSITE IMPROVEMENTS HAVE BEEN FULFILLED.)

Said determination having been made based upon the following reasons:

1. An Applicant is statutorily allowed to build a road without a bond.
2. The logistics of coordinating road construction with three projects has made getting started difficult and this allows greater creativity in getting construction started.

All other terms and conditions of the February 22, 2011, approval to remain in full force and effect. It is also noted for the record based on State Law the new date for completion of Active and Substantial Development or Building shall be 02/22/2013.