



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

Twin Bridge Land Management, LLC
PO Box 60
New Boston, NH 03070

File No. 2010-003

NOTICE OF DECISION - Conditional Approval

Planning Board, Town of New Boston

You are hereby notified that the Application for the Subdivision Plan, Twin Bridge Estates, Phase II, Land of Twin Bridge Management, LLC, Tax Map/Lot #2/62-12 and 3/5, Twin Bridge Road and West Lull Place, to subdivide Tax Map/Lot #2/62-12 into eight conventional lots and to subdivide Tax Map/Lot #3/5 into 16 lots as an Open Space Development, with one remainder lot as open space, in the Town of New Boston, has received conditional approval by majority vote of the members of the Planning Board on May 10, 2011, on the motion(s):

- **I MOVE** to approve the Subdivision Plan, Twin Bridge Estates, Phase II, Land of Twin Bridge Management, LLC, Tax Map/Lot #2/62-12 and 3/5, Twin Bridge Road and West Lull Place, to subdivide Tax Map/Lot #2/62-12 into eight conventional lots and to subdivide Tax Map/Lot #3/5 into 16 lots as an Open Space Development, with one remainder lot as open space, subject to:

CONDITIONS PRECEDENT:

1. Submission of a minimum of five (5) blue/blackline copies of the revised plat, including all checklist corrections and any corrections as noted at this hearing, and including Individual Stormwater Management Plans.
2. Submission of a suitable mylar for recording at the HCRD.
3. Digital plat data shall be submitted per Subdivision Regulations Section IV-F, 3.
4. Submission of all revised State Permits as needed, including, Alteration of Terrain, Dredge and Fill and Shoreland Protection.
5. Submission of the language of the form of the security for review and approval by Town Counsel, the cost of which review shall be borne by the applicant.
6. Submission of the security, in the amount of \$1,242,188.86 and in the form of a bond, LOC or cash, for the construction of Wright Drive, as shown on the approved plans and profiles.
7. Submission of the estimated construction inspection fees regarding the construction of Wright Drive, in the amount of \$96,510.00, to be submitted as follows: \$50,000 initial deposit with the balance due when the amount in the escrow account reaches approximately \$10,000 in the opinion of the Planning Department staff; the balance of the \$96,510.00 shall be submitted within 14 days of notice. A mandatory pre-construction meeting is required to be held with the developer/agent, road contractor, Town's Road Agent, and representatives of the Planning Board, and Board of



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

- Selectmen, as well as the Fire Inspector/Fire Wards and the Town's consulting engineer, prior to the start of the road construction project.
8. Submission of revised Warranty Deed for Public Right of Way; Declaration of Covenants, Restrictions and Easements; Slope/Drainage and Access Easement; Non-Disturbance Covenant; Well Radius Protective Easement; and, Sample Lot Warranty Deed, that include review comments by Town Counsel.
 9. Submission of revised Conservation Warranty Deed and Conservation Easement Deed, that include review comments by Town Counsel and that are accompanied by approvals from both the Town of New Boston Conservation Commission and all relevant State of NH Departments and Agencies.
 10. Execution of a Subdivision Agreement regarding the conditions subsequent.
 11. Approved Pre-Engineered Individual Stormwater Management Plans may be resubmitted as the final Individual Stormwater Management Plans at the time of application for a building permit provided the builder complies with those plans. If critical areas are to be disturbed beyond those shown on the Pre-Engineered Individual Stormwater Management Plans, revised Individual Stormwater Management Plans shall be prepared and submitted for approval. If the Pre-Engineered Stormwater Management Plans are not to be used at the time of application for a building permit new Individual Stormwater Management Plans shall be submitted for approval. In any event, the bonds for the Individual Stormwater Management Plans must be submitted prior to issuance of a building permit.
 12. Payment of any outstanding fees related to the subdivision application and/or the recording of documents with the HCRD (if necessary).
 13. Upon completion of the conditions precedent, the final plans and mylar shall be signed by the Board and forwarded for recording at the HCRD.

The deadline date for compliance with the conditions precedent shall be **May 10, 2012**, the confirmation of which shall be an administrative act, not requiring further action by the Board. Should compliance not be confirmed by the deadline date and a written request for extension is not submitted by that date, the applicant is hereby put on notice that the Planning Board may convene a hearing under RSA 676:4-a to revoke the approval.

CONDITIONS SUBSEQUENT:

1. Sprinkler systems shall be installed, inspected, tested and approved by the New Boston Board of Fire Wards or their designee before the occupancy of the dwellings on parent lot 3/5, in the approved subdivision.
2. Wright Drive, is to be constructed in accordance with the Application for Inspection and in accordance with the approved plans and profiles. After the base (binder) course of pavement is approved by the Road Agent/town's engineer, the developer will allow the road to set over one winter, during which time the developer will be liable for the roads, including, but not limited to, winter maintenance thereof. The wearing (finish) course of pavement shall be applied no later than one (1) year from the date of application of the binder course. The Application for Inspection must be



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

- turned into the Planning Department after the road is 100% complete, in order to initiate final inspection and acceptance of the road, and the release of the security for same after a compliance inspection and hearing is held.
3. Driveway locations on the proposed road shall be approved at sub-grade and driveways shall be installed through binder to the satisfaction of the Road Agent/town engineer and in conformance with the Application for Inspection and approved driveway permits.
 4. Per Subdivision Regulations Section V-S, 1, J), As-Built plans shall be submitted for review by the Town's consulting engineer after all infrastructure improvements have been completed and at least the binder course of pavement has been placed.
 5. Submission of executed Warranty Deed for Public Right of Way; Declaration of Covenants, Restrictions and Easements; Slope/Drainage and Access Easement; Non-Disturbance Covenant; Well Radius Protective Easement; Sample Lot Warranty Deed; Conservation Warranty Deed; and Conservation Easement Deed. The cost of recording any of the Deeds and other legal documents at the HCRD shall be borne by the applicant.
 6. Submission of a Certificate of Bounds Set, and the appropriate fee for recording same with the HCRD.
 7. The applicant shall install road identification sign(s) and stop sign(s) to the satisfaction of the Road Agent.
 8. Driveway permits must be approved for completed acceptable installation by the Road Agent and Planning Board prior to the issuance of any Certificates of Occupancy (CO's) for the related lots.
 9. No Certificates of Occupancy shall be issued until the sprinkler systems are installed, inspected, tested and approved by the New Boston Board of Fire Wards or their designee, and the driveways are installed and approved by the Road Agent and the Planning Board and the subdivision road, Wright Drive, is installed through binder pavement and the road identification sign(s) and stop sign(s) are installed to the satisfaction of the Road Agent/town's engineer, guard rails are installed, if necessary.
 10. Payment of any outstanding fees related to the subdivision application and/or the recording of documents with the HCRD.

The deadline for complying with the conditions subsequent shall be **May 10, 2015**, the confirmation of which shall be determined at a compliance hearing to be held on the application. Prior to the acceptance of the completed road by the Town, an acceptable two year maintenance bond must be submitted by the applicant for the road in the amount of 10% of the performance bond value.

**ACTIVE AND SUBSTANTIAL DEVELOPMENT OR BUILDING AND
SUBSTANTIAL COMPLETION OF IMPROVEMENTS:**

1. Within 12 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39,I, relative to the 4-year exemption to regulation/ordinance changes:
Active & Substantial Development shall be deemed to have begun at the site upon



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

the cutting, roughing, clearing, grubbing and establishing a base up to lot #3-5-2, as shown on the Subdivision Plan within (1) year of the recording of the Subdivision Plan.

2. The following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39,II, relative to final vesting: Substantial Completion of the improvements shown on the Subdivision Plan shall have occurred when Wright Drive has been completed to binder (base) course of pavement including all drainage facilities associated therewith. As provided in the New Boston Subdivision Regulations, substantial completion of such improvements shall be achieved within (5) years from the date of the recording the Subdivision Plan or within (1) year from the date the last lot in the subdivision is sold.

AND;

- **I MOVE** to accept the application as complete, and to grant the Conditional Use Permit and approve the plans of Twin Bridge Land Management, LLC, to effect three wetland crossings on property on Wright Drive, known as Tax Map/Lot #2/62-12 & 3/5, as the four conditions for granting the Permit have been found to exist, subject to the following conditions:

CONDITIONS PRECEDENT:

1. Submission of the financial security for the installation as included in the road bond to be submitted as Condition Precedent #6 of the subdivision approval above.
2. Submission of revised plans to include any checklist corrections and any revisions to the site plan as decided by the Board at the hearing.
3. Upon completion of the conditions precedent and the conditions precedent as listed above for the subdivision approval, the final subdivision plans and mylar shall be signed by the Board and forwarded for recording at the HCRD.

The deadline for complying with the conditions precedent shall be **May 10, 2012**, the confirmation of which shall be an administrative act, not requiring further action by the Board. Should the conditions to approval not be fulfilled by the deadline date, and a written request for extension is not submitted prior to that date, the applicant is hereby put on notice that the Planning Board may convene a hearing under RSA 676:4-a to revoke the approval.

CONDITIONS SUBSEQUENT:

1. Completion of the site improvements as related to the wetland crossings, as shown on the approved construction design plan.

The financial security shall not be released until the site has been inspected upon notification to the Planning Department by the applicant that the project has been completed, and a compliance hearing is held and confirms that the project has been satisfactorily completed by no later than **July 20, 2014**.