Town of Milford

ZONING BOARD OF ADJUSTMENT

Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0620
Fax (603) 673-2273
www.milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

NOTICE OF HEARING

Notice is hereby given for a Public Hearing to be held on September 20, 2012 at 7:00 PM in the Board of Selectmen's Meeting Room.

The applicant, Gary Flaherty, along with the owner, Michael Rounds, of Map 51, Lot 26-70, located at 115 Badger Hill Dr, in the Residence "R" district, are requesting a special exception from Article VI, Section 6.02.6:A, to restore 3,454SF of wetlands that were filled.

Case # 2012-18

Dated: September 7, 2012

Kevin Johnson

Kevin Johnson, Chairman

Owner/authorized representative must attend hearing; abutters requested to attend.

TOWN OF MILFORD
RECEIVED
AUG 20 2012
PB ___ ZBA ___ Office ___

App# 20120920

Special Exception

Date Received: 8/20/12

Case #: 2012-18

Rehearing #: _____

Town of Milford
Zoning Board of Adjustment
Application for Special Exception

Name of Applicant: GARY FLAHERTY Phone #: 578-9388

Email: gflaherty@charter.net

Address: 335 BROAD ST. HOLLIS, NH 03049

Owner: MICHAEL ROUNDS & Kristin Rounds
(If same as applicant, write "Same")

Owner's Address: 115 BADGER HILL DRIVE, MILFORD, NH 03055
(If same as applicant, write "Same")

Property Location: 115 BADGER HILL DR. Map 51 Lot 26-70
(Number and Street)

Description of property: SINGLE FAMILY PRIVATE RESIDENTIAL LOT WITH BUILDING; 59,971 S.F. SEE ACCOMPANYING PLAN FOR LOT DIMENSION.
(Lot dimension, total area, present use)

This application is not considered acceptable unless all required statements have been made and all sections completed. Additional information may be supplied on separate sheets if necessary.

Fees: $75.00 per case plus abutter fees, including owner and representative (if applicable).

Section 1 - APPLICATION FOR SPECIAL EXCEPTION

A Special Exception, as specified in Article VI Section 6.02.6.A of the Zoning Ordinance, is requested to permit:

FILLED WETLAND RESTORATION : 3,454 SF.

Explain how the proposal meets the Special Exception criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

A. The proposed use is similar to those permitted in the district because:

N/A : THIS RESTORATION IS MANDATED BY NHDES & THE TOWN OF MILFORD. A WETLAND VIOLATION HAS OCCURED AND NEEDS TO BE ADDRESSED.

B. The specific site is an appropriate location for the proposed use because:

IT IS WHERE THE WETLAND HAS BEEN FILLED WITHOUT A PERMIT AND RESTORATION OCCURS IN THE SAME FOOTPRINT WHERE IT HAD BEEN.

C. The use as developed will not adversely affect the adjacent area because:

IT IS WHAT WAS THERE PRIOR TO BEING FILLED, SO THE PLAN IS TO RESTORE THE 3,454 SF. BACK TO A WETLAND SITUATION. SHOULD ENHANCE THE EXISTING WETLAND

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:

RESTORING A WETLAND WHICH HAS A 25' BUFFER IMPAIRS NEITHER OF THESE ITEMS ON A PRIVATE RESIDENTIAL LOT.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:

THIS RESTORATION IS A TEMPORARY SITUATION WHICH WILL BE SELF SUSTAINING ONCE BUILT AND STABILIZED.

Section 2 - ABUTTERS

See attached sheet.

Section 3 - ATTACHMENTS

A. A plan of the property and all buildings, drawn to scale, is required.
B. A Building Permit Application as needed (to be determined by the building official.)
C. Additional explanations, justification, abutters' statements, letters, etc.

Section 4 - REPRESENTATION

Owner(s) authorization for the applicant or other agent to represent the owner at the proceedings:

GARY FLAHERTY
Print the name of the person or party representing the owner(s)

The applicant or agent, as stated hereon, has authorization from the property owner to submit this Zoning Board of Adjustment application and to represent the property owner on matters relative to said process.

Owner's Signature — Date: 8-15-2012

Section 5 - SIGNATURES

Signature of Applicant — Date: 8-14-12

Signature of Owner — Date: 8-15-2012

Signature of Zoning Official — Date: 8/27/12
COMM. DEV. DIRECTOR / ZONING ADMINISTRATOR

For office use only

Code Enforcement Officer's decision and comments:

Revised 11/25/2011

ABUTTER LIST

Abutter – Any person whose property is located in New Hampshire and adjoins or is directly across the street, stream, or active railroad property from the land under consideration by the local land use board. The term "abutter" shall also include the owner and the applicant.

Map	Lot	Property Owner	Mailing Address	Town	State	Zip Code
N/A	N/A	GARY FLAHERTY APPLICANT	335 BROAD ST.	HOLLIS	NH	03049
51	26-70	MICHAEL ROUNDS & Kristin Rounds OWNER	115 BADGER HILL DR.	MILFORD	NH	03055
51	26-72	JUYEAN LEE	121 BADGER HILL DR	MILFORD	NH	03055
51	26-68	RANDY & MICHELLE FORD	109 BADGER HILL DR.	MILFORD	NH	03055
51	26-71	SEAN & TRACY O'CONNOR	120 BADGER HILL DR.	MILFORD	NH	03055
51	26-69	JEFFREY RADIN	1 TIMBER RIDGE DR.	MILFORD	NH	03055
51	26-112	SCOTT & MICHELLE BRIGGS	26 DEERWOOD DR.	MILFORD	NH	03055
51	26-73	ALLEN DURANT	126 BADGER HILL DR.	MILFORD	NH	03055
51	26-67	MATTHEW & HEIDI BARBERE	106 BADGER HILL DR.	MILFORD	NH	03055

The above abutter listing reflects the most current assessing records and the Milford Zoning Board of Adjustment is released from any responsibility for inaccurate information or incorrect abutter notification.

Signature of Applicant

8-14-12
Date

MAP 51, LOT 26-70
Map & Lot

D. The Board of Adjustment may grant a Special Exception for such projects after the application for the Special Exception has been reviewed and reported upon by the Milford Conservation Commission and forwarded to the Board of Adjustment within forty (40) days of a public meeting at which the Conservation Commission first received detailed plans on the project.

E. The Planning Board may also be required to submit a report to the Board of Adjustment, if requested by the Board of Adjustment. The Planning Board shall submit its report within the above specified forty (40) day period.

6.02.7 CRITERIA FOR EVALUATION

A. For all projects requiring a Special Exception the applicant shall demonstrate by plan or example that the following factors have been considered in their design:
   1. The need for the proposed project;
   2. The plan proposed is the alternative with the least impact to the wetlands, surface waters and/or their associated buffers;
   3. The impact on plants, fish and wildlife;
   4. The impact on the quantity and/or quality of surface and ground water;
   5. The potential to cause or increase flooding, erosion, or sedimentation;
   6. The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland, wetland complex and/or buffer area were also permitted alterations to the wetland and buffer proportional to the extent of their property rights;
   7. The impact of the proposed project on the values and functions of the total wetland or wetland complex.

B. The Town of Milford shall place emphasis in preserving peatlands and marshes. This priority shall be based upon the rarity of those environments and the difficulty in restoration of the value and function of those environments.

Gary Flaherty 335 Broad Street Hollis, NH 03049
603.578.9388 gflaherty@charter.net

Memorandum

Milford Zoning Board of Adjustment;
Town of Milford Community Development
One Union Square
Milford, NH 03055

September 10, 2012 JN: Rounds01

Re: The property (the "site") at 115 Badger Hill Drive in Milford, NH; aka Milford Tax Map 51, Lot 26-70.

6.02.7 CRITERIA FOR EVALUATION

A. For all projects requiring a Special Exception the applicant shall demonstrate by plan or example that the following factors have been considered in their design:

1. *The need for the proposed project*; The project is necessary due to the fact that the Town of Milford correspondence (the "correspondence") tiled; "Notice of Violation" requires it.
2. *The plan proposed is the alternative with the least impact to the wetlands, surface waters and/or their associated buffers*; Not applicable, there is no alternative the correspondence requires corrective action via the approved restoration plan (the "plan") by this office.
3. *The impact on plants, fish and wildlife*; The impacts should be minimal to the wetland itself since the task takes place in the buffer and upland areas of the site. No fish have been observed in the subject wetland. The buffer where the project is to occur has been disturbed in the recent past and is mostly lawn. All of the disturbances to these areas are to be repaired per the plan.
4. *The impact on the quantity and/or quality of surface and ground water*; At this time there is no surface water in the subject wetland, so the impact will be negligible. The impact to the immediate groundwater should be minimal since the fill removal is to be two feet at the most and groundwater should not be present this time of year due to seasonal

drawdown.

5. *The potential to cause or increase flooding, erosion, or sedimentation*; This project is to replicate what was there at the beginning of this year prior to fill placement, so flooding should not come into play since flood storage will approach the pre-disturbance amount, i.e. an increase in storage. Erosion and sedimentation shall be held in check if the measures are used per plan and proper construction practices.
6. *The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland, wetland complex and/or buffer area were also permitted alterations to the wetland and buffer proportional to the extent of their property rights*; In this instance if all stated parties involved performed a similar action, if warranted, the cumulative impact would be more beneficial than not.
7. *The impact of the proposed project on the values and functions of the total wetland or wetland complex*; This is a relatively small, stand-alone wetland. Since the project is taking place in the buffer and not in the wetland itself then the impact will be minimal. This project should enhance the wetland rather than being a detriment since it is being restored.

B. *The Town of Milford shall place emphasis in preserving peatlands and marshes. This priority shall be based upon the rarity of those environments and the difficulty in restoration of the value and function of those environments*; Not taking away from the subject wetland, it is a typical high bush blueberry/ red maple swamp for this area. A nice system but not a marsh or peatland.

Any questions or comments will be fielded at your convenience.

Regards,

Gary Flaherty NHCWS

1 inch = 300 feet

0 150 300 600 Feet

This document has been prepared to show approximate lot location only. Information shown is not to be used for deed descriptions.

MILFORD, NH

The Community Development Department maintains a continuing program to identify and correct errors. The Department makes no claims to the validity or reliability, or to any implied uses of this representation.

I2	I3	I4
J2	H3	J4
K2	K3	K4

DATE: April 2012

J3

45,46,51

Department of Community Development
Building and Health
Town of Milford, NH

Memo

To: Zoning Board of Adjustment

From: Dana MacAllister, Residential Building Inspector/Code Enforcement

Date: September 9, 2012

Re: Wetland fill and buffer disturbance – 115 Badger Hill Dr.

Members of the Commission:

This memo is to advise you of the history and conditions of the wetland and buffer area located at 115 Badger Hill Dr. (Map 51 Lot 26/70).

February 17th, 2011: A building permit was issued to Badger Mountain, LLC. to construct a 2,448 square foot single family residence at 115 Badger Hill Dr. During the application process Badger Mountain was advised of the wetlands on the property and that they could not work within the wetlands or wetland buffer.

March 2nd, 2011: A stormwater inspection was conducted during which Badger Mountain was advised to flag the boundaries of the wetland buffer to avoid disturbance. During subsequent building inspections this area was monitored along with the rest of the site.

Towards completion of the project Badger Mountain contacted this office to see if the driveway entrance currently located at 121 Badger Hill Dr. could be moved onto 115 Badger Hill Dr. I explained that the driveway could not be located there because the wetland and wetland buffer extended across the entire front of the lot at 115 Badger Hill Dr. - and that is why there is an access easement located on the neighbor's property. After some discussion they agreed to locate the driveway at the original approved location.

May 3rd, 2011: A Certificate of Occupancy was issued for 115 Badger Hill Dr. and as a condition of the Certificate of Occupancy an as-built plot plan was received by the office noting wetland and buffer locations. ***A site inspection confirmed that the buffer and wetlands were undisturbed and the driveway was located in the correct location.***

May 2011 – May 2012: During multiple inspections in the Badger Hill subdivision no disturbance to the wetlands or buffer at 115 Badger Hill was noted.

May 21, 2012: While on inspections in the Badger Hill subdivision, buffer disturbance and wetland fill was discovered in progress at 115 Badger Hill Dr.

May 22, 2012: An Order to Remedy was sent to Mr. Rounds requesting he contact our office to discuss the wetland fill.

May 24, 2012: Mr. Rounds called and scheduled an appointment for May 29, 2012.

May 29, 2012: Met on site with Mr. & Ms. Rounds, Fred Elkind (Stormwater Coordinator) and Chris Consentino (Conservation Commission) in attendance. During the site walk buffer and wetland fill were clear; however it was difficult to determine the extent. It was recommended that the as-built plot plan be reviewed and measurements taken on site.

June 6, 2012: Met on site a second time and compared measurements Mr. Rounds had taken off the as-built plan and compared them to site conditions. After reviewing the plans it appeared that at least 75% of the wetland buffer had been disturbed and 2,100 +/- square feet of wetland had been filled. Mr. Rounds was advised to hire a soil scientist to develop a plan to restore the affected area.

June 6, 2012: Notice of Violation issued in accordance with department policy for Munis tracking purposes.

June 6th – September 6th 2012: Mr. Rounds hired a soil scientist and worked with the Conservation Commission to develop a restoration plan (plan to be reviewed and approved/denied by the ZBA at the September 20th meeting).

September 6, 2012: At the request of the Conservation Commission an extension was granted on the original Notice of Violation.

Copies of the Order to Remedy, Violation Notice and extension are attached. Please do not hesitate to contact me if you have any questions.

Respectfully submitted,

Dana MacAllister
Residential Building Inspector/Code Enforcement
Town of Milford, NH

Town of Milford
CONSERVATION COMMISSION

Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0628
Fax (603) 673-2273
www.milford.nh.gov
conservation@milford.nh.gov
TDD Access:
Relay NH 1-800-735-2964

August 8, 2012

To: Zoning Board of Adjustment

Re: Rounds Wetland Violation – Map 51 Lot 26-70

To the Board,

The Conservation Commission met with Mr. Rounds, the owner of the property at 115 Badger Hill Road (Map 51 Lot 26-70) to discuss the remediation of the wetland violation on his property. After the suggestion from the Commission to contact a wetland scientist, Mr. Rounds submitted a plan prepared by Gary Flaherty which included recommendations from the Cooperative Extension Forester, Jon Nute.

The Conservation Commission approves the plan which was submitted. Mr. Rounds intends to restore the wetland and most of the buffer. The buffer will be replanted with native species which include some of the suggested plantings from the County Forester In compliance with the Commission's request, the owner will not use fertilizer in the buffer.

Sincerely,

Audrey Fraizer, Chair
Milford Conservation Commission

Town of Milford

COMMUNITY DEVELOPMENT

Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects

Town Hall
1 Union Sq
Milford, NH 03055
(603) 249-0620
Fax (603) 673-2273
www.milford.nh.gov

May 22, 2012

Michael and Kristin Rounds
115 Badger Hill Dr.
Milford, NH 03055

Reference: **Map 51 Lot 26-70**

ORDER TO REMEDY

Mr. and Ms. Rounds,

This office has received a complaint of unpermitted work within protected wetlands and wetlands buffer at *115 Badger Hill Dr.* On May 21, 2012 this complaint was investigated and verified. You are hereby found to be in violation of section *6.02.0 Wetland Conservation District* of the *Town of Milford Zoning Ordinance.*

You must contact this office to discuss restoration/repair of the wetlands and buffer *by 4:30 pm on June 6, 2012*. Failure to comply with this notice may subject you to appropriate enforcement action including requests for injunctive relief, proceedings relative to violation(s) of applicable codes and regulations relative to RSA 676:17, as well as related actions to recover civil penalties, damages, costs and expenses.

State of New Hampshire RSA ***676:17 (I) Fines and Penalties:*** Any person that violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of $275 for the first offense and $550 for subsequent offenses for each day that such violation is found to continue after the conviction date or after the date the violator receives written notice from the municipality the violator is in violation, whichever is earlier.

Your cooperation is appreciated. If there are any questions regarding this notice please contact the Office of Community Development between the hours of 8:00 am and 4:30 pm Monday – Friday.

Respectfully,

Dana MacAllister
Residential Building Inspector/Code Enforcement
Town of Milford, NH

CC: Bill Parker, Director of Community Development
Bill McKinney, Commercial Code Enforcement/Health Officer
Fred Elkind, Environmental Programs Coordinator/Deputy Health Officer
Milford Conservation Commission
New Hampshire Department of Environmental Services

Town of Milford

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June 6, 2012

Michael and Kristin Rounds
115 Badger Hill Dr.
Milford, NH 03055

Reference: **Map 51 Lot 26-70**

NOTICE OF VIOLATION

Mr. and Ms. Rounds,

Based on approximate measurements of the wetlands and wetland buffer taken on June 5, 2012, it has been confirmed that there has been significant buffer disturbance as well as fill placed within protected wetlands located at *115 Badger Hill Dr.* You are hereby found to be in violation of section *6.02.0 Wetland Conservation District* of the *Town of Milford Zoning Ordinance.*

In order to resolve this violation you must submit a restoration plan to this office by *September 6, 2012* that is acceptable to the *Town of Milford Zoning Board of Adjustment, Town of Milford Conservation Commission* and the *New Hampshire Department of Environmental Services*.

Restoration of the area is required to be completed by *October 6, 2012.* When the area has been restored and approved by the above entities, the violation will be closed. Failure to comply or make acceptable alternative arrangements by the dates specified will subject to additional enforcement action including requests for injunctive relief, proceedings relative to violation(s) of applicable codes and regulations relative to RSA 676:17, as well as related actions to recover civil penalties, damages, costs and expenses.

State of New Hampshire RSA ***676:17 (I) Fines and Penalties:*** Any person that violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of $275 for the first offense and $550 for subsequent offenses for each day that such violation is found to continue after the conviction date or after the date the violator receives written notice from the municipality the violator is in violation, whichever is earlier.

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Respectfully,

Dana MacAllister
Residential Building Inspector/Code Enforcement
Town of Milford, NH

(OVER)

CC: Bill Parker, Director of Community Development
Bill McKinney, Commercial Code Enforcement/Health Officer
Fred Elkind, Environmental Programs Coordinator/Deputy Health Officer
Milford Conservation Commission
New Hampshire Department of Environmental Services

Town of Milford

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September 6, 2012

Michael and Kristin Rounds
115 Badger Hill Dr.
Milford, NH 03055

Reference: **Map 51 Lot 26-70**

Mr. and Ms. Rounds,

At the request of the Milford Conservation Commission an extension has been granted on the Notice of Violation issued June 6, 2012 for the filling and disturbance of protected wetlands and wetland buffer areas. The new compliance dates are as follows:

All fill is to be removed from the wetlands by *October 31, 2012.*

Restoration of the wetland buffer is required to be completed by *May 31, 2013.* This includes any plantings in the wetlands/buffer that are part of the approved Conservation Commission plan.

When the area has been restored and approved by the Milford Conservation Commission, the violation will be closed. Failure to comply or make acceptable alternative arrangements by the dates specified will subject to additional enforcement action including requests for injunctive relief, proceedings relative to violation(s) of applicable codes and regulations relative to RSA 676:17, as well as related actions to recover civil penalties, damages, costs and expenses.

State of New Hampshire RSA ***676:17 (I) Fines and Penalties:*** Any person that violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person; and shall be subject to a civil penalty of $275 for the first offense and $550 for subsequent offenses for each day that such violation is found to continue after the conviction date or after the date the violator receives written notice from the municipality the violator is in violation, whichever is earlier.

Your cooperation is appreciated. If there are any questions regarding this notice please contact the Office of Community Development between the hours of 8:00 am and 4:30 pm Monday – Friday.

Respectfully,

Dana MacAllister
Residential Building Inspector/Code Enforcement
Town of Milford, NH

CC: Bill Parker, Director of Community Development
Bill McKinney, Commercial Code Enforcement/Health Officer
Fred Elkind, Environmental Programs Coordinator/Deputy Health Officer
Milford Conservation Commission

PERMANENT PLANTING LEGEND:

SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE
✳	15	HIGH BUSH BLUEBERRY	VACCINIUM CORYMBOSUM	1'–2'

ADDITIONAL PLANTINGS: DISSEMINATION FROM THE ADJACENT WETLAND AREA SHOULD MORE THAN BE AN ADEQUATE SUPPLIER OF VIABLE VEGETATIVE STOCK.

THE ABOVE PLANTINGS ARE FROM NEW ENGLAND WETLAND PLANTS, INC., 800 MAIN ST., AMHERST, MA. 01002, TX: 413.256.1752, OR EQUAL.

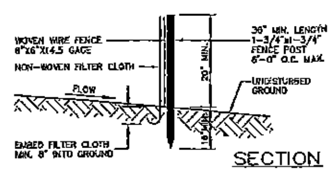
PERMANENT SEEDING SPECIFICATIONS:

THE SEED MIXES FOUND BELOW ARE DESIGNATED FOR UPLAND AREAS ONLY.

1. ALL DISTURBED AREAS SHALL RECEIVE 4" (COMPACTED DEPTH) OF LOAM AND SHALL THEN BE LIMED, NO FERTILIZER, SEEDED AND MULCHED IN ACCORDANCE WITH THE BMP STANDARD SPECIFICATIONS.
2. USE BLUE SEAL CONSERVATION ROCKINGHAM SOIL MIX OR EQUAL ON ALL DISTURBED UPLAND AREAS:
   - 35% CREEPING RED FESCUE
   - 25% VNS TURF-TYPE TALL FESCUE
   - 15% ANNUAL RYEGRASS
   - 12% PERENNIAL RYEGRASS
   - 10% KENTUCKY BLUEGRASS 85/80
   - 3% WHITE CLOVER

   650 SQ. FT. PER POUND
3. USE NEW ENGLAND WETMIX ON ALL DISTURBED WETLAND AREAS, OBTAIN FROM NEW ENGLAND PLANTS INC. FOX SEDGE, LURID SEDGE, BLUNT BROOM SEDGE, SENSITIVE FERN, BLUE VEVAIN, HOP SEDGE, GREEN BULRUSH, NODDING BUR MARIGOLD, BRISTLY SEDGE, FRINGED SEDGE, AMERICAN MANNAGRASS, WOOL GRASS, SOFT RUSH, SPOTTED JOE PYE WEED, BONESET, MUD PLANTAIN, NE ASTER, RATTLESHAKE GRASS, SOFT STEM BULRUSH, SWAMP MILKWEED, MONKEY FLOWER.

   2,500 SQ. FT. PER POUND
4. MULCH SHOULD CONSIST OF CURED DRY STRAW, HAY MULCH MAY BE USED INSTEAD AS LONG AS VERIFICATION THAT THERE ARE NO INVASIVE SPECIES IN THE HAY TO BE USED. THE MULCH SHALL BE SPREAD AT THE RATE OF TWO TONS PER ACRE. MULCH SHALL SHADE THE GROUND BUT SHALL NOT BE SO THICK AS TO BE UNABLE TO SEE THE GROUND. CLEAN WOOD CHIPS 1"–3" ARE ALSO A VIABLE ALTERNATIVE FOR MULCH.

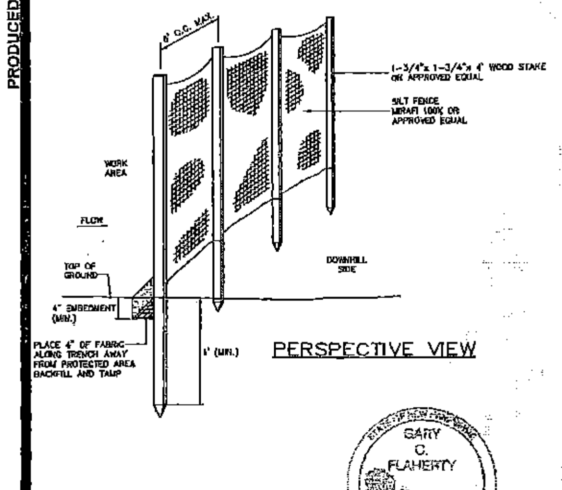


SECTION

SILT FENCE DETAIL

NOT TO SCALE

NOTE: USE A CONTINUING LINE OF STRAW HAY BALES BACKING ALL INSTALLED SILT FENCING, USE A MINIMUM OF TWO STAKES PER BALE WITH BUNDLE STRINGS FACING OUT.
INSPECT DAILY & MAINTAIN AS NEEDED TO ENSURE FENCING EFFECTIVENESS.



PERSPECTIVE VIEW

GARY C. FLAHERTY No. 00[illegible] 8-15-12

GENERAL NOTES:

1. OWNER OF RECORD OF MILFORD TAX MAP 51 LOT 26–70: MICHAEL & KRISTIN ROUNDS, 115 BADGER HILL DRIVE, MILFORD, NH 03055, PARCEL AREA IS 59,971 SF
2. THIS PARCEL DOES NOT FALL INTO NHDES SHORELAND PROTECTION CRITERIA.
3. REFERENCE PLAN: PLOT PLAN, 115 BADGER HILL DRIVE, MILFORD, NH.., BY MPEA, LLC OF NASHUA, NH; DATED JULY 5, 2012.

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

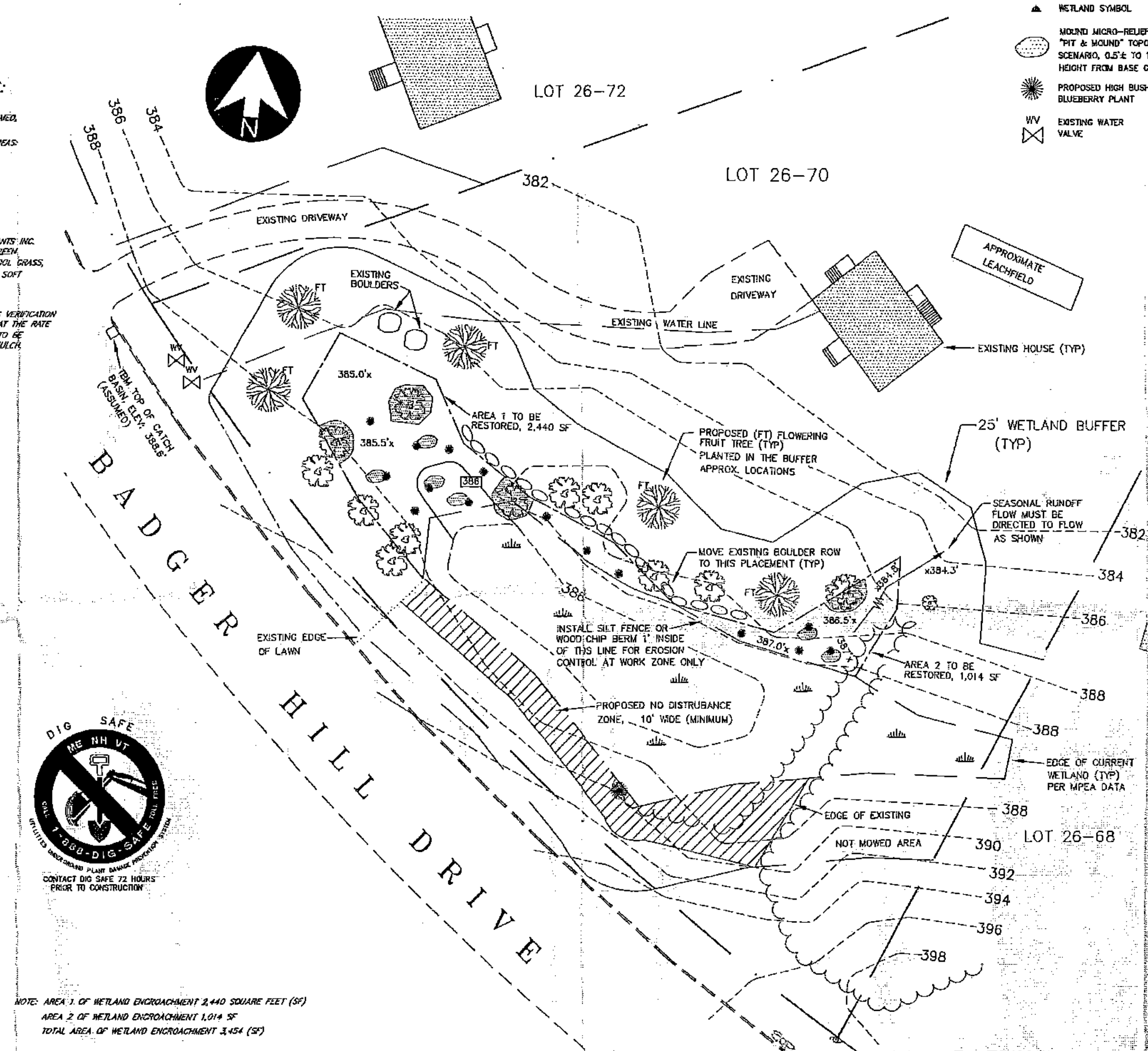
WETLAND CERTIFICATION

THE WETLAND AS SHOWN ON THIS PLAN WAS PROVIDED BY MPEA, LLC, OF NASHUA, NH.

THIS DOCUMENT HAS BEEN PREPARED TO ASSIST IN THE CONSTRUCTION OF A WETLANDS/ UPLANDS RESTORATION SCHEME. PERSONS USING THIS DOCUMENT FOR PURPOSES OTHER THAN THE CONSTRUCTION OF A WETLANDS/ UPLANDS SCHEME DO SO AT THEIR OWN RISK.

LEGEND

- 190 — — — EXISTING CONTOURS
- x 190.3' PROPOSED FINISH SPOT GRADE
- [288] FINISH GRADE
- WETLAND SYMBOL
- MOUND MICRO-RELIEF OF "PIT & MOUND" TOPOGRAPHIC SCENARIO, 0.5'± TO 1.0'± IN HEIGHT FROM BASE GRADE
- PROPOSED HIGH BUSH BLUEBERRY PLANT
- WV EXISTING WATER VALVE



NOTE: AREA 1 OF WETLAND ENCROACHMENT 2,440 SQUARE FEET (SF)
AREA 2 OF WETLAND ENCROACHMENT 1,014 SF
TOTAL AREA OF WETLAND ENCROACHMENT 3,454 (SF)

RESTORATION/EROSION CONTROL NOTES:

1. AT THIS TIME THIS PLAN DOES NOT REFERENCES ANY NHDES NOTICE OF FINDINGS, PERMIT OR THE LIKE.
2. EROSION, SEDIMENT AND SEDIMENTATION CONTROL MEASURES SHALL BE SILT FENCING, MULCH, JUTE MATTING AND HAY BALES, PLACED PER THE ABOVE SITE PLAN AND DISCRETION OF WETLAND SCIENTIST.
3. THE CONTRACTOR SHALL MAINTAIN SEDIMENTATION AND EROSION CONTROL DEVICES THROUGHOUT THE PROJECT SITE FOR THE DURATION OF THE TASK.
4. DAILY OR AS REQUIRED, CONSTRUCT TEMPORARY SILT FENCES (IF NEEDED), MULCH AND SEED AS REQUIRED.
5. INSPECT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES DAILY.
6. THE RESTORATION AREA WILL HAVE A MINIMUM OF FOUR INCHES (4") OF TOPSOIL AFTER SUBSOIL FINISH GRADE HAS BEEN REACHED. ANY TOPSOIL REMOVED FROM ANY DISTURBED AREA ASSOCIATED WITH THIS RESTORATION PROJECT IS TO BE SCREENED AND STOCKPILED SEPERATELY. THE PROJECT INSPECTOR WILL DETERMINE SUITABILITY OF THIS MATERIAL FOR USE IN THIS TASK.
7. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, FINE SANDY LOAM POSSESSING AT LEAST 10% ORGANIC MATTER. THIS TOPSOIL IS TO BE FREE FROM SUBSOIL, OBJECTIONABLE PLANTS, LITTER, SODS, STIFF CLAY, STONES LARGER THAN ONE INCH (1") IN DIAMETER, STUMPS, ROOTS, TRASH, TOXIC SUBSTANCES, OR ANY OTHER MATERIAL WHICH MAY BE HARMFUL TO PLANT GROWTH OR HINDER SEEDING OPERATIONS. CONTRACTOR IS TO VERIFY AMOUNT STOCKPILED AND APPROVED BY THE PROJECT INSPECTOR AND SUPPLY ANY ADDITIONAL AMOUNT AS NEEDED.
8. SUGGEST THAT CONSERVATION MARKERS BE PLACED ALONG THE EDGE OF THE BUFFER LIMIT SPACED 50'± APART AT EYE LEVEL.
9. THE SEED MIXES TO BE USED ARE FOUND ON THE UPPER LEFTHAND CORNER OF THIS PLAN.
10. THE METHOD OF CONTROL FOR INVASIVE SPECIES SHALL BE REMOVAL BY HAND UPON VISUAL OBSERVATION OF ANY INVASIVE SPECIES. YOU MAY OBTAIN A LIST OF THESE INVASIVE SPECIES THROUGHT THE TOWN OF MILFORD, THIS OFFICE OR NHDES. THIS TASK SHOULD BE OBSERVED FOR A MINIMUM OF THREE YEARS, BUT DILIGENCE SHOULD BE AS LONG AS THE OWNER RETAINS THE PROPERTY.
11. DURING THE CLEANUP PHASE-WHICH ENTAILS PICKING ALL ASSOCIATED DEBRIS BY HAND WITH MINIMAL DISTURBANCE TO THE LAND. ALL PICKED UP DEBRIS SHALL BE DISPOSED OF AT THE TOWN OF MILFORD TRANSFER STATION (IF APPLICABLE). THIS MATERIAL WILL MEET MINIMAL ARSENIC CRITERIA FOR DISPOSAL.
12. THIS PLAN IS NOT ESTABLISHING ANY RATE OR AMOUNT OF SUCCESSFUL ESTABLISHMENT OF PROPOSED WETLAND VEGETATION. THE CONCEPT OF THIS IS TO HAVE SPECIES NATIVE TO THE IMMEDIATE VICINITY OF THE RESTORATION AREA TO BECOME ESTABLISHED AND STABLE OVER TIME. THE WORK BEING ACCOMPLISHED WITH THIS PLAN IS FOR SHORT TERM STABILIZATION AND A BASE TO START WITH, MOSTLY FOR EROSION/ SEDIMENTATION CONTROL.

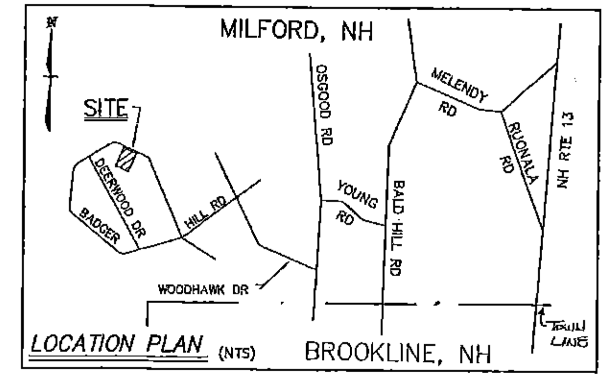
SITE PLAN

SCALE: 1"=20'

MILFORD TAX MAP 51, LOT 26–70

20 10 5 0 20
Graphic Scale

REV.	DATE	DESCRIPTION	DR	CK
1	8-14-12	WETLAND CERT. CHANGE	GF	



LOCATION PLAN (NTS)

BEFORE RESTORATION TASK & ANY SITE CONSTRUCTION - SITE STABILIZATION:

Identify and cordon off the buffers between the construction area(s) and the wetland, leave the remaining vegetation intact within the buffers to be determined, and prevent construction equipment from entering said buffers. See any information generated by this office or the town for a view the site.

Place a wood chip berm and/ or silt fencing between the construction site and the subject wetland to trap any sediment migration toward the subject wetland.

Any portion of the cleared area that falls within any buffer(s) are to be stabilized with mulch and seeded after the establishment of perennial vegetation, the area should not be mowed to allow a natural succession of shrubs and saplings. These areas should be identified prior to any plans being finalized.

DURING RESTORATION TASK & ANY SITE CONTRUCTION - SITE STABILIZATION

The following notes reflect NHDES publication,"New Hampshire Stormwater Manual by NHDES, Volumes 1-3, dated December 2008."

Clear and grub to limits of cut and fill.

Construct temporary and permanent erosion/ sedimentation control facilities. All erosion and sedimentation control measures shall be installed prior to commencement of earthwork operations. After these control measures have been completely installed, they should be inspected by the Town of Milford and/ or by a wetland scientist (the "inspector") prior to commencement of said earthwork operations.

Inspect daily and maintain accordingly all sedimentation and erosion control devices to prevent sediment migration. This is to be done throughout the proposed project site for the duration of construction.

All slopes greater than 3 to 1 shall be seeded and mulched within 72 hours of their completion. At the request of the inspector(s) jute matting may also be required in situations they feel matting is warranted.

All swales and ditches with slopes exceeding 5% shall be treated with jute matting.

Regrade road way (if needed). The road way area shall be stabilized immediately after grading, begin temporary and permanent seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after construction.

Construct temporary diversion channels as required (if necessary).

Daily or as required, as construction progresses, construct temporary berms, drainage ditches, silt fencing, sediment traps and the like, mulch and seed accordingly as needed and required.

The construction phase for the above shall start no sooner than the middle of April and complete, permanent seeding and landscaping shall be finalized no later than the beginning of October that same year.

Stabilize inactive piles of soil construction materials & surround with silt fencing and/ or hay bales.

Stop any excess sediment migration within the construction site with appropriate measures; prevent runoff from forming channels and stabilize those that form with check dams or divert to temporary settling pond(s) within the work area.

Maintain the buffers in an undisturbed state as much as possible.

AFTER RESTORATION TASK & ANY SITE CONTRUCTION - SITE STABILIZATION

Remove temporary control measures and accomplish final cleanup promptly.

All disturbed areas shall be stabilized with grass seed and mulch and shall not be left bare for more than 30 days nor over the winter months.

Do not apply typical chemical fertilizers within any protected shoreland setback areas. If absolutely necessary use time released fertilizers minimally.

All ditches and swales as well as the detention areas (if any) shall be properly stabilized prior to directing flow to them. The inspector shall have final say upon field inspection of these structures regarding the application of flow to them.

Disposal of excess material from any activity undertaken for the completion of this proposed project is to occur within an upland site in a manner that will prevent said materials later erosion & possible transport to a waterway or wetland. This material would meet current criteria for disposal.

If the ground cover is not established by the end of the first growing season, exposed slopes or flat ground should be straw hay mulched or equal to minimize erosion during the nongrowing season.

SITE RESTORATION

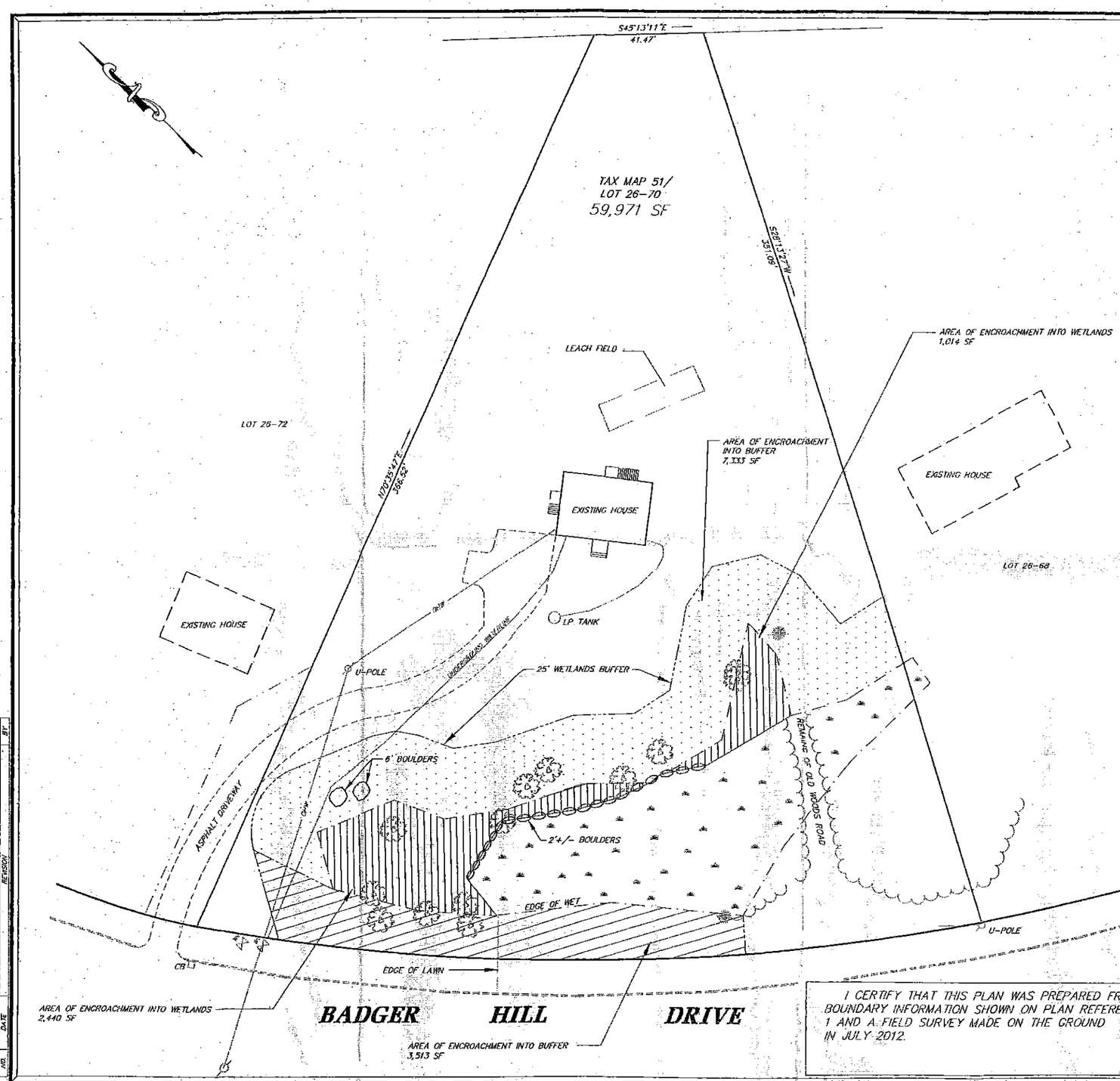
115 BADGER HILL DRIVE
MILFORD, NH

PREPARED FOR
MICHAEL & KRISTIN ROUNDS
115 BADGER HILL ROAD
MILFORD, NH 03055

SCALE (SITE PLAN) 1"=20' JULY 26, 2012

GARY C FLAHERTY
335 BROAD STREET
HOLLIS, NH 03049
Phone (603)578-0388
gflaherty@charter.net
Environmental Scientist
Land Planner

FILE	SIZE	TYPE	FB		
FLINTPOND01	D	BD	11 / CADFILE RESTORE01		SHEET 1 OF 1



PLAN REFERENCES:

1. LOT LINE RELOCATION PLAN – TAX MAP 51/LOT 26, BADGER HILL (PHASE 4) OSGOOD ROAD, MILFORD, NH; FOR: MILFORD MILLBROOK DEVELOPMENT, LLC; BY: MAYNARD & PAQUETTE, ENG. ASSOC., LLC; DATED: NOVEMBER 4, 2004 H.C.R.D. NO. 35709

- STONE BOUND FOUND
- STONE BOUND TO BE SET
- IRON PIPE FOUND
- IRON PIPE TO BE SET
- WETLANDS BUFFER
- EDGE WET
- HARDWOOD TREES 4" – 18" DBH

LEGEND

NOTES:

1. PRESENT ZONING – RESIDENTIAL
2. BUFFER ENCROACHMENT
   - AREA 1 – 7,333 SF
   - AREA 2 – 3,513 SF
   - TOTAL – 10,846 SF
3. WETLANDS ENCROACHMENT
   - AREA 1 – 2,440 SF
   - AREA 2 – 1,014 SF
   - TOTAL – 3,454 SF

NO.	DATE	BY	REVISION

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCES 1 AND A FIELD SURVEY MADE ON THE GROUND IN JULY 2012.

PLOT PLAN — TAX MAP 51/LOT 26-70.

115 BADGER HILL DRIVE
MILFORD, NEW HAMPSHIRE

OWNERS:
MICHAEL ROUNDS
115 BADGER HILL DRIVE
MILFORD, N.H. 03055

SCALE: 1" = 20' — DATE: JULY 5, 2012

Maynard & Paquette Engineering Associates, LLC
Consulting Engineers and Land Surveyors
23 East Pearl Street, Nashua, N.H. 03060
Phone: (603)883-8433 Fax: (603)883-7227

DESIGNED	DRAFTED	CHECKED	APPROVED	BOOK & PAGE	REVISION	SIZE	JOB NUMBER
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DWG. NO. 1 OF 1

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Picture 3: View looking northeasterly at the easterly portion of Restoration Area #1, the wetland is on the right, view taken from the edge of Badger Hill Drive. Taken 6/27/12

Picture 4: View looking northerly at the westerly portion of Restoration Area #1, the house for lot 51-26-72 is in the background. View taken from stonewall above. Taken 6/27/12

Picture 1: View looking easterly along Badger Hill Drive at the buffer, the wetland is in the trees on the right, view taken from the driveway. Taken 6/27/12

Picture 2: View looking westerly at the northerly facing buffer area, Restoration Area #2 is in the foreground & the wetland is on the right. Taken 6/27/12