

Northam Survey, LLC
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Re: Request for Waiver – Subdivision Regulations §278-4:1.13

Applicant: Jacqui L. Fuschetti

Property: 59 Millville Street, Salem, NH

Tax Map: 81 | **Lot:** 2946

Project: Two-Lot Subdivision (NS Project #1667)

Town of Salem Planning Board
33 Geremonty Drive
Salem, NH 03079

Dear Members of the Planning Board:

On behalf of the property owner, Jacqui L. Fuschetti, we respectfully request a waiver from the requirements of Section 278-4:1.13 of the Salem Subdivision Regulations, pursuant to Article 7, Section 278-7:1 (Waivers). Section 278-4:1.13 requires that the minimum basement floor elevation for each lot be shown on the subdivision plan.

Article 7 authorizes the Planning Board to grant waivers where strict compliance with the Subdivision Regulations would result in unnecessary hardship or where such waiver would not be contrary to the intent of the Regulations or the public interest. The requested waiver meets these criteria for the reasons described below.

The proposed project consists of a two-lot residential subdivision, classified as a minor subdivision. At this time, no building or foundation design plans have been prepared for either proposed lot. As a result, establishing minimum basement floor elevations at the subdivision stage would be premature and speculative.

Final basement floor elevations are more appropriately determined during the building design and permitting phase, when detailed grading plans, foundation designs, utility connections, and drainage considerations are fully developed and reviewed by the appropriate Town departments. Deferring this requirement will allow for a more accurate and coordinated review that reflects the actual proposed construction.

Granting this waiver will not be contrary to the intent of the Subdivision Regulations and will not adversely affect public health, safety, or welfare. Compliance with flood hazard, drainage, and building code requirements will continue to be reviewed and enforced during the construction and building permit phase.

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Accordingly, we respectfully request that the Planning Board grant a waiver from Section 278-4:1.13 in accordance with Article 7 of the Subdivision Regulations, allowing minimum basement floor elevations to be reviewed and approved during the design and construction permitting phase rather than at the time of subdivision approval.

Thank you for your consideration. Please feel free to contact us should you require additional information.

Sincerely,



Eric Salovitch, LLS

President