



*Town of Hudson
12 School Street
Hudson, NH 03501*

CONDITIONAL USE PERMIT APPLICATION: **WETLAND CONSERVATION OVERLAY DISTRICT**

Revised June 9, 2021

Applications must be received at least 21 days prior to the Planning Board and Conservation Commission meetings at which the application will be heard. *The following information must be filed to each board.*

CONSERVATION COMMISSION:

1. Ten (10) copies of the completed application, including the project narrative that demonstrates that the proposal meets the conditions of Article IX of the Zoning Ordinance.
2. Ten (10) reduced size plan sets (sheet size: 11" X 17"). Plans require the stamp of a licensed land surveyor and a certified wetlands scientist. At a minimum, plans must show topography and any wetland within fifty (50) feet of the proposed project.

***Complete Applications should be delivered to the Engineering Department.
Contact: Engineering Department @ 603-886-6008**

PLANNING BOARD:

1. Fifteen (15) copies of the completed application, including the project narrative that demonstrates that the proposal meets the conditions of Article IX of the Zoning Ordinance.
2. Three (3) full size folded plan sets (sheet size: 22" x 34") and fifteen (15) reduced size plan sets (sheet size: 11" X 17"). Plans require the stamp of a licensed land surveyor and a certified wetlands scientist. At a minimum, plans must show topography and any wetland within fifty (50) feet of the proposed project.
3. A list of direct abutters and indirect abutters, and two (2) sets of mailing labels for abutter notifications.
4. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.
5. Check should be made payable to the Town of Hudson, and submitted to the Planning Department.

***Complete Application & check should be delivered to the Planning Department.
Contact: Planning Department @ 603-886-6008**

Revised plans and other application materials must be filed with the Planning Department *no later than 10:00A.M., Tuesday the week prior to the scheduled meeting, as applicable.*

PLEASE NOTE:

1. To prevent submission of redundant information, submission of a complete Subdivision or Site Plan Application may be used to satisfy some of the requirements for the Conditional Use Permit Application, where applicable.
2. No postage fees or mailing labels are required when submitting with a subdivision or site plan application.
3. Prior to filing an application, it is recommended to schedule an appointment with the Town Planner and Town Engineer.

CONDITIONAL USE PERMIT APPLICATION

Date of Application: 8/12/21 Tax Map #: 101 Lot #: 18 & 19

Site Address: 2 Rebel Road & 345 Derry Road

Name of Project: Bobcat of New Hampshire

Zoning District: Business General CUP#: _____
(For Town Use Only)

Z.B.A. Action: _____

PROPERTY OWNER:

DEVELOPER:

Name: Mal Mar LLC Mal Mar LLC

Address: 9 Dover Road, Chichester NH 03258 _____

Address: _____ 9 Dover Road, Chichester

Telephone # 224-1234 NH03258
224-1234

Email: pete.detone@bobcatnh.com _____

PROJECT ENGINEER or SURVEYOR:

CERTIFIED WETLANDS SCIENTIST:

Name: TFMoran, Inc. - Jason S. Hill TFMoran, Inc. - Christopher Danforth

Address: 48 Constitution Drive 48 Constitution Drive

Address: Bedford, NH 03110 Bedford, NH 03110

Telephone # 603-472-4488 603-472-4488

Email: jhill@tfmoran.com cdanforth@tfmoran.com

PURPOSE OF PLAN:

To depict the proposed sitework which includes paving and reconfiguration of the parking lot/access drives for Lot101-18 and Lot 2-34A, as well as adding outdoor display and storage areas. Site work for Lot 101-19 includes the constuction of two building additions with assoiated site improvements.

(For Town Use Only)

Routing Date: _____ Deadline Date: _____ Meeting Date: _____

_____ I have no comments _____ I have comments (attach to form)

_____ Title: _____ Date: _____
(Initials)

Department: _____

Zoning: ___ Engineering: ___ Assessor: ___ Police: ___ Fire: ___ DPW: ___ Consultant: ___

SITE DATA SHEET

PLAN NAME: Bobcat of New Hampshire

PLAN TYPE: (Site Plan, Subdivision, or other) Site Plan

LEGAL DESCRIPTION: MAP 101 LOT 18 & 19

DATE: July 26 , 2021

Location by Street: 2 Rebel Road & 345 Derry Road

Zoning: Business District

Proposed Land Use: Construction Equipment Supplier & Dealership

Existing Use: Dubowik Excavation company operation & Business/Dealership

Total Site Area: S.F.: Lot 18: 49,672 Acres: Lot 18: 1.14 Lot 19: 1.20
Lot 19: 52,366

Total Wetland Area (SF): None on subject properties

Permanent Wetland Impact Area (SF): None

Permanent Wetland Buffer Impact Area (SF): 180 SF

Temporary Wetland Impact Area (SF): None

Temporary Wetland Buffer Impact Area (SF): 1560 SF

Flood Zone Reference: Zone X

Proposed Mitigation:

Loam & Seed downslope of basin and silt fence.

(For Town Use Only)

Data Sheets Checked By: _____ Date: _____

WETLAND CONDITIONAL USE PERMIT CHECKLIST

Yes	No	NA	<u>QUESTIONS/INFORMATION NEEDED</u>	HCC Comments
NARRATIVE REPORT				
Existing Conditions				
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Has a DES Dredge and Fill Permit been issued for any part of this site? If yes, provide number, date, and description.	
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Is there evidence of altered wetlands or surface waters on site?	
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	All prime and other wetlands in the vicinity, plus any wetlands/watersheds past the immediate vicinity affected by this project	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Description of each wetland and associated values 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Wetland mapping results – Including the flagging date and technique plus the name, company and qualifications of the wetland scientist	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Was property surveyed? If yes, the date of survey. (Please attach the survey plan)	
National Wetland Inventory				
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Vegetative cover types 	
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Existence of vernal pools and associated habitat 	
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Unique geological and cultural features 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • NH Natural Heritage inventory – For list of rare and endangered species, contact the NH Division of Forests and Lands (603)271-3623 	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> • Wildlife and fauna species, including estimated number and locations (large projects) 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Public or private wells located within the vicinity 	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> • Monitoring well(s) located on site 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<ul style="list-style-type: none"> • Current land use and zoning district 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Photos of existing area (please use color photos)	
Proposed Project Description				
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Entire project and associated activities	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Time table of project and anticipated phasing	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Land use	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Grading plan	
Impact to Wetlands and/or Buffers				
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> • Depending on size and proposed impacts, a report from a biologist may be appropriate 	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Removing, filling, dredging, or altering (Area square ft. and locations)	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Intercepting or diverging of ground or surface water (Locations and size)	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> • Change in run-off characteristics 	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Delineation of drainage area contributing to each discharge point	

Yes	No	NA	Questions/Information Needed	HCC COMMENTS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Estimated water quality characteristics of runoff at each point of discharge for both pre- and post-development	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion control practices	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> If using rip-rap, attach documentation explaining why other erosion control methods are not feasible 	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> How storm water runoff will be handled 	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If backyards or lots include a buffer area, buffer restriction wording shall be included in each deed (A physical marker may be requested to designate buffer boundaries at site)	

Mitigation

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Square footage of mitigation – wetland and upland areas	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wetland or upland plants identified to replace any losses	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Restoration plan for planting and vegetation 	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conservation easements, including location and aesthetic, wildlife and vegetative values	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> If easement is on or added to the site(s), a copy of the legal document shall be given to the HCC (HCC conservation easement markers may also be required along the easement) 	

CONCEPTUAL SITE PLAN/DRAWING

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Locus map depicting project site and vicinity within approximately ½ mile and also on a larger scale	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All prime and other wetlands in the vicinity	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wetland(s) impacted (identified as prime or other) and the wetland boundaries with 50', buffer areas highlighted in color	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Assessor's sheet(s), lot(s), and property account number(s)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed structures	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Square footage listed for temporary and permanent impact	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion control plan (Suggested: Biodegradable silt fences so area won't be disturbed again and no hay to avoid invasive species)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Topographical map with contours	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storm water treatment swales and basins highlighted in color if in buffer area	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conservation and utility easements	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grading plan	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Culvert, arch, bridge - sizes, material, etc.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vegetative cover types	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vernal pools	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed stone walls, tree lines, and unusually large, rare or beautiful trees, and other notable site features	

QUESTIONS TO CONSIDER BEFORE SUBMITTING

- Will the increased discharge cause erosion and channelization?

- Is there potential for off-site flooding?

- Does the decreased infiltration in the drainage area cause vegetation stress due to reduced or increased ground water or surface water discharge into wetland?

- Will the nutrients in the runoff increase eutrophication potential in downstream water bodies?

- Do you own any adjacent parcels or easements for roadways across adjacent parcels which could be used for access to avoid a wetland crossing

- Does a wetland crossing occur where it will result in the least amount of alteration to a wetland?

- Is preservation of upland areas adjacent to the impacted wetland a priority?

- Can using an alternative crossing design such as a bridge, retaining wall, etc. decrease the width or area of wetland alteration?

- Does a proposed road crossing of a wetland exceed the minimum width acceptable to the Planning Board and can this be negotiated downwards?

- Have you established that no reasonable alternative access from a public way to an upland is possible?

- Can the parking lot spaces be decreased?

- Is the roadway designed in such a way that does not restrict the flow of water?

- Is additional information needed to assess water quality impacts due to runoff?

- Is there an increase in other pollutants (e.g., heavy metals, turbidity, coli form) from streets and parking lots?

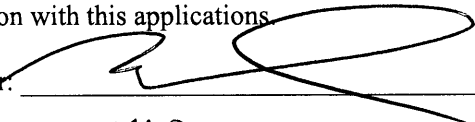
- Is there a need to restrict or prohibit the use of pesticides and fertilizers?

- Is there a need to restrict the use of roadway salting?

CONDITIONAL USE PERMIT APPLICATION AUTHORIZATION

I hereby apply for *Conditional Use Permit* and acknowledge I will comply with all of the Ordinances of the Town of Hudson, New Hampshire State Laws, as well as any stipulations of the Planning Board, in development and construction of this project. I understand that if any of the items listed under the *Conditional Use Permit* specifications or application form are incomplete, the application will be considered rejected.

Pursuant to RSA 674:1-IV, the owner(s) by the filing of this application as indicated above, hereby given permission for any member of the Hudson Planning Board, the Hudson Conservation Commission, the Town Planner, the Town Engineer, and such agents or employees of the Town or other persons as the Planning Board may authorize, to enter upon the property which is the subject of this application at all reasonable times for the purpose of such examinations, surveys, tests and inspections as may be appropriate. The owner(s) release(s) any claim to or right he/she (they) may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on his/her (their) property in connection with this applications.

Signature of Owner:  _____ Date: 8-2-21
Print Name of Owner: MARIE BLANCHARD

- ❖ If other than an individual, indicate name of organization and its principal owner, partners, or corporate officers.

Signature of Developer: _____ Date: _____
Print Name of Developer: _____

- ❖ The developer/individual in charge must have control over all project work and be available to the Code Enforcement Officer/Building Inspector during the construction phase of the project. The individual in charge of the project must notify the Code Enforcement Officer/Building Inspector within two (2) working days of any change.

SCHEDULE OF FEES

(Fee covers both Conservation Commission & Planning Board)

A. REVIEW FEES:

1. Conditional Use Permit
\$100 Flat Fee \$ 100.00

LEGAL FEE:

The applicant shall be charged attorney costs billed to the Town for the Town's attorney review of any application plan set documents.

B. POSTAGE:

_____ Direct Abutters @\$4.15 (or Current Certified Mail Rate) \$ _____
_____ Indirect Abutters (property owners within 200 feet) \$ _____
 @\$0.55 (or Current First Class Rate)

TOTAL \$ _____

(For Town Use)	
AMOUNT RECEIVED: \$ _____	DATE RECEIVED: _____
RECEIPT NO.: _____	RECEIVED BY: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

July 28, 2021

Bobcat of New Hampshire
2 Rebel Road, 345 Derry Road & 307 Nashua Road
Hudson & Londonderry, NH
Conditional Use Permit
Narrative Report

Background/ Project Description

The location of the project is Tax Map 101, Lots 18 and 19, and Tax Map 2, Lot 34A otherwise known as 2 Rebel Road, 345 Derry Road, and 307 Nashua Road in Hudson and Londonderry, New Hampshire. Bobcat of New Hampshire is relocating/expanding their existing facilities to this location.

The proposed site work will include a shared site drive to simplify circulation and loading of large trucks and facilitate inter-parcel access. There will be more product display areas towards the front of each site. The existing Reeds Ferry office building will be converted to sales/rental of new equipment with parts and service. Two new building additions will be added to the Rebel Road site for parts and service office. The existing Dubowik Excavation office building will be converted to new equipment sales/ leasing and detailing. The outdoor storage of equipment and parts will be in the proposed storage units and surrounding area.

All of the properties are currently serviced by private on-site septic and water wells, underground utilities and private drainage measures.

A new stormwater pond will be constructed at the south east corner of Lot 101-18 to provide treatment of development runoff.

The applicant is requesting the Planning Board consider the following Conditional Use Permits:

- A Conditional Use Permit to allow a stormwater management system within the Wetland Conservation Overlay District (Section 334-36. Uses within Wetland Conservation District, C (3))

Existing Conditions

Dredge & Fill Permit

The project does not involve direct impacts to NHDES jurisdictional wetland areas. The subject wetlands are located on the adjacent properties. For these reasons, a Dredge & Fill Permit is not required to construct the project.

48 Constitution Drive
Bedford, NH 03110
Phone (603) 472-4488
Fax (603) 472-9747
www.tfmoran.com

Existing Wetlands

There are no jurisdictional areas on the subject properties. Based on site observation in February, 2021 there is no observable evidence that wetlands resulted from prior site alteration resulting in trapped surface water loading to development of jurisdictional wetlands.

We have identified all wetlands on and around the subject property on the Existing Conditions Plan. There are no prime wetlands in the vicinity of the premises.

Jurisdictional wetlands shown on this plan were delineated on February 9, 2021 by Christopher K. Danforth cws #077 of TFMoran, Inc. The wetlands were delineated according to the Corps of Engineers Wetland Delineation Manual (1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, version 2, January 2012.

Dominant hydric soils within the wetland(s) were identified using either field indicators for identifying hydric soils in New England, (version 3). New England interstate water pollution control commission (neiwppc), April 2004 or field indicators of hydric soils in the United States, a guide for identifying and delineating hydric soils, version 7.0, usda, nrcs, in cooperation with the national technical committee for hydric soils, 2010. Dominance of hydrophytic vegetation was determined using the northcentral and northeast 2013 regional wetland plant list, us army corps of engineers, 2013, (ver. 3.1).

National Wetlands Inventory

Type of vegetative cover: The subject wetlands are forested wetlands. The subject wetlands are isolated wetlands as well. The wetlands provide limited ground water discharge, floodflow alteration, sediment stabilization, aquatic diversity/ abundance.

Vernal Pool presence: The subject wetlands do not exhibit the soils characterizations needed to support vernal pool development.

Unique geologic / cultural features: there is a stone wall running along the property line in the wetlands buffer area. There are no anticipated adverse impacts to the stone wall from the proposed grading activities. There are no other unique geologic or cultural features in the vicinity of the subject wetlands.

NH Natural Heritage Inventory: based on a review dated 4/29/2021 by NHB (pending), there are potential impacts to rare, threatened or endangered species.

NH Natural Heritage Inventory: based on a review dated 4/29/2021 by NHB (pending), there are potential impacts to critical wildlife or fauna.

Potable water wells: There are no known public drinking water wells in the vicinity of the site. The existing properties are all serviced by private drinking water wells. There are no anticipated adverse impacts to the wells from the project.

Monitoring wells: There are no known monitoring wells in the vicinity or on site.

Current land use and zoning district: The properties are zoned in the Business Zoning District in Hudson and the Commercial II with Route 102 Performance District Overlay in Londonderry. The current land use is an existing Dubowik Excavation company and Reeds Ferry office building.

Photographs:

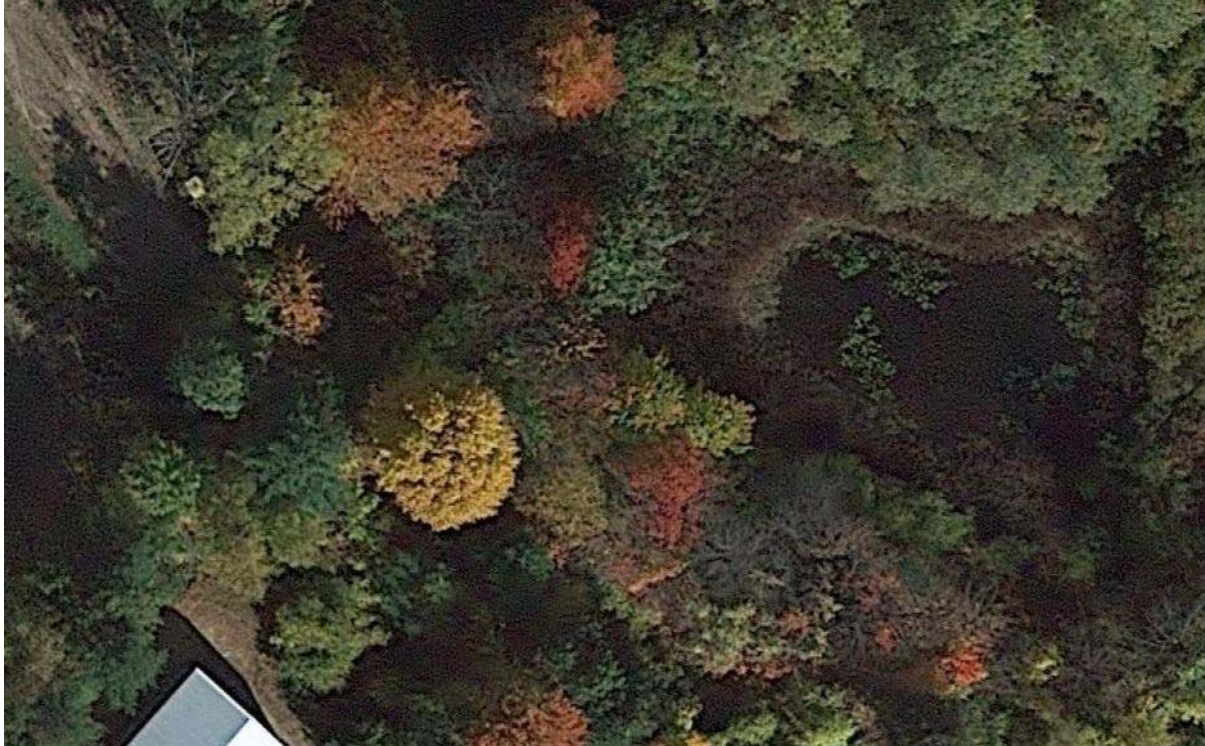
View of the wetlands from inside the fence at the Rebel Road site.



View of the wetlands from inside the fence at the Rebel Road site.



Aerial view of wetland to the south east corner of Lot 101-18



Impacts to Wetlands and/or Buffers:

- There are 180 SF of permanent wetland buffer impacts associated with the stormwater management area which include the outlet structure, outlet pipe and level spreader.
- There are 1,560 SF of temporary wetland buffer impacts associated with regrading for the stormwater management area.
- The project will release treated stormwater from site runoff into a level spreader and eventually into the wetlands to emulate the predevelopment condition in terms of peak rate of runoff. There will be no impacts to the wetlands.

Estimated water quality characteristics of runoff at each point of discharge from pre to post development:

All of the properties currently discharge onto the adjacent abutters and subject wetlands with limited to no water quality treatment. The proposed stormwater system improvements will provide enhanced water quality treatment of the site runoff by upgrading the removal of pollutants.

Erosion control practices: perimeter structural BMPs will be installed to prevent migration of sediment / erosion into the wetlands. The contractor will be required to file a CGP with the EPA and perform weekly erosion control monitoring throughout the duration of sitework.

Riprap will be installed and permanently maintained at the outfall of the pond to reduce the velocity of discharge prior to entering into the wetlands.

Mitigation:

Square footage of mitigation wetland and upland areas: the project does not meet the classification of the required mitigation per NHDES regulations. As such there is no statutory requirement for mitigation. However, landscaping will be provided in the buffer areas which will mitigate the affects of the removal of existing vegetation (Please see attached Restoration Plan). The project itself is self-mitigating in that the stormwater pond will enhance the level of water quality in runoff from what currently exists.

Conservation Easements: easements are not applicable to the project.



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

August 2, 2021

Conditional Use Permit Criteria
Bobcat of New Hampshire
2 Rebel Road, 345 Derry Road & 307 Nashua Road
Hudson & Londonderry, NH

General Description:

The location of the project is Tax Map 101, Lots 18 and 19, and Tax Map 2, Lot 34A otherwise known as 2 Rebel Road, 345 Derry Road, and 307 Nashua Road in Hudson and Londonderry, New Hampshire. Bobcat of New Hampshire is relocating/expanding their existing facilities to this location.

The proposed site work will include a shared site drive to simplify circulation and loading of large trucks and facilitate inter-parcel access. There will be more product display areas towards the front of each site. The existing Reeds Ferry office building will be converted to sales/rental of new equipment with parts and service. Two new building additions will be added to the Rebel Road site for parts and service office. The existing Dubowik Excavation office building will be converted to new equipment sales/leasing and detailing. The outdoor storage of equipment and parts will be in the proposed storage units and surrounding area.

A new stormwater pond will be constructed at the south east corner of Lot 101-18 to provide treatment of development runoff.

The applicant is requesting the Planning Board consider the following Conditional Use Permits:

- A Conditional Use Permit to allow a stormwater management system within the Wetland Conservation Overlay District (Section 334-36. Uses within Wetland Conservation District, C (3))

Section 334-37. Conditional Use Permit Criteria

(1) The proposed activity minimizes degradation of land situated within the District and offsets potential adverse impacts to functions and values of wetlands, surface waters, and vernal pools including but not limited to their capacity to:

(a) Support fish and wildlife;

The proposed development will not adversely impact fish and wildlife. The stormwater management area will provide new vegetated areas from pre- to post-development conditions to promote wildlife habitats.

(b) Attenuate flooding;

The proposed grading will have no impact on flooding.

- (c) *Supply and protect surface and groundwater resources;*
The stormwater management system is designed to attenuate flow, provide treatment and collect stormwater and promote groundwater recharge.
 - (d) *Remove sediments;*
A sediment forebay within the stormwater management will provide pretreatment.
 - (e) *Remove pollutants;*
Stormwater treatment occurs as runoff pollutants bind to particles that will settle beneath the stormwater management system as the water infiltrates through the subsurface filter media. Biological and chemical processes occurring within the soil continue the breakdown of pollutants.
 - (f) *Support wetland vegetation;*
There are no direct or permanent impacts to the wetlands. All of the temporary and permanent impacts within the wetland buffer area will be vegetated in a healthy state once construction is complete.
 - (g) *Promote public health and safety; and*
The proposed development will not adversely impact public health and safety.
 - (h) *Moderate fluctuations in surface water levels.*
The proposed development will have no impact to surface water levels.
- (2) *The proposed activity will have no significant negative environmental impact to abutting or downstream properties and/or hydrologically connected water and/or wetland resources, including:*
- (a) *Increased potential for erosion, siltation, and turbidity of surface waters;*
Erosion control measures will be implemented. There are specifications for stabilizing disturbed areas and limiting the length of time these areas are exposed.
 - (b) *Loss of fish and wildlife habitat;*
The proposed development will not adversely impact fish and wildlife. The stormwater management area will provide new vegetated areas from pre- to post-development conditions to promote wildlife habitats.
 - (c) *Loss of unique habitat having demonstrable natural, scientific, or educational value;*
There will be no loss of unique habitats. The stormwater management area will provide new vegetated areas from pre- to post-development conditions to promote wildlife habitats.
 - (d) *Loss or decrease of beneficial aquatic organisms and wetland plants and their habitat;*
The proposed development will have no direct or permanent impacts to the wetlands or their habitats.
 - (e) *Increased danger of flooding and/or transport of pollutants; and*
The proposed grading will have no impact on flooding. The stormwater management system is designed to remove pollutants.
 - (f) *Destruction of the economic, aesthetic, recreational, and other public and private uses and values of the wetland to the community.*
The proposed development will not adversely impact economic, aesthetic, recreational,

and other public and private uses and values of the wetland to the community.

- (3) *The proposed activity or use cannot practicably be located otherwise on the site to eliminate or reduce impact to the Wetland Conservation Overlay District.*

The proposed stormwater management system is located at the lowest elevation on-site and follows the existing grading patterns. The stormwater management system is also located within a previously disturbed area which will now be vegetated.

- (4) *The proposed activity incorporates the use of those Best Management Practices recommended by the New Hampshire Department of Environmental Services and/or other state agencies having jurisdiction.*

Best Management Practices are proposed to manage the stormwater from the development while proposing treatment and recharge to the site and maintaining existing flow rates leaving the property. A filtration pond will collect and treat stormwater from the development. Within the system, a sediment forebay will provide pretreatment.

- (5) *All applicable federal and/or state permit(s) have been received for the proposed activity in accordance with New Hampshire Code of Administrative Rules, Part Env-Wt 100-800 and Section 404 of the Federal Clean Water Act, as amended.*

All applicable federal and/or state permits will be obtained for the proposed development.

- (6) *Where applicable, proof of application to all required state and/or federal permits.*
Not applicable.

- (7) *Prior to making a decision on any Conditional Use Permit pursuant to the Wetland Conservation Overlay District, the Planning Board shall receive a written comment from the Conservation Commission. The Conservation Commission may recommend the Planning Board impose conditions of approval is deemed necessary to mitigate the potential for adverse effects of the proposed activity or use.*

A meeting with the Conservation Commission is pending. Any comments or conditions of approval will be addressed as necessary.