



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



January 25, 2023

Mr. Brian Kutz
Hillwood Enterprises, L.P.
5050 W. Tilgham Street
Suite 435
Allentown, PA 18104
(sent via email to: brian.kutz@hillwood.com)

Permit: AoT-2287

Re: Hudson Logistics Center
Tax Maps 234 & 239, Lots 5, 34, 35, 1 – Hudson, NH

Dear Mr. Kutz:

Based upon the plans and application, approved on January 25, 2023 we are hereby issuing RSA 485-A:17 Alteration of Terrain Permit AoT-2287. The permit is subject to the following conditions:

PROJECT SPECIFIC CONDITIONS:

1. The plans titled "Hudson Logistics Center" by Langan Engineering and Environmental Services, Inc. last revision date December 19, 2022, are a part of this approval. The project must be constructed as shown on the project plans.
2. **This permit expires on January 25, 2028.** No earth moving activities shall occur on the project after this expiration date unless the permit has been extended by the Department. If an extension is required, the request must be received by the department before the permit expires. The amendment request form is available [here](#).
3. Pursuant to Env-Wq 1504.18, the Permittee shall comply with wildlife protection notes that are incorporated into the project plans, and, if applicable, all recommendations by the New Hampshire Fish and Game Department related to state or federally listed threatened or endangered species that are incorporated into the project plans.
4. The permittee shall employ the services of an Environmental Monitor (EM) for the purposes of providing independent professional environmental inspections of the project. The permittee shall receive prior approval of the EM by the Department. The EM shall inspect the project at a minimum frequency of once per week and following rainfall events of 0.5-inch or greater in a 24-hour period. The inspections shall be for the purposes of determining compliance with the permit. The Monitor shall submit a written report, stamped by a qualified engineer or a Certified Professional in Erosion and Sediment Control to the Department within 24 hours of the inspections. The reports shall describe, at a minimum, whether the project is being constructed in accordance with the approved sequence, shall identify any deviation from the conditions of this permit and the approved plans, and identify any other noted deficiencies. Reports should be submitted to michael.c.hansen@des.nh.gov.
5. A qualified CPESC, soil scientist, geologist or engineer shall be retained to design the soil amendment and perform infiltration testing at the infiltration system. The information and test results shall be provided to the NHDES Alteration of Terrain Bureau to verify the assumed design infiltration rates of 10 in/hour and a minimum

separation of 3 feet from the bottom of the ponds to the elevation of seasonal high water and bedrock. The depth of the amended soil must be at least 24 inches thick.

6. The project is to be phased as shown on the plans. Each phase shall be stabilized pursuant to Env-Wq 1505.04 before disturbance of subsequent phases.

7. Groundwater Monitoring of private wells must be performed prior to, throughout the duration of, and following completion of blasting pursuant to the Groundwater Monitoring Plan prepared by Langan Engineering and Environmental Services, Inc. and dated October 20, 2022.

GENERAL CONDITIONS:

1. Activities shall not cause or contribute to any violations of the surface water quality standards established in Administrative Rule Env-Wq 1700.
2. You must submit revised plans for permit amendment prior to any changes in construction details or sequences. You must notify the Department in writing within ten days of a change in ownership.
3. You must notify the Department in writing prior to the start of construction and upon completion of construction. Forms can be submitted electronically or by paper. Both formats are available [here](#).
4. All stormwater practices shall be inspected and maintained in accordance with Env-Wq 1507.07 and the project Inspection and Maintenance (I&M) Manual. All record keeping required by the I&M Manual shall be maintained by the identified responsible party, and be made available to the department upon request.
5. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (e.g., from US EPA, US Army Corps of Engineers, etc.). Projects disturbing over 1 acre may require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained at: <https://www.epa.gov/npdes/epas-2017-construction-general-permit-cgp-and-related-documents>.
6. In accordance with Env-Wq 1503.21 (c)(1), a written notice signed by the permit holder and a qualified engineer shall be submitted to DES stating that the project was completed in accordance with the approved plans and specifications. If deviations were made, the permit holder shall review the requirements in Env-Wq 1503.21(c)(2) and submit revised plans or an application to amend the permit as necessary.
7. No activity shall occur in wetland areas until a Wetlands Permit is obtained from the Department. Issuance of this permit does not obligate the Department to approve a Wetlands Permit for this project.
8. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have not been surveyed in detail, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael Hansen", followed by a long horizontal line extending to the right.

Michael Hansen, P.E.
Alteration of Terrain Bureau

ec: Hudson Planning Board
Frank Holmes, Langan Engineering & Environmental Services, Inc.
Mary Ann Tilton, NHDES Wetlands Bureau
Francis Murphy, Lower Merrimack LAC
Melissa Winters, NHFG Nongame and Endanger Wildlife Program