

# 161 LOWELL ROAD

## ZBA INPUT ONLY

### STAFF REPORT

May 8, 2019

**SITE:** 161 Lowell Road – Map 209 Lot 1, ZI# 01-19

**ZONING:** Business/General/Industrial

**PURPOSE OF APPLICATION:** As part of a Wetland Special Exception application, this application is designed to solicit input from the Planning Board. The applicant is seeking a Wetland Special Exception as part of the extension of Friars Drive.

**ATTACHMENTS:**

- A. Application
- B. Plans

**STAFF COMMENT:**

The purpose of the Special Exception (SE) is to extend Friars Drive as proposed to the Planning Board during the Design Review Phase. The SE is required for the subdivision application component of the proposed multi-family development at 161 Lowell Road. Prior to the Planning Board meeting, the Board will have conducted a site walk of the subject property.

- The extension proposes no impacts to wetlands, but does encroach within the 50' wetland buffer.
- The extension was previously planned for by the Board in a subdivision application made by Presstek, Inc. in 1997. ‘
- The extension involves improving an existing driveway to town street standards.

**DRAFT MOTION:**

I move to forward the following “ZBA Input Only” recommendation to the ZBA, concerning the wetland buffer impact associated with the extension of Friars Drive for Map 209 Lot 1:

(staff recommends the Board craft a statement that reflects their input to the ZBA)

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed:



WELTS, WHITE & FONTAINE, P.C.  
Attorneys at Law

RECEIVED

APR 30 2019

April 30, 2019

TOWN OF HUDSON  
PLANNING DEPARTMENT

HAND DELIVERED

Town of Hudson  
Planning Board  
12 School Street  
Hudson, NH 03051

**RE: 161 Lowell Road, Hudson, NH/Apartment Complex with 81 Residential Units/Dakota Partners, LLC**

To the Members of the Planning Board:

This office represents Dakota Partners, LLC, the applicant for a workforce housing multifamily rental project proposed at 161 Lowell Road, Hudson, NH. The complex includes eight one (81) residential rental units. On or about April 24<sup>th</sup>, I and the applicant discussed the conceptual plan with the Planning Board at a design review meeting.

We have begun the formal land use review process. Our first step is to obtain Zoning Board approval for a special exception to permit repairs, maintenance, regrading and construction of existing roadways which impact the wetland buffers. The process requires an application and hearing before the Conservation Commission and it requires review and input from the Planning Board to the Zoning Board prior to the Zoning Board hearing. We have made the application to the Conservation Commission for a site walk on May 5, 2019 and a hearing on May 13, 2019. We expect to submit the formal application to the Zoning Board of Adjustment and request a hearing with the Zoning Board on May 23, 2019.

Please accept this letter as a request to provide a review of our special exception application and to provide input to the Zoning Board of Adjustment in order for the Zoning Board to conduct its hearing on May 23. I have attached a copy of the application to the Conservation Commission. I have also included the form requesting the ZBA Input.

Thank you for your anticipated cooperation.

Very truly yours,

Thomas J. Leonard

TJL/la

**ZBA INPUT ONLY  
APPLICATION FOR REVIEW  
TOWN OF HUDSON, NEW HAMPSHIRE**

Date of Application: 4/30/2019 Tax Map # 209 Lot # 1

Name of Project: Friars Court

Zoning District: \_\_\_\_\_ General Zoning ID# \_\_\_\_\_  
(For Office Use) (For Office Use)

ZBA Action: \_\_\_\_\_

**PROPERTY OWNER:**

**DEVELOPER:**

Name: 5 Way Realty Trust, Peter Horne, Trustee

Dakota Partners, Inc. (authorized agent)

Address: PO Box 1435

1264 Main Street

Address: North Hampton, NH 03862

Waltham, MA 02451

Telephone # (use authorized agent)

781-889-4002

Fax # (use email)

(use email)

Email: (use authorized agent)

mpilotte@dakotapartners.net

**PROJECT ENGINEER**

Name: Karl Dubay, PE

Telephone # 603-458-6462

Address: The Dubay Group, Inc., 84 Range Road

Fax # (use email)

Address: Windham, NH 03087

Email: karl@thedubaygroup.com

**PURPOSE OF PLAN:**

Work in WCD for portions of the existing Friars Drive improvements plans.

**(For Office Use)**

Plan Routing Date: \_\_\_\_\_ Plan Date: \_\_\_\_\_

\_\_\_\_\_ I have no comments \_\_\_\_\_ I have comments (attach to form)

\_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

(Initials)

Department:

\_\_\_\_\_ Zoning \_\_\_\_\_ Engineering \_\_\_\_\_ Assessor \_\_\_\_\_ Police \_\_\_\_\_ Fire \_\_\_\_\_ Planning

\_\_\_\_\_ Highway \_\_\_\_\_ Consultant Review \_\_\_\_\_ Fees Paid

**APPLICATION FOR ZBA INPUT ONLY REVIEW  
TOWN OF HUDSON, NEW HAMPSHIRE**

I hereby apply for ZBA Input Only Review 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 *ZBA Input Only* 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 give permission for any member of the Hudson Planning Board, the Town Engineer, the Conservation Commission 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 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 inspections conducted on his/her (their) property in connection with this applications.

**Signature of Owner:** \_\_\_\_\_

*CONFIDENTIAL DULY AUTHORIZED BY PETER HORNE  
MARK PLOTTE*

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

**Signature of Developer:** \_\_\_\_\_

*Roberto Arista*  
ROBERTO ARISTA

- ❖ 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.

**Technical Review Signature:** \_\_\_\_\_

**Planner Approval Signature:** \_\_\_\_\_

Twenty-one days prior to the scheduled Planning Board Meeting, a complete subdivision, or site plan application including all supporting materials/documents must be submitted in final form to the Town Planner's Office.

- ❖ Please schedule an appointment with the Town Planner for initial plan submittal.
- ❖ Revisions are due on Tuesday the week prior to the Planning Board deferral date by 10:00AM. Any application/materials received after that time will be deferred until the next available meeting date.

**APPLICATION FOR ZBA INPUT ONLY REVIEW  
TOWN OF HUDSON, NEW HAMPSHIRE**

**SCHEDULE OF FEES**

**A. REVIEW FEES**

1. ZBA Input Only - \$100.00	\$ <u>100.00</u>
2. Advertising Fee - \$ 40.00	\$ <u>40.00</u>
<b>TOTAL</b>	<b>\$ <u>140.00</u></b>

***** (For Office Use) *****			
AMOUNT DUE	\$ _____	DATE RECEIVED	_____
AMOUNT RECEIVED	\$ _____	RECEIPT NO.	_____
		RECEIVED BY	_____

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

MULTICHAX® # 25423DNS-08

DPI, LLC  
1264 Main St.  
Waltham, MA 02451

Brookline Bank  
131 Clarendon Street  
PO Box 179179  
Boston, MA 02117-9179

CHECK NO. 1146

04/30/2019

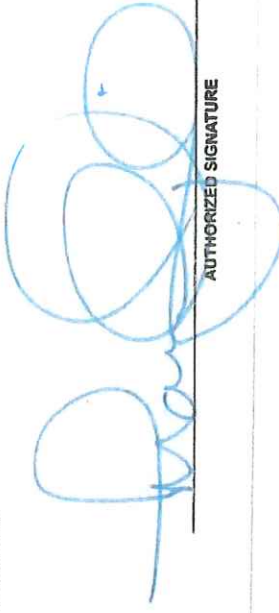
Town of Hudson

One Hundred Forty and 00/100\*\*\*\*\*

\*\*\*140.00

PAY  
TO THE  
ORDER  
OF:

Town of Hudson



AUTHORIZED SIGNATURE

Hudson Crossing application for ZBA Input Only Re

⑈001146⑈ ⑆211371489⑆ ⑈1231028331⑈



**The Dubai Group, Inc.**  
84 Range Road, Windham, NH 03087  
(603) 458-6462 thedubaygroup.com

## M E M O R A N D U M

---

To: Hudson Town Engineer &  
Conservation Commission

Date: April 29, 2019

From: Karl Dubay

Re: Friars Drive Improvements on Lot 209-1

---

We are pleased to submit, for your review, the improvement plans to existing Friars Drive. These improvements are the first step in providing full access master planning for restoring its connection to Lowell Road. The project scope and phasing are being coordinated with Town Planning & Engineering Staff and the Planning Board.

The improvements essentially consist of reclaiming the old base, reshaping, and repaving to a 24 foot consistent width. The former shoulders and swales will be cleaned and reshaped and revegetated. All work will be performed in accordance with NHDOT, NHDES, and Town of Hudson requirements.

There are no wetlands impacts associated, nor are there any new proposed drainage piping or systems, other than reshaping the roadside shoulders and swales. The buffer impacts are very limited (refer to the plans for data). The buffer work to the wetlands will of course require a ZBA Special Exception. We are providing a settling basin in one area to provide supplemental treatment.

Refer to the plans, details, report from our wetlands/soils scientist, and forms for additional information.

We look forward to working with the Town on the project.

## NOTICE TO APPLICANTS

### CONSERVATION COMMISSION APPLICATION PROCESS

The following documents shall be submitted with all applications for Conservation Commission Wetland Special Exceptions:

- One original and thirteen copies of the completed application and 11' x 17' plans (scaled to read legibly):
- All Conservation Commission Wetland Special Exception recommendation applications shall require submittal of a plot plan with wetland flagging prepared by a licensed land surveyor and certified wetland scientist prior to being scheduled on the meeting agenda. Plans shall be stamped and dated. Any wetland within 50 feet of the proposed project shall be shown whether on or off the subject property. Topography shall also be depicted on the plan.
- There shall be a signature block on the plan submitted for the Conservation Commission Chairman to sign.
- Deadline for submittal of completed applications shall be Friday 12:00 noon one week prior to the meeting date. (10 calendar days)
- Conceptual plans shall not be allowed.
- The Commission may wave, at its discretion, any of the above requirements.



Town of Hudson  
**Conservation Commission**  
Town Hall, 12 School Street,  
Hudson NH 03051-4249

---

## GUIDELINES FOR APPLICATION

1. Please abide by the schedule of meeting and application deadline dates for the Hudson Conservation Commission (HCC). The HCC normally meets once a month on the third Monday at 7:00 p.m. in the Planning Department Room, Lower Level Town Hall. If a holiday falls on the third Monday, the meeting automatically is rescheduled for the fourth Monday. For more information, contact the Engineering Department, Town Hall, (603)886-6008.
2. Requests to be put on the agenda are made through the Engineering Department.
3. You need to submit a completed agenda application and checklist, a narrative description addressing key points as outlined in the checklist, a concept plan, and, if applicable, a copy of the DES Dredge and Fill Application. Please submit colored photos with the documentation. Some of the more detailed information may only be applicable to subdivision and/or larger impact areas.
4. The HCC members and Engineering Department need to receive the required project documentation by the application deadline date listed in the attached schedule. If no documentation is received prior to the meeting, the HCC may request the applicant return to the next scheduled meeting after the documentation has been reviewed.
5. Refer to Code of the Town of Hudson Revised Ordinances, Chapter 334-33 thru 39, Article IX 'Wetland Conservation District [As Amended].
6. For projects subject to the State Wetlands Bureau approval, review the Department of Environmental Services (DES) Guidelines for the Standard Application Process for Wetland Impacts. This information should be included in your application to the HCC. (Contact DES at 6 Hazen Drive, Concord NH 03301, (603)271-3503, [www.state.nh.us/des](http://www.state.nh.us/des), for further information.)
7. The HCC may request access to the property for a site review.

**TOWN OF HUDSON  
CONSERVATION COMMISSION  
AGENDA APPLICATION**

Name of Property Owner: 5 Way Realty Trust, Peter Horne, Trustee Phone # 781-889-4002 (authorized agent)

Address: PO Box 1435, North Hampton, NH 03862

Engineering by: Karl Dubay, PE The Dubay Group, Inc. Phone # 603-458-6462

Address: 84 Range Road, Windham, NH 03087

Email address: karl@thedubaygroup.com

Assessor's Map 209 Lot # 1 Zone Business

**Please check the boxes that apply:** [It is possible that I, II and III could be checked on a single application]

- I. Request for Wetlands Special Exception - Available from Hudson Planning Department  
Applies whenever a wetland area is impacted; Wetlands are identified by your Wetland specialist.  
For details see Article IX chapter 334-33 thru 39 of the Hudson Zoning Ordinance.
- II. State Wetlands Permit Application - [www.des.state.nh.us/wetlands/](http://www.des.state.nh.us/wetlands/)
- III. Boat Dock (Requires both Wetlands Special Exception and State Wetlands Bureau Approval)
- IV. Other

Description of proposed project: Extend Friars Drive to Lowell Road via reconstruction of existing paved road.

Wetland: Prime  Other  Name(s) Third Brook. Existing culvert and related upland work are already in place.

Flagged by certified soil scientist (name) Luke Hurley, CWS, Gove Environmental Services, Inc.

Impacts (sq. ft.): Wetland  Temporary  Permanent  Buffer  Temporary  Permanent   
Dredge  none Fill  none

Proposed mitigation: The differential pavement area will be mitigated for the required pre/post drainage flows per town standards. Drainage practices will include infiltration basin that is planted/naturalized. Cuts/fills will be minimized. No wetland impacts are proposed. The existing culvert crossing is already in place as previously planned for this purpose.

**RECOMMENDATION: HUDSON CONSERVATION COMMISSION**

Unfavorable  Favorable  Favorable with Conditions

Signature for HCC: \_\_\_\_\_

Date: \_\_\_\_\_

Town of Hudson  
**Conservation Commission**  
 Town Hall, 12 School Street,  
 Hudson NH 03051-4249

**CHECKLIST**

Date Completed **4/29/2019**

Project address **161 Lowell Road**

Sheet(s) \_\_\_\_\_ Lot(s) **209-1** Property \_\_\_\_\_

Name(s) of wetland/buffer impact **Third Brook**

Owner **5 Way Realty Trust, Peter Horne, Trustee** Applicant **Dakota Partners, Inc.**

SUPPLY A NARRATIVE REPORT FOR INFORMATION ON THE CHECKLIST  
 Check off Yes, No, or Not Applicable in the appropriate circle regarding the documentation provided  
 THIS CHECKLIST IS TO BE ATTACHED TO THE HCC APPLICATION FORM

Yes	No	NA	Questions/Information Needed	HCC Comments
-----	----	----	------------------------------	--------------

**NARRATIVE REPORT**

**Existing Conditions**

- |                                     |                                     |                                     |  |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Has a DES Dredge and Fill Permit been issued for any part of this site? If yes, provide number, date, and description.                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is there evidence of altered wetlands or surface waters on site?   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | All prime and other wetlands in the vicinity, plus any wetlands/watersheds past the immediate vicinity affected by this project        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | • Description of each wetland and associated values  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Wetland mapping results – including the flagging date and technique plus the name, company and qualifications of the wetland scientist |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Was property surveyed? If yes, the date of survey. (Please attach the survey plan)   |

**National Wetland Inventory**

- |                                     |                          |                                     |   |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | • Vegetative cover types  |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | • Existence of vernal pools and associated habitat  |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | • Unique geological and cultural features   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | • NH Natural Heritage inventory – For list of rare and endangered species, contact the NH Division of Forests and Lands (603)271-3623 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | • Wildlife and fauna species, including estimated number and locations (large projects)   |

**NARRATIVE REPORT**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Public or private wells located within the vicinity	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Monitoring well(s) located on site	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	• Current land use and zoning district	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Photos of existing area (please use color photos)	

**Proposed Project Description**

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Entire project and associated activities	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Time table of project and anticipated phasing	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Land use	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grading plan	

**Impact to Wetlands and/or Buffers**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Depending on size and proposed impacts, a report from a biologist may be appropriate	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Removing, filling, dredging, or altering (Area square ft. and locations) <b>Buffer only (temporary)</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Intercepting or diverging of ground or surface water (Locations and size)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Change in run-off characteristics	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Delineation of drainage area contributing to each discharge point	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Installation of drainage, sewage, and water systems (Locations of impact)	
<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• 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"/>	• 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Square footage of mitigation – wetland and upland areas	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wetland or upland plants identified to replace any losses <b>(maintenance upgrade)</b>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	• Restoration plan for planting and vegetation <b>(naturalized)</b>	

### NARRATIVE REPORT

<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"/>	• 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"/>	Property boundaries and names of abutters	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project, subdivision and/or owner's name	
<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"/>	Date of plan	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roadways, showing street/road name	
<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 <i>(none at work area)</i>	
<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? **No**

---

- Is there potential for off-site flooding? **No**

---

- Does the decreased infiltration in the drainage area cause vegetation stress due to reduced or increased ground water or surface water discharge into wetland? **No**

---

- Will the nutrients in the runoff increase eutrophication potential in downstream water bodies? **No**

---

- Do you own any adjacent parcels or easements for roadways across adjacent parcels which could be used for access to avoid a wetland crossing **Not applicable, see master site layout plan**

---

- Does a wetland crossing occur where it will result in the least amount of alteration to a wetland? **Not applicable (already built)**

---

- Is preservation of upland areas adjacent to the impacted wetland a priority? **Of course, this is an existing crossing previously planned**

---

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

---

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

---

- Have you established that no reasonable alternative access from a public way to an upland is possible? **Yes. Pre-planned crossing**

---

- Can the parking lot spaces be decreased? **N/A - no parking is proposed or needed.**

---

- Is the roadway designed in such a way that does not restrict the flow of water? **Correct. Existing culvert is in place.**

---

- Is additional information needed to assess water quality impacts due to runoff? **N/A**

---

- Is there an increase in other pollutants (e.g., heavy metals, turbidity, coli form) from streets and parking lots? **No.**

---

- Is there a need to restrict or prohibit the use of pesticides and fertilizers? **N/A for this culdesac, perimeter areas will be planned to grow in naturally and be retained in that manner**

---

- Is there a need to restrict the use of roadway salting? **To be determined by Town (existing town road)**



Karl Dubay  
The Dubay Group Inc.  
84 Range Road  
Windham, NH 03087

Subject: Lowell Road Hudson  
Re: Town Application

Dear Mr. Dubay:

Per your request, I have completed the required review of the Town of Hudson Conservation Commission Checklist.

No recent evidence of any NH Des wetland Permits exist on the NH DES website query. It is my understanding that this road has been in since the mid 1970's.

No direct evidence of wetlands disturbance appears to be onsite within the area or the proposed project. An obvious wetland crossing exists on the far side of the site for Friar's Drive.

The wetland system to the rear of the site is part of Third Brook, a perennial stream. The wetland immediately adjacent to the site has no stream system and is not a prime wetland, as the Town of Hudson does not have prime wetland designations.

The wetland adjacent to the proposed project is classified as PEM/SS1E. This wetland is a seasonally saturated emergent and scrub shrub wetland. Significant functions and values are flood flow attenuation, wildlife habitat, and sediment and toxicant retention. The proximity to the existing roadways and surrounding commercial uses has the potential for runoff from the area to enter the wetlands. The dense scrub shrub habitat is habitat to many small songbird species. Wetland vegetation consists of highbush blueberry, winterberry, dogwood and sweet pepper bush in the shrub layer and multiple species of sedges and grasses in the herbaceous layer. Wetlands were delineated based on the following standards.

1. US Army Corps of Engineers Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: North central and Northeast Region, Technical Report ERDC/EL TR-12-19 (Oct 2012).
2. Field Indicators of Hydric Soils in the United States, A Guide for Identifying and Delineating Hydric Soils, Version 7.0. United States Department of Agriculture (2010).
3. North American Digital Flora: National Wetland Plant List, Version 2.2.1 (2009).
4. Classification of Wetlands and Deepwater Habitats of the United States. USFW Manual FWS/OBS-79/31 (1979).

No vernal pools are in this wetland system, as no permanent standing water exists. Recent NH NHB records indicate no rare, threatened or endangered species or exemplary natural communities exist on site.



GOVE ENVIRONMENTAL SERVICES, INC.

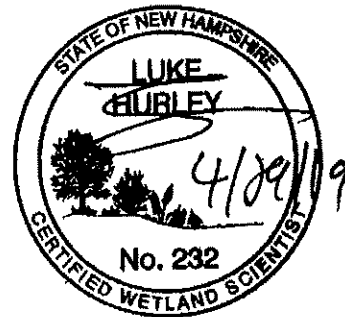
A formal flora and fauna study has not been conducted for the project.

Photos of the site are included. Any wetland impacts associated with the upgrade of the existing through road will have a mitigation as is necessary, should the proposed impacts dictate the need. The Town of Hudson does not have prime wetland designations.

Please let me know if you have any questions or need anything else.

Sincerely,

Luke D. Hurley, CWS, CSS  
Vice President  
Gove Environmental Services, Inc.

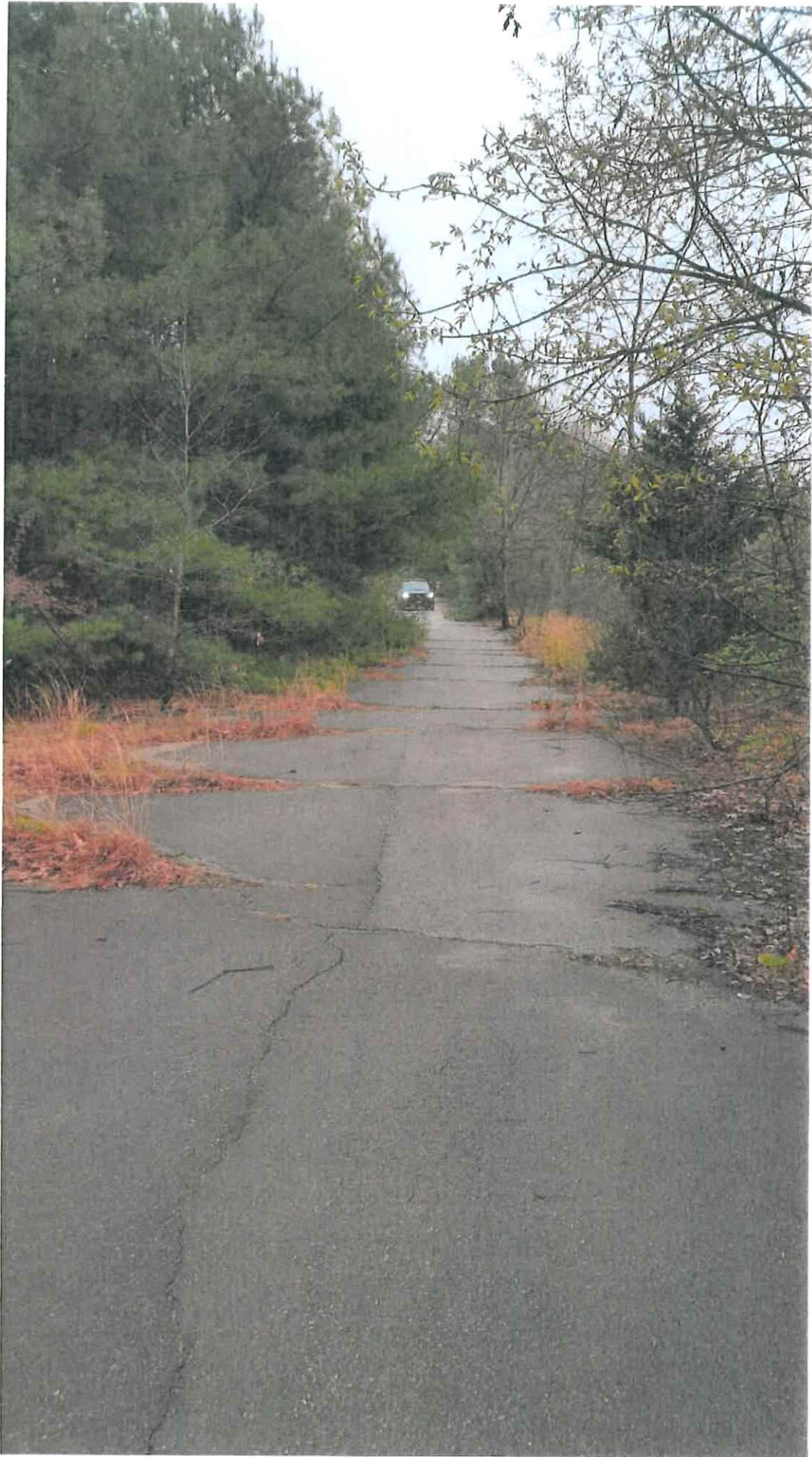


8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526  
Ph (603) 778 0644 / Fax (603) 778 0654  
[www.gesinc.biz](http://www.gesinc.biz)  
[info@gesinc.biz](mailto:info@gesinc.biz)





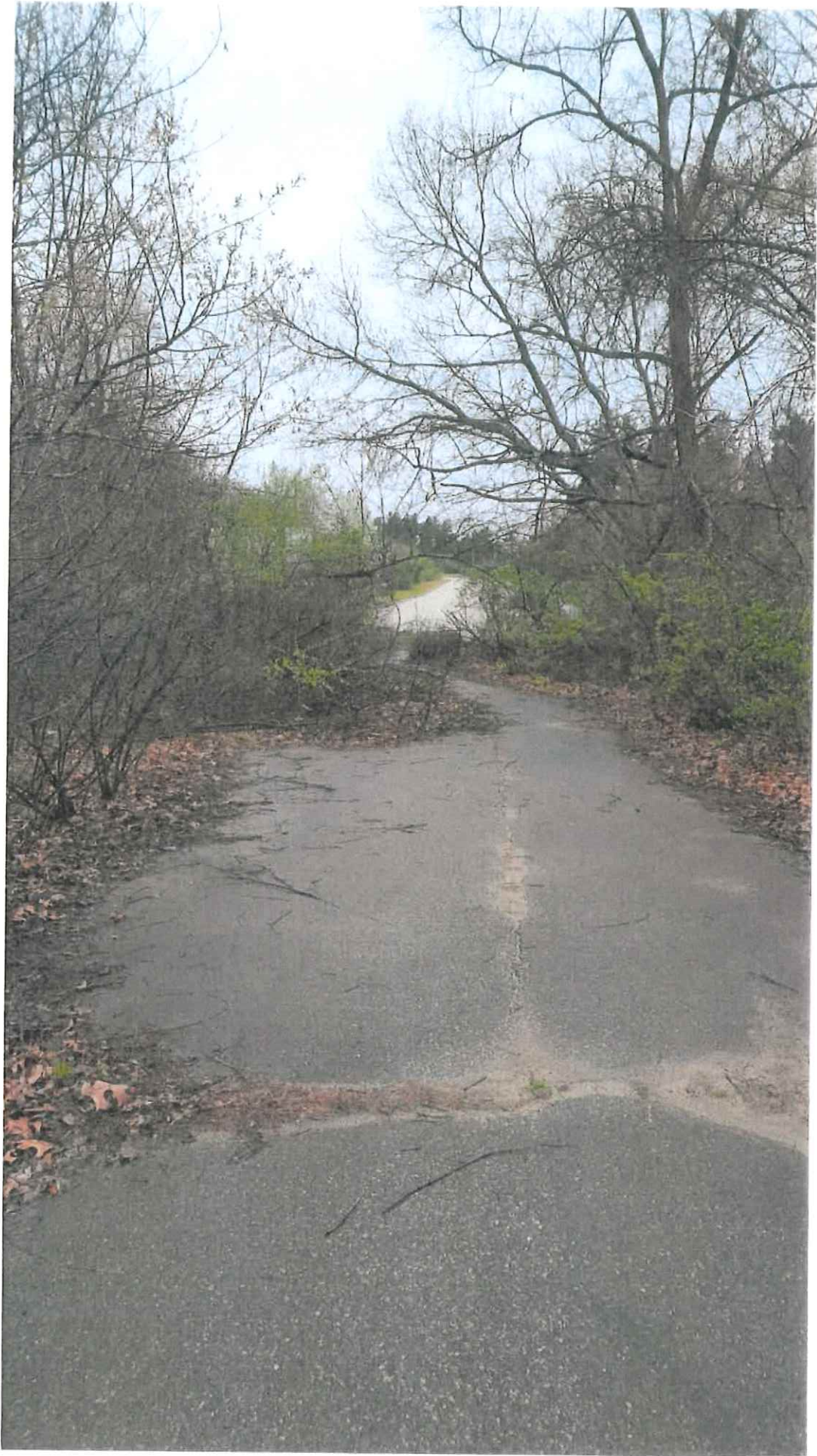
















# REQUEST TO RELEASE TRAFFIC IMPROVEMENT IMPACT FEES

## STAFF REPORT

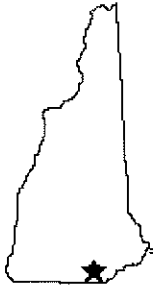
May 8, 2019

Attached, hereto, please find a Request to Release Corridor Impact Fees by Elvis Dhima, Town Engineer (Email dated 04-30-19) for the Lowell and Wason Road Intersection Improvements. In his memo, Mr. Dhima includes a quote from Electric Light Company, Inc. for such improvements, and requests the Planning Board to favorably recommend to the BOS, the release of \$37,850.00 from Impact Fee Account 2070-000-702, Corridor – Zone 2 Traffic Improvements.

### DRAFT MOTION:

**I move to recommend to the Board of Selectman the release of \$37,850.00 from Impact Fee Account 2070-000-702, Corridor – Zone 2 Traffic Improvements for the Lowell and Wason Road Intersection Project in accordance with the written request for the same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, dated 30 APR 2019).**

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_



# TOWN OF HUDSON

## Engineering Department



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-816-1291

TO: Brian Groth, Town Planner  
Planning Board

FROM: Elvis Dhima, P.E., Town Engineer  
Jess Forrence, Director of Public Works

DATE: April 30<sup>th</sup>, 2019

RE: Request for Approval of Funds from Corridor Accounts

**RECEIVED**  
**APR 30 2019**  
**TOWN OF HUDSON**  
**PLANNING DEPARTMENT**

The Town of Hudson currently has nine cameras (Town owned and operated) on a McCain/GridSmart camera platform connected through town owned fiber optic infrastructure. The current system provides 24/7 access to camera detection and live visual access to each intersection, utilizing portable devices and a stationary control center at Town Hall.

The current master plan is to operate all 14 town owned and operated intersections on the same platform.

I have attached a quote from our traffic light contractor as follows:

Lowell & Wason Intersection Upgrade: \$37,850.00

The proposed work will consist of connecting the two existing intersections to our control system, utilizing our fiber optic, installing GridSmart cameras / traffic controllers, transparency license and daily traffic data collection.

Both proposed systems will be connected through fiber optic and will allow our staff and traffic consultant to observe and adjust detection and time cycles as needed, reducing the amount of response time and cost reduction related to maintenance. In addition, this setup allows access to the traffic controllers from the Town Hall control center and portable devices.

In addition, the camera live feeds will be installed at Police and Fire dispatch centers at a later time.

Below is a list of benefits related to completing the proposed work:

**Pros:**

1. More efficient traffic processing and live access to the intersections
2. Better response time to diagnose and address issues
3. Provides daily traffic volumes, which will be used to adjust traffic cycles now and in the future
4. Reduction in consulting fees by eliminating trip time
5. Ability to observe Opticon operation status
6. The best option available for hands on training for our current and future traffic technicians
7. Provide camera feed to Police and Fire Dispatch centers

In conclusion, while the Town works towards determining the best way to deal with traffic in the long term, moving the entire system to a smarter platform will provide relief in the short term and provide better processing and coordination, without building additional roads or lanes.

The Engineering Department and Public Works Department is asking the Planning Board to approve and recommend the expenditure to the Board of Selectmen.

**First Motion:**

**To approve and proceed with the update of Lowell Road and Wason Road intersection upgrade project using Corridor Account#: 2070-000-702, not to exceed \$37,850.**



One Morgan Way  
Cape Neddick, ME 03902

Voice: 207-361-1234  
Fax: 207-361-2017

# QUOTATION

Quote Number: 2019027  
Quote Date: Apr 29, 2019  
Page: 1

<b>Quoted To:</b>
Town of Hudson Elvis Dhima, P.E. 12 School Street Hudson, NH 03051

Customer ID	Good Thru	Payment Terms	Sales Rep
NH-HUDJOB	5/29/19	Net 30 Days	

Qty	Item	Description	Unit Price	Amount
1.00	LS	Install new traffic controller, fiber drop and Gridsmart camera. (24 Strands)	32,998.00	32,998.00
		Lowell / Watson		
		Includes:		
1.00	LS	Controller		
1.00	LS	Gridsmart w/ Data Module		
1.00	LS	Fiber Drop		
1.00	EA	Hardened Switch w/ Media Converter	4,852.00	4,852.00
1.00	EA	Transparity License and Install etc.		
1.00	LS	<del>Lowell / Oblate</del>	<del>33,864.00</del>	<del>33,864.00</del>
		Includes:		
1.00	LS	Controller		
1.00	LS	Gridsmart w/ Data Module		
1.00	LS	Fiber Drop w/ Cabinet Components etc. (12 Strands)		
1.00	EA	Hardened Switch w/ Media Converter	4,852.00	4,852.00
1.00	EA	Transparity license and Install etc.		
		Police details are not included.		

Subtotal	76,566.00
Sales Tax	
<b>TOTAL</b>	<b>76,566.00</b>

QUOTE IS GOOD FOR 30 DAYS

*\$ 37,850.00*

**MINUTES/DECISIONS OF THE PLANNING BOARD  
MEETING DATE: APRIL 24, 2019**

In attendance = X; Alternates Seated = S; Partial Attendance = P; Excused Absence = E

Timothy Malley Chairman <u>  E  </u>	Jordan Ulery Vice-Chair <u>  X  </u>	William Collins Secretary <u>  X  </u>	Charlie Brackett Member <u>  X  </u>
Dillon Dumont Member <u>  X  </u>	Ed Van der Veen Member <u>  X  </u>	Elliott Veloso Alternate <u>  S  </u>	
Roger Coutu Select. Rep. <u>  X  </u>	Marilyn McGrath Alt. Select. Rep. <u>  X  </u>	Brian Groth Town Rep. <u>  X  </u>	Elvis Dhima Town Engineer <u>  X  </u>

.....

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

IV. SEATING OF ALTERNATES

Mr. Ulery seated for Mr. Malley as Chairman.  
Mr. Veloso seated for Mr. Ulery as a Member.

V. MINUTES OF PREVIOUS MEETING(S)

- 27 March 19 Meeting Minutes – Decisions.

Mr. Coutu moved to approve the 27 March 19 Meeting Minutes (as written/amended).

Motion seconded by Mr. Brackett. All in favor - Motion carried.

VI. CASES REQUESTED FOR DEFERRAL

VII. CORRESPONDENCE

- A. Request to release Corridor Impact Funds in the amount of \$9,800 from Impact Fee Account 2070-000-701, Corridor – Zone 1 Traffic Improvements by Town Engineer Elvis Dhima, P.E. for the Lowell Road/Birch Street

Improvement Project, Lowell Road bridge rehab/replacement and relocation of an existing culvert under T-Bones restaurant. The amount of \$9,800 will be used to cover the cost of developing a set of conceptual plans and cost estimates associated with the project.

Mr. Collins asked if County Road would be considered for continued use as a way for traffic to exit Lowell Road. He stated that using County Road as an off ramp would help with traffic management at an improved Lowell Road and Birch Street intersection. Mr. Dhima stated that VHB would be developing conceptual plans pertaining to improvements at the intersections and that County Road would be considered during the evaluation process.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$9,800 from Impact Fee Account 2070-000-701, Corridor – Zone 1 Traffic Improvements for Lowell Road and Birch Street Intersection Project in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 08 April 2019).

Motion seconded by Mr. Coutu. All in favor – Motion carried.

- B. Request to release Corridor Impact Funds in the amount of \$32,750.00 from Impact Fee Account 2070-000-701, Corridor – Zone 1 Traffic Improvements and \$33,864.00 from Impact Fee Account 2070-000-086, Corridor – Route 111 Improvements for traffic control improvements at the Central Street and Library Street intersection and the Central Street and Burnham Street Intersection respectively, by Town Engineer Elvis Dhima, P.E. (price quote from Electric Light Company for such improvements)

Mr. Coutu moved to recommend to the Board of Selectmen the release of \$32,752.00 from Impact Fee Account 2070-000-701, Corridor – Zone 1 Traffic Improvements for Central Street and Library Street Intersection Upgrade Project in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05 April 2019).

Motion seconded by Mr. Dumont. All in favor – Motion carried.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$33,864.00 from Impact Fee Account 2070-000-086, Corridor – Route 111 Improvements for Central Street and Burnham Street Intersection Upgrade Project in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05 April 2019).

Motion seconded by Mr. Brackett. All in favor – Motion carried.

- C. Request to release Corridor Impact Funds totaling \$33,964.00 by Town Engineer Elvis Dhima, P.E. for the Traffic Controller Software Licenses for the following traffic lights. 1) Pelham/Lowell Rd. 2) Fox Hollow/Lowell Rd 3) Abbott Farm/Rt.102 4) Central St. / Lowell Rd. 5) Elm St. / Rt. 102 6) Central / Burnham St. 7) Central / Library St.

Mr. Van der Veen asked if the expenses for licenses would be reoccurring annually or were they a onetime fee paid to obtain the licenses out right. Mr. Dhima explained that it was a onetime fee to be paid to Electric Light Company.

Mr. Ulery asked if there would a charge for updates to the system. Mr. Dhima replied no and stated that updates would be part of patches for the software and included as part of the fees paid for the licenses.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$9,704.00 from Impact Fee Account 2070-000-091, Corridor – Route 102 Improvements for the Abbott Farm/Rt. 102 and Elm/Rt.102 licenses in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05 April 2019).

Motion seconded by Mr. Dumont. All in favor – Motion carried.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$9,704.00 from Impact Fee Account 2070-000-090, Corridor – Lowell Road Improvements for the Pelham/Lowell Road and Fox Hollow/Lowell Road licenses in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05April 2019).

Motion seconded by Mr. Coutu. All in favor – Motion carried.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$9,704.00 from Impact Fee Account 2070-000-086, Corridor – Route 111 Improvements for the Central/ Lowell Rd and Central/Burnham Rd. licenses in accordance with the written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05 April 2019).

Motion seconded by Mr. Coutu. All in favor – Motion carried.

Mr. Veloso moved to recommend to the Board of Selectmen the release of \$4,852.00 from Impact Fee Account 2070-000-701, Corridor – Zone 1 Traffic Improvements for the Central / Library Street license in accordance with the

written request for same from the Town Engineer (please see attached memo from Town Engineer, Elvis Dhima, and dated 05 April 2019).

Motion seconded by Mr. Coutu. All in favor – Motion carried.

- VIII. PERFORMANCE SURETIES
- IX. ZBA INPUT ONLY
- X. PUBLIC HEARINGS
- XI. OLD BUSINESS/PUBLIC HEARINGS
  
- XII. DESIGN REVIEW PHASE

A. Hudson Crossing Conceptual Subdivision 161 Lowell Road  
 CSB# 01-19 Map 209/Lot 001

Purpose of Plan: to subdivide an 88.9 acre lot into a 9.7 acre lot and a 79.2 acre lot.

**Presenter:** Attorney Thomas J. Leonard of Welts, White and Fontaine, P.C.

Also present to represent the applicant were Mark Pilotte of Dakota Partners, LLC and Karl Dubay of The Dubay Group, Inc.

**Note:** Mr. Brackett stepped down from the case before the board at 7:20 p.m.

Prior to the applicants presentation Town Planner Groth gave a quick overview of the project status.

Mr. Groth stated that the applicant and town staff have been working closely to resolve outstanding issue in the overall design and that the applicant has accept the suggestions presented by staff in regards to extending Friars Drive and changing the Lowell Road entrance to a Right-In and Right-Out configuration. Mr. Groth added that the meeting tonight was a design review for the purpose of input from planning board and the public he further stated that the only decision tonight would be whether or not to end the design review phase and suggested that a site visit be made by board members as a condition of any such approval. Mr. Groth went on to explain some of the historical aspects of the property speaking specifically about Friars Drive and the intent of someday completing a through connection to Lowell Road.

Mr. Ulery stated that some of the property contained wetlands and asked if there would be any construction within them. Mr. Groth answered that there would be only an impact to the wetland buffer along Friars Drive and that the applicant would require a Wetlands Special Exception from the Zoning Board of Adjustment.



Mr. Ulery asked if an easement would be required to continue Friars Drive to the new parcel. Mr. Groth said the way the design was presented Friars Drive would be extended all the way to the new parcel. Mr. Groth added that the design would eliminate a need for the back parcel to have frontage on Lowell Road as that lots frontage would now be along Friars Drive.

Mr. Collins asked if the improvements to Friars Drive would be such that the road way would be acceptable to the town. Mr. Dhima answered that the roadway would be built to a width of twenty-four feet and likely adopted by the town at some point in the future. Mr. Groth added that the purpose of extending of Friars Drive would help with better traffic management by directing traffic flow out of the proposed complex towards the signalized intersection at Executive Drive and Lowell Road.

Mr. Collins asked if the cost associated with the extension to Friars Drive would be the responsibility of the town. Mr. Dhima replied that all cost for the road work would be the responsibility of the developer. Lastly Mr. Collins asked if there was adequate sewer and water capacity available to handle the demand of this new project. Mr. Dhima answered that there was a significant amount of sewer allocation set aside to handle the proposed project as presented.

Mr. Van der Veen asked if it was fair to assume that the sewer allocation mentioned was set aside for the industrial park. Mr. Dhima stated that it was reserved for industrial and commercial uses. He added that this site was allocated 100,000 gallons per day.

With no other question directed from board members to staff the Chairman welcomed the applicants representative to the podium for their presentation.

B. Hudson Crossing Conceptual Site Plan  
CSP# 02-19

161 Lowell Road  
Map 209/Lot 001

Purpose of Plan: To develop 71 multi-family apartments and a clubhouse on the newly created 9.7 acre lot under the conceptual subdivision.

**Presenter:** Attorney Thomas J. Leonard of Welts, White and Fontaine, P.C.

Also present to represent the applicant were Mark Pilotte of Dakota Partners, LLC and Karl Dubay of The Dubay Group, Inc.

Att. Leonard speaking for the applicant at tonight's meeting asked if he could address both the conceptual subdivision plan and conceptual site plan simultaneously as they were both an integral part of the overall design. The

Chairman did not see a problem with the request and stated it made sense to move forward in this fashion.

Att. Leonard addressed the subdivision of land first. He explained that the existing lot of approximately 88.9 acres would be subdivided creating a new 11.2 acre lot within the business district and this new lot would conform to all land use and town regulations. He further stated that the entire project would be confined to the new lot and that there were no plans relating to remaining 77 acres at this time.

Selectman McGrath asked about ownership of the two lots. Att. Leonard stated that the applicant has an agreement to subdivide and acquire the front lot only and that the back lot would continue to be owned by the current land owner.

With no other question on the subdivision of the property Attorney Leonard continued his presentation of the conceptual site plan. He stated that the project was for multi-family rental housing. Att. Leonard added that there would be two residential buildings and a club built in two phases the first phase would be for a 47 residential unit building and the second phase would be for a 32 unit residential building along with the club house he stated that the total number of units to be built would be reviewed by the planning department and that he looked forward to receiving the results of the review. Att. Leonard went on to discuss the Friars Drive extension stating that the 50 right of way would be accessible to the public only up to property rear boundary and that the rest of the roadway running across the new lot to Lowell Road would be a private drive to service the new development until such a time it would be deemed necessary to open it up to the public.

Mr. Ulery asked if the private drive portion of the road way would be built to current town standards. Att. Leonard replied that it would be and that his team and town staff had been working closely together to address the matter.

Attorney Leonard continued his presentation and asked for input on two potential waivers that might be sought to address parking requirements one waiver pertaining to the reduction of parking space width and length and the other being the number of overall parking spaces required. He stated that Dakota Partners has been in the rental field for a long time and have many similar developments around the New England area. In their opinion they found that there is less demand for parking than is usually set forth by local regulations. Att. Leonard added that Dakota Partners would be owner of the project for the foreseeable future and that if the need arose there would be opportunity to add more parking. Att. Leonard went on to mention that certain studies such as noise, fiscal impact and traffic be possibly waived citing that noise would not be a factor from the development and that there would be a significant amount of impact fees paid by the developer. He also mentioned

that traffic would be minimally impacted and that a memorandum would be provided stating so. Lastly Att. Leonard addressed the Wet Lands Special exception that would be required for the project. He stated that a dialog had been started with the Zoning Board and the Conservation Commission and asked that a combined site walk between the Planning Board and Conservation Commission be considered to keep the process moving along. Mr. Ulery added that part of a roadway exist and that the wetland buffer impact would more than likely be minimal. Lastly Att. Leonard touched on density or the total number of unit to be built. He stated that the number of units to be built was appropriate for the acreage of the property and eager to here from to staff.

With the conclusion of Att. Leonard's presentation the Chairman opened the Public Hearing at 7:53 p.m.

Todd Boyer of 156 Lowell Road came forward to provide public input on the matter. Mr. Boyer stated that he was neither for nor against the project. He added that the board should weigh all decisions carefully and not rush the project along. Mr. Boyer stated that the entrance to the site would produce considerable turning traffic and at some point a traffic light would need to be considered he also stated that road itself would need to be widen to handle additional traffic flow. Mr. Boyer reiterated that although the project could be built by right he wanted to make sure that all impacts of the project would be considered carefully and not rushed for the sake of the applicant.

As there were no other members of the public wishing to speak the chairman closed the Public Hearing at 8:00 p.m. and placed the matter before the Board.

Prior to the Board asking questions Att. Leonard asked if he could address the concerns brought forth by Mr. Boyer. There being no objections the chairman granted his request. Att. Leonard stated that a traffic light at the entrance from Lowell Road will always be a consideration and has been viewed as future possibility by both the Town Planner and Town Engineer. Att. Leonard also explained that the building envelope had been pushed back off of Lowell Road an additional 10 plus feet to facilitate any future road work planned by the town.

Selectman Coutu raised concern over whether or not the occupants of the complex heading north on Lowell Road would abide by the proposed entry restrictions and possibly try accessing the property even though a left turn in would not be permitted. He also wanted to know whether or not a triangular island shown on the plan would be a permanent structure. Att. Leonard answered that access back into the complex when traveling north would be from Executive Drive to Friars drive. He further explained that the island Selectman Coutu referred to was designed to allow for flexibility as need arise.

Mr. Ulery asked if there were a possibility of adding a turning lane for the right in and a merging lane for the right out. Att. Leonard assured that traffic from the site would be of minimal impact and added that the engineering staff for both the project and the town would reach an amicable agreement on the intersection design.

Selectman Coutu conclude his input by stating that the proposed right in/right out configuration would cause major problems and would not support such an idea. He however added that he might change his position if convinced otherwise.

Mr. Collins added that although there is a possibility of occupants accessing their property by taking left turns from Lowell Road it could be done safely as there is turning lane at the intersection location. He further added that most traffic in the evening was heading north and that because of the turning lane an illegal turn into property would not hinder traffic flow. The Chairman asked if a traffic study would be appropriate. Mr. Collins stated that the applicant should be able to provide the information that a traffic study would garner and that the towns consulting engineer firm would be able to evaluate their numbers they provide.

Town Engineer Dhima provide some statistical data on current traffic conditions. He stated that 30,000 vehicle per day are noted traveling through the Lowell Road and Pelham Intersection. When originally conceived the applicant had presented the idea of a left turn out of the property but Mr. Dhima thought the left turn out would be dangerous and thought a better way to handle the situation was to have the entrance to the site directed through the light controlled intersection at Executive Drive. He further stated that from last year to present traffic along Lowell Road has increased by 17 percent.

Mr. Collins reiterated that he was not advocating for a left turn out of the site but merely pointing out that somebody deciding to circumvent the proper way of entering the property could do so safely due to the turning lane. He further stated that this should not be a show stopper in regards to the project.

Mr. Dumont concurred with Mr. Collins and further added that Lowell Road traffic issues were not a developer problem but a town problem. He added that the problem will only get worse unless the town is willing to take up the matter and that future development will only compound the issue. Mr. Dumont acknowledged that the currently proposed property entrance seemed to be the best possible solution.

Mr. Ulery mentioned that the road way line of site from the property would have to be presented during site plan review. Att. Leonard replied that conformity to ASHTOO standards would be met. Att. Leonard added that the

applicant would be paying a considerable amount in impact fees to help address future improvements made to the Lowell Road corridor.

Mr. Van der Veen also concurred that the right in and right out access may need more work and also agreed that access from Executive and Friars Drive might be problematic. He further commented on the request of the applicant for possible relief of parking space dimensions and the number of space required by regulations. Mr. Van der Veen added that the 10 foot by 20 foot parking space size was to address vehicle size and that as far as he knew it had never been waived. Mr. Van der Veen went on to agree with Mr. Boyer's assumption that 1.5 parking spaces per unit would not be feasible and that this board should stick to the current regulation of two spots per unit.

Selectman McGrath asked were the back lot would be accessed from. Att. Leonard said that for now the second lot will be accessed from Friars Drive. He went on to say that future access to the lot would be made by changing the private drive status to a full through way of Friars Drive from Lowell Road to Executive Drive. Selectman McGrath suggested that after reviewing the architectural drawings of the proposed buildings it would be nice if some of the design could mimic the look of Nottingham West. Selectmen McGrath then added that although she agreed that a Noise Study might not be necessary she felt a Fiscal Impact Study would be prudent citing that families would be occupying some of the units and their children would more than likely utilize the public school system. Lastly, Selectman McGrath also agreed with other board members that 1.5 parking spaces may not be sufficient and should be reevaluated, she asked if there would be additional parking for guests somewhere on the site.

Mr. Ulery inquired as to snow removal from the parking areas and private drive. He stated that this would have an impact on parking conditions during winter months and would need to be shown on the site plan.

Mr. Collins stated that there seemed to be enough space to facilitate additional parking in the conceptual site plan and asked Att. Leonard if additional spaces could be shown on the final site plan.

Att. Leonard responded by pointing out that there would be an area that could be developed into additional parking but added that the Zoning Board asked that if possible the natural buffer in that area be left intact. He also reiterated that Dakota Partners would most likely do whatever it takes to make the project work. Att. Leonard addressed Selectman McGrath's question regarding whether or not a Fiscal Impact would be needed by stating that the developer would be paying fees related to schools and that the study would be redundant information.

Selectman McGrath, asked if a Fiscal Study wasn't provided would it be possible to get the makeup of family's typically renting in complexes such as

this. She stated that a large influx of children into the school system could be problematic. Lastly Selectman McGrath pointed out that smaller parking spaces such as the 9 foot by 18 foot proposed could be an issue with more individual opting for larger vehicles.

Mr. Veloso reiterated the concerns brought forth by Selectman Coutu agreeing that further design review of the Lowell Road entrance should be considered and that a Traffic Study might be required.

Mr. Veloso asked that Staff present if there was a regulation requiring installation of an elevator. Town Planner Groth deferred the question to the Att. Leonard who answered that all ADA rules and regulations would be followed, he went on to say that the developer was working closely with the NH Housing Authority and that if they felt it was an issue it would be brought forth.

Mr. Ulery asked what portion of the rental units would be set aside as Work Force Housing. Att. Leonard was not sure at time.

Mr. Dumont asked if this complex would be similar to one built on Marshall Street and E. Hollis Street in Nashua. Att. Leonard answered that he was not familiar that development. He suggested that anybody from the Board could drive by a Dakota Project up in Bedford NH.

Mr. Collins asked if the monthly rental costs would meet state regulations in regards to work force housing and what percentage would of the units built would meet the requirements. Att. Leonard responded by stating the Dakota Partner developments tend to have a higher number of units meeting the work force housing requirements usually set by communities.

With no other questions posed by board members the Chairman thanked Att. Leonard for his presentation.

The Chairman stated that the next discussion would be whether or not to conclude the design review phase or to wait until a coordinated site walk with Conservation Commission and Zoning Board could be accomplished.

Mr. Collins stated that the applicant had already appeared before the ZBA and know before the Planning Board. He went on to say that the only question was total number of units to be built and that the town's consulting engineering firm should be able to clarify that.

Town Planner Groth suggested that the Design Review could be conclude tonight pending a site visit date to be determined. He added that the site visit could be accomplished prior to the next Planning Board meeting and felt it was important for the board to take the lead in the matter. With no objections

a date and time of May 8, 2019 at 5:00 p.m. was set. Members will meet at the Friars Drive entrance to the property.

Mr. Ulery stated that the design review phase for the project could be conclude at the next meeting. Mr. Collins suggested ending the design review phase tonight with the exception being that a site walk would have to be completed as a condition for such a motion.

Selectman McGrath stated that the motion was contrary to what staff had recommended and asked that her opinion be on record stating so. Mr. Groth responded stating that this was an appropriate way to handle the conclusion of the design review and it really didn't make a difference at this time. He went on to say that the town does not have any regulations in place to address this issue.

Mr. Dumont asked if the amendment to the motion was added to the motion, Mr. Collins stated that the time and date would be added to the motion.

Selectman Coutu commented that he would be voting in opposition. He stated that any vote by the board should be done on camera, not during the site visit. Town Planner Groth replied that the current motion on the floor was to conclude the design review tonight and that no vote would be taken during the site visit.

With no other discussion the Chairman polled the board on the motion.

Mr. Collins moved to end the Design Review Phase for 161 Lowell Road, pursuant to RSA 676:4, I (d) and RSA 676:12, VI with the exception of a site walk by the Planning Board to be held May 8, 2019 at 5:00 p.m.

Motion seconded by Mr. Van der Veen. Motion carried -5/1/0

Board members will meet at the Friars Drive entrance to the property located which is located off of Executive Drive.

**Note:** Mr. Brackett was reseated at 8:48 p.m.

### XIII. NEW BUSINESS/PUBLIC HEARINGS

Roadway Width Regulation Amendments, the intent of the changes are to reduce paved roadway widths from 28 feet to 24 feet as noted below. The changes will reduce costs associated with repair, maintenance and snow removal and help reduce the amount of impervious surfaces throughout the community. Discussion on this matter has been taken up at previous PB meetings and has the full support of the Town Engineer and Public Works Director.

A. Regulation Amendment: §289-18.B. Cul-de-sac Roads

The amendment proposes reducing the required roadway width of newly constructed cul-de-sac roads from 28 feet to 24 feet.

B. Regulation Amendment: §289-28. Requirements (paved roadway width)

The amendment proposes reducing the required roadway width of newly constructed residential streets, service streets and access streets of 1,000 feet in length or less from 28 feet to 24 feet.

Mr. Van der Veen moved to adopt the regulation amendments, as presented, to 289-18.B (1) and 289-28.B (2) and continue the pre-hearing review of the proposed amendment to the Hudson Land Use Regulations, date specific, to the May 8, 2019 Planning Board meeting.

Motion seconded by Mr. Veloso. All in favor – Motion carried.

XIV. OTHER BUSINESS

A. Capital Improvement Plan Update

Town Planner Groth mentioned that he had received feedback from the Benson Park Committee and the Engineering department. He added that the Police Department, Town Administration and possibly School Board would be providing input for the update soon.

XV. ADJOURNMENT

Motion to adjourn by Mr. Dumont. Seconded by Mr. Veloso. All in favor – motion carried.

Meeting adjourned at 8:52 p.m.

---

William Collins  
Secretary





# TOWN OF HUDSON

## Planning Board

Timothy Malley, Chairman

Roger Coutu, Selectmen Liaison



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

### **PUBLIC MEETING TOWN OF HUDSON, NH MAY 8, 2019**

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, May 8, 2019 at 7:00 p.m. in the “Buxton Community Development Conference Room” at Town Hall. The following items will be on the agenda:

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
- V. MINUTES OF PREVIOUS MEETING(S)
  - 24 April 2019 Meeting Minutes – Decisions
- VI. CORRESPONDENCE
  - A. Request for Approval of Corridor Impact Funds by Elvis Dhima, P.E., Town Engineer.
- VII. ZBA INPUT ONLY
  - A. ZBA Input application #01-19, Wetlands Special Exception, 161 Lowell Road.
- VIII. NEW BUSINESS/PUBLIC HEARINGS
  - A. Proposed Building Addition Presentation 200 Derry Road  
Palmer Career & Technical Education Center, Alvirne HS Map 130 Lot 3  
SP#01-19  
Purpose of Plan: To build a 2-story 35,500 sf addition and 75 space parking lot.
- IX. OTHER BUSINESS
  - A. Report on NHDOT pedestrian safety workshop, Bill Collins.
  - B. Discussion of CMAQ grant opportunities.
- X. ADJOURNMENT

---

Brian Groth, Town Planner

***REVISED USING POSTED AGENDA & ADDENDUMS: FOR MEETING USE ONLY***