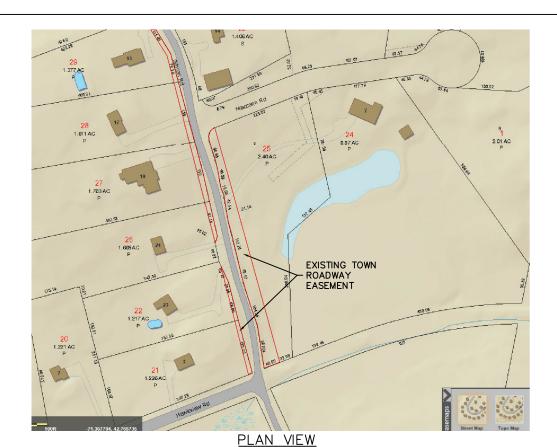
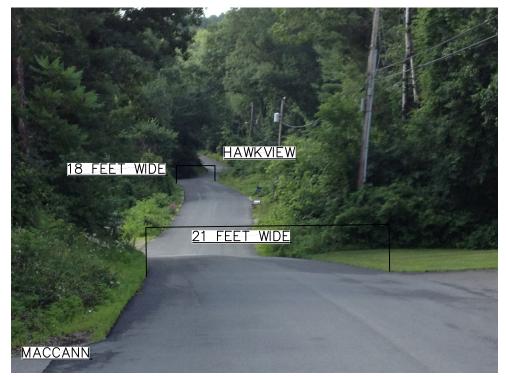
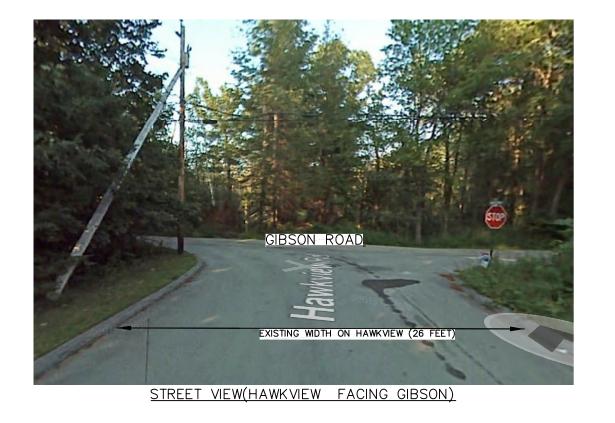


18 FEET WIDE



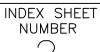


STREET VIEW (GIBSON)





TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051





The State of New Hampshire DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

December 15, 2009

Vatche Manoukian Hawkview Estates, LLC 253 Main Street Nashua, NH 03060

Re: Hawkview Estates, Hudson



Original permit issuance: January 16, 2008 Permit: WPS-8015A

Dear Applicant:

Based upon a recent request, we are hereby amending RSA 485-A:17 Alteration of Terrain Permit WPS-8015. The amendment consists of a 5 year time extension. The new permit number is WPS-8015A and is subject to the following conditions:

1. Water quality degradation shall not occur as a result of the project.

Hudson, NH Tax Map/Lot # 195 / 1, 186 / 24, 194 / 10 & 201 / 7

- 2. Revised plans shall be submitted for permit amendment prior to any changes in construction details or sequences. The Department must be notified in writing within ten days of a change in ownership.
- 3. The Department shall be notified in writing prior to the start of construction and upon completion of construction.
- 4. The approved plans and supporting documentation in the permit file are a part of this approval.
- 5. This permit expires on January 16, 2015. No earth moving activities shall occur on the project after this expiration date unless a <u>new</u> permit has been granted by the Department.
- 6. No construction activity shall occur until a Wetlands Permit is obtained from the Department, if applicable.
- 7. Lot disturbance, other than that shown on the approved plans, shall not commence until after the roadway has the base course to design elevation and the associated drainage is complete and stable.

DES Web site: www.des.nh.gov P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095 Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964 WPS – 8015A Hawkview Estates Hudson, New Hampshire Page 2 of 2

- 8. As much of this site in the vicinity of jurisdictional wetlands, the following is required as part of this permit:
 - A Certified Professional in Erosion and Sediment Control <u>or</u> a Professional Engineer licensed in the State of New Hampshire ("Monitor") shall be employed to inspect the site from the start of alteration of terrain activities until the site is in full compliance with the Alteration of Terrain Permit ("Permit").
 - During this period, the Monitor shall inspect the subject site at least once a week, and if possible, during any ½ inch or greater rain event (i.e. ½ inch of precipitation or more within a 24 hour period). If unable to be present during such a storm, the Monitor shall inspect the site within 24 hours of this event.
 - The Monitor shall provide technical assistance and recommendations to the Contractor on the appropriate Best Management Practices for Erosion and Sediment Controls required to meet the requirements of RSA 485-A:17 and all applicable DES permit conditions.
 - Within 24 hours of each inspection, the Monitor shall submit a report to DES via email (to Emily Lucas at: <u>emily.lucas@des.nh.gov.)</u>
 - Prior to beginning construction, the contractor's name, address, and phone number shall be submitted to DES via email (see above).
- 9. 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 require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained through the following e-mail address: www.des.state.nh.us/StormWater/construction.htm

Sincerel 1. Luis

Gloria S. Andrews, P.E. Land Resources Management Program

cc: <u>Hudson Planning Board</u> Hudson Conservation Commission Emily Lucas, NHDES (Email: Emily.lucas@des.nh.gov) Jeff Terrio, Maynard & Paquette (Email: mpeallc@aol.com)

PLANNING BOARD 2009 ANNUAL REPORT

In accordance with New Hampshire Planning and Land Use Regulations (RSA 674:1, 5, 35 & 43), the duties and responsibilities of municipal planning boards include

- Preparing and updating a town master plan
- Recommendations for changes to the town zoning ordinance
- Preparing a Capital Improvements Program
- Updating subdivision and site plan regulations
- Review and approve/disapprove subdivision and site plans

The Hudson Planning Board meets in Town Hall three times a month, on the 1st, 2nd, and 4th Wednesdays. The first meeting of the month is typically a workshop meeting, while the other two meetings are focused on reviews of site plans and subdivisions.

Master Plan

The Hudson Master Plan was updated in 2006 and consists of a comprehensive review and analysis of Hudson's past, present and future infrastructure needs and capacities. The Master Plan is available for review at the Rodgers Memorial Library, the Community Development Department Office in Town Hall, and on the NRPC web site at http://www.nashuarpc.org/landuse/landuseproj_hudsonmp.htm

Capital Improvements Program

The Planning Board is authorized by New Hampshire RSA 674:5-674:7 to develop a Capital Improvements Program (CIP) to rank proposed capital projects for the Town and School District for the upcoming fiscal year. In addition to the proposed projects for the next fiscal year each town department is requested to look ahead for the next 5 years and list expected capital projects during that time. The CIP report is provided to the Board of Selectmen and Budget Committee as input to the next year's fiscal plan.

The Capital Improvements Committee is a sub-committee of the Planning Board with representation from the Board of Selectmen, School Board, Budget Committee, and a citizen member. This year's committee consisted of Tierney Chadwick (chair), George Hall, Richard Maddox, Ben Nadeau, Gary Rodgers and David Shaw.

For FY 2010, the top three ranked capital projects are the Windham Road Booster Station (water utility), improvements for the Pelham Road/Lowell Road intersection, and replacement of the County Road Bridge. A copy of the FY2010 Capital Improvement Program (CIP) can be reviewed in the Community Development Department Office in Town Hall. Please note, a CIP was not produced by the Planning Board for FY2011. The foregoing decision was made by the Board of Selectmen (BOS), taking into consideration the depth of the recession and resulting local fiscal constraints. That is, the BOS determined that it would be prudent for the Town to complete the aforementioned capital projects before proceeding with planning for additional infrastructure improvement projects. In the spring of 2010, it is expected that the BOS will determine whether or not a CIP for FY2012 will be required.

Zoning Ordinance Changes

The Planning Board continues to work to update the Zoning Ordinance. Public hearings are held to review the proposed changes. The final version of the changes must be approved by a vote of the Town during the Town elections in the spring. During FY2009, most of the focus was on updating the Town's zoning ordinances regarding electronic signs, home occupations and accessory living units.

Subdivision/Site Plan Regulations

The Planning Board also worked on revisions to the Subdivision and Site Plan Regulations. After conducting a public hearing, changes to these regulations are voted on and approved by the Planning Board.

The Zoning Ordinance (Chapter 334), Site Plan (Chapter 275), and Subdivision (Chapter 289) regulations of the Hudson Town Code can be reviewed on the Town's Website, within the "Town Code" dropdown list each of the aforementioned chapters is listed separately.

Development Activity

Once again in FY2009, as the situation in the previous two fiscal years, residential development activities remained sluggish, as the worst economic recession in over 25 years took hold nation-wide. This trend is illustrated in the below table, which depicts both residential and commercial development activities in Hudson from FY2005 through FY2009.

	TTV2006	EV2007	FY 2008	FY 2009
FY2005	FY2000	F12007	112000	6
18	11	6	8	0
00	68	16	22	15
	00	0	0	0
130	0	0	0	0
18	7	16	23	0
	FY2005 18 90 130 18	18 11 90 68	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	18 11 6 8 90 68 16 22

The two most significant Site Plans approved in FY 2009 included:

S.L. Chase Welding & Fabricating, Inc., 8 Christine Drive, Map 110/Lots 37,38 & 39 SP# 01-08

Project consists of a 12,000 S.F. expansion to the existing S.L. Chasse operation and a new 18,041 S.F. manufacturing/storage/office building to compliment the existing SL Chasse operation along with the associated access, parking, drainage, landscape, and site lighting improvements. NOTE: as of 01/04/10 construction of this project remains pending.

C & M Machine Products, Inc. - 32 Executive Drive - Map 215/Lot 2 - SP# 14-08

Project consists of 14,400 sf of office and industrial space and additional paved parking and maneuvering areas. Project to be constructed in three phases. NOTE: as of 01/04/10 construction of this project remains pending.

Election of Planning Board Officers

The election of Planning Board officers is held annually during the second regular meeting in January. The following members were elected as officers for the year.

Chairman	Vincent Russo		
Vice-Chair	Suellen Quinlan		
Secretary	Terry Stewart		

Other members of the Planning Board during this past year include:

Jim Barnes, Member George Hall, Member Tierney Chadwick, Member Brion Carroll, Alternate Timothy Malley, Alternate Stuart Schneiderman, Alternate Richard Maddox, Selectmen Rep. Ken Massey, Selectmen Rep. (Alt.) Community Development Department Staff FY 2009

- Mark A. Pearson, Assistant Town Administrator .
- John Cashell, Town Planner .
- William A. Oleksak, Zoning Administrator/Health Officer/Code Enforcement Officer .
- Blake Miller, Building Inspector (appointed 07/01/09) •
- Joseph Bourque, Electrical Inspector •
- Pamela Lavoie, Administrative Aide •
- Julie Kennedy, Administrative Aide .
- Susan Fiorenza, Secretary
- Debra Winter Secretary (transferred to Highway Dept. June 30, 2009) •
- Stephen Buckley, Esq., Town Counsel and Counsel to the Planning Board •
- Brad Seabury, Recorder, Hudson Minutemen .

Respectfully Submitted,

Vin Russo, Planning Board Chairman

TOWN OF HUDSON PLANNING BOARD

PUBLIC MEETING TOWN OF HUDSON, NH SEPTEMBER 28, 2005



12 School Street

Hudson, New Hampshire 03051

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, September 28, 2005 at 7:00 p.m. in the "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)
- VI. CORRESPONDENCE
- VII. PERFORMANCE SURETIES
- VIII. OLD BUSINESS
 - A. The Goddard School SP# 02-05

Map 204/Lot 9 122 Lowell Road

603/886-6005

Purpose of plan: To construct an 8,000 s.f. Goddard School – an early childhood education center with associated parking area & playground. Hearing. Deferred Date Specific from the 08-24-05 Planning Board Meeting.

B. Nadeau Village Map 115/Lot 2-1 SB# 08-05 Old Derry Road

Purpose of plan: To subdivide Lot 2-1 into 15 residential lots with Town Road, individual septic systems and wells. Application Acceptance & Hearing. Deferred Date Specific from the 08-24-05 Planning Board Meeting.

C. Greenleaf Estates – Surety Revocation Show Cause Hearing

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Planning Board Agenda September 28, 2005 Page 2

IX. NEW BUSINESS/PUBLIC HEARINGS

A. Carpet Creations Site Plan SP# 08-05 Map 204/Lot 7 121 Lowell Road

Purpose of plan: Change of use of the existing structure from Daycare to Flooring Sales. Application Acceptance & Hearing.

X. CONCEPTUAL REVIEW ONLY.

XI. OTHER BUSINESS.

XII. ZBA INPUT ONLY

A. Hawkview – White Service Rd. Map 194/Lot 5 ZI# 04-05 Bush Hill Road

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer.

B. Hawkview Ridge – Hawkview Road Map 195/Lot 1 ZI# 05-05 Map 201/Lot 7

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer.

XIII. ADJOURNMENT.

Planning Board Agenda September 28, 2005 Page 3

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 12:00 noon on the Thursday prior to the day of the meeting.

The public is invited to attend.

Cley

John Cashell Town Planner

POSTED: Town Hall, Library, Post Office 09-16-05

TOWN OF HUDSON

PLANNING BOARD MINUTES/DECISIONS OF THE PLANNING BOARD MEETING DATE: SEPTEMBER 28, 2005



12 School StreetHudson, New Hampshire 03051603/886-6005In attendance = X;
Excused Absence = EAlternates Seated = S;
Marilyn McGrath
Vice Chairman P_10:15Partial Attendance = P;

George Hall Member <u>X</u>

William Tate Alternate <u>E</u>

Richard Maddox Selectmen Rep. X Jeff Rider Member <u>E</u>

Vincent Russo Alternate X Karl Bond Member <u>E</u>

Thomas Murphy Alternate X

Meeting called to order at approximately 7:00 p.m.

III. SEATING OF ALTERNATES

Mr. Russo seated for Mr. Rider Mr. Murphy seated for Mr. Bond

IV. MINUTES OF PREVIOUS MEETING(S)

A. 08-24-05 Minutes - 09-28-05 Packet

Minutes deferred to the 10-05-05 Planning Board Meeting.

V. CORRESPONDENCE

VI. PERFORMANCE SURETIES

Planning Board Minutes/Decisions September 28, 2005 Page 4

Mr. Maddox moved to accept the following waivers:

275-9B	Traffic Study
275-9C	Noise Study
275-9D	Fiscal Impact Study
275-9H/275-8B(11)-	-HISS Mapping
275-9A	Development Agreement

Seconded by G. Hall. Vote: 5-0. Motion carried.

G. Hall moved to approve plan entitled: Carpet Creations Site Plan, 121 Lowell Road, Hudson, NH, prepared by Hayner/Swanson, Inc., dated 3 August 2005, consisting of Sheet 1 of 1 and Notes 1-11, per the following terms and conditions:

- 1. Approval for single retail use added to plan notes.
- 2. Letter of decision by the CDC regarding the building in the front yard setback as a pre-existing, non-conforming use is provided to planning staff prior to plan recording.
- 3. Application fees in the amount of \$665.00 returned to the applicant.

Seconded by Mr. Murphy. Vote: 5-0. Motion carried.

IX. CONCEPTUAL REVIEW ONLY.

X. OTHER BUSINESS.

- XI. ZBA INPUT ONLY
 - A.Hawkview White Service Rd.Map 194/Lot 5ZI# 04-05Bush Hill Road

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer.

Planning Board Minutes/Decisions September 28, 2005 Page 5

Mr. Maddox made motion to defer this item date specific to the 11-09-05 Planning Board Meeting. Seconded by Mr. Hall. Vote: 5-0. Motion carried.

B. Hawkview Ridge – Hawkview Road Map 195/Lot 1 ZI# 05-05 Map 201/Lot 7

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer.

Mr. Maddox made motion to defer this item date specific to the 11-09-05 Planning Board Meeting. Seconded by Ms. McGrath. Vote: 6-0. Motion carried.

Mr. Russo was re-seated.

XII. ADJOURNMENT.

Mr. Maddox made motion to adjourn. Seconded by Mr. Hall. Vote: 6-0 Meeting adjourned at 12:06 a.m.

Thomas Murphy, Thomas Murphy

Thomas Murphy Acting Secretary

HUDSON PLANNING BOARD MEETING MINUTES September 28, 2005

I. CALL TO ORDER

Chairman Barnes called this Planning Board meeting to order at 7:08 p.m. on Wednesday, September 28, 2005, in the Community Development meeting room in the Town Hall basement.

II. PLEDGE OF ALLEGIANCE

Chairman Barnes requested Mr. Hall to lead the assembly in the Pledge of Allegiance to the Flag of the United States of America.

III. ROLL CALL

Chairman Barnes asked Mr. Murphy to act in the place of the Secretary Quinlan, who was absent, and to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

Members Present:	James Barnes, George Hall, Richard Maddox (Selectmen's Representative), and Marilyn McGrath (arrived at 1015 p.m.).
Members Absent:	Jeff Rider, Karl Bond, and Suellen Quinlan (Excused).
Alternates Present:	Thomas Murphy and Vincent Russo.
Alternates Absent:	William Tate (Excused).
Staff Present:	Town Planner John Cashell.
Recorder:	J. Bradford Seabury.

IV. SEATING OF ALTERNATES AND ANNOUNCEMENTS

Chairman Barnes seated Mr. Russo in place of the absent Mr. Rider and seated Mr. Murphy in place of the absent Mr. Bond.

IX. ZBA INPUT ONLY

A. Hawkview - White Service Road ZI# 04-05 Map 194/Lot 5 Bush Hill Road

<u>Purpose of Plan</u>: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures with wetlands and the wetlands buffer.

Chairman Barnes read aloud the published notice, as repeated above.

Chairman Barnes asked Mr. Cashell if there were a particular reason why this case and the next one were split. Mr. Cashell stated that he had started out doing them separately but had decided to put them both in one staff report because of time limitations. He stated that there was only one major wetlands crossing and two or three minor wetlands crossings, adding that he thought there were actually 11 total wetlands crossings. Mr. Maynard concurred that there were 11 crossings, stating that there were two separate applicants, so there had to be two separate applications—one state jurisdiction and one local jurisdiction. He stated that the DOT was technically the applicant for the White Service Road, which was planned as part of the compensation for the Circumferential Highway but would not be done by the State until the State built the Circumferential Highway, and that the DOT had told him to do it, adding that he had submitted a letter from Commissioner Carol Murray to that effect.

Mr. Maynard referred to Drawing 40, Master Wetlands Plan, Map 195/Lot 1, Map 186/Lot 24, Map 194/Lot 10, Map 201/Lot 7, Hawkview Ridge, Hawkview Road; dated June 1, 2005; last revised 07-21-05, stating that this was the overall view of the wetlands. He noted that the plan was stamped and signed by Marc Jocobs, a certified wetland scientist. He then noted that he had also posted on the meeting room wall a copy of Drawing 49, entitled Wetlands Plan, Map 194, Lot 5, White Service Road, Bush Hill Road, Hudson, New Hampshire, prepared for the State DOT, dated June 1, 2005; last revised 07-21-05, also stamped and signed by Marc Jacobs. He stated that the location of the road was set because of the location in relation to the circumferential right-of-way and an existing pond. Saying there were four little impact areas, he pointed them out on the plan. Selectman Maddox asked if the disturbance area for the crossings were predicated on having a 20-foot road width. Mr. Maynard said it would be a standard road, measuring 28 feet wide. Selectman Maddox pointed out that the cross-section detail on Drawing 35 said 10-foot travel lanes with no granite curbing. Mr. Maynard expressed a belief that this was a drafting error, stating that the road would be of standard width and that no waivers were being requested. Selectman Maddox asked if this would change the wetlands impact calculations. Chairman Barnes expressed a belief that it would. Mr. Maynard said he would have to check.

Chairman Barnes opened the discussion up to the public, clarifying that the discussion at this time pertained only to the wetland impacts.

Ms. Charlotte Cohen, of 101 Bush Hill Road, questioned the validity of the project being able to use the White Service Road. She stated that in 1974, when the State bought land for the circumferential highway, the State had purchased a piece of land from her in order to get to the land in the back, which otherwise would have been blocked by her land. She said that the original intent was to give Mr. White access to

story.

his land, adding that she thought Mr. White's property was now abandoned. Chairman Barnes asked Ms. Cohen to point out the land in question. Atty. Andrew Prolman, the legal representative of the applicant, said that the short answer to the question was that the NH DOT. commissioner had given the applicants authority to use the White Service Road to access the land, noting that authority was given in an October 12, 2004, letter to the Board. Mr. Hall noted that the plan did not reflect any taking of the land, as described by Ms. Cohen. Mr. Maynard said the land had been taken to protect an abutment, adding that it was not correct that the State had taken the land to give access to the back land. Several members of the Board and Ms. Cohen discussed details of the area in question, with Mr. Maynard making additional comments. Ms. Cohen asked for and was given a copy of the DOT's letter. Ms. Cohen stated that the DOT letter noted that the land should be used "for the original intent." Mr. Hall said there must have been another plan showing the intent of the White Service Road, and he questioned why Mr. Maynard had not provided that plan; Mr. Maynard responded that he did not know what plans he had. Mr. Hall expressed agreement with Ms. Cohen but stated that he did not see that he had an issue with the area in question if it were part of the State's environmental impact statement and was approved, but that he wanted to see the original plan showing what the intent had been, and that he would have no comment to make to the Zoning Board about that. Mr. Maynard said he would get a copy of the plan. Mr. Hall clarified that the rest of the site was a whole different

Ms. Wendy Roystan, of 82 Bush Hill Road, stated that White Service Road was originally a Class 6 road, a gravel one-lane road, and was never supposed to be a Town-approved road, and she expressed concern that what was being proposed was a Town-approved road, which would be three times as wide and would have major impact on the wetlands. She stated that the current property owner, Mr. Plante, had purchased the property in 1994-adding that she and her husband had been looking to buy that property, but it had been made clear to them at that time that the property was never to be subdivided and that there was limited access to be used as a driveway to the one home on the land, adding that she had an issue with the applicant building a Town-approved road that would destroy a lot of wetlands to provide access to a development, rather than as a driveway to a single-family home. Mr. Hall stated that the applicant was being directed by the State to build a Class 5 Town road, adding that this was the only thing the applicant could do. Ms. Roystan questioned whether the State was aware of the impact on the wetlands, and she said that the current owner had known what he was buying when he bought the land, but now he wanted to claim hardship so he could build a development.

Chairman Barnes asked if anyone else wished to speak on the issue. No one else coming forward, Mr. Russo asked which lot was Map 18/Lot 23, referenced in the DOT letter. Mr. Maynard said it was now Map 201/Lot 7.

Mr. Russo asked about Lots 6, 7, and 8 on Tax Map 194, asking if these were being land-locked and if it were not the intent of the White Service Road to provide access to them. Mr. Maynard stated that nothing had been taken from those lots, adding that they had been and remained land-locked.

No further questions or comments coming forward, Selectman Maddox made a motion to defer this item date specific to the November 9, 2005, Planning Board meeting. Mr. Hall seconded the motion.

VOTE: Chairman Barnes called for a hand vote on the motion. All members present voted in favor, and Chairman Barnes declared the motion to have carried (5–0).

Ms. McGrath having arrived at 10:15 p.m. during the preceding discussion, was recognized by Chairman Barnes at this time, and she then took her regular seat at the table as a voting member.

B. Hawkview Ridge - Hawkview Road Map 195/Lot 1 ZI# 05-05 Map 201/Lot7

<u>Purpose of Plan</u>: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures with wetlands and the wetlands buffer.

Chairman Barnes read aloud the published notice, as repeated above.

Town Planner Cashell said he had nothing else to add beyond his staff report.

Selectman Maddox noted that there was the same situation with respect to the roadwidth calculations for the crossing numbers on this plan as had been noted on the other plan, noting that the details on Drawing 49 were the same as on Drawing 40.

Mr. Richard Maynard, Professional Engineer, of Maynard & Paquette, Inc., appearing before the Board as the representative of the applicant, stated that he felt this was a drafting error, because the roadways scaled at 29 feet on the contour plan. Chairman Barnes pointed out that Mr. Maynard would have to go back before the Conservation Commission if the impacts had to be recalculated. Mr. Maynard referred to the same drawing as previously discussed, identifying it as Master Wetlands Plan, Map 195/Lot 1, Map 186/Lot 24, Map 194/Lot 10, Map 201/Lot 7, Hawkview Ridge, Hawkview Road; dated June 1, 2005; last revised 07-21-05, noting that this was Drawing 40 in the set, and adding that the set provided to the Board members also included Drawings 41, 42, 43, 44, and 45, along with 46 (topo plans and grading), as well as 47 and 48 (crossing profiles). Mr. Maynard stated that this was the main development parcel and that it was 222.9 acres of land, of which approximately 42 acres (or 18.2%) were wetlands. He said that he was projecting 56 or 57 lots, noting that 56 lots would mean an overall density of four acres per lot in the G-1 zoning district with the wetlands in, or 3.2 acres per lot of dry land with the wetlands and steep slopes out. He said the amount of impervious area would be approximately 5% of the total acreage, adding that the percentage for a typical subdivision would be about 50%. He also discussed two tax maps that showed the limits of the property. Mr. Maynard said there were eight wetlands crossings, and he showed those areas on Drawing 40. He discussed each wetlands crossing, using the appropriate sheet for each group of crossings, and he explained how each crossing would be treated.

Mr. Maynard noted that Mr. Cashell had suggested a cluster type development; he said he had tried that, but that it would not be of any benefit and could not be done under the way the current ordinance was written. Atty. Andrew Prolman, the applicant's legal representative, stated that what had been proposed in 2003 was that the Town adopt an ordinance that took into consideration the Village Plan Alternative concept, adding that the applicants' representatives had met with the Planning Board in

workshops, had drafted an ordinance for the Board to consider, and had participated in a public hearing in 2003 with the Planning Board, at which time members of the Planning Board had rejected the ordinance, killing it in committee. Selectman Maddox pointed out that no other community in New Hampshire had adopted that ordinance; Mr. Maynard answered that he understood that, but that his point was that the applicants had tried to do that in order to do a cluster, as recommended by Town Planner Cashell, and there was no other way to do a cluster under the way the current Zoning Ordinance was written and the way this land was, as the cluster ordinance only allowed 1-acre lots and this was in the G–1 district, which required 2-acre lots—adding that there would only be one access road in and the Planning Board would not allow that.

Ms. Carol Michaels, 10A Sunshine Drive, asked to be recognized, which Chairman Barnes did. She then stated that there were nine members of the public present at this meeting for the purpose of attending the Greenleaf Estates Surety Revocation Show Cause hearing. She pointed out that this meeting had been going on for four hours, that the hearing about which they were concerned had been bumped, and that they had already lost some members, who had had to go home because of the late hour. She asked if their case could be addressed at this time. Chairman Barnes answered in the affirmative.

Ms. Shirley Burgeron of 116 Bush Hill Road asked about the perimeter of the Hawkview Estates property and where a future crossing on Bush Hill Road would be. Mr. Maynard showed Ms. Burgeron on the wall-mounted plan where the crossing could be, if someone wanted to put a connection through in the future.

Ms. Wendy Roystan, 82 Bush Hill Road, asked if the Conservation Committee had Chairman Barnes stated that he did not know what the approved the plan. Conservation Commission had done, as there were many pages of minutes and motions, but it was not clear what that group had done-adding that he would like to see a letter of recommendation from that group. Ms. Roystan stated that, at the last Conservation Commission meeting she had attended, there were several crossings that the commission members had concerns about and that they were planning on writing a letter to the State. Mr. Murphy expressed a belief that the Conservation Commission minutes indicated that the Commission had approved of four crossings but none of the others. Ms. Roystan then asked how the project could go before the Planning Board if the Conservation Commission had not approved it. Chairman Barnes stated the applicants were looking for input from the Planning Board to the Zoning Board of Adjustment (ZBA), just as they were looking for input from the Conservation Commission to the ZBA-adding that the ZBA has to approve special exceptions for the crossings and was looking for comment from the Planning Board and the Conservation Commission and that there was no particular order. She said she had a problem with development on the site because of the amount of wetlands involved.

Mr. Maynard noted that the Conservation Commission's letter was dated August 29, 2005, adding that the Commission just makes recommendations to the Zoning Board, which then made the decisions. He said the Conservation Commission does not approve but makes comments.

Mr. Hall stated that the charts on the plan were difficult to use, and he cited several examples in the "Area of Disturbance" column, asking what kind of disturbance was meant. Mr. Maynard responded "Wetlands," adding that wetlands impacts were shown

in the upper left of sheet 40 and that the buffer impacts were shown in the lower right of sheet 40. Mr. Hall asked if the total impact would be the addition of the two types of impacts. Mr. Maynard answered in the affirmative. Mr. Hall asked if the listed buffer impacts included the ponds and drainage structures; Mr. Maynard answered in the affirmative. Mr. Hall asked if this included the slopes; Mr. Maynard said anything that disturbed the buffer was part of the disturbance figures.

Selectman Maddox said he was also confused by the charts, noting that there were two #5 crossings but only one #5A. Mr. Maynard confirmed this to be so after looking at the drawing, implying that this was a drafting oversight.

Selectman Maddox made a motion to defer this item date specific to the November 9, 2005, Planning Board meeting. Ms. McGrath seconded the motion.

Mr. Hall asked why the plans did not show how the lots would be laid out. Mr. Maynard responded that he did not know how to lay out the lots until the road layout was established. Mr. Hall questioned this, expressing a belief that Mr. Maynard had figured out where the lots would be. Mr. Maynard responded that he had ideas but could not guarantee them. Mr. Hall then stated that Mr. Maynard would have to justify why the roads should be laid out as shown and what the impacts would be, adding that he could not see how the road location could be justified without knowing what the lot lines were. Mr. Maynard said the Conservation Commission's letter told where the lots Chairman Barnes asked for were, adding that there was a preliminary plan. identification of the preliminary plan showing the lots. Mr. Hall asked if Mr. Maynard were going to share that plan with the Planning Board. Mr. Maynard stated that this was all he had, for now. Mr. Hall added that the plans as presented did not do him much good, if Mr. Maynard were not going to put on the plans where the wetlands Mr. Maynard argued that the discussion was about roads and access to were. buildable land, contending that the number of lots and how the lots were to be configured were really not part of this discussion. Mr. Maynard then suggested that Mr. Hall had enough experience to figure it out for himself.

VOTE: Chairman Barnes called for a hand vote on the motion to defer. All members present voted in favor, and Chairman Barnes declared the motion to have carried (6–0).

Ms. McGrath informed the attending public that they would not be renotified about the November 9th hearing, as it was being deferred to a date certain.

Selectman Maddox asked that Town Planner Cashell provide the Board members with a copy of Atty. Prolman's previously supplied Village Plan Alternative proposal, to be provided ahead of the next hearing.

VIII. OLD BUSINESS (Continued)

C. Greenleaf Estates-Surety Revocation Show Cause Hearing Map 149-002

Chairman Barnes read aloud the published notice, as repeated above.

TOWN OF HUDSON PLANNING BOARD

PUBLIC MEETING TOWN OF HUDSON, NH NOVEMBER 9, 2005



12 School Street Hudson, New Hampshire 03051

603/886-6005

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, November 9, 2005 at 7:00 p.m. in the "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)
- VI. CORRESPONDENCE

VII. PERFORMANCE SURETIES

 Konis Office Park Site Plan Map 182, Lot 63 Landscape Bond Reference memo dated 09-27-05 from Town Engineer to Town Planner.

VIII. OLD BUSINESS

 A. Kimball Heights II (Playground) Sheffield Street Map 171/Lots 004 & 008

To review status of the ½ acre parcel for recreation purposes. Deferred Date Specific from the 09-14-05 Planning Board Meeting.

B. Nadeau Village
SB# 08-05Map 115/Lot 2-1
Old Derry Road

Purpose of plan: To subdivide Lot 2-1 into 15 residential lots with Town Road, individual septic systems and wells. Hearing. Deferred Date Specific from the 09-28-05 Planning Board Meeting.

C. Jette Field Expansion – Burns Hill/Pelham Roads – Map 198/Lot 151 Review Recreation Account Balance Re: Softball Field at Jette Field. Deferred Date Specific from the 10-12-05 Planning Board Meeting. Planning Board Minutes/Decisions November 9, 2005 Page 2

- D. Review status on Kimball Heights II Offsite Improvement Contribution.
 Deferred Date Specific from the 10-12-05 Planning Board Workshop.
- E. Review status on Stop & Shop Offsite Improvement Contribution Deferred Date Specific from the 10-12-05 Planning Board Meeting.

IX. NEW BUSINESS/PUBLIC HEARINGS

A.Leaor SubdivisionMap 193/Lot 012SB# 11-0594 Pelham Road

Purpose of plan: To show a proposed 8-lot OSD Subdivision with 2 openspace lots and one conventional lot. Application Acceptance & Hearing.

B. Johnson Lot Line Relocation Map 218/Lots 21 & 22 SB# 12-05 Trigate/Harwood Roads

Purpose of plan: Relocate lot line between Lots 21 & 22. Application Acceptance & Hearing.

X. CONCEPTUAL REVIEW ONLY.

B.	Vista Knoll Subdivision	Map 152/Lot 36
	SB# 06-05	Map 161/Lot 29
		334 Central Street

Purpose of plan: Lot Line Relocation, then one of the new lots will be subdivided into eighteen house lots. Lots to be served by individual septics and wells. **For Conceptual Review Only**. Deferred Date Specific from the 09-14-05 Planning Board Meeting.

XI. OTHER BUSINESS.

Planning Board Agenda November 9, 2005 Page 3

XII. ZBA INPUT ONLY

A. Hawkview – White Service Road Map 194/Lot 5 ZI# 04-05 Bush Hill Road

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer. Deferred Date Specific from the 09-28-05 Planning Board Meeting.

B. Hawkview Ridge – Hawkview Road Map 195/Lot 1 ZI# 05-05 Map 201/Lot 7

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer. Deferred Date Specific from the 09-28-05 Planning Board Meeting.

XIII. ADJOURNMENT.

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 12:00 noon on the Thursday prior to the day of the meeting.

The public is invited to attend.

John Cashell Town Planner

POSTED: Town Hall, Library, Post Office - 10/28/05

TOWN OF HUDSON

PLANNING BOARD MINUTES/DECISIONS OF THE PLANNING BOARD MEETING DATE: NOVEMBER 9, 2005



12 School StreetHudson, New Hampshire 03051603/886-6005In attendance = X;
Excused Absence = EAlternates Seated = S;
Marilyn McGrathPartial Attendance = P;

Jim Barnes Chairman <u>X</u>

George Hall

Marilyn McGrath Vice Chairman X

Suellen Quinlan Secretary $X_7:05$

Jeff Rider Member <u>E</u>

Vincent Russo

William Tate Alternate X

Member X

Richard Maddox Selectmen Rep. <u>X</u> Alternate X

Thomas Murphy Alternate X

Meeting called to order at approximately 7:03 p.m.

III. SEATING OF ALTERNATES

W. Tate seated for K. Bond T. Murphy seated for S. Quinlan V. Russo seated for J. Rider

IV. MINUTES OF PREVIOUS MEETING(S)

Α.	06-08-05 Minutes	-	11-09-05 Packet
B.	06-22-05 Minutes	-	11-09-05 Packet
C.	07-27-05 Minutes	-	11-09-05 Packet

Minutes not reviewed.

Planning Board Minutes/Decisions November 9, 2005 Page 6

Motion by M. McGrath that Planning Board has concerns with the wetland crossings in light of correspondence submitted from EPA. Seconded by V. Russo. Vote: 4-3-0 Motion carried.

B. Hawkview Ridge – Hawkview Road Map 195/Lot 1 ZI# 05-05 Map 201/Lot 7

Purpose of plan: Planning Board input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer. Deferred Date Specific from the 09-28-05 Planning Board Meeting.

M. McGrath moved to forward to the ZBA the following concerns regarding the Hawkview Ridge ZBA Wetland Special Exception application:

- 1. To date, the Applicant has not submitted plans, sufficient in detail, to determine the extent of wetland impacts, nor the extent of development, i.e., the plans do not show even a basic layout schematic of lots. Also, the Applicant has not submitted sufficient details as to alternative routes of roadway construction, which, if provided, may create fewer and less severe wetland crossings.
- 2. The Planning Board has determined that it is in the Town's best interest to investigate and work with the developer, relative to planning a residential development that creates substantially less environmental impact than what is presently proposed for this undeveloped 200+ acre tract. This concern also takes into account that the subject tract abuts several other large undeveloped tracts.
- NOTE: The Planning Board reviewed the following plans regarding the two ZBA Input applications for Hawkview Ridge:
 - a) Hawkview Ridge, Hawkview Road, Hudson, NH, prepared by Maynard & Paquette, Engineering Associates, LLC and dated: June 1, 2005 and revised thru July 21, 2005, consisting of Sheets 40 – 48 (numbered as submitted) and Notes 1 – 12, shown on Sheet 41.

Planning Board Minutes/Decisions November 9, 2005 Page 7

3. Copies of EPA letters to be sent to ZBA for information.

Seconded by G. Hall. Vote: 7-0, motion carried.

VII. OLD BUSINESS

D. Review status on Kimball Heights II – Offsite Improvement Contribution. Deferred Date Specific from the 10-12-05 Planning Board Workshop.

R. Maddox moved to defer this item date specific to the 01-11-06 Planning Board Meeting.

E. Review status on Stop & Shop – Offsite Improvement Contribution Deferred Date Specific from the 10-12-05 Planning Board Meeting.

G. Hall moved to send a letter to the Town Administrator strongly recommending that the Stop & Shop \$50,000 contribution to Lowell Road should be transferred to the "General" Lowell Road CAP account to replace part of the \$80,000.00 contribution made by the Town for the Lowell Road project. Seconded by M. McGrath. Vote: 3-3-1 Motion failed.

X. OTHER BUSINESS

B. Greenleaf Estates Update.

W. Tate left at 11:15 p.m.

XII. ADJOURNMENT.

R. Maddox moved to adjourn. Seconded by M. McGrath. Meeting adjourned at 11:23 p.m.

mung Quilin

Suellen Quinlan Secretary

Cor	sulting Engin	a ASSOC leers & La st Pearl Str	IATES, LLC nd Surveyors eet	DATE JULY 9, 2003 ATTENTION	
	(603) 883-8433 FAX (603) 883-7227 TO HUDSON PLANNING PEPT			RE: JOHN CASHER MADENER	
	Safoor			HAWKVIEW ESTATES	
	1050N, 1		0305/	HAWKVIEW & SPEARE ROADS	
>	ENDING YOU Shop drawir Copy of lett	ngs	hed 🛛 Under separate cover via Prints Plans Change order		
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If enclosures are not as noted, kindly notify us at once.





BOSSIE KELLY HODES BUCKLEY & WILSON



Professional Association

440 Hanover Street Manchester, NH 03104

> Telephone 603-668-2222

NH & MA Toll Free 1-800-588-8886

> Telefax 603-641-6333

E-Mail Info@bkhbpa.com

Web Page www.bkhbpa.com

Attorneys At Law Robert F. Bossie Jay L. Hodes Stephen C. Buckley Andrew K. Wilson Michael S. McGrath David E. LeFevre

> Laurence E. Kelly Of Counsel

July 9, 2003

Richard Maddox, Chairman, and Members of the Planning Board Town of Hudson 12 School Street Hudson, NH 03051

Re: Recent Legislation- Developments Having Regional Impact

Dear Chairman Maddox and Board:

The Legislature has amended the statute that requires the Planning Board to consider developments of regional impact. The Legislature has amended the procedure concerning projects having regional impact by amending RSA 36:57 (II). That statue provides that in addition to giving notice within seventy-two (72) hours if a project has regional impact to the Regional Planning Commission and the affected municipalities the Board must also submit an additional set of plans to the Regional Planning Commission the cost of which is to be borne by the applicant. A copy of the amended RSA 36:57(II) is enclosed. This statute goes into effect as of August 30, 2003.

Very truly yours,

BOSSIE, KELLY, HODES, BUCKLEY & WILSON, P.A.

By: Stephen C. Buckley Email: <u>sbuckley@bkhbpa.com</u>

SCB:kld Enclosure Cc: Steve Malizia, Finance Director Cc: Sean Sullivan Cc: John Cashell



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



July 10, 2003

John Cashell, Town Planner Hudson Planning Department 12 School Street Hudson, NH 03051

> Hawkview Estates (J-11258) Hawkview & Speare Roads

Dear John:

Per our discussions with Chairman Maddux and the Planning Board at the meeting of 7/9/03, please consider this a correspondence request for a conceptual discussion of the Hawkview Estates property at the August workshop meeting.

Please return our application and cheek included with the July 9th transmittal.

Should you have any questions please call.

Very Truly Yours, MAYNARD & PAQUETTE ENGINEERING ASSOCIATES, LLC

Richard A. Maynard

ram1258

Concept Plan for Hawkview Estates Staff Report August 6, 2003

Richard Maynard has respectfully requested that he be allowed to present the 3 proposed Concept Plans of the subject locus to the Planning Board at the Workshop, with only a locus plan of the site given to the board prior to the meeting. As shown on the attached rudimentary locus plan that this author prepared, the site consists of 175 acres off of Hawkview Road.

Mr. Maynard has shown staff 3 different concept development plans for this site:

- 1) a 50 lot conventional grid subdivision, which meets the minimum 2 acre/200 ft. of frontage per lot requirement for the G-1 zone;
- 2) 51 single-family unit individual lot "Village Alternate" type development, and
- 3) A "village alternate" style 58 unit condominium development.

Leading up to the meeting, one comment staff would like to offer is rather large number of proposed units having an inadequately constructed roadway system as the only means of access. In effect, road and intersection improvements will need to be seriously considered as part of any potential approval of this project. Specifically, these improvements would include: Hawkview, the Hawkview/Gibson Road intersection and the Gibson Rd./Kimbal Hill Rd. intersection. hb 0295

CHAPTER 220

HB 295 - FINAL VERSION

20feb03... 0116h

05/29/03 1770s

2003 SESSION

03-0609

06/10

HOUSE BILL 295

AN ACT relative to information filed with the regional planning commissions.

SPONSORS: Rep. R. Cooney, Rock. 76; Rep. M. Allen, Rock 81; Rep. Weyler, Rock 79

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill requires a local land use board reviewing a development of regional impact to submit an initial set of plans to the regional planning commission, with the cost to be borne by the applicant.

Explanation: Matter added to current law appears in **bold italics**.

Matter removed from current law appears [in brackets and struckthrough.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

20feb03... 0116h

05/29/03 1770s

03-0609

06/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to information filed with the regional planning commissions.

Be it Enacted by the Senate and House of Representatives in General Court convened:

220:1 Procedure; Plans to be Submitted to Regional Planning Commission. Amend RSA 36:57, II to read

http://gencourt.state.nh.us/legislation/2003/hb0295.html

as follows:

II. Within 72 hours of reaching a decision regarding a development of regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The local land use board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant.

220:2 Effective Date. This act shall take effect 60 days after its passage.

(Approved: Enacted in accordance with Article 44, Part II, N.H. Constitution, without signature of the Governor, July 1, 2003)

(Effective Date: August 30, 2003)



TOWN OF HUDSON

FIRE DEPARTMENT 39 FERRY STREET HUDSON, NEW HAMPSHIRE 03051



Shawn P. Murray Chief of Department

 Emergency
 911

 Business
 886-6021

 Fax
 594-1164

January 25, 2005

Maynard & Paquette Engineering Associates, LLC Attn: Jeff Terrio 23 East Pearl St. Nashua, NH 03060

Re: Proposed Street Names for Hawkview Ridge Subdivision

Dear Mr. Terrio;

I have reviewed the proposed street names for the proposed Hawkview Ridge Subdivision located in Hudson, NH. The following street names will be accepteble to the Prevention Division:

Osprey Drive Pergerine Drive Harris Drive Savannah Drive Sparrow Drive Golden Drive Harrier Lane Talon Drive

The name of the proposed subdivision conflicts with a current hawkview subdivision in town which may lead to confusion. Please have the developer provide an alternative name for the subdivision.

If you have any questions please feel free to contact me in the Prevention Division at 86-6021. Thank you for your time.

Sincerely

Inspector Joseph Triolo Fire Prevention Division

Cc: Deputy Chief Chalk FPO Dube Planning Building

File: Hawkview Ridge Subdivision acceptable Street Names

TOWN OF HUDSON PLANNING BOARD

NOTICE

12 School Street

Hudson, New Hampshire 03051

603/886-6005

November 15, 2005

To:

J. Bradford Seabury, Chairman Zoning Board of Adjustment Sean Sullivan - Community Development Director Attention:

Subject:

Hawkview Ridge – Hawkview Road – ZI# 05-05 Purpose of plan: Planning Board Input to the ZBA for a Special Exception for roadway crossings and drainage structures within wetlands and the wetland buffer. Deferred Date Specific from the 09-28-05 Planning Board Meeting. Wetland Special Exception Request

Planning Board Input to the ZBA

Dear Zoning Board of Adjustment:

At its November 9, 2005 meeting, the Planning Board voted to forward to the Zoning Board of Adjustment the following concerns regarding the Hawkview Ridge ZBA Wetland Special Exception application:

- 1. To date, the Applicant has not submitted plans, sufficient in detail, to determine the extent of wetland impacts, nor the extent of development, i.e., the plans do not show even a basic layout schematic of lots. Also, the Applicant has not submitted sufficient details as to alternative routes of roadway construction, which, if provided, may create fewer and less severe wetland crossings.
- 2. The Planning Board has determined that it is in the Town's best interest to investigate and work with the developer, relative to planning a residential development that creates substantially less environmental impact than what is presently proposed for this undeveloped 200+ acre tract. This concern also takes into account that the subject tract abuts several other large undeveloped tracts.

ZBA Input – Hawkview Ridge November 15, 2005 Page 2

- NOTE: The Planning Board reviewed the following plans regarding the two ZBA Input applications for Hawkview Ridge:
 - a) Hawkview Ridge, Hawkview Road, Hudson, NH, prepared by Maynard & Paquette, Engineering Associates, LLC and dated: June 1, 2005 and revised thru July 21, 2005, consisting of Sheets 40 – 48 (numbered as submitted) and Notes 1 – 12, shown on Sheet 41.
- 3. Copies of EPA letters to be sent to ZBA for information.

TOWN OF HUDSQN

John Cashell Town Planner

HANDOUT 6 27107 AS

JUN 1 3 2007

TOWN OF HUDSON

Office of the Town Administrator



Stephen A. Malizia, Town Administrator 12 School Street, Hudson, NH 03051 603/886-6024 smalizia@seresc.net

To: Board of Selectmen

Date: June 7, 2007

From: Steve Malizia

C

Re: Hawkview Estates Conservation Easement

On behalf of his client, Hawkview Estates, LLC, Attorney Andrew Prolman has asked to be placed on the Board of Selectmen's agenda to seek a vote of the Board on whether the Town will accept the 27 +/- acre conservation easement that has been proposed as part of the Hawkview Ridge project.

If the Board of Selectmen are interested in the concept of accepting this easement, Town Attorney David LeFevre recommends the following motion:

Motion: The Board of Selectmen are in favor, on a conceptual basis, to the acceptance of a proposed conservation easement for a plan known as Hawkview Ridge.

Please feel free to call me should you have any questions or need additional information.

Thank you.

cc: Planning Cc: Planning Comete pht

RECEIVED

JUN - 7 2007 TOWN OF HUDSON SELECTMEN'S OFFICE

GERALD R. PRUNIER gprunier@prunierlaw.com

PRUNIER & PROLMAN, P.A.

ATTORNEYS AT LAW 20 Trafalgar Square, Suite 626 Nashua, New Hampshire 03063-1981 TELEPHONE (603) 883-8900 FAX (603) 883-7959 www.prunierlaw.com

> ANDREW A. PROLMAN aprolman@prunierlaw.com

June 6, 2007

BY FAX (598-6481) AND U.S. MAIL

Steve Malizia, Town Administrator Town of Hudson 12 School Street Hudson, NH 03051

Re: Hawkview Estates Conservation Easement

Dear Steve:

On behalf of our client Hawkview Estates, LLC, I respectfully request being scheduled on the Board of Selectmen's June 12, 2007 Agenda. I seek a vote of the Board of Selectmen whether the Town will accept the 27+/- acre conservation easement proposed as part of the project.

Enclosed please find an overall plan of the project, and the Conservation Commission's recommendation to the BOS for acceptance of the Conservation Easement. It is the developer's intent that the proposed Conservation Easement area be preserved as undisturbed open space, to maintain existing wildlife areas.

One of the requirements of DES's approval for the project is to confirm who will be granted the Conservation Easement. We have proposed the Town of Hudson hold the Easement, as it does elsewhere in Town. If the Town does not want to hold the easement, we would seek out another entity. such as the Trust for Public Lands, Society for the Protection of New Hampshire Forests, or other qualified conservation groups. At this point we simply need an up or down vote whether the Town, in concept, will accept the Easement.

Please note - The Hawkview Estates project is currently in the permitting process with the Town. We are actually on appeal to the Superior Court on the ZBA's denial of certain wetland

Steve Malizia, Town Administrator Town of Hudson June 6, 2007 Page 2

crossings. The BOS's action would be without prejudice to the Town, and would not be taken as an acceptance or acquiescence to the developer's overall project. Further, the BOS's acceptance of the easement would of course be subject to subdivision approval, and the Conservation Easement being approved by this Board, the Planning Board, and Town Counsel.

Please call with any questions. Thank you.

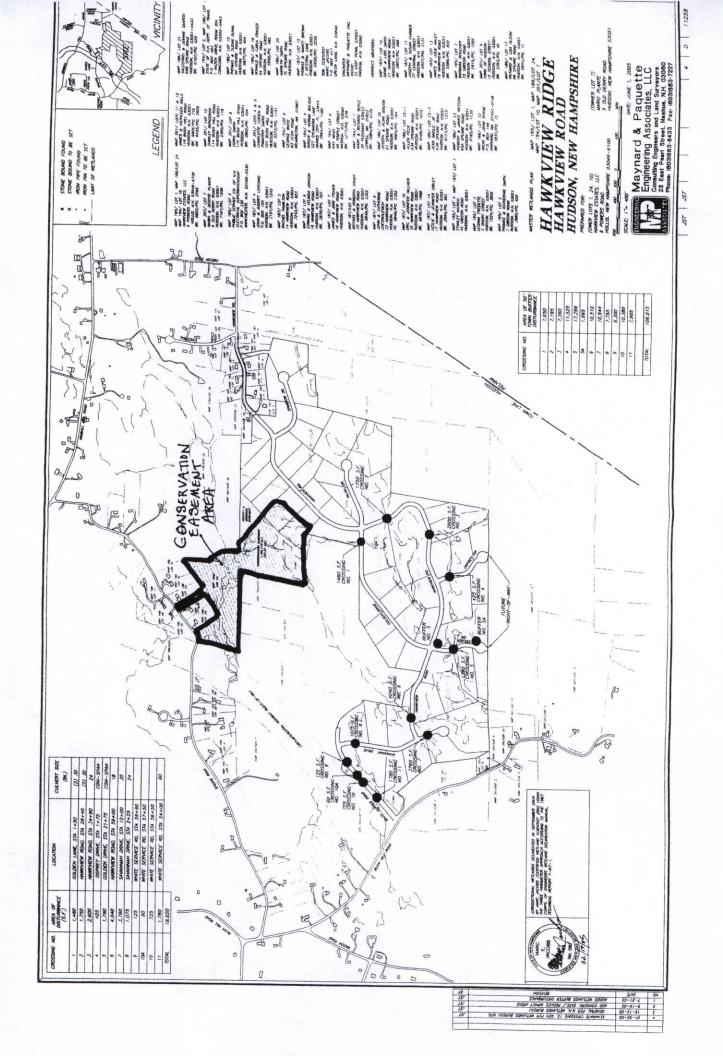
Sincerely,

Andrew A Prolman

AAP/ps

Enclosures

CC: Hawkview Estates, LLC Richard Maynard, PE Marc E. Jacobs David E. LeFevre, Esq.



Hudson Conservation Commission

Attorney

Memo

I INULL I UMIT

To:	Richard Maddox
From	T Quinn
CC;	Hudson Conservation Commission, Richard Maynard
Dates	BEAME COO
	Hawkview Ridge Estates - Recommendation to Accept Proposed Wetlands Mitigation

At it's regularly scheduled public meeting on June 12, 2006 the Hudson Conservation Commission voted to recommend, with four stipulations, that the town accept the proposed conservation easement of approximately 27 acres of land in the Hawkview Ridge Estates Plan to be entered into a conservation easement.

The stipulations are as follows:

Property as Conservation Land

- To investigate providing a parking area for 3 4 vehicles near the Speare Road entrance.
- To provide for a foot crossing of the stream that bisects the property.
- The Beaver dam that creates the approximately 6 acre pond be put on a periodic inspection schedule.
- The plan be revised to define the access to the property on Hawkview Drive.

The proposal is for the town to be the stewards of the conservation property, and that the ownership will reside with the plan's property owners as land held in common, and so deeded.

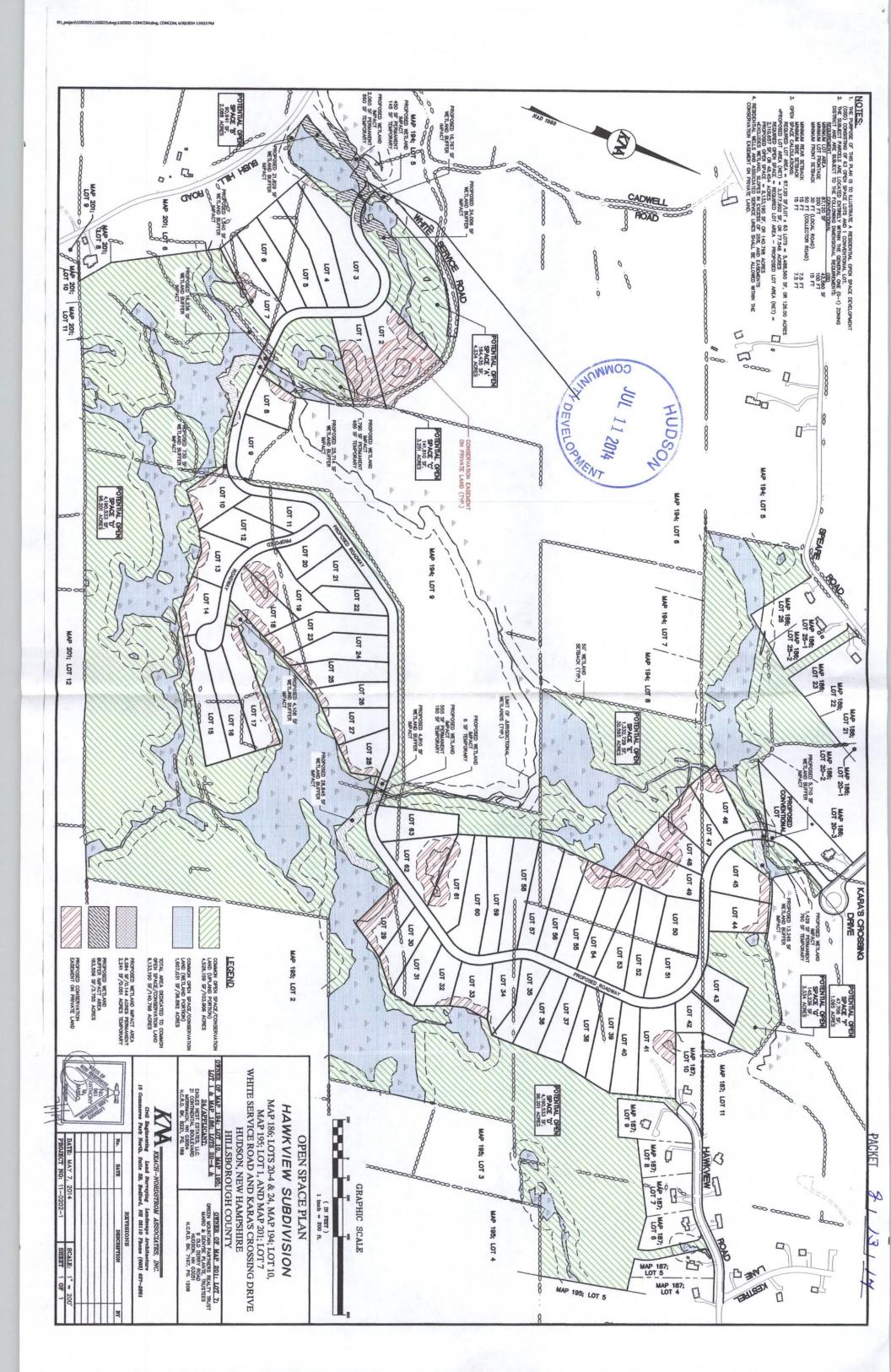
Please advise as to what steps the Board of Selectmen require to effect a decision.

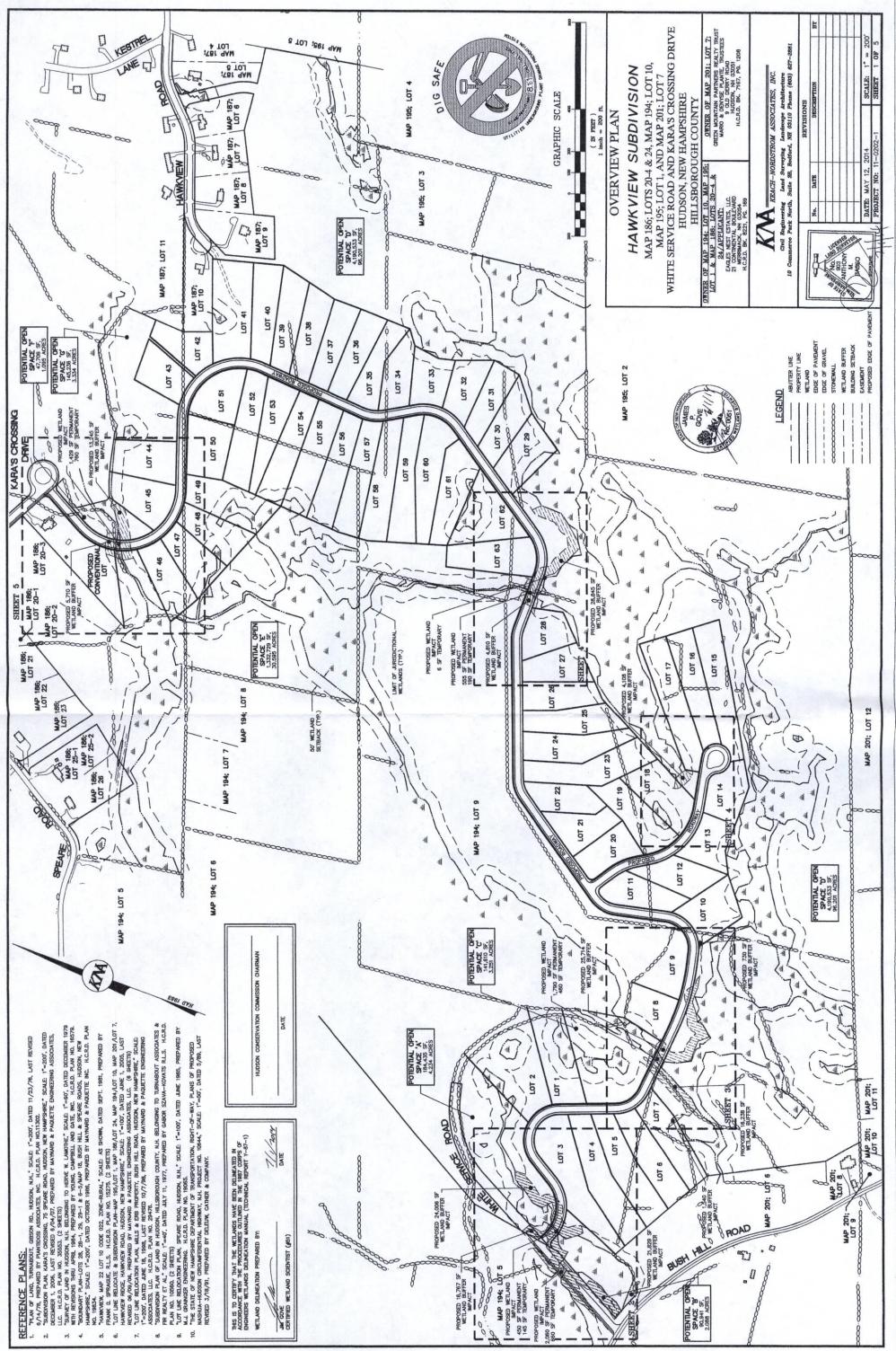
For the Conservation Commission

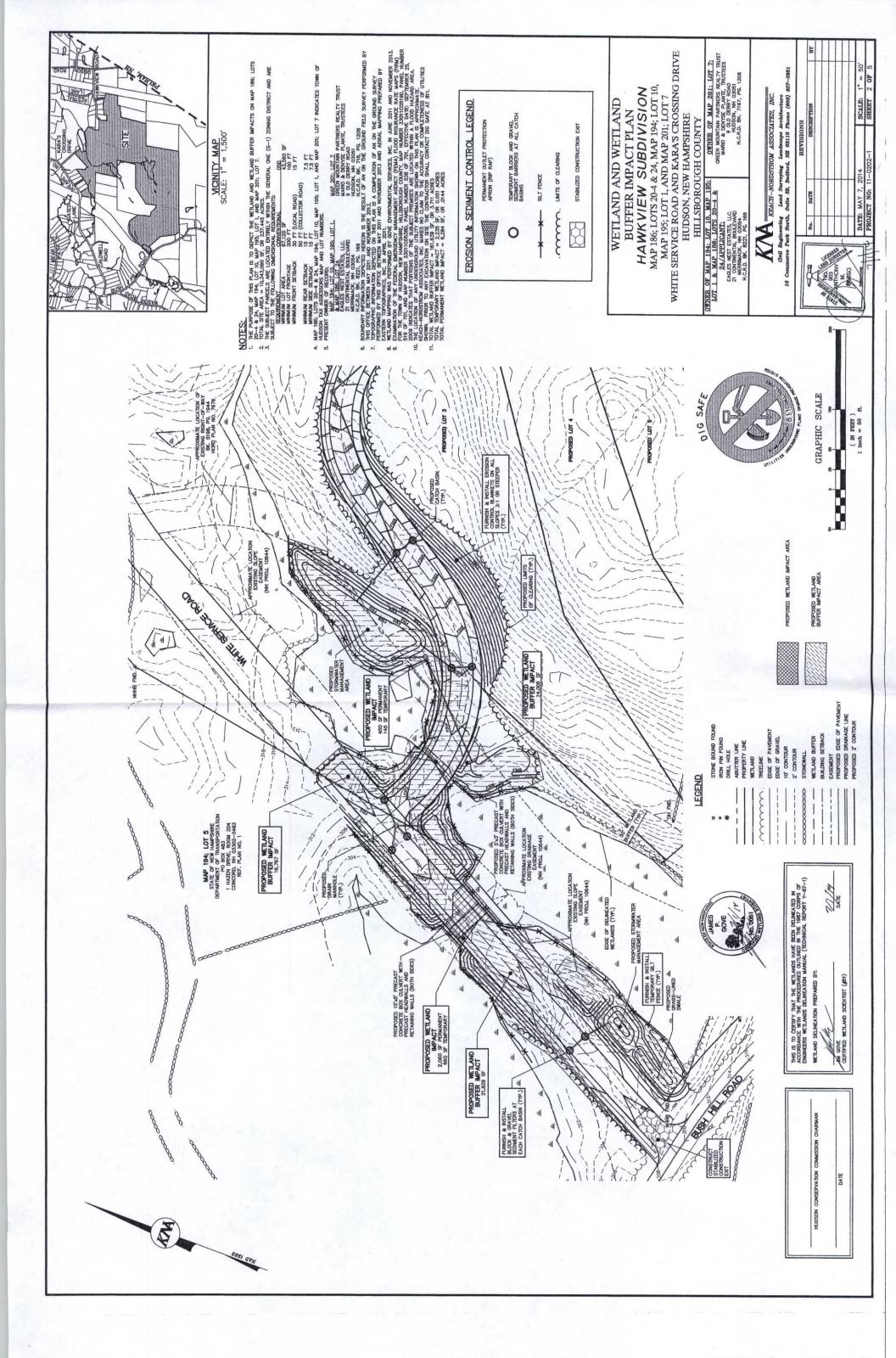
T Quinn, Chairman

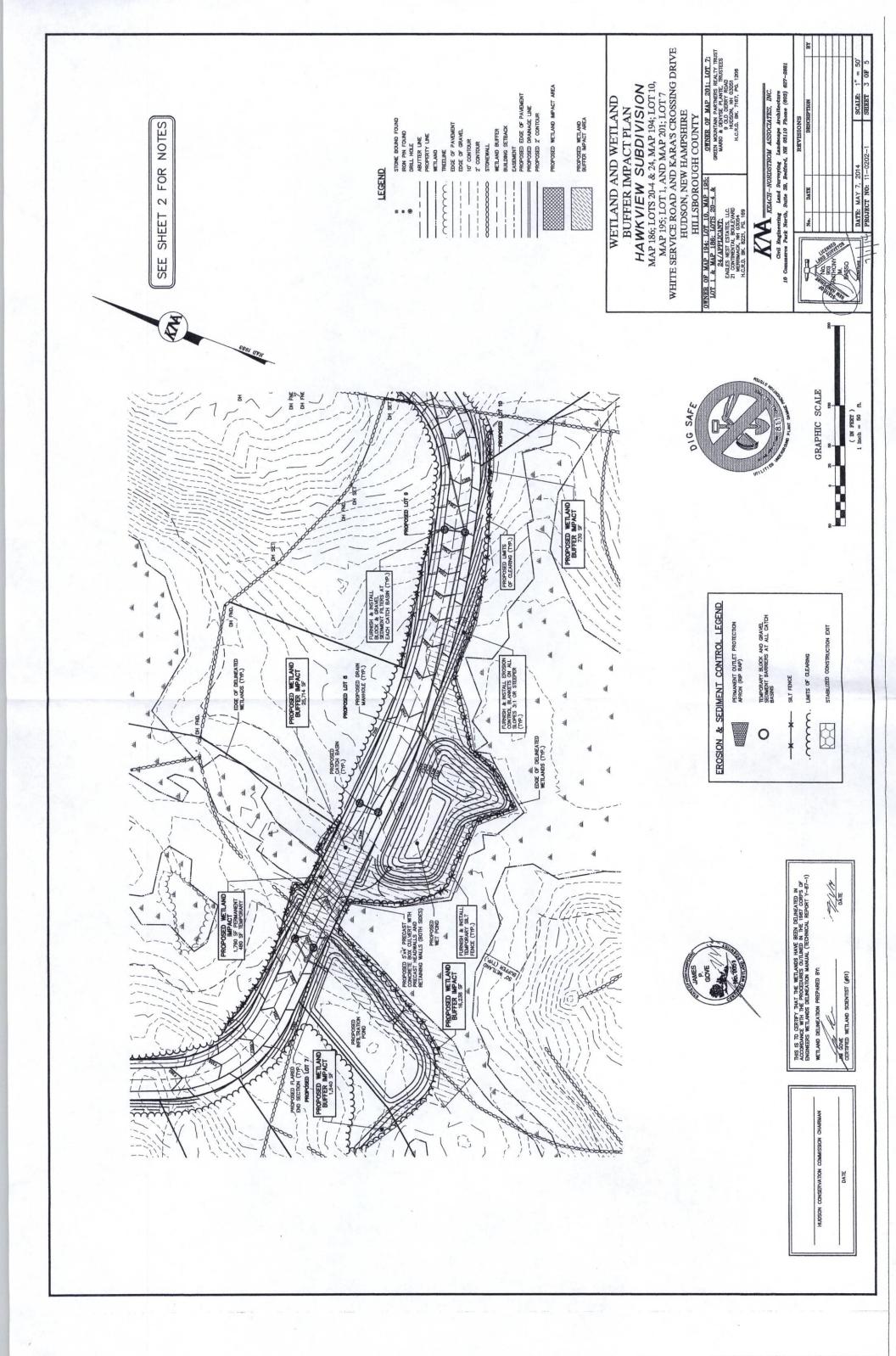
Copy: Conservation Commission

Richard Maynard, Maynard & Paquette

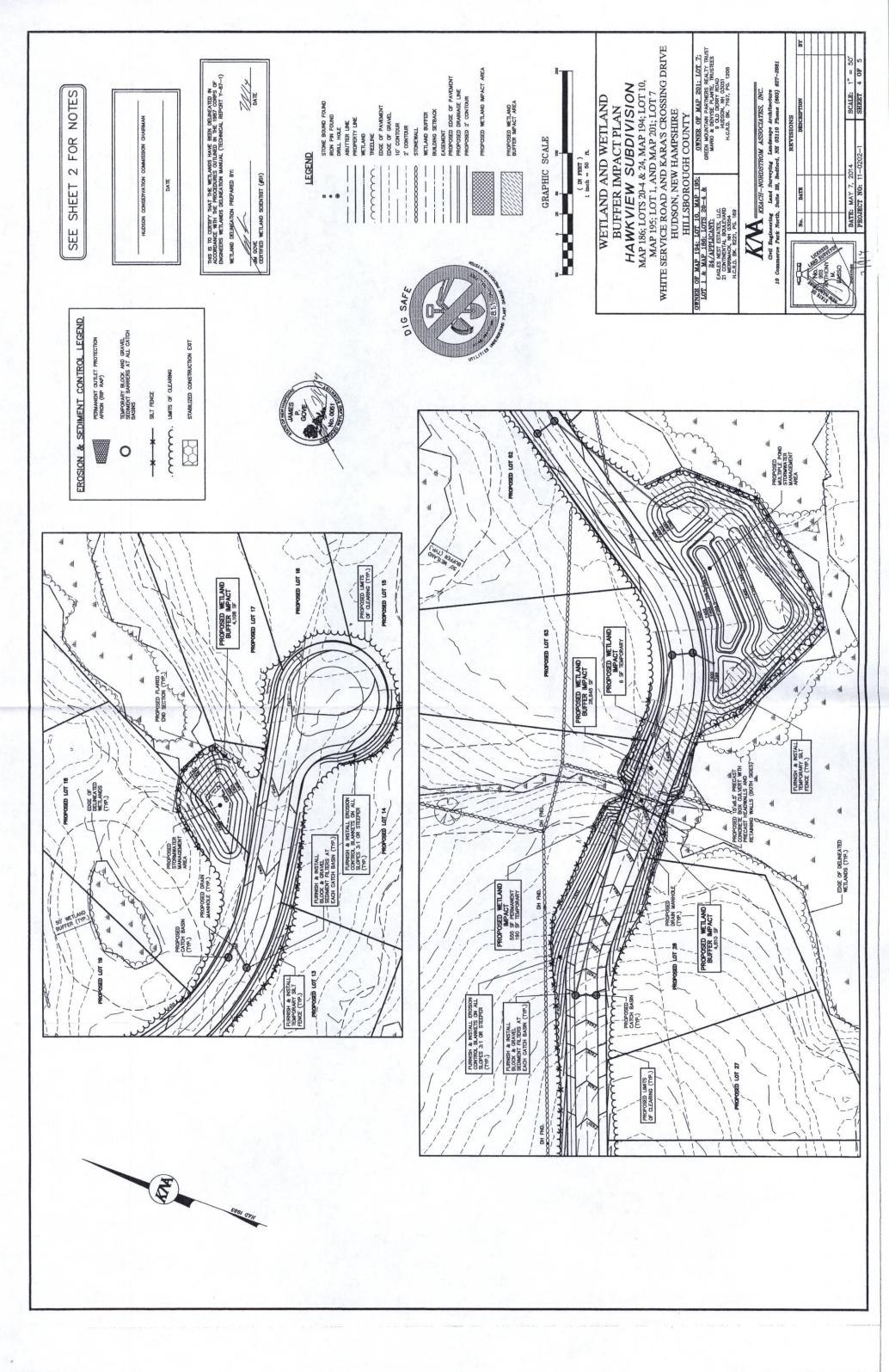








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