

**TOWN OF HUDSON
PLANNING BOARD
PUBLIC MEETING
TOWN OF HUDSON, NH
MARCH 11, 2015**



12 School Street

Hudson, New Hampshire 03051

603/886-6005

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, March 11, 2015 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)
 - A) 12-10-14 PB Minutes
 - B) 01-14-15 PB Minutes

- VI. CASES REQUESTED FOR DEFERRAL
- VII. CORRESPONDENCE
- VIII. PERFORMANCE SURETIES
- IX. ZBA INPUT ONLY
- X. PUBLIC HEARINGS
- XI. OLD BUSINESS/PUBLIC HEARINGS
- XII. DESIGN REVIEW PHASE
- XIII. CONCEPTUAL REVIEW ONLY

- XIV. NEW BUSINESS/PUBLIC HEARINGS
 - A. Eagles Nest Estates
SB# 02-15
Map 186, Lot 24
Map 194, Lots 9 & 10
Map 195, Lot 1
Bush Hill Road

Proposed 65-lot open space residential development. Project includes a proposed lot-line adjustment between Map 186, Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open-space residential lots. Application Acceptance & Hearing.

B. Second Street Subdivision
SB# 01-15

Map 182/Lots 167, 167-1, 168
Second & Oakwood Streets

Purpose of plan: Lot-line relocation and subdivision of two lots into four lots creating two new building lots and making lot 167 more conforming re: 15 ft. rear setback. Application acceptance & Hearing.

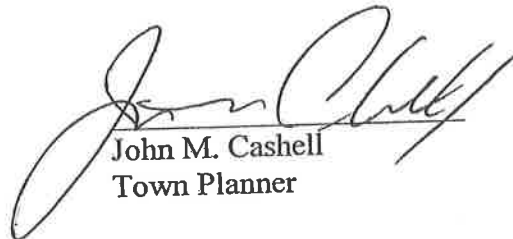
XV. OTHER BUSINESS

A. Discussion on Status of the CAP Fee Assessment Update.

XVI. ADJOURNMENT

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 10:00 a.m. on the Tuesday prior to the day of the meeting.

The public is invited to attend.



John M. Cashell
Town Planner

POSTED: Town Hall, Library, Post Office – 02-27-15

Eagles Nest Estates OSD Subdivision

STAFF REPORT

11 March 2015

SITE: Bush Hill Road - Map 186, Lot 24 Map 194, Lots 9 & 10 Map 195, Lot 1 - SB# 02-15

ZONING: G-1

PURPOSE OF PLAN: Proposed 65-lot Open Space Development (OSD). Project includes a proposed lot-line adjustment between Map 186, Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open-space residential lots. Application Acceptance & Hearing.

PLAN UNDER REVIEW ENTITLED: Open Space Development Eagles Nest Estates, Map 186; Lots 20 – 4 & 24, Map 194; Lots 9 & 10, Map 195; Lot 1 and Map 201; Lot 7, Bush Hill Road, Hudson, NH, prepared by Keach-Nordstrom Associates, Inc. dated: 7 JAN 2015 (no revision date), consisting of Sheets 1 – 98, Sheets L1 – L8, S1 – S5 and Y1 – Y5, together with Notes 1 – 39 on Sheet 2 of 98 (said plans are attached hereto).

ATTACHMENTS:

- 1) Introduction Letter, Project Narrative, OSD Subdivision Plan application, Waiver Request forms, CLD/JMC & Applicant Checklists, and aerial photo of site dated 9 Feb 15 – “A”.
- 2) CLD Initial Comments Report, dated 24 FEB 2015 – “B”.
- 3) Comment Forms and Reports from Engineering, Fire, Zoning, Highway, Assessing and Police. - “C”.
- 4) Cistern Easement (Eagles Nest Estates) – “D”.
- 5) Easement Deed (Eagles Nest Estates – Drainage) – “E”.
- 6) Declaration of Sight Distance Easements Eagles Nest Estates Subdivision – “F”.
- 7) Conservation Easement (Eagles Nest Estates) – “G”.
- 8) Access and Utility Easements (Eagles Nest Estates) – “H”.
- 9) Access and Utility Easement (Eagles Nest Estates – Kelly A. Trudel) – “I”.
- 10) Eagles Nest Estates Homeowners Association By-Laws Article I Definitions – “J”.
- 11) Declaration of Covenants & Restrictions(Open Space–Eagles Nest Estates Subdivision) “K”.
- 12) Memorandum form Atty. Andrew Prolman, re: Eagles Nest Estates Subdivision Tax Map 194, Lot 9 – “L”.

Information included on the Town’s webpage, under Planning Board (not included in this report as an attachment):

- 1) **The Eagles Nest Subdivision application and Plan Review**
- 2) **NHDES Information and Traffic Study**
- 3) **Open Space Development (OSD) Plan**

REQUESTED WAIVERS:

- 1) HTC 289-18(B)(2) – Cul-de-sac Length
- 2) HTC 289-6(D) - Fiscal Impact Study
- 3) HTC 289-37 - Plan Schedule Form

OUTSTANDING ISSUES:

- A) Keach/Nordstrom's (project engineering firm) Response Letter and revised plans, relative to CLD's above Initial Comments Report are pending. In reviewing this OSD Subdivision Plan, and knowing that the final design of the proposed roadway network is up to the Planning Board to decide, for Wednesday night's initial public hearing the applicant's representative, Tony Basso, respectfully requests that the first set of revised plans and response letter be created after Wednesday night's initial hearing.
- B) Taking the above situation into consideration, staff recommends that the first order of business (as always) that should be conducted by the board is to consider application acceptance. In this instance, and in accordance with §289-43 of the Subdivision of Land Regulations, staff found the application submission sufficiently complete for the Planning Board to consider voting for its acceptance. A DRAFT MOTION to this effect is provided below.
- C) As you can see in CLD's Initial Comments Report, there are 9 pages of outstanding issues. In reviewing these issues with Tony Basso, it was agreed that all of the outstanding issues can and will be resolved, via completion of the revised plans and his response letter. However, both of us agreed that until the Planning Board approves the design of the roadway network for this development, it makes little sense to address CLD's present concerns. This being said, staff proposes for the board's consideration at this initial hearing the following action:
- 1) After the board votes on application acceptance, to have the project representative, Tony Basso, present the plans, and after which open the public hearing for comments and concerns from the audience.

NOTE: anticipating the possibility of an overflow audience, staff reserved the BOS Meeting Rm., which will have a live feed of the meeting. In turn, if any audience members need to be seated in said meeting room, they will have the opportunity to go to the Buxton Rm., in order to ask questions or present concerns in front of the board.
 - 2) After the audience portion of the hearing is complete, have Mr. Basso and his representatives address audience concerns, comments and questions. This portion of the meeting will be followed by the board asking questions and presenting concerns to the proponents.
 - 3) Upon the completion of the above question and answer period, it is hoped that the Planning Board will be able to determine an acceptable roadway network for this development. In this regard, staff offers the following potential roadway network scenarios for this subdivision:

- a) Speaking strictly from a planning perspective, this subdivision, because of the large number of dwellings involved, and nearly 1 and ½ miles of proposed (semi) cul-de-sac roadway distance, should involve not only full roadway access to Bush Hill Rd. , but also full roadway access to Kara's Crossing and Hawkview Rd. This perspective takes into consideration that all proposed subdivision roads that can be connected to existing roads should be connected. For travel of the general public is best provided by such interconnectedness of roadways, which produces the added benefit of diluting the concentration of traffic upon more roadways within a community's overall roadway network. Interconnected roads also enhance the delivery of municipal services (e.g., police and fire protection, plowing, street maintenance and refuse removal).

NOTE: if, ultimately, the board decides to require the above-cited full road access connections, then offsite road improvements will need to be decided on for the Hawkview/Gibson Rd. connection to Kimball Hill Rd., as well as any lane or signage improvements needed at the Kimball Hill Rd./Gibson Rd. intersection. The same will hold true for the Kara's Crossing connection. Wherein, the existing Kara's Crossing turnaround should be eliminated and Kara's Crossing reconstructed in such a manner that it connects with proposed Standish Lane, either via an intersection design or a flow-thru connection design. Another offsite road improvement project could include the developer, possibly working with the Town, relative to straightening-out the 90 degree turn located approximately 800 ft. to the east of the Spear Rd./Kara's Crossing intersection. Locus plans for both of the aforementioned offsite full road access connections are included as the last 2 pages of this staff report.

- b) An alternative to the above-cited full road connections would be for one additional full road connection, i.e., other than the present Bush Hill Rd. connection. In this regard, Fire Chief Buxton, in his attached recommendation, proposes that this second connection be with Kara's Crossing, citing that this would benefit emergency services more than a second full road connection being at Hawkview Rd.
- c) A third scenario for the board to consider is the existing one provided in the presently drafted plans. That is, allowing, at least for the time being, that both Hawkview Rd. and Kara's Crossing remain cul-de-sac roads, with emergency access provided, via constructed roads coming off Kara's Crossing and Hawkview Rd. As presently planned, the emergency gate would be radio activated and these emergency roadways would be permanently maintained by the Town and plowed in the winter, i.e., as if they were thru-roadways.

NOTE: if the board chooses to allow the present road layout to remain, please note that the submitted traffic study provides evidence to the effect that the proposed Bush Hill Rd. intersection with Franklin St. will have sufficient safe sight distance in each direction. Further, Bush Hill Rd. will adequately accommodate the traffic associated with the Eagles Nest development. Please note, in preparation for Wednesday night's hearing, staff visited Bush Hill Rd., and "Googled" its present construction condition, and found the following intersection conditions at Wason Rd., located approximately 1,600 ft. west of said Franklin St. intersection: the Wason Rd./Bush Hill Rd. intersection includes a "STOP" sign and a "STOP" sign approaching sign, as well as a chevron on the opposite side of Bush Hill Rd. across from the intersection. This same exact traffic control signage exists further west along Bush Hill Rd., i.e., at the intersection of Pelham Rd. and Bush Hill Rd.

RECOMMENDATION: Staff recommends for this hearing, again, application acceptance. After which, the board should conduct the public hearing, and taking into consideration this is the initial hearing, involving a great deal of information to decipher and a roadway design to decide on (as described above), staff further recommends deferral of this application date specific to the April 22d meeting. This is taking into consideration the April 8th meeting is scheduled for a Joint Meeting between the ZBA and Planning Board and the next scheduled board meeting, March 25th will be too soon for the applicant to revise the plans. DRAFT MOTIONS are provided below for the board's consideration, and are specific to accepting the application and deferring it date specific. DRAFT MOTIONS pertaining to the 3 requested waivers will be provided at the meeting, if needed. A DRAFT MOTION to approve or disapprove this application will be developed over the course of subsequent hearings on this application.

APPLICATION TRACKING:

1. 9 FEB 2015 - Application submitted.
2. 11 MAR 2015 - Initial Public Hearing scheduled.

DRAFT MOTIONS:

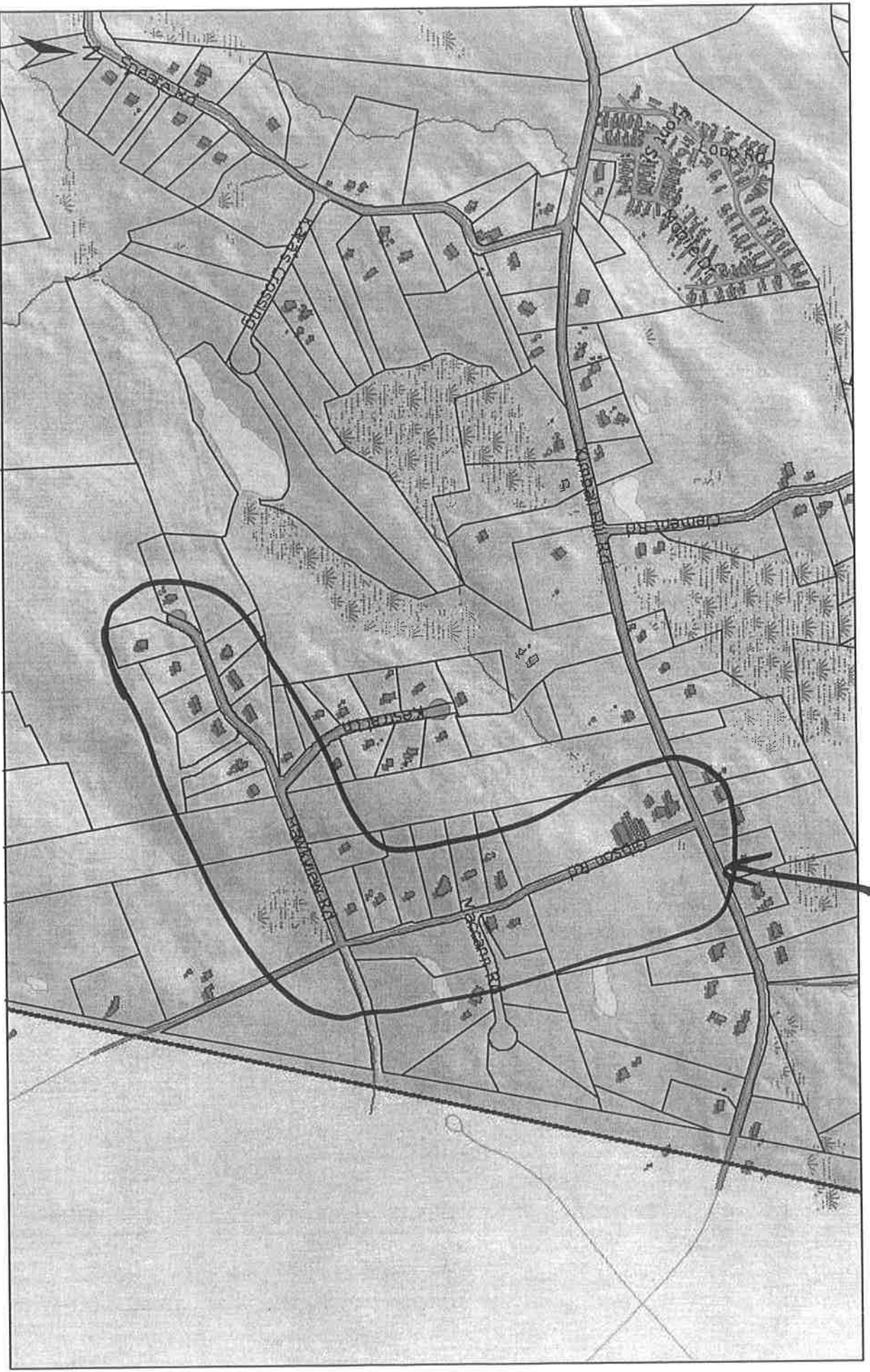
The Town Planner finding that the application before us this evening is in order and compliance with §289-43 - Application Completeness - of the Planning Board's Subdivision of Land Regulations, I move to accept the subdivision application for the proposed 65-Lot Eagles Nest Open Space Development (OSD) Subdivision, located off Bush Hill Road, Map 186, Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7.

Motion by: _____ Second: _____ Carried/Failed: _____

I move to defer further review of the Eagles Nest OSD Subdivision, date specific, to the April 22, or May 13, 2015 Planning Board meeting.

Motion by: _____ Second: _____ Carried/Failed: _____

Hawkview Rd./Gibson Rd./Kimball Hill Rd.



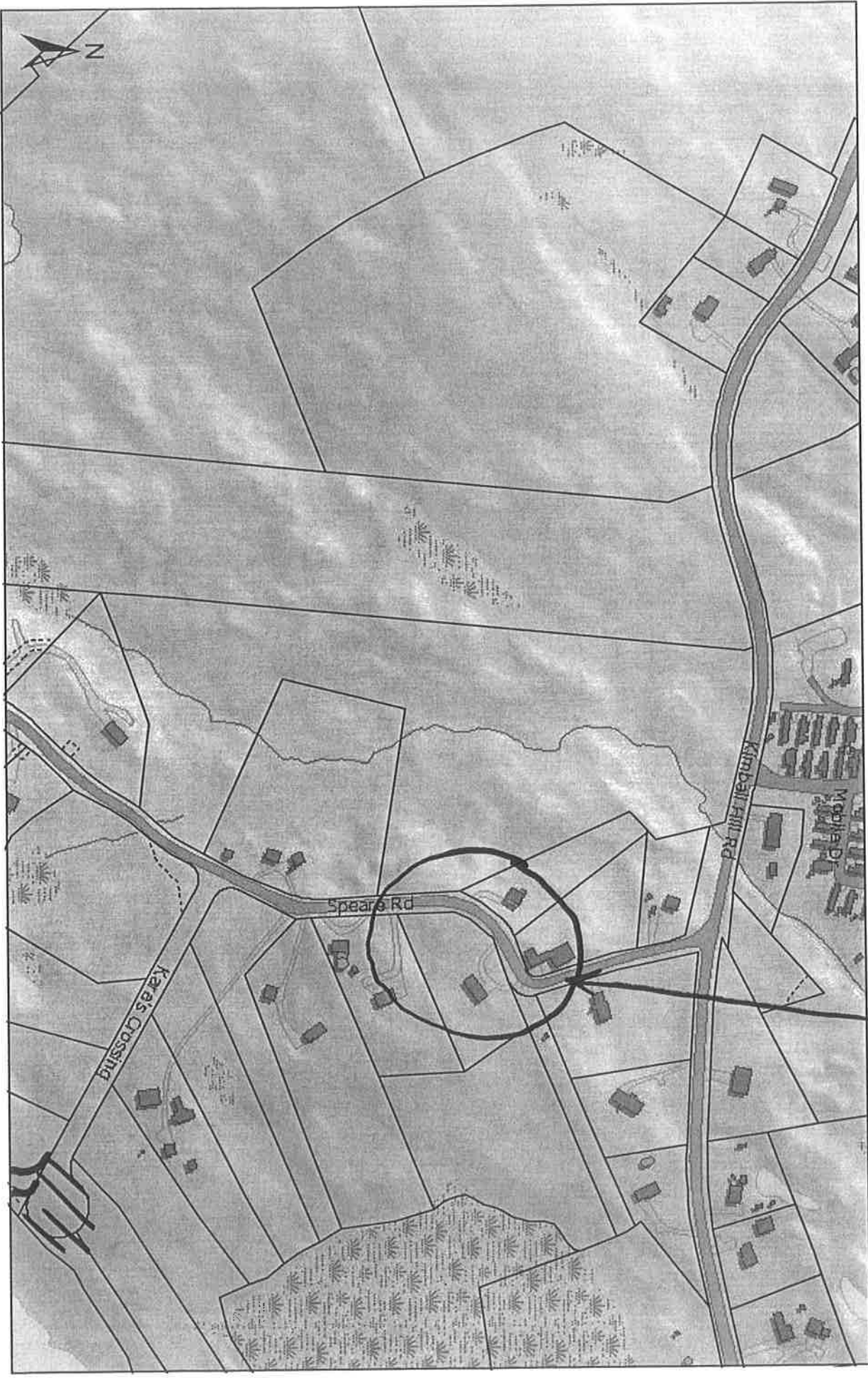
March 6, 2015

Parcels

1 inch = 673 feet



Spear Rd. /Kara's Crossing **90° Corner**



March 6, 2015

1 inch = 337 feet

- Easement_Lines
- Parcels



"A"

February 9, 2015

Town Of Hudson
Community Development
12 School Street
Hudson, New Hampshire 03051

RE: Eagles Nest Estates – Residential Open Space Subdivision
Map 186, Lots 20-4 and 24
Map 194, Lots 9 and 10
Map 195, Lot 1
Map 201, Lot 7
Bush Hill Road, Hudson, NH
KNA#11-0202-1

Dear Mr. Cashell,

Enclosed, please find a fully executed subdivision application and supporting material for the above referenced project.

As you will recall, the proposed project entails the creation of a 65 lot open space development (OSD). The project involves six (6) separate parent tracts of land, all located within the Town of Hudson.

Existing Tax Map 186; Lot 20-4 will be adjusted to give approximately 11.5 acres of land to Tax Map 186; Lot 24. Newly adjusted Map 186; Lot 24 and the remaining tracts that form the overall project area (Map 195; Lot 1, Map 194; Lot 9, Map 194; Lot 10, and Map 201; Lot 7) will then be consolidated to form one overall large tract of land.

The consolidated tract of land will then be subdivided to create sixty five (65) open space residential lots. The proposed building lots range in land area from 3.9 acres to 1.0 acres. Additionally, six (6) open space lots will be created (Open Space A, B, C, D, E, & F). All open space lots are non-buildable lots with a conservation covenant. The total proposed open space area for this project is approximately 156 acres, with approximately 103 acres being classified as buildable land. The required open space area for this size of a project is only 47 acres.

Frontage for the proposed OSD building lots will be achieved through the construction of three (3) new Town roadways. The first roadway, Franklin Street, will be constructed from Bush Hill Road through a portion of the right-of-way associated with the Circumferential Highway. Franklin Street will terminate at approximately 650 feet. At the termination of Franklin Street is where construction of the proposed second roadway will begin. The second roadway is to be named Standish Lane. Standish lane is a cul-de-sac roadway of approximately 7,200-lf. The roadway dead ends with a cul-de-sac and will provide two emergency access roads. One emergency access roadway will connect to Hawkview Road and the second emergency access road will connect to Kara's Crossing Drive. A waiver of the maximum cul-de-sac length has been submitted with this application for Standish Lane.

The third proposed roadway is named Warren Road. Warren Road is located at centerline station 36+00 of Standish Lane. Warren Road will be a 1,000-lf cul-de-sac.

All of the proposed roadways will be 28 feet in width (pavement), have sloped granite curbing, sidewalk on one side, and a closed drainage system. Construction of the roadway, drainage, and underground utilities will be pursuant to the Town of Hudson Standards.

Enclosed with this letter are following items for your review and distribution:

1. One original and one copy of the subdivision application, including associated waiver requests and owners affidavits;
2. Seventeen (17) copies of the project narrative with corresponding aerial photos and presentation plan of the project;
3. Updated abutters list;
4. Three (3) sets of abutter labels;
5. Three (3) copies of the stormwater management report/Alteration of Terrain Application;
6. Three (3) copies of the project Traffic Impact and Access Study;
7. Three (3) copies of the NHDES Subdivision Application;
8. Three (3) copies of the NHDES Dredge and Fill application;
9. Three (3) copies of the Wetland Special Exception Notice of Decision;
10. Nine (9) full size copies of the project plans;
11. Nine (9) full size copies of the Presentation Plan;
12. Three (3) copies of draft proposed legal documents, including the following:
 - a. Access and Utility Easement (Eagles Nest Estates – Kelly A. Trudel);
 - b. Access and Utility Easements (Eagles Nest Estates);
 - c. Declaration of Sight Distance Easements;
 - d. Easement Deed (Eagles Nest Estates – Drainage);
 - e. Eagles Nest Estates Homeowners Association;
 - f. Conservation Easement;
 - g. Cistern Easement, and
 - h. Declaration of Covenants and Restrictions.
13. Three (3) copies of a memorandum to Hudson Planning Board regarding Tax Map 194; Lot 9.
14. Nine (9) full size copies of the project presentation plan; and
15. CD containing the above information in pdf format.

We trust that the enclosed information will make this application eligible for the March 11, 2015 Planning Board public hearing. As always, please do not hesitate to contact this office if you have questions or if you need further material.

Best regards,



Jeffrey Merritt, P.E.
Project Manager

Civil Engineering

Land Surveying

Landscape Architecture

v
A^u
Cont.

**Eagles Nest Estates
Project Narrative**
February 9, 2015

Eagles Nest Estates Subdivision
Map 186; Lots 20-4 & 24, Map 194; Lot 9 & 10, Map 195; Lot 1 & Map 201; Lot 7
Bush Hill Road
Hudson, New Hampshire
KNA Project No. 11-0202-1

The intent of the below discussion is to describe the proposed 65-lot open space subdivision and proposed new Town roadways.

Project Introduction:

The proposed project entails the creation of a 65 lot open space development (OSD). The project involves six (6) separate parent tracts of land, all located within the Town of Hudson.

Existing Tax Map 186; Lot 20-4 will be adjusted to give approximately 11.5 acres of land to Tax Map 186; Lot 24. Newly adjusted Map 186; Lot 24 and the remaining tracts that form the overall project area (Map 195; Lot 1, Map 194; Lot 9, Map 194; Lot 10, and Map 201; Lot 7) will then be consolidated to form one overall large tract of land.

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Frontage for the proposed OSD building lots will be achieved through the construction of three (3) new Town roadways. The first roadway, Franklin Street, will be constructed from Bush Hill Road through a portion of the right-of-way associated with the Circumferential Highway. Franklin Street will terminate at approximately 650 feet. At the termination of Franklin Street is where construction of the proposed second roadway will begin. The second roadway is to be named Standish Lane. Standish lane is a cul-de-sac roadway of approximately 7,200-lf. The roadway dead ends with a cul-de-sac and will provide two emergency access roads. One emergency access roadway will connect to Hawkview Road and the second emergency access road will connect to Kara's Crossing Drive. A waiver of the maximum cul-de-sac length has been submitted with this application for Standish Lane. Additionally, attached to this narrative is e-mail correspondence from the Hudson Fire Department in support of the proposed 7,200 foot cul-de-sac. The third proposed roadway is named Warren Road. Warren Road is located at centerline station 36+00 of Standish Lane. Warren Road will be a 1,000-lf cul-de-sac.

All of the proposed roadways will be 28 feet in width (pavement), have sloped granite curbing, sidewalk on one side, and a closed drainage system. Construction of the roadway, drainage, and underground utilities will be pursuant to the Town of Hudson Standards.

A Traffic Impact and Access Study has been prepared as part of this project. The study concludes that available AASHTO and local sight distance requirements have been met at the proposed intersection of Franklin Street and Bush Hill Road. Additionally, the study concludes that the proposed project is not expected to affect traffic operations on Bush Hill Road. Volume to capacity ratios are expected to be well below 1.00 (0.05 or less) indicating there will be ample capacity available after the proposed residential development is constructed and occupied.

The project is subject to the required Public School Impact fee of \$3,578.00 per proposed residential lot. The Public School Impact Fee is assessed by the municipality against any new development in order to generate revenue for the construction or expansion of the capital facilities required to serve the development. Through payment of the proposed Public School Impact Fee the project is not expected to have any uncompensated impact on the public schools.

All proposed lots will have a private septic system and well. A series of test pits have been dug on the proposed lots in order to verify that all lots have a suitable location for a septic system. Electric, telephone, and cable utilities for each proposed lot will be extended from Bush Hill Road, underground and along the proposed project roadways.

"A" cont.

SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

Map 186, Lot 24
Map 194, Lot 9&10

Date of Application: February 9, 2015 Tax Map # _____ Lot # Map 195, Lot 1

Name of Project: Eagles Nest Estates

Zoning District: _____ General SB# 02-15
(For Town Use) (For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014

PROPERTY OWNER:

Name: Eagles Nest Estates, LCC
Address: 21 Continental Boulevard
Address: Merrimack, NH 03054
Telephone # (603) 321-1946
Fax # _____
Email: johngargasz@gmail.com

DEVELOPER:

Eagles Nest Estates, LCC
21 Continental Boulevard
Merrimack, NH 03054
(603) 321-1946

johngargasz@gmail.com



PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc
Address: 10 Commerce park North, Suite 3
Address: Bedford, New Hampshire 03110

Telephone # (603) 627-2881
Fax # (603) 627-2915
Email: jmeritt@keachnordstrom.com

PURPOSE OF PLAN:

Proposed 65 lot open space residential development. Project includes a proposed lot line adjustment between Map 186 Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open space residential lots.

(FOR TOWN USE)

Plan Routing Date: 2-10-15 Sub/Site Date: 3-3-15 @ 10:00 AM

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

Title: _____ Date: _____

(Initials) _____

DEPT: _____

Zoning Engineering Assessor Police Fire Planning

Consultant Highway Department

Fees Paid _____

**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Date of Application: February 9, 2015 Tax Map # 186 Lot # 20-4

Name of Project: Eagles Nest Estates

Zoning District: _____ General SB# _____
(For Town Use) (For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014

PROPERTY OWNER:

Name: Kelly A. Trudel

Address: 11 Karras Crossing Drive

Address: Hudson, NH 03051

Telephone # (603) 765-2375

Fax # _____

Email: ktrudel@sheehan.com

DEVELOPER:

Eagles Nest Estates, LCC

21 Continental Boulevard

Merrimack, NH 03054

(603) 321-1946

johngargasz@gmail.com

PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc.

Address: 10 Commerce Park North, Suite 3

Address: Bedford, New Hampshire 03110

Telephone # (603) 627-2881

Fax # (603) 627-2915

Email: jmerritt@keachnordstrom.com

PURPOSE OF PLAN:

Proposed 65 lot open space residential development. Project includes a proposed lot line adjustment between Map 186 Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map

195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open space residential lots.

(FOR TOWN USE)

Plan Routing Date: _____ Sub/Site Date: _____

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

(Initials) Title: _____ Date: _____

DEPT:

_____ Zoning _____ Engineering _____ Assessor _____ Police _____ Fire _____ Planning

_____ Consultant _____ Highway Department

Fees Paid _____

**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Date of Application: February 9, 2015 Tax Map # 201 Lot # 7

Name of Project: Eagles Nest Estates

Zoning District: _____ General SB# _____
(For Town Use) (For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014

PROPERTY OWNER:

Green Mountain Partners Realty Trust
Name: Mario & Denyse Plante (trustees)
Address: 9 Old Derry Road
Address: Hudson, NH 03051
Telephone # (603) 235-8065
Fax # _____
Email: mario@saveonwall.com

DEVELOPER:

Eagles Nest Estates, LCC
21 Continental Boulevard
Merrimack, NH 03054
(603) 321-1946

Email: johngargasz@gmail.com

PROJECT ENGINEER

Name: Jeffrey Merritt, PE
Address: Keach Nordstrom Associates, Inc
Address: 10 Commerce Park No. Suite 3 Bedford, NH 03110

Telephone # (603) 627-2881
Fax # (603) 627-2915
Email: jmerritt@keachnordstrom.com

PURPOSE OF PLAN:

Proposed 65 lot open space residential development. Project includes a proposed lot line adjustment between Map 186 Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open space residential lots.

(FOR TOWN USE)

Plan Routing Date: _____ Sub/Site Date: _____
_____ I have no comments _____ I have comments (attach to form)
_____ Title: _____ Date: _____
(Initials)
DEPT: _____ Zoning _____ Engineering _____ Assessor _____ Police _____ Fire _____ Planning
_____ Consultant _____ Highway Department
Fees Paid _____

SITE DATA SHEET

Plan Name: Eagle's Nest Estates
Plan Type: Subdivision Plan 194 9 & 10
 195 1
Legal Description: Map 186 Lot 20-4 & 24
 Map 201 Lot 7
Date: 2/9/2015

Location: Bush Hill Road, Hudson, NH
Total Area: S.F. 11,327,859 Acres: 260.052
Area in Wetlands: 43.02 acres
Zoning: G-1
Lots Not Meeting
Required Dimensions: None
Required Area: 87,120 S.F. (50% reduction if open space)
Required Frontage: 200' (50% reduction if open space)
Water and Waste System
Proposed: On-site Septic Systems and Wells
Number of Lots With
Existing Buildings: 1 (Map 186; Lot 20-4)
Existing Buildings
To Be Removed: None
Flood Zone Reference: None
Proposed Linear Feet
Of New Roadway: 9,311 linear feet

LOT AREA CALCULATION TABLE

LOT #	TOTAL AREA	WETLAND AREA	AREA > 25% SLOPE	BUILDABLE AREA (net contiguous upland useable)	FRONTAGE
1.	*See Attached Spreadsheet*				
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Data Sheets Checked By: Jeffrey Merritt, P.E. Date: February 9, 2015

SUBDIVISION PLAN DATA SHEET

Dates/Case #/Description/
 Stipulations of ZBA,
 Conservation Commission,
 NH Wetlands Board Action: ZBA Special Exception granted on October 23, 2014.

(Attach Stipulations on
 Separate Sheet)

List Permits Required:

NHDES Subdivision Approval, NHDES Alteration of Terrain, NHDES Dredge and Fill,

NPDES Notice of Intent

<u>*Waivers Requested:</u>	<u>Hudson Town Code Reference</u>	<u>Regulation Description</u>
	1. 289-18.B.(2)	Cul-De-Sac Roadway Length
	2. 289-6(D)	Fiscal Impact Study
	3. 289-37	Plan Schedule Form
	4.	
	5.	
	6.	
	7.	

**(Left Column for Town Use)*

	<u>Amount</u>	<u>Account</u>
Impact Fees	School = \$3,578.00/Unit	_____
	Rec = \$400.00/Unit	_____
	_____	_____

Cap Fees	CAP = \$1,554.33/Unit	_____
	_____	_____

Development Agreement
 Proposed: Yes No
 If Yes Endorsed Yes Date _____ No

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Twenty one (21) days prior to Planning Board Meeting, a complete subdivision plan to include all supporting materials/documents must be submitted in final form. The subdivision plan shall comply with the following specifications/requirements:

Applicant Initials		Staff Initials
<u>JDM</u>	a) Submission of eight (8) full sets of Site Plans (sheet size: 22" x 34") shall be submitted at the time of application filing, followed by the submission of seventeen (17) 11" X 17" plan sets (revised if applicable) to the Community Development Department no later than 10:00 A.M. Tuesday the week prior to the scheduled public hearing/conceptual review date.	_____
<u>JDM</u>	b) Seventeen (17)-subdivision narratives, describing the project.	_____
<u>JDM</u>	c) Plan scale at not less than one inch equals fifty feet (example: 1" = 50' acceptable).	_____
<u>JDM</u>	d) Locus plan with 1,000 minimum radius of site to surrounding area.	_____
<u>JDM</u>	e) Plan dated by day/month/year.	_____
<u>JDM</u>	f) Revision block.	_____
<u>JDM</u>	g) Planning Board approval block.	_____
<u>JDM</u>	h) Title of project inscribed on plan.	_____
<u>JDM</u>	i) Name(s) and address of property owner(s) and signature(s) shall be inscribed on plan.	_____
<u>JDM</u>	j) North point shall be inscribed on plan.	_____
<u>JDM</u>	k) Property lines-exact locations and dimensions.	_____
<u>JDM</u>	l) Acreage/sq. ft. of entire subdivision.	_____
<u>JDM</u>	m) Proposed lots, with lot numbers and area of each lot. Note: each proposed Lot shall be listed on the plan, in chart form, indicating in square feet/ acreage the total lot area, wetland, slope area greater than 25% and total net contiguous useable upland area.	_____

Applicant
Initials

Staff
Initials

- | | | |
|----------------|--|-------|
| <u>JDM</u> n) | Certified list of names and addresses of bordering abutters, shown on Tax Assessor's records not more than five (5) days prior to application date to be listed on plan. | _____ |
| <u>JDM</u> o) | Location of all structures, roads, wetlands, hydrants, wells, septic systems, 4k reserve area, floodways/floodplains, driveways, travel areas, parking areas, natural features within 200 feet of the tract. | _____ |
| <u>JDM</u> p) | Locations of existing and proposed permanent monuments and benchmarks within 200 feet of the tract. | _____ |
| <u>N/A</u> q) | Pertinent highway projects. | _____ |
| <u>JDM</u> r) | Assessor map and lot number. | _____ |
| <u>JDM</u> s) | Waiver application form shall be submitted with subdivision application, Note on plan listing waivers requested/granted; and all waivers granted to the subdivision regulations shall be listed on the final plan. | _____ |
| <u>JDM</u> t) | Delineate zoning. | _____ |
| <u>JDM</u> u) | Storm water drainage plan. | _____ |
| <u>JDM</u> v) | Topographical contours at 2-foot intervals existing and proposed. | _____ |
| <u>JDM</u> w) | Utilities: existing and proposed. | _____ |
| <u>JDM</u> x) | Building and wetland setback lines. | _____ |
| <u>JDM</u> y) | Rights of way, existing and proposed. | _____ |
| <u>N/A</u> z) | Location of dedicated recreational public use land(s) proposed. | _____ |
| <u>JDM</u> aa) | Detailed designs of bridges and culverts. | _____ |
| <u>JDM</u> ab) | Typical roadway cross-section, road profile, stationing, and curve data, etc. | _____ |

Applicant
Initials

Staff
Initials

- | | | | |
|------------|-----|---|-------|
| <u>JDM</u> | ac) | Proposed location of water supply and sewage disposal systems, including perk test data, test-pit logs and locations; wells, (proposed and existing) 75' protective well radii and attached copies of any required well protection easements. | _____ |
| <u>JDM</u> | ad) | All notes from plats. | _____ |
| <u>JDM</u> | ae) | Buffers as required by subdivision regulations. | _____ |
| <u>JDM</u> | af) | Soil types and boundaries, Note: If site contains marginal or questionable soils, a High Intensity Soil Survey (HISS) may be deemed necessary to submit as part of the application. Said HISS, if required, shall be performed by a State of New Hampshire Certified Soil Scientist, who shall affix his/her stamp and signature and this shall be inscribed on the plan. | _____ |
| <u>JDM</u> | ag) | Wetlands (and poorly-drained and very poorly-drained soils), also identified as Class 5 and Class 6 High Intensity Soil Survey (HISS soils), and permanent and seasonal wetlands shall be identified on the plan by a New Hampshire Certified Wetland or Soil Scientist, who shall affix his/her stamp and signature to the respective plan. | _____ |
| <u>JDM</u> | ah) | Easements, existing and proposed. | _____ |
| <u>JDM</u> | ai) | State of New Hampshire Engineer's seal and signature.
Surveyor's seal and signature. | _____ |
| <u>JDM</u> | aj) | Error of closure (1 in 10,000 or better). | _____ |
| <u>JDM</u> | ak) | Drafting errors/omissions. | _____ |
| <u>JDM</u> | al) | Note outlining phasing schedule. | _____ |
| <u>JDM</u> | am) | Narrative description stating the purpose, location, long range plans impacts on traffic, schools, and utilities. | _____ |
| <u>JDM</u> | an) | Aerial photograph of site and area within 200 feet of the subdivision parcel. | _____ |
| <u>W</u> | ao) | Fiscal impact study. | _____ |
| <u>JDM</u> | ap) | Traffic study. | _____ |
| <u>JDM</u> | aq) | Drainage calculations and supporting data. | _____ |

Applicant
Initials

Staff
Initials

JDM ar) Copies of any proposed or existing easements, covenants, deed restrictions, right of way agreements or other similar documents. _____

JDM as) Copy of applicable town, state, federal approval/permits to include but not limited to the following: _____

- sewer applications
- flood plain permit
- X - wetlands special exception
- variance
- erosion control permit (149:8a)
- X - WSPCC subdivision approval (septic)
- X - dredge and fill permit
- curb cut/driveway permit
- shore land protection certification in accordance with RSA483-B.
- if applicable, review application with Lower Merrimack River Local Advisory Committee (LMRLAC) and attach LMRLAC project comments hereto.
- X - NHDES AOT

N/A at) Off-site agreement(s). _____

JDM au) Presentation plan (colored, with color-coded bar chart). _____

JDM av) Fees paid to clerk. _____

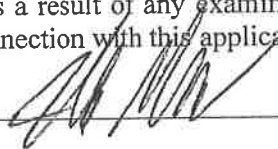
JDM aw) Plans that include relocation of lot lines shall clearly delineate the former (old) lot lines from proposed (new) lot lines. _____

- Any or all items may be waived under the purview of the Planning Board.


**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

I hereby apply for Subdivision Plan 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 Subdivision Plan 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 (their) property in connection with this applications.

Signature of Owner:  _____

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

Signature of Developer:  _____

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

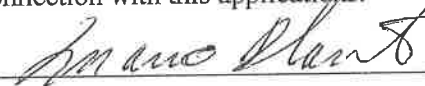
Technical Review Signature:  _____

Planner Approval Signature:  _____

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

I hereby apply for Subdivision Plan 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 Subdivision Plan specifications or application form are incomplete, the application will be considered rejected.

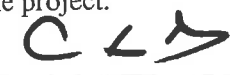
Pursuant to RSA 674:1-IV, the owner(s), by the filing of this application as indicated above, hereby give permission for any member of the Hudson Planning Board, the Town Engineer, the Conservation Commission and such agents or employees of the Town or other persons as the Planning Board may authorize, 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 (their) property in connection with this applications.

Signature of Owner: 

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

Signature of Developer: 

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

Technical Review Signature: 

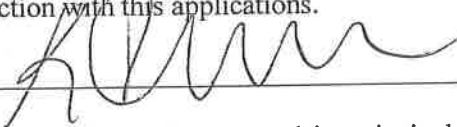
Planner Approval Signature: 

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

I hereby apply for Subdivision Plan 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 Subdivision Plan 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 (their) property in connection with this applications.

Signature of Owner: _____



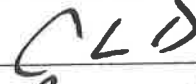
- ❖ If other than an individual, indicate name of organization and its principal owner, partners, or corporate officers.

Signature of Developer: _____

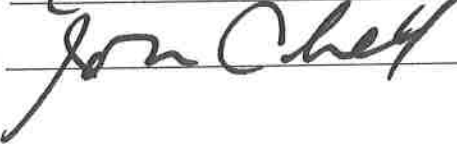


- ❖ The developer/individual in charge must have control over all project work and be available to the Code Enforcement Officer/Building Inspector during the construction phase of the project. The Code Enforcement Officer/Building Inspector must be notified within two (2) working days of any change by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

Technical Review Signature: _____



Planner Approval Signature: _____



SUBDIVISION/SITE PLAN WAIVER REQUEST FORM

Name of Subdivision/Site Plan: **Eagles Nest Estates**

Street Address: **Bush Hill Road, Franklin Street, Proposed Standish Lane, Proposed Warren Road**

Eagles Nest Estates, LLC hereby request that the Planning Board waiver the requirements of item **HTC 289-6 (D) (Fiscal Impact Study)** of the Subdivision/Site Plan Checklist in reference to a plan presented by **Keach-Nordstrom Associates** dated **January 7, 2015** for property **Tax Map 186, Lots 20-4 and 24; Map 194 Lots 9 and 10; Map 195 Lot 1, and Map 201, Lot 7**, in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Subdivision/Site Plan regulations.

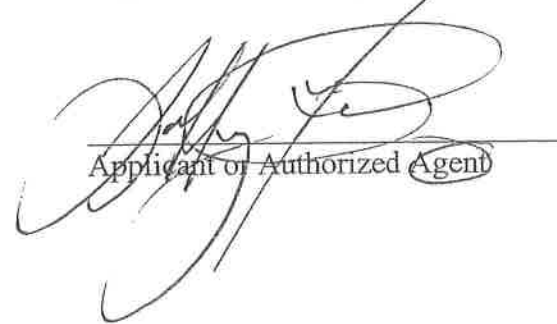
Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

The costs and delay to the Applicant are an unnecessary hardship for a report that will have little if any impact to the Board's review of the application.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attached the appropriate documentation hereto):

The Applicant will pay its fair share of costs to the Town through the impact fees. The impact fees (school, CAP & Rec) are approximately $\$5,400 \times 65 = \$351,000$.

Eagles Nest Estates, LLC



Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____
Waiver Not Granted _____

SUBDIVISION/SITE PLAN WAIVER REQUEST FORM

Name of Subdivision/Site Plan: **Eagles Nest Estates**

Street Address: **Bush Hill Road, Franklin Street, Proposed Standish Lane, Proposed Warren Road**

Eagles Nest Estates, LLC hereby request that the Planning Board waiver the requirements of item **HTC 289-18.B (2) (Cul-de-sac length)** of the Subdivision/Site Plan Checklist in reference to a plan presented by **Keach-Nordstrom Associates** dated **January 7, 2015** for property **Tax Map 186, Lots 20-4 and 24; Map 194 Lots 9 and 10; Map 195 Lot 1, and Map 201, Lot 7**, in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Subdivision/Site Plan regulations.

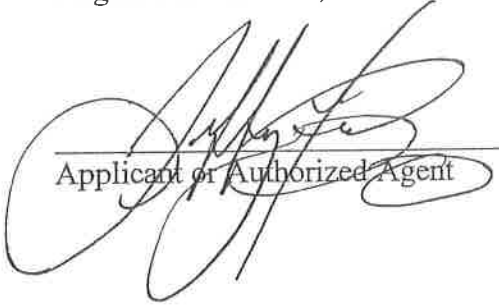
Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

The Kara's Crossing Drive and Hawkview Road residents understandably oppose full street access through their neighborhoods. The hardship to the applicant is that the property cannot be developed without some connection to either Kara's Crossing Drive or Hawkview Road.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attached the appropriate documentation hereto):

- **Working with the Hudson Fire Department, the Applicant proposes a solution to satisfy the Town's life safety concerns (the purpose of the 1000' regulation) and the abutting neighborhoods.**
- **The Hudson Fire Department supports our proposal because it greatly reduces their response time from the Burns Hill Road Station to the Gibson Road and Hawkview Road neighborhoods.**
- **Two gated emergency access roads are provided – one to Kara's Crossing Drive and one to Hawkview Road. The gates will be radio controlled only accessible by the Hudson Fire, Police, and Public Works Departments.**
- **Five cisterns are included with the project.**

Eagles Nest Estates, LLC


Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____

Waiver Not Granted _____

SUBDIVISION/SITE PLAN WAIVER REQUEST FORM

Name of Subdivision/Site Plan: **Eagles Nest Estates**

Street Address: **Bush Hill Road, Franklin Street, Proposed Standish Lane, Proposed Warren Road**

Eagles Nest Estates, LLC hereby request that the Planning Board waiver the requirements of item **HTC 289-37 (Plan Schedule)** of the Subdivision/Site Plan Checklist in reference to a plan presented by **Keach-Nordstrom Associates** dated **January 7, 2015** for property **Tax Map 186, Lots 20-4 and 24; Map 194 Lots 9 and 10; Map 195 Lot 1, and Map 201, Lot 7**, in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Subdivision/Site Plan regulations.

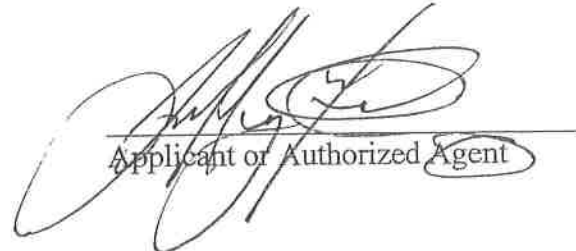
Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

HTC 289-37 would require a five year built out of the project. The hardships to the applicant are (i) the long carrying costs of the project infrastructure with an artificial delay of return on investment; and (ii) the risk of losing the current positive economic cycle. We suggest the market should dictate the pace of development.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attached the appropriate documentation hereto):

- **A quicker build out will reduce the duration of construction for the first lots of the project.**
- **Town services will not be adversely affected.**
- **Applicant respectfully requests a three phase build out as described in the "Phasing Notes" on sheet 2 of the Plans.**

Eagles Nest Estates, LLC


Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____

Waiver Not Granted _____

APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

FOOTNOTES:

1. In the event of the denial of a plan, the recording fees collected will not be reimbursed, but will instead be used as an additional fee to help defray administrative costs associated with a denial.
2. The "Review Fees" are fees (estimated) necessary to offset costs incurred to review and/or compile plans, data, or other information relative to the proposal.
3. The "Amount Due" does not include fees for studies or reviews as authorized in Section G-2 of this regulation.
4. Fees must be paid in full prior to the commencement of any formal subdivision review performed by the Town of Hudson.

STATUS:

DATE:

<input type="checkbox"/>	1. Application incomplete	_____
<input checked="" type="checkbox"/>	2. Application complete. Include any applicable requested waivers, fees paid, routing sheet returned	<u>2-10-15</u>
<input type="checkbox"/>	3. Application formally accepted or denied by Planning Board.	_____
<input type="checkbox"/>	4. Final approval granted or denied	_____
<input type="checkbox"/>	5. Comments	_____

Abutters List
Hawkview Subdivision
Hudson, NH
KNA#11-0202-1
Updated 02-09-15

Tax Map	Lot(s)	Owners
186	20-4	Kelly A. Trudel 11 Kara's Crossing Drive Hudson, NH 03051
201	7	Mario Plante, Trustee Denyse Plante, Trustee 9 Old Derry Road Hudson, NH 03051
186 194 195 194	24 10 1 9	Owner/Applicant Eagles Nest Estates, LLC 21 Continental Boulevard Merrimack, NH 03054
Tax Map	Lot(s)	Direct Abutters
179	39	Renald & Madeline Daigle 119 Kimball Hill Road Hudson, NH 03051
186	15	Thomas P. & Susan L. Duval 60 Speare Road Hudson, NH 03051
186	16	Ronald A. & Carla A. Fraser 64 Speare Road Hudson, NH 03051
186	20-1	Robert A. Bush 5 Kara's Crossing Drive Hudson, NH 03051
186	20-2	Anthony J. & Leah D. Michaud 7 Kara's Crossing Drive Hudson, NH 03051
186	20-3	Roger J. & Paula M. Hubert 9 Kara's Crossing Drive Hudson, NH 03051

186	20-8	Harold J. Lalmond, Trustee Pamela J. Lalmond, Trustee 10 Kara's Crossing Drive Hudson, NH 03051
186	21	Saleotino & Jeanne Santos 69B Speare Road Hudson, NH 03051
186	22	Irene M. & John A. Byrne PO Box 148 Harvard, MA 01451
186	23	Robert J. & Janice E. Wesson 65A Speare Road Hudson, NH 03051
186	25-1	Allen K. Peck 63A Speare Road Hudson, NH 03051
186	25-2	Kassia P. Hamelin Edward Leo Tessier III 63B Speare Road Hudson, NH 03051
186	26	Joseph R. & Aline T. Boutin 61 Speare Road Hudson, NH 03051
187	4	Diana M. Truitt 12 Hawkview Road Hudson, NH 03051
187	5	Rachel Hamilton 14 Hawkview Road Hudson, NH 03051
187	6	Edward C. & Velinda S. Jonson 16 Hawkview Road Hudson, NH 03051
187	7	James C. & Jane M. Fisher 18 Hawkview Road Hudson, NH 03051

187	8	Kenneth S. Jr. & Nicole M. Wilde 20 Hawkview Road Hudson, NH 03051
187	9	Francis C. & Christine M. Caprio 22 Hawkview Road Hudson, NH 03051
187	10	Paul M. Beach 25 Hawkview Road Hudson, NH 03051
187	11	Joseph T. & Susan J. Furber 23 Hawkview Road Hudson, NH 03051
187	12	David J. Smith 21 Hawkview Road Hudson, NH 03051
187	14	Leslie & Jennifer L. Sibley 17 Hawkview Road Hudson, NH 03051
187	23	Malennda Anderson Keith Zajac 12 Kara's Crossing Drive Hudson, NH 03051
187	24	Marilyn M. Smith 14 Kara's Crossing Drive Hudson, NH 03051
194 186 212	5 14 22	State of New Hampshire Department of Transportation PO Box 483 1 Hazen Drive/ Room 204 Concord, NH 03302
194	6	George H. White 2 Cedar Street Wilmington, MA 01887

194	7	Richard G. & Mary Boyle 30 Pleasant Street Lowell, MA 01852
194	8	Kay E. Nash 175A Bush Hill Road Hudson, NH 03051
194	9	Norma Bolduc, Trustee 181 Pillsbury Road Londonderry, NH 03053
195	2	Thomas E. & Katherine V. Smith 3 Gibson Road Hudson, NH 03051
195	3	Susan Bergeron 35 Car Mar Lane Salem, NH 03079
195	4	Stanley Kayros c/o Barbara K. Boucher 55 Gibson Road Hudson, NH 03051
195	5	Public Service Company of NH Electrical Superintendent PO Box 330 Manchester, NH 03105
201	4 & 6	Charlotte Cohen Timothy D. Smith 101 Bush Hill Road Hudson, NH 03051
201	8	Steven Plante Marie-Claude Poulin 110 Bush Hill Road Hudson, NH 03051
201	10	Shirley A. Bergeron 114 Bush Hill Road Hudson, NH 03051

201	11	James G. & Kathleen E. Mills 118 Bush Hill Road Hudson, NH 03051
201	12	James G. Mills 118 Bush Hill Road Hudson, NH 03051
Tax Map 186	Lot 20-7	Indirect Abutters Sharon Ann Kalp 12 Cooper Hill Road Hudson, NH 03051
187	13	Elaine L. & Donald J. Tremblay 19 Hawkview Road Hudson, NH 03051
187	15	Robert A. & Natalya A. Fraser 2 Kestral Lane Hudson, NH 03051
187	16	Julie A. Connolly 4 Kestral Lane Hudson, NH 03051
195	7	Barbara Boucher 55 Gibson Road Hudson, NH 03051
201	5	Peter Q. Nash 91 Amherst Street Nashua, NH 03064
201	9	Town of Hudson 12 School Street Hudson, NH 03051

Professionals to be notified:

Engineer/Surveyor
Keach-Nordstrom Associates Inc.
10 Commerce Park North, Suite 3
Bedford, NH 03110

Attorney

Prunier & Prolman, P.A.
20 Trafalgar Square
Suite 626
Nashua, NH 03063

Traffic Consultant

Greenman-Pedersen, Inc.
Attn: Heather Monticup, P.E.
181 Bollardvale Street, Suite 202
Wilmington, MA 01887

Wetland/Soil Scientist

Gove Environmental Services, Inc.
8 Continental Drive, Unit H
Exeter, NH 03833



Owner Affidavit

Kelly A. Trudel, owner of the property referenced on Tax Map 186; Lot 20-4, located on Kara's Crossing Drive in Hudson, New Hampshire, hereby verify that I authorize Keach-Nordstrom Associates, Inc. (KNA) to prepare, submit and represent, on my behalf, throughout the federal, state and municipal application process.

Signature of Landowner:

[Handwritten Signature]

Printed Name of Landowner:

Kelly Trudel

Address of Owner:

11 Kara's Crossing Dr.
Hudson NH 05051

Date:

1/8/15




KEACH-NORDSTROM ASSOCIATES, INC.

KNA Project No. 11-0202-1

Owner Affidavit

Eagles Nest Estates, LLC, applicant and owner of the properties referenced on Tax Map 186; Lots 20-4 & 24, Map 194; Lot 10, and Map 195; Lot 1, located at White Service Road and Kara's Crossing Drive in Hudson, New Hampshire, hereby verify that I authorize Keach-Nordstrom Associates, Inc. (KNA) to prepare, submit and represent, on my behalf, throughout the federal, state and municipal application process.

Signature of Landowner: 
Printed Name of Landowner: JOHN GARGASE
Address of Owner: 21 Continental PLVD
Merrimack NH 03054
Date: 7/29/14



KEACH-NORDSTROM ASSOCIATES, INC.

KNA Project No. 07-0511-4A

Owner Affidavit

Green Mountain Partners Realty Trust, owner of the property referenced on Tax Map 201; Lot 7, located on Bush Hill Road in Hudson, New Hampshire, hereby verify that I authorize Keach-Nordstrom Associates, Inc. (KNA) to prepare, submit and represent, on my behalf, throughout the federal, state and municipal application process.

Signature of Landowner:

Denyse Plante

Printed Name of Landowner:

Denyse Plante
MARIE PLANTE

Address of Owner:

9 OLD BERRY RD
Hudson n.h.

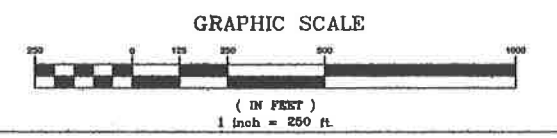
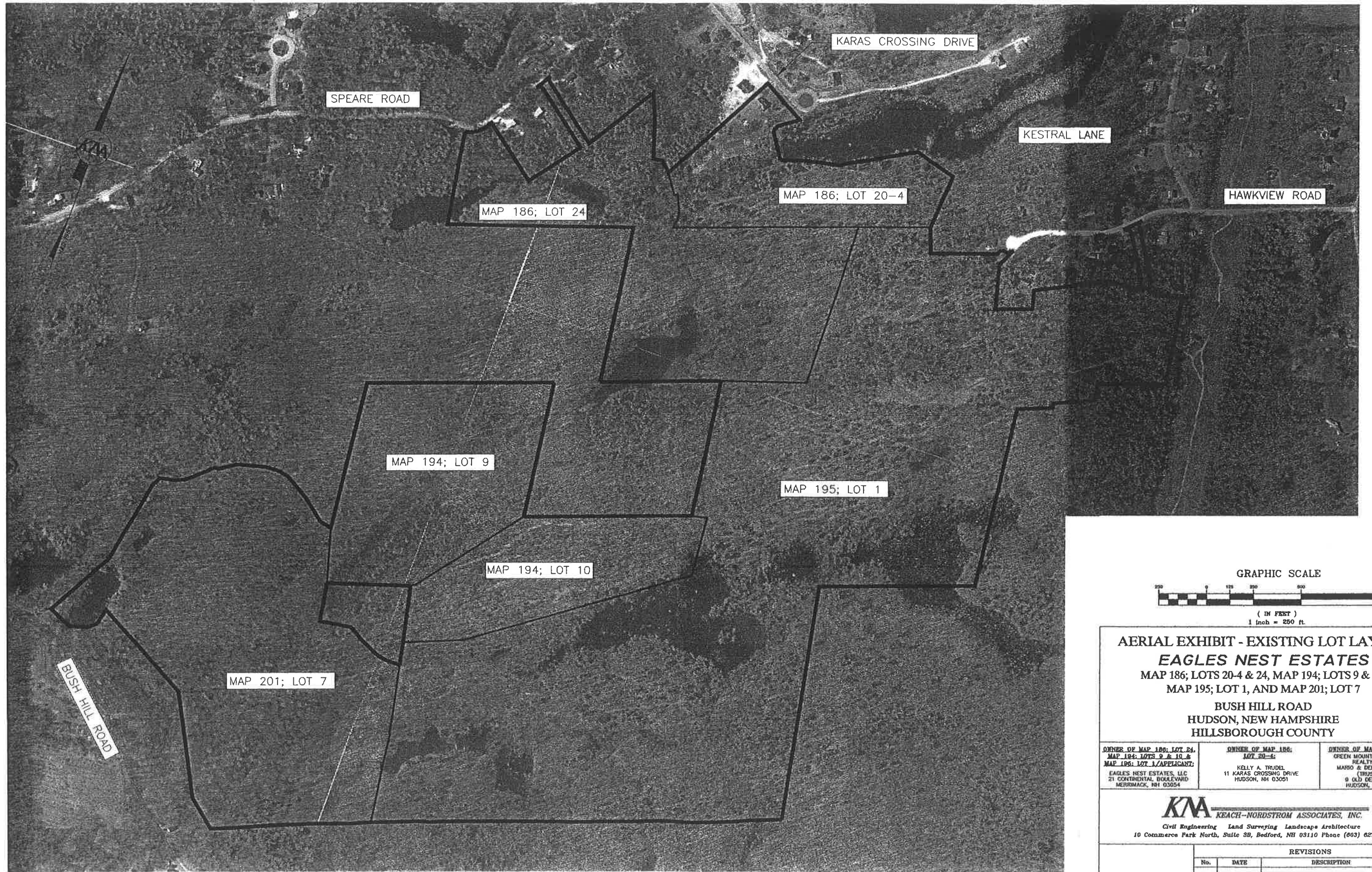
Date:

07-31-2014

PROPOSED LOT AREAS

LOT NUMBER	TOTAL LOT AREA		WETLAND AREA		AREA >25% SLOPE		*BUILDABLE LOT AREA		FRONTAGE	
	SF	ACRES	SF	ACRES	SF	ACRES	SF	ACRES	FEET	FEET
1	74,345	1.707	12,186	0.280	10,332	0.237	51,827	1.190	164.25	164.25
2	118,827	2.728	11,968	0.275	20,496	0.471	86,363	1.983	147.62	147.62
3	95,672	2.196	N/A	N/A	46,738	1.073	48,934	1.123	611.84	611.84
4	82,342	1.890	N/A	N/A	16,362	0.376	65,981	1.515	109.56	109.56
5	72,108	1.655	N/A	N/A	12,234	0.281	59,875	1.375	109.56	109.56
6	63,401	1.455	N/A	N/A	7,225	0.166	56,177	1.290	106.27	106.27
7	60,203	1.382	864	0.020	3,786	0.087	55,553	1.275	125.15	125.15
8	44,103	1.012	N/A	N/A	N/A	N/A	44,103	1.012	216.13	216.13
9	43,809	1.006	N/A	N/A	N/A	N/A	43,809	1.006	346.99	346.99
10	53,860	1.236	N/A	N/A	9,657	0.222	44,203	1.015	221.21	221.21
11	48,510	1.114	N/A	N/A	2,989	0.069	45,521	1.045	545.57	545.57
12	49,007	1.125	N/A	N/A	625	0.014	48,383	1.111	242.69	242.69
13	44,652	1.025	N/A	N/A	194	0.004	44,458	1.021	263.23	263.23
14	44,989	1.033	N/A	N/A	256	0.006	44,733	1.027	298.56	298.56
15	72,953	1.675	N/A	N/A	326	0.007	72,627	1.667	100.00	100.00
16	63,758	1.464	N/A	N/A	N/A	N/A	63,758	1.464	100.00	100.00
17	76,445	1.755	N/A	N/A	6,897	0.159	69,548	1.597	100.00	100.00
18	61,750	1.418	4,161	0.096	1,919	0.044	55,670	1.278	189.92	189.92
19	61,852	1.420	2,799	0.064	N/A	N/A	59,053	1.356	195.41	195.41
20	44,637	1.025	N/A	N/A	603	0.014	44,034	1.011	425.42	425.42
21	45,575	1.046	N/A	N/A	N/A	N/A	45,575	1.046	265.71	265.71
22	44,039	1.011	N/A	N/A	N/A	N/A	44,039	1.011	163.60	163.60
23	69,202	1.589	N/A	N/A	406	0.009	68,796	1.579	100.28	100.28
24	65,535	1.504	N/A	N/A	N/A	N/A	65,535	1.504	135.27	135.27
25	54,106	1.242	N/A	N/A	906	0.021	53,200	1.221	100.06	100.06
26	48,140	1.105	N/A	N/A	524	0.012	47,616	1.093	135.00	135.00
27	50,608	1.162	N/A	N/A	1,386	0.032	49,222	1.130	198.87	198.87
28	46,963	1.078	996	0.023	548	0.013	45,419	1.043	190.73	190.73
29	54,993	1.262	7,116	0.163	N/A	N/A	47,877	1.099	153.83	153.83
30	47,144	1.082	N/A	N/A	N/A	N/A	47,144	1.082	125.43	125.43
31	43,980	1.010	N/A	N/A	N/A	N/A	43,980	1.010	111.07	111.07
32	43,560	1.000	N/A	N/A	N/A	N/A	43,560	1.000	140.39	140.39
33	43,560	1.000	N/A	N/A	N/A	N/A	43,560	1.000	162.09	162.09
34	43,565	1.000	N/A	N/A	N/A	N/A	43,565	1.000	151.44	151.44
35	52,874	1.214	N/A	N/A	589	0.014	52,285	1.200	161.50	161.50
36	50,566	1.161	N/A	N/A	N/A	N/A	50,566	1.161	100.00	100.00
37	77,403	1.777	N/A	N/A	N/A	N/A	77,403	1.777	100.00	100.00
38	61,230	1.406	N/A	N/A	N/A	N/A	61,230	1.406	100.00	100.00
39	57,233	1.314	N/A	N/A	1,347	0.031	55,886	1.283	100.00	100.00
40	56,296	1.292	N/A	N/A	11,227	0.258	45,070	1.035	100.00	100.00
41	44,281	1.017	N/A	N/A	N/A	N/A	44,281	1.017	101.94	101.94
42	44,328	1.018	N/A	N/A	N/A	N/A	44,328	1.018	147.09	147.09
43	62,006	1.423	2,987	0.069	N/A	N/A	59,019	1.355	173.04	173.04
44	55,847	1.282	1,629	0.037	677	0.016	53,540	1.229	205.51	205.51
45	48,497	1.113	1,497	0.034	N/A	N/A	47,000	1.079	282.18	282.18
46	57,037	1.309	2,858	0.066	618	0.014	53,561	1.230	120.14	120.14
47	51,426	1.181	2,384	0.055	N/A	N/A	49,042	1.126	112.96	112.96
48	51,323	1.178	2,399	0.055	435	0.010	48,388	1.111	100.00	100.00
49	69,225	1.589	17,388	0.399	N/A	N/A	45,290	1.040	133.57	133.57
50	55,088	1.265	N/A	N/A	1,246	0.029	53,842	1.236	281.67	281.67
51	49,346	1.133	N/A	N/A	N/A	N/A	49,346	1.133	395.50	395.50
52	65,733	1.509	N/A	N/A	N/A	N/A	65,733	1.509	138.47	138.47
53	53,802	1.235	N/A	N/A	N/A	N/A	53,802	1.235	134.34	134.34
54	62,797	1.442	1,030	0.024	N/A	N/A	61,767	1.418	100.00	100.00
55	70,464	1.618	4,872	0.112	378	0.009	65,214	1.497	130.00	130.00
56	63,026	1.447	N/A	N/A	287	0.007	62,739	1.440	100.00	100.00
57	64,158	1.473	N/A	N/A	4,554	0.105	59,604	1.368	100.00	100.00
58	66,499	1.527	N/A	N/A	2,957	0.068	63,542	1.459	100.00	100.00
59	63,243	1.452	N/A	N/A	N/A	N/A	63,243	1.452	125.01	125.01
60	68,614	1.575	N/A	N/A	N/A	N/A	68,614	1.575	211.00	211.00
61	64,027	1.470	1,077	0.025	1,134	0.026	61,816	1.419	170.00	170.00
62	69,594	1.598	11,533	0.265	N/A	N/A	58,061	1.333	465.33	465.33
63	62,295	1.430	N/A	N/A	N/A	N/A	62,295	1.430	199.50	199.50
64	170,155	3.906	3,798	0.087	38,964	0.894	127,393	2.925	1243.13	1243.13
65	110,172	2.529	N/A	N/A	55,291	1.269	54,881	1.260	893.76	893.76
MAP 186; LOT 20-4	140,560	3.227	2,731	0.063	14,515	0.381	92,985	2.135	200.00	200.00
OPEN SPACE 'A'	4,222,752	96.941	1,101,172	25.279	242,613	5.570	2,878,967	66.092	1,656.23	1,656.23
OPEN SPACE 'B'	90,948	2.09	57,286	1.315	13,644	0.313	20,018	0.459	215.25	215.25
OPEN SPACE 'C'	181,005	4.155	24,736	0.568	17,071	0.392	139,198	3.196	562.87	562.87
OPEN SPACE 'D'	957,088	22.365	209,473	4.809	160,684	3.850	597,921	13.726	523.12	523.12
OPEN SPACE 'E'	1,248,248	28.655	366,387	8.456	80,524	1.848	799,377	18.350	197.67	197.67
OPEN SPACE 'F'	83,230	1.910	961	0.022	N/A	0.000	82,269	1.889	12.03	12.03

* BUILDABLE LOT AREA IS CONTIGUOUS DRY LAND AND DOES NOT CONTAIN WETLANDS, SLOPES IN EXCESS OF 25% OR EXISTING EASEMENTS.



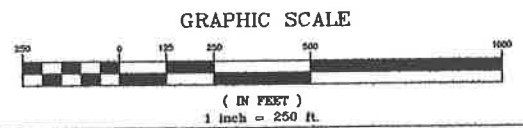
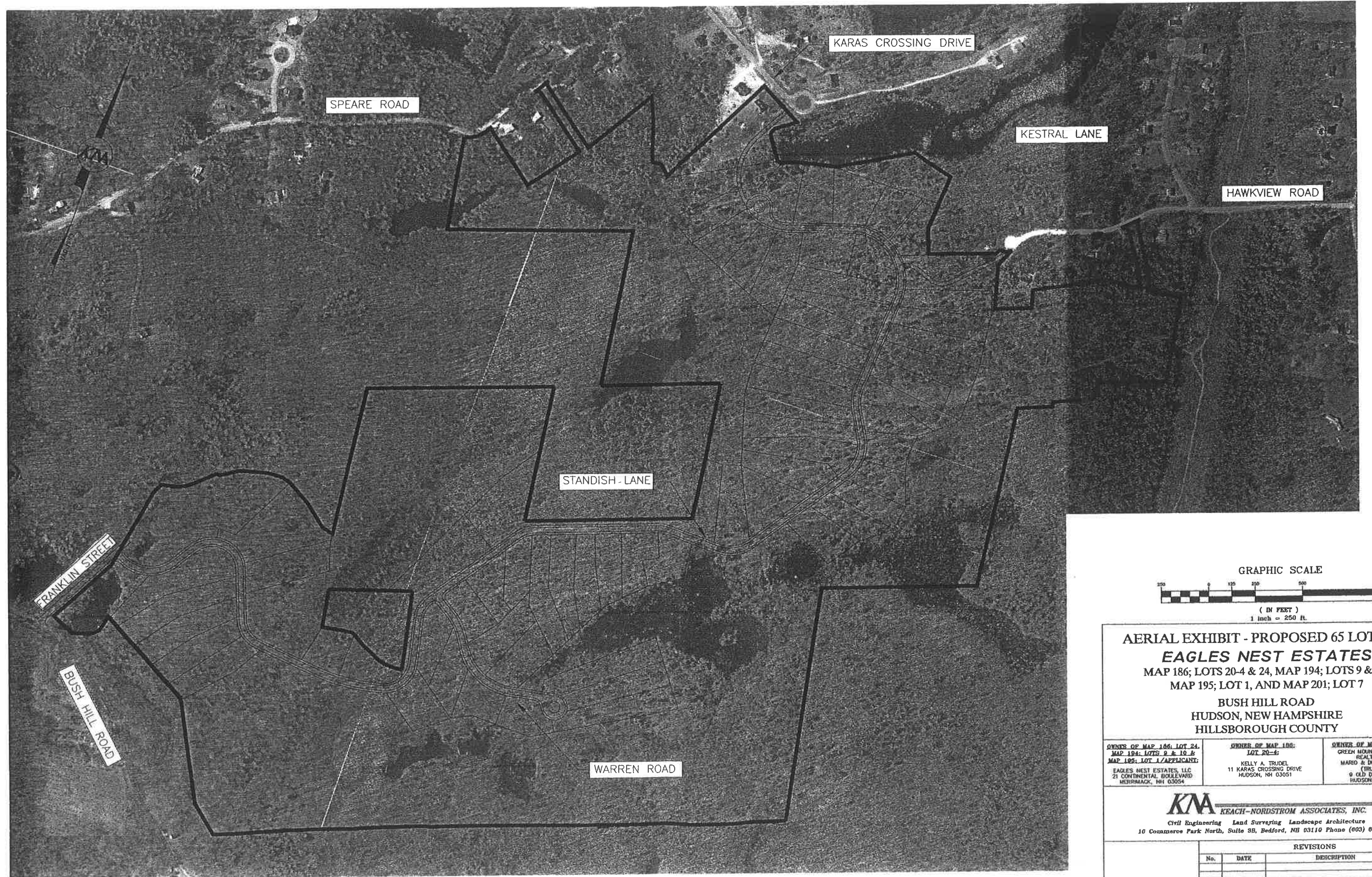
AERIAL EXHIBIT - EXISTING LOT LAYOUT
EAGLES NEST ESTATES
 MAP 186; LOTS 20-4 & 24, MAP 194; LOTS 9 & 10,
 MAP 195; LOT 1, AND MAP 201; LOT 7
 BUSH HILL ROAD
 HUDSON, NEW HAMPSHIRE
 HILLSBOROUGH COUNTY

OWNER OF MAP 186; LOT 24, MAP 186; LOTS 9 & 10, & MAP 195; LOT 1 (APPLICANT): EAGLES NEST ESTATES, LLC 21 CONTINENTAL BOULEVARD MERRIMACK, NH 03054	OWNER OF MAP 186; LOT 20-4: KELLY A. TRUDEL 11 KARAS CROSSING DRIVE HUDSON, NH 03051	OWNER OF MAP 201; LOT 7: GREEN MOUNTAIN PARTNERS REALTY TRUST MARGO & DENISE PLANTE (TRUSTEES) 9 OLD DERRY ROAD HUDSON, NH 03051
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KMA KEACH-NORDSTROM ASSOCIATES, INC.
 Civil Engineering Land Surveying Landscape Architecture
 10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2881

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: JANUARY 30, 2015 SCALE: 1"=250'
 PROJECT NO: 11-0202-1 SHEET 1 OF 2



AERIAL EXHIBIT - PROPOSED 65 LOT OSD
EAGLES NEST ESTATES
 MAP 186; LOTS 20-4 & 24, MAP 194; LOTS 9 & 10,
 MAP 195; LOT 1, AND MAP 201; LOT 7
 BUSH HILL ROAD
 HUDSON, NEW HAMPSHIRE
 HILLSBOROUGH COUNTY

<small>OWNER OF MAP 186; LOT 24, MAP 194; LOTS 9 & 10 & MAP 195; LOT 1/APPLICANT: EAGLES NEST ESTATES, LLC 21 CONTINENTAL BOULEVARD HEHRMACK, NH 03054</small>	<small>OWNER OF MAP 188; LOT 20-4: KELLY A. TRUDEL 11 KARAS CROSSING DRIVE HUDSON, NH 03051</small>	<small>OWNER OF MAP 201; LOT 7: GREEN MOUNTAIN PARTNERS REALTY TRUST MARIO & DENYSE PLANTE (TRUSTEES) 9 OLD DENBY ROAD HUDSON, NH 03051</small>
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REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: JANUARY 30, 2015 SCALE: 1"=250'
 PROJECT NO: 11-0202-1 SHEET 2 OF 2



3

February 24, 2015

Mr. John Cashell, Town Planner
Town of Hudson
12 School Street
Hudson, NH 03051

Re: Town of Hudson Planning Board Review
Eagles Nest Estates Subdivision, Bush Hill Road
Tax Map 186, 194, 195, Lot 24, 9 & 10,1 (respectively); Acct. #1350-856
CLD Reference No. 03-0249.1450

Dear Mr. Cashell:

CLD Consulting Engineers, Inc. (CLD) has reviewed the first submission of materials related to the above-referenced project received between February 10, and February 14, 2015. A list of items reviewed is enclosed. The scope of our review is based on the Subdivision Plan Review Codes, Driveway Review Codes, Stormwater Management Codes, and criteria outlined in the CLD Proposal approved September 16, 2003, revised September 20, 2004, June 4, 2007 and September 3, 2008.

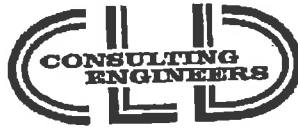
We have included a copy of CLD's evaluation of the checklist for your reference. We did not receive a copy of the applicant's checklist. We note that several items could not be verified by CLD and require action by the Town.

The project consists of creating a sixty-five (65)-lot, single-family (4 bedrooms), residential open space development subdivision, with six open space areas. Some access roads and stormwater management areas are proposed within open space areas. The 206.052-acre subdivision will be accessed from Bush Hill Road and will have two emergency access roads off Hawkview Road and Kara's Crossing Drive. All lots are to be serviced by proposed wells and on-site subsurface disposal systems. Several cistern locations are also noted, but details, access rights and maintenance responsibilities are not noted.

The following items are noted:

1. Subdivision Review Codes

- a. Hudson Regulations (HR) 289-15. and 289-20.A.(1) The applicant noted the subdivision is not located within a Flood Hazard Area; however, we note some areas of the site fall in "Zone X" areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- b. HR 289-19.A. The applicant should note the need for easements for all cisterns. The easements should clearly indicate to whom easement rights and maintenance



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 CLD Reference No. 03-0249.1450
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responsibilities are granted. The applicant should also provide a copy of the proposed access and drainage easement for Map 186, Lot 20-4, the Hawkview Road access and drainage easement, evidence of rights or coordination of work within the Circumferential Highway right-of-way; BK 5198, PG 1944, and the White Road Service right-of-way.

- c. HR 289-20.A.(1). The applicant has not provided the finish floor elevation of the proposed homes on the plan set.
- d. HR 289-27.B.(7). The applicant has provided several temporary benchmarks on the plans and has noted vertical datum NGVD 1929.
- e. HR 289-28.G. The applicant has provided a 5-foot-wide sidewalk exceeding the 4-foot required sidewalk width.

2. Driveway Review Codes (HR 193-10)

- a. HR 193-10.A. The applicant has shown the proposed driveway for Lot 46 off of the emergency access road that will connect the Standish Road cul-de-sac with Kara's Crossing Drive. The applicant should provide additional information regarding the intended maintenance responsibility of the access road portion that is required to access the driveway.
- b. The applicant needs to show how the driveway grading will coordinate with the proposed 4,000-square-foot areas. As designed, there are several locations where cuts are proposed in designated septic areas that will bring the grades below the estimated seasonal high water table (ESHWI) elevations. (In one case, a cut is proposed to provide sight distance, so therefore, it would not allow for a raised system to be constructed.)

3. Roadway Design

- a. HR 289-18.B.(2) The applicant noted on the plans that a waiver is being requested for the 7,200 LF length of Standish Lane. The applicant has referenced a Regulation number that relates to utilities. The applicant should revise the waiver note to reference the applicable Regulation.
- b. HR 289-18.C.(1) Although the applicant has provided curve data for Standish Lane, complete horizontal centerline data (including PC and PT locations) was not provided for any of the proposed roads.
- c. HR 289-18.C.(2) The applicant proposed a sag with a K value less than 40 and a crest with a K value less than 30 within the Standish Road cul-de-sac and on the emergency access road between Standish Road and Kara's Crossing Drive. The applicant should add station numbers and elevations for PVAs proposed at the intersections.
- d. HR 289-18.P. The applicant should review the plans for box culvert #160 because it appears to be mislabeled as box culvert #130 on the culvert schedule on sheet 66. The box culvert at service road STA 1+95 is not numbered and does not appear to be included



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- in the culvert schedule on sheet 66. Box culverts and culvert numbers should be called out on the drainage plans.
- e. HR 289-18.Y. The applicant has proposed a road slope greater than 2% for the first 100 feet from the intersection at both ends of Kara's Crossing Drive emergency access road and at the west of Hawkview emergency access road. Also, the applicant should verify the actual crown slope on Bush Hill Road to confirm that the proposed 3.12% will match the existing condition.
 - f. HR 289-27.B.(3) The applicant has provided a typical section detail and cross sections for the proposed culvert locations but has not provided cross sections at designated intervals for the proposed roads. At a minimum, the applicant should provide additional cross sections at critical locations, such as areas of larger cuts and fills, areas where stormwater grading is close to the road, and areas where additional grading behind the sidewalk is needed to redirect water from flowing across the sidewalk. Also, the proposed right-of-way line should be added to the sections provided to clearly show how elements of the walls relate to the right-of-way and/or open space limits.
 - g. HR 289 Attachment 1. The proposed cul-de-sac geometry does not appear to match the detail shown on Attachment 1.
 - h. HR 289 Attachment 3. The applicant has proposed additional depths of wearing and binder course pavement in the proposed roadway and sidewalk sections that exceeds the Regulations.
 - i. The applicant has shown the new Standish Lane connecting to Franklin Street that is in the Limited Access New Hampshire Department of Transportation (NHDOT) right-of-way. The applicant should provide evidence to the Town that the NHDOT accepts this configuration.
 - j. The applicant should provide guardrail (and end section) calculations showing that guardrail warrants have been fully evaluated. The calculations will assist in understanding as to why guardrail has not been proposed in several areas where we would expect to see guardrail or longer sections of guardrail.
 - k. The applicant has noted that it is intended that the emergency access roads are not to be bonded or constructed until Phase 3. We recommend that a secondary access be bonded as soon as the road length exceeds the Town's "dead ends" requirements.
 - l. The applicant has indicated that the retaining walls necessary to successfully construct the wetland crossings will be designed "by others." The note should be expanded to clearly require design by a Professional Engineer registered in the State of New Hampshire.
 - m. The applicant has shown a proposed sidewalk on the typical section for the emergency access road, but has not shown that the grading accommodates a sidewalk in the plan view of those locations. The applicant should coordinate the typical cross section and plan view so all are clear as to the intent to or not to install sidewalk on the access roads.



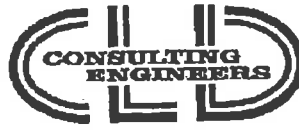
Mr. John Cashell, Town Planner
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- n. Our understanding is that the Town has requested the emergency access roads to be widened to 24 feet. This change should be shown on the plan set.
- o. The applicant has not shown the intent for use of Americans with Disabilities Act (ADA)-compliant curb ramps within the subdivision. A detail should be provided and all locations intended to use detectable warnings should be clearly shown on the plan set.
- p. The applicant should clearly document the intent and responsibility for winter maintenance on the access roads.
- q. The applicant has noted use of underdrain "as indicated on plan;" however, we were unable to find any specific locations shown on the plan view (it is shown on some profiles). Since the ESHWT is shown within two to five feet of existing ground, and since the proposed cuts in many of these areas are lower than the ESHWT, there needs to be a clear understanding of where underdrain is to be used and whether it is proposed to tie into the drainage system. Large amounts of groundwater will adversely affect the drainage system.
- r. The applicant has noted a crown tie-in slope of 3% (versus the 3/8" per foot) slope at the intersection of Franklin Street and Standish Lane. If Franklin Street is to be constructed using a different typical section, that typical should be added to the plan set.
- s. Since regular sections are not provided, the applicant should label the intent for all roadway side slopes (e.g. 2:1 max, 4:1 max, etc.) on the plan view.
- t. HR 275-9.B. Traffic Study Review Comments – We have reviewed the subdivision plan as well as the Traffic Impact Study prepared by Greenman-Pedersen, Inc. (GPI) for this project and have the following comments:
 - 1) We have a general concern about the exceptionally long cul-de-sac (7200 feet) serving a 65-lot subdivision with only two emergency access roads being provided as alternative access points. How are these to be maintained? Has the Town successfully used gated situations like this? How do they relate to driveway locations within the new subdivision (notably at Lot 46, which is bisected by one of the emergency roads) as well as the adjacent subdivisions they will be connected to? How do residents gain access to these access roads should Standish Lane be blocked near Franklin Street?
 - 2) It is not clear how access to the site will be provided via Franklin Street, a part of which is within the State's ROW for the old Circumferential Highway. The disposition of this access should be provided.
 - 3) The scope of the study is somewhat limited given the size of the subdivision. The study only looks at the 'front door' access drive intersection to the development at Franklin Street but not at other nearby unsignalized intersections with other key roads in the study area network, such as Wason Road/Bush Hill Road and Bush Hill Road/Pelham Road/Spere Road. These locations will feel the brunt of any traffic generated by this large residential subdivision and could be adversely impacted by additional traffic, but no analyses were conducted of existing or proposed conditions.



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- 4) Traffic counts were taken in August 2014, when school was not in session. This may yield lower than expected volumes on adjacent streets, particularly in the AM peak hour. While appropriate seasonal adjustments were made to the daily volumes on Bush Hill Road based on the DOT's urban highway factors, we would expect the AM peak volumes to be higher during the school year.
- 5) It appears that travel speeds are an issue on Bush Hill Road, given that 9 of the 15 collisions reported by the Hudson Police Department were speed-related. The speed summary in Table 3 is somewhat misleading as well, noting the average speed of 33 mph in both directions as only slightly above the posted 30 mph speed limit. A review of the raw speed data in the Appendix notes that only 8% of the westbound traffic and 12% of the eastbound traffic counted for this study traveled under 35 mph. Over 70% of the traffic was between 35-45 mph.
- 6) The assumed 2% annual traffic growth rate and the trip generation calculations appear reasonable. It is noted that the trip generation equations used are from the 8th edition of the Manual, not the 9th edition as annotated, but there are minimal differences between the two. The resulting site-generated traffic represents an over 30% increase in existing peak hour traffic volumes on this section of Bush Hill Road.
- 7) We question the trip distribution assumption that 20% of the site traffic heading to and from the north would use Speare Road and not Bush Hill Road, which leads directly to Kimball Hill Road and NH Route 111. Because of the narrowness of the study's scope, there is no traffic distribution and subsequent analyses of other key intersections, such as Wason Road, Speare Road and/or Pelham Road. Although the traffic levels would be further diluted by traveling through additional intersections, existing deficiencies that may be present, but have not been analyzed, could be exacerbated.
- 8) Given the speeds on Bush Hill Road in the vicinity of the site, additional signage to alert drivers of the presence of the new intersection with Franklin Street should be considered in both directions, such as an Intersection Warning Sign (W2-2) with an Advance Street Name Plaque (W16-8P) for Franklin Street.
- 9) In summary, while the additional traffic from the proposed subdivision does not create a capacity concern at the new intersection being created, the study's limited scope does not address other nearby intersections that could be adversely impacted by the site-generated traffic. Furthermore, given that the majority of existing traffic is already exceeding the speed limit, consideration should be given to additional measures to reduce speed and increase awareness of the newly proposed intersection. Finally, the length of the new roadway presents concerns that additional permanent access points are not fully available should access to Franklin Street be compromised.



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4. Drainage Design /Stormwater Management (HR 289-20.C. /Chapter 290)

- a. The applicant should keep the Town informed of all communication with New Hampshire Department of Environmental Services (NHDES) in relation to the Alteration of Terrain (AoT) Permit and Wetland Permit being requested to ensure NHDES comments do not alter drainage design/calculations.
- b. Section C "Post Development Drainage Conditions" of the Alteration of Terrain Application states, "Flow entering the proposed Rain Garden 141 will be pretreated through the use of deep sump catch basins." These catch basins are not "offline" as required by NHDES to qualify as pretreatment, and we note the detail on sheet 68 of the plan set does not illustrate a deep sump catch basin. The applicant should review this statement within the AoT Application, and review the need to revise the plans.
- c. The applicant should provide additional information on the design of the "wet ponds." It is uncertain if an impervious liner (membrane, soil, etc.) is to be used to ensure the criteria of static water elevations is maintained to count as NHDES treatment.
- d. We note that neither the "Grading, Drainage, and Erosion Control Plans" nor the "Details Plans" list provides specific elevations of the proposed treatment swales. The applicant should provide this design data within the plan set.
- e. The applicant should provide maintenance/access paths (and any associated easement rights) to individual drainage basins within the development.
- f. The applicant should note the need to use caution when installing the guardrail on existing Map 186, Lot 20-4 such that the existing 12-inch CPP pipe is not damaged.
- g. The applicant should review the drain pipe proposed to be installed at a slope greater than 8%. The applicant should consider the addition of a trench dam to prevent scouring of bedding and backfill material. (Pipe runs between CB 53 to DMH 52 and DMH 52 to DMH 51 exceed 8%.)
- h. The applicant should add a note to the plan set clarifying the intent to use (or not use) masonry or concrete headwalls for all pipes.

5. Sewer/Septic Design/Conflicts and Utility Design/Conflicts

- a. ZO 334-37.B. The applicant has proposed a designated septic area in somewhat poorly to moderately well-draining soils within 25 feet from the edge of Wetlands Conservation District on proposed Lots 8, 10, and 63.
- b. HR 289-19.D. Although a septic review was not performed as part of this review, some septic areas are shown in areas proposed to have cuts below the ESHWT elevations. We also note that several lots have depicted ledge within 75 feet of the proposed disposal site; therefore, special design details will be required.
- c. HR 289-26.B. (4) The applicant has not provided acknowledgement of the required permit and Certificate of Approval from the Board of Health of the Town of Hudson and from the State of New Hampshire for the proposed on-lot utilities.



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- d. HR 289-26.B. (4) and HR 289-27.B. (5) The applicant has shown proposed well locations; however, has not provided indication of the required permit and Certificate of Approval from the Board of Health of the Town of Hudson and from the State of New Hampshire for the proposed on-lot utilities. Additionally, a typical well installation detail was not provided.
- e. The applicant has shown several proposed 30,000-gallon fire cistern locations on the plans; however, we were unable to find a corresponding typical detail. The Town has also noted that all cisterns will remain private and the Town will not take ownership or responsibility of these structures.
- f. The applicant has proposed several overlapping well radii on the plans (outside of the building setback) that may require individual easements from abutting lots.
- g. No street lighting is proposed for the subdivision.
- h. The applicant has shown a protective well radius within the proposed right-of-way. If the right-of-way and road maintenance responsibilities are ever intended to be turned over to the Town, either the well should be relocated such that the protective radius is outside the right-of-way or documents should be developed indemnifying the Town from any future contamination.

6. Erosion Control/Wetland Impacts

- a. ZO 334-35.B. (2) and ZO 334-35.C. The applicant has proposed several areas of wetland impact. The applicant has noted that a special exception was granted on October 23, 2014.
- b. HR 290-4.A.(4) The applicant should modify the note on the plans to state that "disturbed areas should be stabilized within 30 days of being idle and disturbance should be kept to a minimum."

7. State and Local Permits

- a. HR 193-10.C. The applicant should note the need for Town-issued Driveway Permits.
- b. HR 290-9.B. The applicant has noted the need for a Stormwater Pollution Prevention Plan (SWPPP) and filing a Notice of Intent (NOI) in accordance with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit.
- c. The applicant should note the need for a NHDES Septic Subdivision Approval. A note should be added showing the need for Individual Subsurface Septic Disposal System Approvals.
- d. The applicant has noted that the NHDES AoT Permit is pending. A copy of the application and supporting materials were received by CLD for review.
- e. The applicant has noted that the NHDES Dredge and Fill (or Wetlands) Permit is pending. A copy of the application and supporting materials were received by CLD for review.



Mr. John Cashell, Town Planner
CLD Reference No. 03-0249.1450
February 24, 2015
Page - 8

- f. The applicant has noted that the NHDES Subdivision Permit is pending.
- g. Additional local permitting may be required.

8. Other

- a. The plan should clearly note who the open space will be owned by (the Town or the Residents of the Development).
- b. Instead of solely referencing "AHJ," the applicant should note the specific "AHJ's" (assumed to be authorities having jurisdiction) on the plan.
- c. HR 289-4. The applicant should update the plan set to show the required 5" x 5" x 30" bounds (versus the 4" x 4" x 30" shown on the plan set.)

Please feel free to call if you have any questions.

Very truly yours,

Heidi J. Marshall, P.E.

Paul Konieczka, AICP

HJM/PK:jt

Enclosure

cc: Town of Hudson Engineering Division – File
Keach-Nordstrom Associates, Inc.
10 Commerce Park North, Suite 3B
Bedford, NH 03110
Fax (603) 627-2915



540 Commercial Street Manchester, NH 03101
 (603) 668-8223 • Fax: (603) 668-8802
 cld@cldengineers.com • www.cldengineers.com
 New Hampshire • Vermont • Maine

TO: File

FROM: Kelsey M. Gagnon *KMG*

DATE: February 24, 2015

RE: Town of Hudson Planning Board Review
 Eagles Nest Estates Subdivision, Bush Hill Road
 Tax Map 186,194,195, Lot 24, 9&10,1 (respectively); Acct. #1350-856
 CLD Reference No. 03-0249.1450

The following list itemizes the set of documents reviewed related to the current Eagles Nest Estates Subdivision, review comments.

- Various correspondences between Town of Hudson and CLD, between February 10, and February 12, 2015.
- Various correspondences between Keach-Nordstrom Associates, Inc. (KNA) and CLD, dated February 12, 2015.
- Copy of Letter of Transmittal from KNA to New Hampshire Department of Environmental Services, dated February 9, 2015, (received by CLD February 16, 2015) including the following:
 - Copy of *New Hampshire Department of Environmental Services, Wetlands Bureau, Permit Application*, dated January 16, 2015.
- Letter from the Town of Hudson to CLD, dated February 9, 2015, received February 10, 2015, including the following:
 1. Copy of *Subdivision Plan Application for Plan Review, Town of Hudson, New Hampshire for Map 186,194,195, Lot 24, 9&10,1*, dated February 9, 2015.
 2. Copy of *Eagles Nest Estates Narrative*, prepared by KNA, dated February 9, 2015, unless otherwise noted, including the following:
 - a. *Aerial Exhibit – Existing Lot Layout*, Sheet 1 of 2, dated January 10, 2015.
 - b. *Aerial Exhibit – Proposed 65 Lot OSD*, Sheet 2 of 2, dated January 10, 2015.
 3. Copy of *Traffic Impact and Access Study, Residential Development, Hudson, New Hampshire*, prepared by Greenman-Pedersen, Inc. (GPI), dated January 2015.
 4. Copy of *Alteration of Terrain Application, Eagles Nest Estates Subdivision*, prepared by KNA, dated February 9, 2015, unless otherwise noted, including the following:
 - a. *Overview Pre-Development Drainage Areas Plan*, Sheet 10 of 13, dated January 7, 2015. (Full and Half Size Plans)
 - b. *Pre-Development Drainage Areas Plan*, Sheets 11 through 13 of 13, dated January 7, 2015. (Full and Half Size Plans)
 - c. *Drainage Diagram for 11-0202-1_Pre-Development*, dated February 6, 2015.
 - d. *Overview Post-Development Drainage Areas Plan*, Sheet 1 of 13, dated January 7, 2015. (Full and Half Size Plans)

Memorandum to File

CLD Reference No. 03-0249.1450

February 24, 2015

Page - 2

- e. *Post-Development Drainage Areas Plan*, Sheets 2 through 9 of 13, dated January 7, 2015. (Full and Half Size Plans)
 - f. *Drainage Diagram for 11-0202-1_Post-Development*, dated February 6, 2015.
5. Copy of *Open Space Development Eagles Nest Estates, Map 186, Lots 20-4 & 24, Map 194, Lots 9 & 10, Map 195, Lot 1 and Map 201, Lot 7, Bush Hill Road, Hudson, New Hampshire* Plan Set, prepared by KNA *, dated January 7, 2015, unless otherwise noted, including the following:
- Cover Sheet.
 - *Overview Plan*, Sheet 1 of 98.
 - *Project Notes*, Sheet 2 of 98.
 - *Residential Subdivision Plan*, Sheets 3 through 19 of 98.
 - *Topographic Subdivision Plan*, Sheets 20 through 36 of 98.
 - *Roadway Plan and Profile*, Sheets 37 through 50 of 98.
 - *Grading, Drainage and Erosion Control Plan*, Sheets 51 through 58 of 98.
 - *Sight Distance Plan & Profile, Franklin Street*, Sheet 59 of 98.
 - *Sight Distance Plan & Profile, Standish Lane*, Sheet 60 of 98.
 - *Sight Distance Plan & Profile, Warren Road*, Sheet 61 of 98.
 - *Cross-Sections*, Sheet 62 of 98.
 - *Construction Details*, Sheets 63 through 72 of 98.
 - *Test Pit Logs*, Sheets 73 through 93 of 98.
 - *Yield Plan for 65 Lot Open Space Development*, Sheets 94 through 98 of 98.
 - *Lot Line Adjustment Plan*, Sheets L1 through L4 of L8.
 - *Topographic Lot Line Adjustment Plan*, Sheets L5 through L8 of L8.
 - *Conceptual OSD Subdivision Plan – 74 Lot OSD*, Sheets S1 through S5 of S5.
 - *Conceptual Yield Plan – 74 Lot OSD*, Sheets Y1 through Y5 of Y5.

* A second set of these documents were received from KNA on February 12, 2015.

KMG:mjt

cc: John Cashell – Town of Hudson Planner
Town of Hudson Engineering Division – File

APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

Eagles Nest Estates Subdivision Plan
Town of Hudson
CLD Reference No. 03-0249.1450
Reviewed February 24, 2015

Twenty-one (21) days prior to Planning Board Meeting, a complete subdivision plan to include all supporting materials/documents must be submitted in final form. The subdivision plan shall comply with the following specifications/requirements.

Applicant
Initials

Staff
Initials

a) Submission of eight (8) full sets of Site Plans (sheet size: 22" x 34") shall be submitted at the time of application filing, followed by the submission of seventeen (17) 11" x 17" plan sets (revised if applicable) to the Community Development Department no later than 10:00 AM Tuesday the week prior to the scheduled public hearing/conceptual review date



a) Two sets received by CLD.

b) Seventeen (17) subdivision narrative, describing the project
c) Plan scale at not less than one inch equals fifty feet (1" = 50') (example: 1" = 50' acceptable)



b) One set received by CLD.

d) Locus plan with 1,000' minimum radius of site to surrounding area
e) Plan date by day/month/year
f) Revision block
g) Planning Board approval block
h) Title of project inscribed on the plan
i) Names and addresses of property owner(s) and signature(s) shall inscribed on the plan



d) Locus Plan scale 1" = 1,000'.

e) Plan date by month/day/year.

g) Language does not exactly match the Regulation.

j) North point shall be inscribed on the plan
k) Property lines: exact locations and dimensions
l) Acreage/sq. ft. of entire subdivision
m) Proposed lots, with lot numbers and area of each lot. Note: each proposed lot shall be listed on the plan, in chart form, indicating in square feet/acreage the total lot area, wetland, slope area greater than 25% and total net contiguous useable upland area.



Applicant
Initials

Staff
Initials

m) Certified list of names and addresses of bordering abutters, shown on Tax Assessor's records not more than five (5) days prior to application date to be listed on plan.

CLD/KMG

n) Unable to verify the date of most recent update.

o) Location of all structures, roads, wetlands, hydrants, wells, septic systems, 4k reserve area, floodways/floodplains, driveways, travel areas, parking areas, natural features within 200 feet of the tract.

CLD/KMG

p) Locations of existing and proposed permanent monuments and benchmarks within 200 feet of the tract.



p) Monuments have been proposed as stone bounds (4"x4"x30"); however, the Regulations states that monuments shall be of natural or artificial stone of a size not less than 5"x5"x30".

q) Pertinent highway projects

CLD/KMG
CLD/KMG

r) Assessor's Map and Lot number(s)



s) Requested waivers noted on the plans; however, waiver application forms were not received for review.

s) Waiver application form shall be submitted with the subdivision application, note on plan listing waivers requested/granted; and all waivers granted to the subdivision regulations shall be listed on the final plan.

t) Delineate zoning

CLD/KMG
CLD/KMG
CLD/KMG

u) Stormwater drainage plan

Will BE Modified
IN REVISION Plans
RS (S.A.A.)

w) Utilities: existing and proposed

v) Topographical contours at 2-foot intervals existing and proposed

RS (S.A.A.)
glt

x) No underground or overhead utilities to individual houses shown. No details provided for installation of proposed wells or fire cisterns. Setbacks shown. Requires Planning Board approvals for reduced space shown. The applicant has shown work within the Limited Access ROW, White Service Road ROW and Circumferential Highway ROW.

y) Building and wetland setback lines

Will Show on
Revised Plans

y) The applicant has shown several open spaces, wetlands and conservation land; however, has not specifically called out dedicated recreational public use land(s).

za) Location of dedicated recreational public use land(s) proposed

CLD/KMG

ab) Detailed designs of bridges and culverts

zb) Typical roadway cross-section, road profile, stationing and curve data, etc.



ab) Waiver requested for exceeding outlined 1,000' cul-de-sac length. Centerline horizontal curve data and cross sections not provided. (Two typical sections and five box culvert sections provided.)

Applicant
Initials

ac) Proposed location of water supply and sewage disposal systems, including perc test data, test pit logs and locations; wells, (proposed and existing) 75' protective well radii and attached copies of any required well protection easements.

ad) All notes from plats

ae) Buffers as required by subdivision regulations

af) Soil types and boundaries. Note: if site contains marginal or questionable soils, a High Intensity Soil Survey (HISS) may be deemed necessary to submit as part of the application. Said HISS, if required, shall be performed by a State of New Hampshire certified Soil Scientist, who shall affix his/her stamp and signature shall be inscribed on the plan.

ag) Wetlands (and poorly-drained and very poorly-drained soils), also identified as Class 5 and Class 6 High Intensity Soil Survey (HISS soils), and permanent and seasonal wetlands shall be identified on the plan by a New Hampshire certified Wetland or Soil Scientist, who shall affix his/her stamp and signature to the respective plan.

ah) Easements, existing and proposed

ai) State of New Hampshire engineer's seal, signature, surveyor's seal, and signature

aj) Error of closure (1 in 10,000 or better)

ak) Drafting errors/omissions

al) Note outlining phasing schedule

am) Narrative description stating the purpose, location, long range plans impacts on traffic, schools and utilities

an) Aerial photograph of site and area within 200 feet of the subdivision parcel

ao) Fiscal impact study

ap) Traffic study

aq) Drainage calculations and supporting data

Staff

Initials

Wills Showon
RANSO Plans

ac) No well radii protection easements for overlap onto adjacent parcels outside building setback lines shown.

[Signature]
CLD/KMG
CLD/KMG

af) Regulation was repealed in 2010. Soil types indicated, no HISS was provided.

will showon
Revised Plans
CLD/KMG
CLD/KMG

ah) The applicant has not shown easements for all work to be performed outside typical Right-of-Way.

ai) The survey stamped Sheet 24 in the top left corner, not the provided title block.

[Signature]
CLD/KMG
CLD/KMG

al) Construction schedule provided, waiver requested for lot phasing schedule.

CLD/KMG

ao) Not received for review.

W
CLD/KMG
CLD/KMG

Applicant
Initials

Staff
Initials

_____ ar) Copies of any proposed or existing easements, covenants, deed restrictions, right of way agreements or other similar documents
_____ as) Copy of applicable Town, State, Federal approval/permits to include but not limited to the following:

PMW/MLC
APPL/ST POK

ar) No deed or easement documents received for review.
as) New Hampshire Department of Environmental Services (NHDES) Alteration of Terrain (AoT) Permit, NHDES Dredge and Fill Permit (Wetland) and NHDES Subdivision Permits were noted as pending on the Plan Set. Dredge and Fill (Wetland) and AoT Permit applications were received for review.

- sewer application
- flood plain permit
- wetlands special exception
- variance
- erosion control permit (149:8a)
- WSPCC subdivision approval (septic)
- dredge and fill permit
- curb cut/driveway permit
- shoreland protection certification in accordance with RSA483-B
- if applicable, review application with Lower Merrimack River Local Advisory Committee (LMRLAC) and attach LMRLAC project comments hereto.

MLC
APPL/ST POK

- at) Off-site agreement(s)
- au) Presentation plan (colored, with color coded bar chart)
- av) Fees paid to clerk
- aw) Plans that include relocation of lot lines shall clearly delineate the former (old) lot lines from proposed (new) lot lines

- at) Not received.
- au) Requires Town action.
- av) Requires Town action.

Any and all items may be waived under the purview of the Planning Board.

C

SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

Map 186, Lot 24
Map 194, Lot 9&10

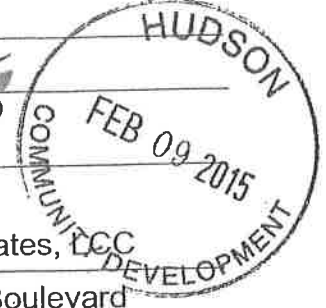
Date of Application: February 9, 2015 Tax Map # _____ Lot # Map 195, Lot 1

Name of Project: ~~Eagles Nest Estates~~

Zoning District: _____
(For Town Use)

General SB# 02-15
(For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014



PROPERTY OWNER:

Name: Eagles Nest Estates, LCC
Address: 21 Continental Boulevard
Address: Merrimack, NH 03054
Telephone # (603) 321-1946
Fax # _____
Email: johngargasz@gmail.com

DEVELOPER:

Eagles Nest Estates, LCC
21 Continental Boulevard
Merrimack, NH 03054
(603) 321-1946

johngargasz@gmail.com

PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc
Address: 10 Commerce park North, Suite 3
Address: Bedford, New Hampshire 03110

Telephone # (603) 627-2881
Fax # (603) 627-2915
Email: jmerritt@keachnordstrom.com

PURPOSE OF PLAN:

Proposed 65 lot open space residential development. Project includes a proposed lot line adjustment between Map 186 Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open space residential lots.

(Revised)

(FOR TOWN USE) 2-24-15

Plan Routing Date: 2-10-15 Sub/Site Date: 2-3-15 @ 10:00 AM
Duxton mtg. 11m

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

EZO Title: TOWN ENGINEER Date: 2/17/15
 (Initials)

DEPT: Zoning ~~Engineering~~ Assessor Police Fire Planning
 Consultant Highway Department

Fees Paid _____

Dhima, Elvis

From: Dhima, Elvis
Sent: Tuesday, February 17, 2015 9:25 AM
To: Cashell, John
Cc: O'Brien, John; Buxton, Robert; Anthony Basso; Lavoie, Pam; Desmond, Kevin; Forrence, Jess; Burns, Kevin; 'Heidi Marshall'
Subject: Eagle's Nest Estate Technical Review

John

Below are my comments for the development listed above

1. It is unrealistic to assume that the access roads and gates will be maintained and operational, especially during winter months. Auto turn templates need to be provided to show if the geometry of the access roads allows 45 foot fire trucks to get in and out, especially at Kara's Crossing. Access roads should be full width (24 feet wide) and permanent entries to the development. All proposed roads should remain private due to the steep slopes and layout.
2. Drainage basins throughout the development don't have access paths which will make maintenance an issue. All drainage features should remain private.
3. State that all fire sterns will remain private. The town will not take ownership of these structures.
4. Portion of proposed Franklin Street is shown within state ROW. Provide easement.
5. Show that a fire truck front and back overhang clears the sag portion on the profile, sheet 40, 47 and 49.
6. Check guardrail requirements for areas along station 15+00 to 17+50, 30+00 to 31+00, 74+00 75+50.
7. Proposed access road to Kara's Crossing is shown in front of proposed lot 46. It's unclear how the proposed driveway of this lot is going to layout out in relation to the access road. What's going to prevent the future resident from parking on his driveway and the emergency access road?

In summary , the proposed temporary access roads should be permanent entries to the development in order to address the access and safety issue. With that said my recommendation to the planning board is not to approve this subdivision at this time.

Thank you

Elvis

Elvis Dhima, P.E.
Town Engineer

Town of Hudson, NH
12 School Street

Lavoie, Pam

From: Dhima, Elvis
Sent: Tuesday, February 17, 2015 9:25 AM
To: Cashell, John
Cc: O'Brien, John; Buxton, Robert; Anthony Basso; Lavoie, Pam; Desmond, Kevin; Forrence, Jess; Burns, Kevin; Heidi Marshall
Subject: Eagle's Nest Estate Technical Review

John

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Thank you

Elvis

Elvis Dhima, P.E.
Town Engineer

Town of Hudson, NH
12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Mobile: (603) 318-8286





TOWN OF HUDSON

FIRE DEPARTMENT

39 FERRY STREET, HUDSON, NEW HAMPSHIRE 03051



Emergency 911
Business 603-886-6021
Fax 603-594-1164

Robert M. Buxton
Chief of Department

TO: John Cashell
Town Planner

FR: Robert M. Buxton
Fire Chief

DT: March 1, 2015

RE: Eagles Nest Subdivision Map 186 Lot 20-4 & 24, Map 194, Lots 9 & 10, Maps 195, Lot 1 and Map 201, Lot 7

A subdivision plan review was completed for the Eagles Nest Development, Map 186 Lot 20-4 & 24, Map 194, Lots 9 & 10, Map 195, Lot 1 and Map 201, Lot 7. This review was completed using plans dated January 7, 2015.

The following is a list of subdivision plan concerns for this project:

1. The proposed subdivision does not have a second means of access, as required by NFPA 1141.
 - The Fire Department does note that the applicant has proposed two emergency access roads. We believe that for the most efficient delivery of service to the development that the proposed connection to Kara Crossing should be the permanent through way. This through way would be the primary response path for the apparatus responding from the Robinson Road Station. The second emergency access road that connects to Hawk View Road should be constructed to full street width. We would find it acceptable to only pave to a 20' width. We would also prefer that there be one gate on this roadway.
2. The street addresses will need to be obtained from the Hudson Fire Department before the issuance of any building permits.
3. The Hudson Fire Department does not see any conflict with the proposed street names put forward by the developer. They should be formally adopted prior to the issuance of any building permits.
4. Driveways and road surfaces shall not exceed a grade of 10% without mitigation measures being agreed upon with the Hudson Fire Department, as required by NFPA 1141.
5. The proposed cistern locations and sizes are acceptable to the Fire Department. We request that the developer provide the Fire Department with construction details for the

**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Map 186, Lot 24
Map 194, Lot 9&10

Date of Application: February 9, 2015 Tax Map # _____ Lot # Map 195, Lot 1

Name of Project: Eagles Nest Estates

Zoning District: _____
(For Town Use)

General SB# 02-15
(For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014



PROPERTY OWNER:

Name: Eagles Nest Estates, LCC
Address: 21 Continental Boulevard
Address: Merrimack, NH 03054
Telephone # (603) 321-1946
Fax # _____
Email: johngargasz@gmail.com

DEVELOPER:

Eagles Nest Estates, LCC
21 Continental Boulevard
Merrimack, NH 03054
(603) 321-1946

johngargasz@gmail.com

PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc
Address: 10 Commerce park North, Suite 3
Address: Bedford, New Hampshire 03110

Telephone # (603) 627-2881
Fax # (603) 627-2915
Email: jmerritt@keachnordstrom.com

PURPOSE OF PLAN:

Proposed 65 lot open space residential development. Project includes a proposed lot line adjustment between Map 186 Lot 24 and Map 186; Lot 20-4. The newly adjusted Map 186, Lot 24 will be consolidated with Map 194, Lots 9 & 10, Map 195, Lot 1, and Map 201, Lot 7. The consolidated tract will then be subdivided into 65 open space residential lots.

(FOR TOWN USE)

Plan Routing Date: 2-10-15 Sub/Site Date: 3-3-15 @ 10:00 AM

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

KD Title: ROAD DEPT Date: 2/17/15
(Initials)

DEPT:

Zoning Engineering Assessor Police Fire Planning

Consultant Highway Department

Fees Paid _____

Burns, Kevin

From: Burns, Kevin
Sent: Wednesday, February 11, 2015 7:37 AM
To: Cashell, John
Cc: Dhima, Elvis; Webster, Gary; Buxton, Robert; 'abasso@keachnordstrom.com'
Subject: Eagles Nest Estates

John,

I received the plans for Eagles Nest Estates. Right now I have no time to thoroughly review this plan, but I want to go on the record as opposing it. First this is a steep project with 7% grades. Maximum allowed, yes, but a constant problem in the winter with busses. To allow this project to proceed with these emergency access roads and gates is a long term expense and headache. Who is paying the electric bill for those? Who is paying to fix them? Plus the access road is too narrow to for two way traffic in case the other end of the street is impassable.

Cul-de-sacs are very time consuming during snow removal. If approved with these gates, we are basically throwing out the regulations and saying we want a community of dead end streets, because that's what people want and they sell better. Public safety and long term maintenance cost be damned. Once you allow an exception for one developer like this, everyone will want the same thing, and we will be stuck with them.

In closing, in my opinion, if this project is approved and build as it is proposed now, in ten years people will be saying how in the hell did something like this ever get approved!!! As for the my experience with these emergency access points we already have, they basically no longer exist.

I have copied the developers engineer on this as well.

Kevin Burns

Road Agent

Tel. 603 886-6018

Fax. 603 594-1143



**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Map 186, Lot 24
Map 194, Lot 9&10

Date of Application: February 9, 2015 Tax Map # _____ Lot # Map 195, Lot 1

Name of Project: Eagles Nest Estates

Zoning District: _____
(For Town Use)

General SB# 02-15
(For Town Use)



ZBA Action: Wetland Special Exception - 10/23/2014

PROPERTY OWNER:

Name: Eagles Nest Estates, LCC
Address: 21 Continental Boulevard
Address: Merrimack, NH 03054
Telephone # (603) 321-1946
Fax # _____
Email: johngargasz@gmail.com

DEVELOPER:

Eagles Nest Estates, LCC
21 Continental Boulevard
Merrimack, NH 03054
(603) 321-1946

johngargasz@gmail.com

PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc
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Address: Bedford, New Hampshire 03110

Telephone # (603) 627-2881
Fax # (603) 627-2915
Email: jmerritt@keachnordstrom.com

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(Revised)

(FOR TOWN USE)	
Plan Routing Date: <u>2-10-15</u>	Sub/Site Date: <u>2-24-15 @ 10:00 AM</u> <u>Duxton mtg 1PM</u>
<input type="checkbox"/> I have no comments	<input checked="" type="checkbox"/> I have comments (attach to form)
(Initials) <u>Jm</u> Title: <u>Asst. Assessor</u>	Date: <u>2-19-15</u>
DEPT:	
<input type="checkbox"/> Zoning	<input type="checkbox"/> Engineering
<input type="checkbox"/> Assessor	<input type="checkbox"/> Police
<input type="checkbox"/> Fire	<input type="checkbox"/> Planning
<input type="checkbox"/> Consultant	<input type="checkbox"/> Highway Department
Fees Paid _____	

Awaiting assistance from Keach Nordstrom for map/lot assignments, memo to follow.

3A

Page 8 of 16
Rev. Feb. 2013

Jm

**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Map 186, Lot 24
Map 194, Lot 9&10
Map 195, Lot 1

Date of Application: February 9, 2015 Tax Map # _____ Lot # _____

Name of Project: Eagles Nest Estates

Zoning District: _____
(For Town Use)

General SB# 02-15
(For Town Use)

ZBA Action: Wetland Special Exception - 10/23/2014



PROPERTY OWNER:

Name: Eagles Nest Estates, LCC
Address: 21 Continental Boulevard
Address: Merrimack, NH 03054
Telephone # (603) 321-1946
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PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc
Address: 10 Commerce park North, Suite 3
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Telephone # (603) 627-2881
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Email: jmerritt@keachnordstrom.com

PURPOSE OF PLAN:

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(Revised)

(FOR TOWN USE)

Plan Routing Date: 2-10-15 Sub/Site Date: 2-24-15 @ 10:00 AM
Duxton mtg. 11 AM

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

[Signature] Title: LIEUTENANT Date: 2/20/15
(Initials)

DEPT:
 Zoning Engineering Assessor Police Fire Planning
 Consultant Highway Department

Fees Paid _____

Return to:

"D"

CISTERN EASEMENT
(Eagles Nest Estates)

Eagles Nest Estates, LLC, a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the "Grantor"), for consideration paid, grant to the **Town of Hudson**, a New Hampshire municipal corporation, with a mailing address of c/o Town Hall, 12 School Street, Hudson, Hillsborough County, New Hampshire 03051 (the "Grantee"), with WARRANTY COVENANTS, the following:

The perpetual right and easement to install, operate and maintain cisterns (for fire protection purposes) upon and under certain land situated in Hudson, Hillsborough County, New Hampshire, shown as (i) Proposed Cistern Easement (see _____) ("Cistern Easement ___") and (ii) Proposed Cistern Easement (see _____) ("Cistern Easement ___") on a plan entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"); and reference to which may be made for more particular descriptions (collectively, the "Easement Areas").

Cistern Easement ___ is located on Lot ___ as shown on the Plan and Cistern Easement ___ is located in part on Lot ___ as shown on the Plan.

This easement is conveyed together with the right to pass and repass, by foot and by vehicles, over the Easement Areas to effect the purposes herein.

The Grantor reserves the right to fully use the Easement Areas except for such uses which would materially and adversely affect the Grantee's rights hereunder. Without limitation to the foregoing, the Grantor may construct driveways in the Easement Areas to service residential dwellings, install and use utility poles, lines, equipment and appurtenances (on, above or below ground), install mailboxes, house signs and other signs permitted under the ordinances of the Town of Hudson and keep and maintain the Easement Areas as a lawn or in such other state as is customary for residential properties.

The Grantor reserves the right to convey easements over, under and through the Easement Areas to the Town of Hudson and/or utility companies to provide utilities services customary for residential dwellings and to convey easements to the Town of Hudson for slopes and embankments and drainage facilities relative to the establishment of any public road adjacent to the Easement Areas.

The Grantor reserves the right to maintain and remove, as necessary, trees and other vegetation in the Easement Areas so long as the same does not materially and adversely affect the Easement Areas for the purposes herein granted.

The Grantee shall use good construction practices and act diligently in undertaking any work, maintenance or repairs in the Easement Areas.

All activities undertaken by either party hereunder shall be done in a manner so as to minimize disturbance of the Easement Areas and prevent soil erosion therefrom.

Each party may enforce his or its rights hereunder by any proceedings available at law or in equity, including seeking the remedies of specific performance and mandatory injunction. This easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, successors-in-title and assigns.

The Grantor hereby subordinate their homestead rights, if any, to this easement.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed this ____ day of _____, 2015.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargas, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015 by John M. Gargas, Manager of Eagles Nest Estates, LLC, on behalf of the Company.

Justice of the Peace/Notary Public
My Commission Expires:

Return to:

"E"

EASEMENT DEED
(Eagles Nest Estates - Drainage)

Eagles Nest Estates, LLC, a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the "Grantor"), for consideration paid, grant to the **Town of Hudson**, a New Hampshire municipal corporation, with a mailing address of c/o Town Hall, 12 School Street, Hudson, Hillsborough County, New Hampshire 03051 (the "Grantee"), with WARRANTY COVENANTS, the following:

The perpetual right and easement to (i) drain storm and surface waters and install, maintain, replace, repair and use open and/or closed drainage systems and appurtenances and (ii) install, maintain, replace, repair and use storm water detention basins, sediment forebays, permanent pools and related improvements and appurtenances for the management of storm and surface waters on and under the Easement Areas (defined below).

The "Easement Areas" are the certain area of land situated in Hudson, Hillsborough County, New Hampshire, along Bush Hill Road, Franklin Street, Standish Lane, and Warren Road and shown as the Proposed Drainage Easements on a plan set entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"); and more particularly described in Exhibit A attached.

The Grantee shall have the right to install, maintain, replace, repair and use on and under the Easement Area such drainage installations (including but not limited to underground drainage pipes, rip-rap outlets, storm water detention basins, sediment forebays and permanent pools), together with a gravel maintenance road to access the Drainage Area on Open Space Lot F, all as contemplated by the Plan (and the unrecorded sheets of the plan set relating to the Plan).

In connection with the exercise of its rights of above, the Grantee may cut, trim and maintain the grass areas, trees, bushes and improvements in the Easement Area. In exercising its rights under this easement, the Grantee shall use good construction practices and act diligently in

undertaking any work, including any maintenance, replacements and repairs. The Grantee shall restore forthwith any areas disturbed.

The Grantor reserves the right to use the Easement Area except for any such uses which would materially and adversely affect the Grantee's rights hereunder.

The Grantor reserves the right to convey easements over, under and through the Easement Area to the Town of Hudson and utility companies to provide utility services customary for residential dwellings.

This Easement is subject to the Cistern Easement, and Access and Utility Easements established and recorded by the Grantor of near or even date.

The Grantor and the Grantee may enforce their and its rights under this easement by any proceedings available at law or equity including by seeking the remedies of specific performance and mandatory injunction.

This easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, successors-in-title and assigns.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed this ____ day of _____, 2015.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargas, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015 by John M. Gargas, Manager of Eagles Nest Estates, LLC, on behalf of the Company.

Justice of the Peace/Notary Public
My Commission Expires:

EXHIBIT A

The "Easement Areas" are the certain area of land situated in Hudson, Hillsborough County, New Hampshire, along Bush Hill Road, White Service Road, Standish Lane, and Warren Road and shown as the Proposed Drainage Easements on a plan set entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"); and more particularly described as follows:

Open Space Lot A

Open Space Lot A and Lot 18

Open Space Lot A (Hawkview Road Access Area)

Open Space Lot B

Open Space Lot C

Open Space Lot E (Kara's Crossing Drive – Access Area)

Open Space Lot F

Return to:

"F"

**DECLARATION OF SIGHT DISTANCE EASEMENTS
Eagles Nest Estates Subdivision**

This Declaration of Sight Distance Easement is made this ____ day of _____, 2015, by **Eagles Nest Estates, LLC**, a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the "Declarant").

RECITALS

WHEREAS, the Declarant is the owner of all of the lots in a certain open space development known as the Eagles Nest Estates Subdivision in Hudson, Hillsborough County, New Hampshire (the "Subdivision"), more particularly shown on the plan entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"); and

WHEREAS, throughout the Subdivision Declarant is proposing Sight Distance Easements as shown on the Plan and as required by the Planning Board of the Town of Hudson to provide safe site distances for vehicular traffic; and

WHEREAS, Declarant desires to burden those lots of the Subdivision as listed below for the benefit of those lots listed below with the use restrictions herein described.

NOW, THEREFORE, in consideration of the benefits being granted herein to the future lot owners, and in consideration of the benefits reserved by or anticipated by the Declarant, the Declarant hereby declares and imposes sight distance easements, for the benefit thereof and for the benefit of the Lot Owners, the following covenants and restrictions, subject to the terms and conditions hereof:

1. List of Burdened and Benefitted Lots. The following Burdened Lots are subject to the sight distance easement as shown on the Plan for the benefit of the corresponding Benefitted Lots.

<u>BURDENED LOT(S)</u>	<u>BENEFITTED LOT(S)</u>
Lots 3, 4, 5	Lots 1, 2, 3, 4, 5, 6
Lot 9	Lots 8, 10
Lot 11	Lot 12
Lot 21, 22, 23, 24	Lots 21, 22, 23, 24, 25
Lots 34, 35	Lots 34, 35, 36
Lot 45	Lot 46
Lots 50, 51, 52, 53	Lots 39, 40, 41, 42, 43, 51, 52, 53
Lots 59, 60, 61	Lots 30, 31, 34, 58, 59, 60, 61
Lot 63	Lot 64
Open Space Lot D	Lots 1, 4, 5

2. Sight Distance Easement Upon Lot 11 to Benefit the Town of Hudson. Lot 11 is subject to and burdened by a sight distance easement to benefit the **Town of Hudson** to maintain appropriate sight distances for the intersection Standish Lane and Warren Road.

3. Sight Distance Easement on Lot 63 to Benefit Future Subdivision of Tax Map 194, Lot 9. Declarant has reserved the right to further subdivide Tax Map 194, Lot 9. Lot 63 may be burdened by this Sight Distance Easement as necessary to accommodate the future lots.

4. Use Restrictions. The Owners of the Burdened Lots are prohibited from planting trees, shrubs, bushes, or installing any structure, fence, or other obstructions within the Sight Distance Easement areas in order to maintain the 400' roadway sight distances required by the Town of Hudson. The owners of the Benefitted Lots shall have the right to enter the Sight Distance Easement areas of the corresponding Burdened Lots with workers, equipment, and materials in order to survey, inspect, and maintain the Sight Distance Easement Areas in order to carry out the easement purposes. Any work performed in the Sight Distance Easement areas by the owners of the Benefitted Lots shall be done in a professional and workman like manner.

This Declaration of Sight Distance Easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, successors-in-title, and assigns. The

appropriate party may enforce their or its rights under this Sight Distance Easement by any proceedings available at law or equity including remedies of specific performance and mandatory injunction.

The Declarant has caused this instrument to be duly executed the date first set forth above.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargasz, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015, by John M. Gargasz, Manager of Eagles Nest Estates, LLC, a New Hampshire limited liability company, on its behalf.

Justice of the Peace/Notary Public
My Commission Expires:
Print Name:

Return to:

↓ G ↑

CONSERVATION EASEMENT
(Eagles Nest Estates)

Eagles Nest Estates, LLC, a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the “Grantor”), for consideration paid, grant to the **Town of Hudson**, a New Hampshire municipal corporation, with a mailing address of c/o Town Hall, 12 School Street, Hudson, Hillsborough County, New Hampshire 03051 (the “Grantee”), with WARRANTY COVENANTS, the following:

A permanent easement for conservation and preservation purposes, in and to certain land situated off of Bush Hill Road, Franklin Street, Standish Lane, and Warren Road, all as shown on the plan entitled “Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County,” prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the “Plan”). The “Easement Area” are those portions of the Lots listed on Exhibit A as shown on the Plan.

Grantor hereby conveys to grantee a conservation and preservation easement with respect to the Easement Area for the purpose of granting to Grantee the right to protect, conserve and preserve the existing natural conditions and resources of the Easement Area, subject to the following terms, conditions, rights, covenants and restrictions:

1. Except as expressly permitted under this Easement, no structure or improvement shall be constructed, placed or introduced within the Easement Area, nor shall there be any changes in the topography, surface or subsurface water systems, wetlands or other characteristics of the Easement Area.

2. Except as expressly permitted under this Easement, there shall be no mining, quarrying, excavation or removal of rocks, minerals, gravel, sand, topsoil, plant life or other similar material or wildlife from the Easement Area.

3. Except as expressly permitted under this Easement, there shall be no tree cutting, grass cutting or removal within the Easement Area, without the written consent of the Conservation Commission of the Town of Hudson.

Notwithstanding the foregoing, Grantor reserves for itself, its successors and assigns, the rights to install wells, water and well lines, and all associated equipment and machinery in the Easement Areas on Lots 1 and 2 of the subdivision.

Notwithstanding the foregoing, Grantor and its successors and assigns may undertake the following activities with the Easement Area:

Diseased, damaged or dead trees or other plant life may be removed from the Easement Area, if such vegetation affects land abutting the Easement Area or immediately threatens said wetland or its buffer. Grantor shall notify Grantee in writing 20 days prior to the undertaking of such activities. Notice shall describe the nature, slope, design, location, timetable, plant species detail and any other aspects of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency with the purpose of this Easement. Grantee will contact Grantor by mail within 10 days of original notification for need of further detail, if s/he deems the work unnecessary and/or with permission to proceed.

Grantor and its successors and assigns may maintain the Easement Area consistent with the purposes hereof.

No rights are granted to the general public pursuant to this Conservation Easement.

Grantee is hereby granted reasonable access to the Easement Area to inspect the Easement Area, as it may deem necessary, to enforce the terms and conditions hereof and exercise its rights hereunder, and to fulfill the responsibilities and duties imposed upon it and assume by it by its acceptance of this Conservation Easement.

Either party may enforce its rights hereunder by a proceeding available at law or equity, including by seeking the remedies of specific performance and mandatory injunction.

This Easement shall be binding upon and inure to the benefits of Grantor and Grantee and their successors, successors-in-title and assigns. The benefit of the restrictions and rights established hereunder in favor of Grantee shall not be appurtenant to any particular parcel of land and shall be assignable by Grantee to any appropriate governmental entity or body whose primary purpose includes the conservation of land.

The foregoing conveyance is excepted from and not subject to the New Hampshire real estate transfer tax pursuant to RSA 78-B, I and IX.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed this _____ day of _____, 2015.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargasz, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015, by John M. Gargasz, Manager of Eagles Nest Estates, LLC, a New Hampshire limited liability company, on its behalf.

Justice of the Peace/Notary Public
My Commission Expires:
Print Name:

EXHIBIT A

The Easement Areas described in this Conservation Easement are shown on "Proposed Conservation Easements" on the following lots as shown on the plan entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"):

Lots 1, 2, 3, 7, 8, 10, 13, 14, 17, 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 43, 44, 45, 46, 47, 48, 49, 54, 55, 56, 57, 61, 62, 65.

Return to:

"H"

ACCESS AND UTILITY EASEMENTS
(Eagles Nest Estates)

Eagles Nest Estates, LLC, a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the "Grantor"), for consideration paid, grant to the **Town of Hudson**, a New Hampshire municipal corporation, with a mailing address of c/o Town Hall, 12 School Street, Hudson, Hillsborough County, New Hampshire 03051 (the "Grantee"), with WARRANTY COVENANTS, the following:

The perpetual right and easement to access, by vehicular and foot traffic, upon and under certain land situated in Hudson, Hillsborough County, New Hampshire shown as "Proposed Access & Drainage Easement for the Benefit of the Town of Hudson" to access Hawkview Road Access Area on Open Space Lot A and "Proposed Access Easement for the Benefit of the Town of Hudson and Lot 46" to access Kara's Crossing Drive Access Area on Lot 46 and Open Space Lot E, and on a plan entitled "Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County," prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the "Plan"). The Easement Areas are further described in Exhibit A.

The Grantor reserves the right to fully use the Easement Areas except for such uses which would materially and adversely affect the Grantee's rights hereunder.

The Grantor reserves the right to convey easements over, under and through the Easement Areas to the Town of Hudson and/or utility companies to provide utilities services customary for residential dwellings and to convey easements to the Town of Hudson for slopes and embankments and drainage facilities relative to the establishment of any public road adjacent to the Easement Areas.

The Easement Areas are subject to Drainage Easements pursuant to the Drainage Easement recorded contemporaneously to these Access and Utility Easements and as shown on the Plan.

Grantor reserves the right to install and maintain a driveway from the emergency access road to Lot 46 within the Kara's Crossing Drive Easement Area.

The Grantor reserves the right to maintain and remove, as necessary, trees and other vegetation in the Easement Areas so long as the same does not materially and adversely affect the Easement Areas for the purposes herein granted.

The Grantee shall maintain the access roads and emergency gates within the Easement Areas. The access roads are not dedicated and shall not become public roadways.

The Grantee shall use good construction practices and act diligently in undertaking any work, maintenance or repairs in the Easement Areas.

The Grantee, its successors and assigns, shall have the right to install and maintain public utilities as grantee determines necessary for the public good including but not limited to drainage infrastructure.

All activities undertaken by either party hereunder shall be done in a manner so as to minimize disturbance of the Easement Areas and prevent soil erosion therefrom.

Each party may enforce his or its rights hereunder by any proceedings available at law or in equity, including seeking the remedies of specific performance and mandatory injunction. This easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, successors-in-title and assigns.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed this ____ day of _____, 2015.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargas, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015 by John M. Gargas, Manager of Eagles Nest Estates, LLC, on behalf of the Company.

Justice of the Peace/Notary Public
My Commission Expires:

EXHIBIT A

- Metes and Bounds description – Kara’s Crossing Drive Access Area
- Metes and Bounds description – Hawkview Road Access Area

Return to:



ACCESS AND UTILITY EASEMENT
(Eagles Nest Estates – Kelly A. Trudel)

Kelly A. Trudel, 11 Kara’s Crossing Drive, Hudson, New Hampshire 03051 (the “Grantor”), for consideration paid, grant to the **Town of Hudson**, a New Hampshire municipal corporation, with a mailing address of c/o Town Hall, 12 School Street, Hudson, Hillsborough County, New Hampshire 03051 (the “Grantee”), with WARRANTY COVENANTS, the following:

The perpetual right and easement to access, by vehicular and foot traffic, upon and under certain land situated in Hudson, Hillsborough County, New Hampshire shown as the “Proposed Access & Drainage Easement for the Benefit of the Town of Hudson,” to access Kara’s Crossing Drive on the southern portion of Tax Map 186, Lot 20-4 as shown on a plan entitled “Lot Line Adjustment Plan, Eagles Nest Estates, Map 186, Lot 20-4 & 24, Speare Road & Kara’s Crossing Drive, Hudson, New Hampshire, Hillsborough County,” prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the “Plan”). The Easement Area is further described in Exhibit A.

The Grantor reserves the right to fully use the Easement Areas except for such uses which would materially and adversely affect the Grantee’s rights hereunder.

The Grantor reserves the right to convey easements over, under and through the Easement Areas to the Town of Hudson and/or utility companies to provide utilities services customary for residential dwellings and to convey easements to the Town of Hudson for slopes and embankments and drainage facilities relative to the establishment of any public road adjacent to the Easement Area.

The Grantor reserves the right to maintain and remove, as necessary, trees and other vegetation in the Easement Area so long as the same does not materially and adversely affect the Easement Area for the purposes herein granted.

The Grantee shall maintain the access road and emergency gate within the Easement Area. The access road is not dedicated and shall not become a public roadway.

The Grantee shall use good construction practices and act diligently in undertaking any work, maintenance or repairs in the Easement Area.

The Grantee, it successors and assigns, shall have the right to install and maintain public utilities as grantee determines necessary for the public good including but not limited drainage infrastructure.

All activities undertaken by either party hereunder shall be done in a manner so as to minimize disturbance of the Easement Area and prevent soil erosion therefrom.

Each party may enforce her or its rights hereunder by any proceedings available at law or in equity, including seeking the remedies of specific performance and mandatory injunction. This easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, successors-in-title and assigns.

A portion of the Easement Area is subject to an existing Drainage Easement as shown on HCRD Plan No. 35553.

Grantor subordinates her homestead rights to this Access and Utility Easement.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed this ____ day of _____, 2015.

Witness

Kelly A. Trudel

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015 by Kelly A. Trudel.

Justice of the Peace/Notary Public
My Commission Expires:

EXHIBIT

- Metes and Bounds description of M186 L20-4 access area

Return to:
Prunier & Prolman, P.A.
Account No. 026



EAGLES NEST ESTATES HOMEOWNERS ASSOCIATION

BY-LAWS

ARTICLE I

Definitions

Section 1. “Association” shall mean and refer to the Eagles Nest Estates Homeowners Association, a nonprofit corporation organized and existing under the laws of the State of New Hampshire.

Section 2. “The Properties” shall mean and refer to those described in the Articles of Association and such additions thereto as may hereafter be brought within the jurisdiction of the Association by further subdivision as provided in the *Declaration of Covenants, Restrictions, (Open Space – Eagles Nest Estates Subdivision)* (the “Declaration”), recorded contemporaneously with these By-Laws.

Section 3. “Common Properties” shall mean and refer to that area of land designated to be used as a Open Space on the recorded subdivision plan entitled “Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County,” prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the “Plan”).

Section 4. “Developer” shall mean Eagles Nest Estates, LLC, and its successor or assigns.

Section 5. “Lot” shall mean a single lot within the Eagles Nest Estates Subdivision as shown on the Plan.

ARTICLE II

Principal Office

The principal office of the Association shall be located in Hudson, New Hampshire.

ARTICLE III

Membership

Section 1. Every person or entity who is a record owner of a fee or undivided fee interest in any Lot, which is subject by covenants of record to assessment by the Association shall be a member of the Association, provided that any such person or entity who holds such interest merely as a security for the performance of any obligation shall not be a member.

Section 2. The rights of membership are subject to the obligation to make payment of annual and special assessments levied by the Association, the obligation of which assessments are imposed against each owner and becomes a charge upon the property against which such assessments are made as provided in Declaration to which the properties are subject and which is recorded herewith at the Hillsborough County Registry of Deeds.

Section 3. The membership rights of any person whose interest in The Properties is subject the assessments under Article, Section 2, whether or not he be personally obligated to pay such assessments, may be suspended by action of the Directors during the period when the assessments remain unpaid; but upon payment of such assessments, his rights and privileges shall be automatically restored. If the Directors have adopted and published rules and regulations governing the use of the Common Properties and facilities, and the personal conduct of any person thereon, as provided in the Declaration, the Directors may in their discretion suspend the rights of any such person for violation of such rules and regulation for a period not to exceed thirty (30) days and/or assess fines for violations or serious infractions against said member.

Section 4. The Association shall have two classes of voting membership:

CLASS A. Class A members shall be all those owners as defined in Section 1, with the exception of the Developer. Class A members shall be entitled to one vote for each Lot in which they hold the interest required for membership in Section 1. When more than one person holds such interest or interests in any Lot, all such persons shall be members and the vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such Lot.

CLASS B. The Class B member shall be the Developer. The Class B member shall be entitled to three (3) votes for each Lot in which it holds the interest required for membership in Section 1, provided that Class B membership in each Lot, shall cease and become converted to

Class A membership on the happening of either of the following events, whichever occurs earlier:

- a. On December 31, 2_____; or
- b. When Developer sells or transfers the specific Lot.

ARTICLE IV

Membership Rights

Section 1. Each member shall be entitled to the use and enjoyment of the Common properties and facilities as provided by the Declaration of Covenants applicable to The Properties.

Section 2. Any member may delegate his rights of enjoyment in the Common Properties and facilities to the members of his family who reside upon The Properties, or to any of his tenants or guests. Such member shall notify the Secretary in writing of the name of any such person and of the relationship of the member to such person. The rights and privileges of persons are subject to suspension under Article III, Section 2, to the same extent as those of the member.

ARTICLE V

Board of Directors

Section 1. The initial Board of Directors shall be elected at the organization meeting. The Board of Directors shall, when development is completed, consist of Lot owners.

Section 2. Vacancies in the Board of Directors shall be filled by a majority of the remaining directors whether or not a quorum, any such appointed Director to hold office until his successor is elected by the members, who may make such election at the next annual meeting or at any special meeting duly called for that purpose.

ARTICLE VI

Election of Board Members

Section 1. Election to the Board of Directors shall be by written ballot as hereinafter provided. At such election, the members or their proxies may cast, with respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the recorded covenants applicable to The Properties. The names receiving the largest number of votes shall be elected.

Section 2. Nominations for election to the Board of Directors shall be made by a

nominating committee, which shall be one of the standing committees of the Association, and may be made by any member in writing, not less than twenty five (25) days before the annual meeting.

Section 3. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors and two or more members of the Association. The nominating committee shall be appointed by the Board of Directors not less than sixty (60) days prior to each annual meeting of the members to serve to the close of such annual meeting.

Section 4. The nominating committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies to be filled. Such nominations may be made from among members or non-members, as the Committee in its discretion shall determine. All nominations shall be placed on a written ballot as provided in Section 5 and shall be made in advance of the time fixed in Section 5 for the mailing of such ballots to members. At the first annual meeting of the Unit Owners' Association, three (3) Directors shall be elected. The terms of office of three (3) Directors shall be fixed at one (1) year and the term of office of two (2) Directors shall be fixed at two (2) years. Subject to the provisions of Section 3 above, at the expiration of the initial term of office of each respective director, each successor shall be elected at subsequent annual meetings of the Unit Owners' Association to serve a term of two (2) years. The Directors shall hold office until their respective successors have been elected and hold their first meeting.

Section 5. Each member shall receive one ballot for each vote to which he is entitled. Each ballot shall be mailed and returned separately and the inclusion of more than one ballot in an envelope addressed to the Secretary shall invalidate and disqualify the return. Each return envelope shall bear the name of the member making the return and no name of the member casting the vote shall appear on the ballot itself. In the case of a vote by proxy, the person casting the vote shall indicate on the envelope the name of the member whose vote is being cast by proxy as well as his own name, so that the Board of Directors can check with the proxy on file for validity.

Section 6. Upon receipt of each return the Secretary shall place it in a safe or other locked place, unopened, until the day of the election at which time it will be turned over to an Election Committee, composed of five (5) members appointed by the Board of Directors. Immediately after the announcement of the results of the election, unless a recount or review is demanded by the members present, the ballots and envelopes shall be destroyed.

ARTICLE VII

Duties of the Board

Section 1. Meetings of the Board of Directors shall be called by the President and written notice shall be sent to all directors not less than three (3) days prior to the meeting date.

Section 2. Special Meetings of the Board of Directors shall be held when called by any Officer of the Association or any two (2) directors, after not less than three (3) days notice to

each director.

Section 3. The transaction of any business at any meeting of the Board of Directors, however called or noticed, or wherever held, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is present and, if either before or after the meeting, each of the directors not present signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records and made part of the minutes of the meeting.

Section 4. A majority of the Board of Directors shall constitute a quorum thereof. A majority of a quorum shall be effective to transact business.

ARTICLE VIII

Officers

Section 1. The officers shall be a President, a Vice President, a Treasurer and a Secretary. All the officers shall be members of the Board of Directors except the Secretary.

Section 2. The officers shall be chosen by a majority vote of the Directors.

Section 3. All officers shall hold office during the pleasure of the Board of Directors.

Section 4. The President shall preside at all meetings of the Board of Directors, shall see that orders and resolutions of the Board of Directors are carried out, and shall sign all checks, notes, leases, mortgages, deeds and all other written instruments, provided that such checks and notes shall also be signed by the Treasurer.

Section 5. The Vice President shall perform all duties of the president in his absence.

Section 6. The Secretary shall be ex-officio secretary of the Board of Directors, shall keep record of the votes and the minutes of all proceedings in a book to be kept for the purpose. He shall sign all certificates of membership and shall keep the records of the Association. He shall keep record in a book for that purpose the names of all members of the Association together with their addresses as registered by such members.

Section 7. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors, provided, however, that a resolution by the Board of Directors shall not be necessary for disbursements made in the ordinary course of business conducted within the limits of a budget adopted by the Board. The Treasurer shall sign all checks and notes of the Association, provided that such checks and notes shall also be signed by the President or Vice President.

Section 8. The Treasurer shall keep proper books of account. The Board of Directors

may cause an annual audit to be made of the books of the Association. The Treasurer shall prepare an annual budget and balance sheet statement which shall be presented to the membership at its regular annual meeting.

ARTICLE IX

Committees

The Board of Directors shall appoint as many standing committees as it deems necessary. Unless otherwise provided herein, each committee shall consist of a Chairman and one (1) or more members and shall include a member of the Board of Directors for board contact. The committees shall be appointed prior to the annual meeting to serve until the next annual meeting.

ARTICLE X

Board Meetings

Section 1. The regular annual meeting of the members shall be held in March of each year as the Board of Directors shall determine.

Section 2. Special meetings of the members may be called at any time by any of the Officers individually, or two or more members of the Board of Directors, or upon written request of the members who have a right to vote one-fourth of the votes of the Class A Membership.

Section 3. Notice of any meeting shall be given to the members by the Secretary. Notice may be given to the members either personally or by sending a copy of the notice through the mail at the address appearing on the books of the corporation. Notice of any meeting shall be mailed at least six (6) days in advance of the meeting and shall set forth in general the nature of the business to be transacted, excepting when the meeting is for an election, in which case Article VI shall govern.

Section 4. The presence at the meeting of members entitled to cast, or of proxies entitled to cast one-fifth (1/5) of the votes of each class of membership shall constitute a quorum for any action governed by these By laws. Any action governed by the Articles of Association or the Declaration of Open Space Covenants shall require a quorum as therein provided.

ARTICLE XI

Finances and Assessments

Section 1. The funds of the Association shall be deposited in a bank or banks designated by the Board of Directors.

Section 2. a. Adoption of annual budget. The Board of Directors shall adopt a budget for each calendar year to be presented to the Association at the annual meeting and shall

provide copies of the annual budget to each Unit Owner.

b. The common expense budget shall include:

- (1) maintenance, repair and operation of Common Areas;
- (2) liability and casualty insurance and any other policies carried by the Association;
- (3) administration and management fees including legal and accounting;

Section 3. Payment of Common Expenses and Assessments. All common expenses shall be assessed equally to each Lot owner. Unless otherwise determined by the Board of Directors, each Lot owner shall pay its proportionate share of common expenses and assessments within 30 days of receipt of said assessment.

Section 4. a. Delinquent Payment. In the event any assessment is not paid within thirty (30) days of the date it is due, the Board of Directors shall take all reasonable steps to collect same. Any payment not received within 30 days may be assessed interest at 1/2% per month for each month or portion of a month until payment is made. Each delinquent unit owner shall be responsible for reasonable attorney's fees, interest and costs incurred by the Association resulting from any legal action taken to collect delinquent payments.

b. Delinquent common expenses or assessments shall constitute a lien on the Lot. The Board of Directors shall have the right to record a lien at the Hillsborough County Registry of Deeds for unpaid common expenses and assessments.

ARTICLE XII

Voting; Books and Records

Section 1. At all meetings of members, each member may vote in person or in proxy.

Section 2. All proxies shall be in writing and filed with the Secretary. No proxy shall extend beyond a period of six (6) months, and every proxy shall cease upon sale by the member of his interest in The Properties.

Section 3. The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to the inspection of any members.

Section 4. The Association shall have a seal in circular form having within its circumference the name of the Association and year incorporated.

ARTICLE XIII

Sale by Lot Owner

Section 1. In accordance with RSA 356-A:9-b, in the event any owner resells his or her lot the owner has the right to obtain from the association prior to closing the following:

- (a) A statement of any capital expenditures and major maintenance expenditures anticipated by the property owners' association within the current or succeeding 2 fiscal years;
- (b) A statement of the status and amount of any reserve for the major maintenance or replacement fund and any portion of such fund earmarked for any specified project by the board of directors;
- (c) A copy of the income statement and balance sheet of the property owners' association for the last fiscal year for which such statement is available;
- (d) A statement of the status of any pending suits or judgments in which the property owners' association is a party defendant;
- (e) A statement setting forth what insurance coverage is provided for all property owners by the property owners' association and what additional insurance coverage would normally be secured by each individual property owner; and
- (f) A statement that any improvements or alterations made to the lot, parcel, unit or interest by the prior property owner are not known to be in violation of any restrictions and covenants imposed upon the subdivided lands.
- (g) The principal officer of the property owners' association, or such other officer or officers as the instruments creating such association may specify, shall furnish the statements prescribed by paragraph I upon the written request of any prospective purchaser within 10 days of the receipt of such request.

ARTICLE XIV

Amendments

Section 1. These By-Laws may be amended at a regular or special meeting of the members, by a vote of a majority of a quorum of each class of members present in person or by proxy, provided that those provisions of these By-laws which are governed by the Articles of Association of this Association may not be amended except as provided in the Articles of Association or by applicable law; and further provided that any matter stated herein to be or which is in fact governed by the Declaration may not be amended except as provided in such Declaration.

Section 2. In the case of any conflict between the Articles of Association and these By-Laws, the Articles of Association shall control; and in the case of any conflict between the Declaration referred to in Article I and these By-Laws the Declaration shall control.

Section 3. Notwithstanding any other provision in these By-Laws, Developer has reserved the right to further subdivide Hudson Tax Map 194, Lot 9. Upon approval from the Town of Hudson Planning Board, any additional lots shall become part of the Eagles Nest Estates Home Owners Association and be subject to these By-Laws.

_____, 2015

EAGLES NEST ESTATES, LLC

Witness

John M. Gargas, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015, by John M. Gargas, Manager of Eagles Nest Estates, LLC, a New Hampshire limited liability company, on its behalf.

Justice of the Peace/Notary Public
My Commission Expires:
Print Name:

Return to:

"K"

**DECLARATION OF COVENANTS AND RESTRICTIONS
(Open Space – Eagles Nest Estates Subdivision)**

This Declaration of Covenants and Restrictions (Open Space) is made this ____ day of _____, 2015 by **Eagles Nest Estates, LLC** a New Hampshire limited liability company, 21 Continental Boulevard, Merrimack, New Hampshire 03054 (the “Declarant”).

RECITALS

WHEREAS, the Declarant is the owner of all of the lots in a certain open space development known as the Eagles Nest Estates Subdivision in Hudson, Hillsborough County, New Hampshire (the “Subdivision”), more particularly shown on the plan entitled “Eagles Nest Estates, Map 186, Lots 20-4 & 24; Map 194, Lots 9 & 10; Map 195, Lot 1; and Map 201, Lot 7; Bush Hill Road, Hudson, New Hampshire, Hillsborough County,” prepared by Keach-Nordstrom Associates, Inc. dated January 7, 2015, certain sheets of which are recorded with the Hillsborough County Registry of Deeds Plan No. _____ (the “Plan”); and

WHEREAS, the Subdivision was approved as a so-called Hudson Open Space Development under the land use regulations of the Town of Hudson, including the Town of Hudson Zoning Ordinance and in particular Sections 334-56 thereof (the “OSD Regulations”); and

WHEREAS, parcels of land shown on the Plan as Open Space ‘A’, Open Space ‘B’, Open Space ‘C’, Open Space ‘D’, Open Space ‘E’, Open Space ‘F’ (collectively, the “Open Space”) are designated as common land or open space and constitute the protected open space contemplated under the OSD Regulations; and

WHEREAS, the Declarant has established a New Hampshire voluntary (non-profit) corporation known as the Eagles Nest Estates Subdivision Homeowners’ Association with an initial address of 21 Continental Boulevard, Merrimack, Hillsborough County, New Hampshire 03054 (the “Association”), the primary purpose of which is to manage and maintain the Open Space; and

WHEREAS, the Declarant may convey one or more of sixty-five residential lots as shown on the Plan (collectively, the "Lots" and individually, a "Lot") in the Subdivision to various persons and entities collectively referred to as the ("Lot Owners"), which conveyances will include (as an appurtenant interest to each Lot), a one-sixty-fifth (1/65th) interest in the Open Space, subject to amendments as described below, and

WHEREAS, the Lot Owners will be the members of the Association (the "Members"); and

WHEREAS, the Declarant wishes to impose upon the Open Space certain covenants and restrictions insuring that the Open Space remains protected open space (undeveloped and unsubdivided).

NOW, THEREFORE, in consideration of the benefits being granted herein to the Lot Owners, and in consideration of the benefits reserved by or anticipated by the Declarant, the Declarant hereby declares and imposes upon the Open Space, for the benefit thereof and for the benefit of the Lot Owners, the following covenants and restrictions, subject to the terms and conditions hereof:

1. Property Rights of Lot Owners.

A. The Lot Owner or Lot Owners of any Lot shall acquire and have an undivided interest in the whole of the Open Space. No Lot Owner shall execute any deed, lease, mortgage, or interest or mortgage the title to his Lot without including therein a undivided interest in the Open Space. Any such deed, lease, mortgage, or other instrument purporting to affect such title to one or more of such interests, without including all thereof, shall be deemed to have included the title or interest so omitted even though the latter shall not be expressly mentioned or described therein.

B. For the purpose of this Subdivision, the Open Space is considered to be part of the residential use of the development (the Subdivision) and shall not be considered to be "open space land," "farmland," "forest," "wetlands," "recreational land," "flood plain," or "wild land" within the meaning of RSA Chapter 79-A. The Declarant and their heirs, successors and assigns agree that the Open Space does not qualify for current use real estate tax appraisal under RSA Chapter 79-A.

2. Open Space Nature and Uses.

A. The Open Space shall remain as open space. In that regard, except for (i) the uses which may be permitted under this Declaration or under the OSD Regulations, (ii) the uses and improvements contemplated by the easements shown on the Plan and the easements referenced in Section 5(B) below and/or (iii) the Declarant's rights as reserved in this Declaration or as otherwise set forth in this Declaration, the Open Space shall remain undeveloped, and may be used for Recreational Uses (as defined herein). Recreational Uses means: (i) hiking, (ii) horseback riding, (iii) cross country skiing, (iv) picnicking, (v) pedestrian

movement by wheelchairs or other apparatus (not including motor vehicles) for the movement of handicapped persons, (vi) pedestrian travel by way of non-motorized bicycles or similar non-motorized apparatus and (vii) other passive recreational uses. Only domestic animals and horses (and no other animals) shall be permitted and they shall be kept under control by their keepers while on the Open Space. No fires of any sort shall be allowed on the Open Space.

B. The uses permitted under Section 2(A) above and this Declaration generally are for the exclusive benefit of the Declarant, the Association and the Lot Owners, and not for any other persons or entities. Without limitation to the foregoing, in addition, the general public shall have no access to the Open Space and may not use the Open Space.

C. The Declarant and the Association may, from time to time, establish reasonable rules and regulations regarding the use of the Open Space, including rules and regulations pertaining to the Recreational Uses defined in Section 2(A) above.

3. No subdivision. The Open Space shall not be further subdivided.

4. Subject to Easements and Other Matters.

A. The Open Space is subject to the notes and other matters applicable to it as set forth on the Plan.

B. This Declaration of Covenants and Restrictions is subject to (i) the easements shown and/or contemplated on the Plan, including, without limitation, the Proposed Drainage Easements, the Proposed Cistern Easement (see Detail 'C') and the Proposed Access Easements (and the instruments related thereto), the Proposed Sight Distance Easements (ii) other easements, including utility easements, necessary or desirable for the development of the Subdivision, including sight distance, slope, embankment and drainage easements relating to the roads shown on the Plan, access or service ways established by the Declarant and/or driveways servicing one or more of the Lots, (iii) protective well radius easements for the benefit of domestic water wells on one or more of the Lots as established by the Declarant, (iv) detention ponds or basins, retention ponds or basins and related drainage installations as contemplated on the Plan and/or are desirable for the development of the Subdivision and (v) any other utility easements which may be granted by the Declarant for the provision of utility services.

5. Utility and Other Easements; Declarant's Reserved Rights.

A. As contemplated in Section 4(B) above, the Declarant may establish and grant various easements over, under or upon the Open Space.

B. Without limitation to the reserved rights in Section 4(B) above, the Declarant may establish protective well radii in the Open Space for the benefit of any of the Lots. With respect to any such protective well radii, no improvements shall be constructed within such protective well radii, except as they pertain to water wells, nor shall any activities be permitted therein which adversely impact on the use and maintenance of the wells so protected, and in

particular, no septic tanks, leach fields or other components of septic systems shall be located in any such protective radii.

C. Without limitation to the reserved rights in Section 4(B) above, the Declarant may establish and grant drainage easements, slope and embankment and related easements on, under or over the Open Space. With respect to such drainage easements, the Declarant may install such drainage pipes, open drainage systems, detention basins, retention basins and other appurtenances or improvements as are necessary to permit drainage to and from the areas encumbered by such easements and the land adjacent thereto.

D. Without limitation to the reserved rights in Section 4(B) above, the Declarant reserves the right to establish, from time to time, on, under or over the Open Space additional access easements, drainage easements, protective well radii, utility easements, and sight distance easements to service the Lots and install and maintain such improvements and appurtenances as are related thereto.

6. Topography and Nature of Open Space Lot; Declarant's Reserved Rights. For so long as the Declarant owns a Lot, the Declarant may (without being subject to any claim or interest of any person or entity) (a)(i) cut and remove timber from the Open Space, (ii) remove gravel and other earth materials therefrom, (iii) regrade the Open Space and (iv) alter the topography of the Open Space and/or relocate such materials throughout the Subdivision, provided such activities (outlined in clauses (i) through (iv)) relate to (1) the development, maintenance and operation of the Subdivision and/or (2) the development, maintenance and operations of the uses contemplated by or related to any easements which may be granted or established in the Open Space and (b) maintain the Open Space.

7. Recreation Activities. The Declarant and the Association may, but shall not be required, to establish play areas, walkways, paths, trails and other similar recreational facilities in the Open Space; provided that (i) the same shall not be used for commercial purposes and (ii) shall not include permanent structures and installations other than necessary, small out-buildings.

8. Maintenance. So long as the Declarant is the owner of at least 25 Lots, it shall, at its expense, keep and maintain the Open Space as contemplated hereby. After the Declarant is no longer the owner of 25 Lots, then the Association shall keep and maintain the Open Space in accordance with this Declaration, subject to Declarant's Reserved Rights in Section 6 above, and in that regard may impose, assessments against members of the Association for their equal proportionate share of such costs and expenses so incurred to keep and maintain the Open Space. The Association may further impose such assessments against its members as may be determined by it to manage and maintain the Open Space, as permitted under the Articles of Agreement and Bylaws of the Association, as amended from time to time.

9. Forestry Management. The Declarant and the Association, as the case may be, as contemplated in Section 8 above, may cut and remove trees and other vegetation from the Open Space as is necessary or desirable with respect to the maintenance thereof, including the removal of dead, diseased or decayed trees or other vegetation, all in accordance with good forestry and best management practices and not in contravention of the OSD Regulations. In connection

therewith, prominent natural features, historical or archeological resources, scenic vistas, surface water bodies, streams and other important natural or manmade landscape features shall be maintained.

10. General Provisions.

A. Duration and Benefit. This Declaration, as amended from time to time, shall run with and bind the Open Space forever, and benefit the Lots forever, unless an instrument signed by all the then owners of record of the Lots and by the Chairman of the Planning Board of the Town of Hudson, has been recorded, agreeing to terminate this Declaration.

B. Enforcement. The rights imposed hereunder shall benefit each of the Lots (in the Subdivision) as well as the Declarant and the Association. Enforcement of this Declaration may be by any proceeding at law or in equity by the Declarant, by the Association, or by any of the Lot Owners.

C. No Third Party Rights. The rights and benefits established under this Declaration are for the exclusive benefit of the Declarant, the Association and the Lot Owners and not for the benefit of the general public or any third parties.

D. Severability. Invalidation of any one of the terms or conditions of this Declaration by the judgment or order of a court of competent jurisdiction shall in no way affect any other provisions hereunder, all of which shall remain in full force and effect.

E. Homestead. The Declarant subordinates their rights of homestead, if any, to the Declaration of Covenants and Restrictions.

11. Amendments. The provisions of this Declaration may be amended, from time to time, upon the express written consent of at least three-quarters (3/4) of the Lot Owners; provided that no such amendments shall (i) materially affect or alter the nature of the Open Space, (ii) permit the subdivision of the Open Space; or (iii) materially and adversely affect the purposes and intent of this Declaration. No amendments to Sections 1(A), 1(B) or 2(A) shall be valid unless approved in writing by the Town of Hudson Planning Board or its designated agent. Any amendment to this Declaration shall not be effective until recorded at the Hillsborough County Registry of Deeds.

12. Declarant's Right to Amend. Notwithstanding any other provision of this Declaration, the Declarant may, with the written consent or approval of the Planning Board of the Town of Hudson, amend this Declaration, from time to time, without the need of consent or approval of any other party, so long as the Declarant owns at least one (1) Lot; provided that no such amendments shall (i) materially affect or alter the nature of the Open Space; (ii) permit the subdivision of the Open Space; or (iii) materially and adversely affect the purposes and intent of this Declaration, except upon the unanimous written agreement of the Declarant, the Lot Owners and said Planning Board.

13. Declarant's Reservation to Subdivide Map 194, Lot 9. Notwithstanding any other provision in this Declaration, the Declarant may, with the written consent or approval of the Planning Board of the Town of Hudson, amend this Declaration by including additional Lots subdivided from the remainder of Map 194, Lot 9; in such case the proportional one sixty-fifth (1/65th) interest each Lot Owner holds in the Open Space shall be reduced by the number of additional Lots included in the Eagles Nest subdivision. Declarant shall amend this Declaration by recording said Amendment at the Hillsborough County Registry of Deeds.

14. Law. These covenants shall be interpreted and enforced in accordance with the laws of the State of New Hampshire.

The Declarant has caused this instrument to be duly executed the date first set forth above.

EAGLES NEST ESTATES, LLC

Witness

John M. Gargas, Manager

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this ____ day of _____, 2015, by John M. Gargas, Manager of Eagles Nest Estates, LLC, a New Hampshire limited liability company, on its behalf.

Justice of the Peace/Notary Public
My Commission Expires:
Print Name:

MEMORANDUM

To: Hudson Planning Board

From: Andrew A. Prolman, Esq. for Eagles Nest Estates, LLC

Date: February 9, 2015

Re: Eagles Nest Estates Subdivision: **Tax Map 194, Lot 9**

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The purpose of this Memorandum is to briefly address the two title issues presented in Tax Map 194, Lot 9.

By Quitclaim Deed dated December 22, 2014, the Bolduc Revocable Living Trust conveyed Lot 194/9 to Eagles Nest Estates, LLC (HCRD Book 8718, Page 1139). The property had been in the Bolduc family for generations, passing from one family member to the next. No one ever did any title work on the property. Hudson's assessor's office shows Tax Map 194 Lot 9 is 39 acres.

Eagles Nest's intent was to purchase the entire 39 acre parcel as indicated on the tax map. But during the title work for closing, it was indeterminate as to who owned the eastern portion of the lot. We continue to research the eastern portion of Lot 194/9. It is Eagles Nest Estates, LLC's intent to clarify title in its favor, and amend the subdivision with additional lots as shown on the Conceptual Plans.

The second title issue is one of mis-descriptions of the southern tip of the property. The property description in the Bolduc chain of title cuts off the southern tip of the lot. But the abutting parcels describe the boundaries by following "Old Smith Road" to an "angle in the wall on the southerly side of said road." The two sets of descriptions do not line up, leaving an undefined area. Again, the Bolducs believed what the Tax Map shows. Eagles Nest Estates, LLC likewise continues to work with its abstractor and surveyors to resolve this discrepancy and will present its resolution to the Planning Board.

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To: Hudson Planning Board
From: Andrew A. Prolman, Esq. for Eagles Nest Estates, LLC
Date: February 9, 2015
Re: Eagles Nest Estates Subdivision: **Tax Map 194, Lot 9**



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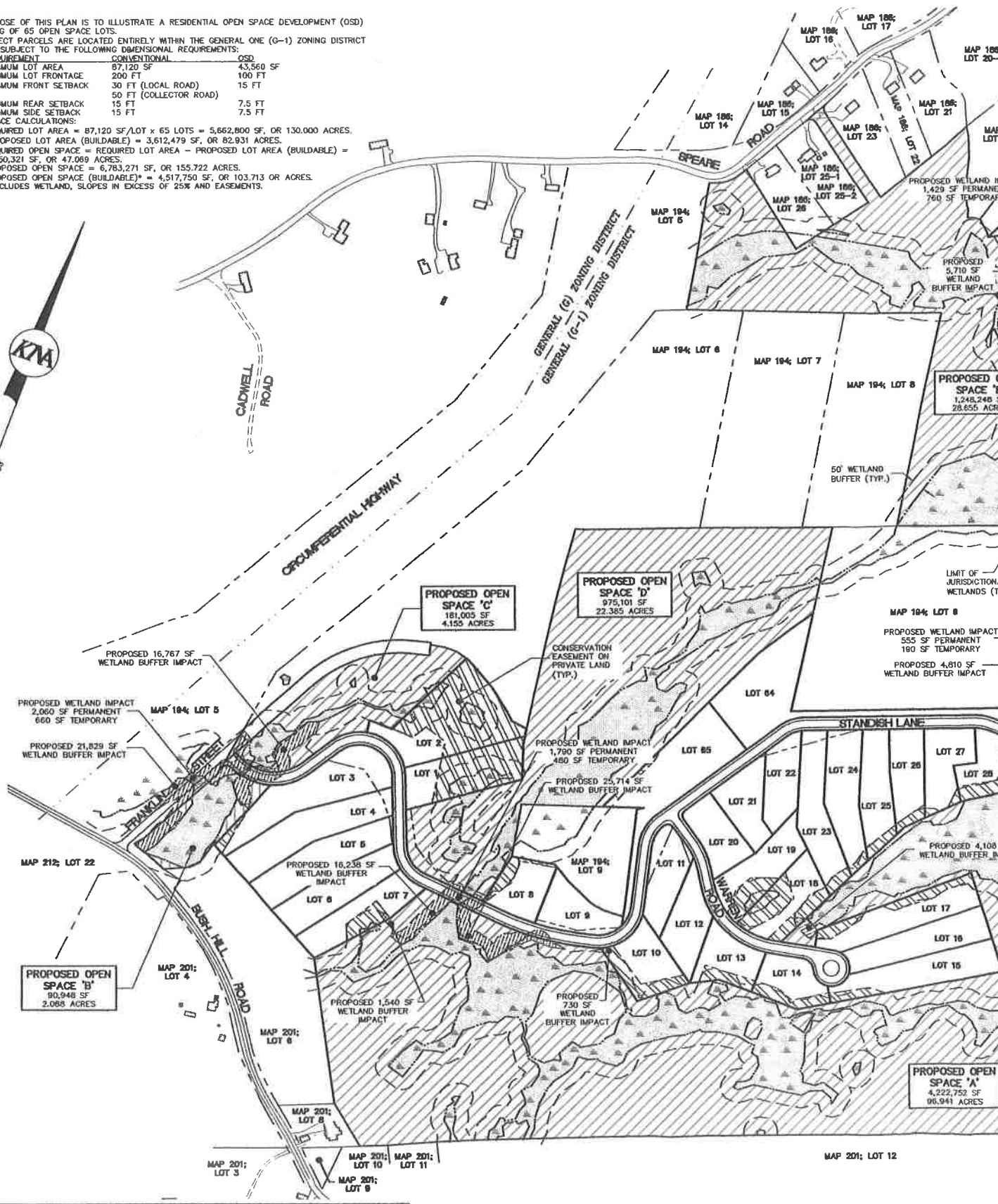
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NOTES:

1. THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE A RESIDENTIAL OPEN SPACE DEVELOPMENT (OSD) CONSISTING OF 65 OPEN SPACE LOTS.
2. THE SUBJECT PARCELS ARE LOCATED ENTIRELY WITHIN THE GENERAL ONE (G-1) ZONING DISTRICT AND ARE SUBJECT TO THE FOLLOWING DIMENSIONAL REQUIREMENTS:

REQUIREMENT	CONVENTIONAL	OSD
MINIMUM LOT AREA	87,120 SF	43,560 SF
MINIMUM LOT FRONTAGE	200 FT	100 FT
MINIMUM FRONT SETBACK	30 FT (LOCAL ROAD)	15 FT
	50 FT (COLLECTOR ROAD)	
MINIMUM REAR SETBACK	15 FT	7.5 FT
MINIMUM SIDE SETBACK	15 FT	7.5 FT
11. OPEN SPACE CALCULATIONS:
 - REQUIRED LOT AREA = 87,120 SF/LOT x 65 LOTS = 5,662,800 SF, OR 130.000 ACRES.
 - *PROPOSED LOT AREA (BUILDABLE) = 3,672,479 SF, OR 82.931 ACRES.
 - REQUIRED OPEN SPACE = REQUIRED LOT AREA - PROPOSED LOT AREA (BUILDABLE) = 2,050,321 SF, OR 47.089 ACRES.
 - PROPOSED OPEN SPACE = 6,783,271 SF, OR 155.722 ACRES.
 - PROPOSED OPEN SPACE (BUILDABLE)* = 4,517,750 SF, OR 103.713 OR ACRES.
 - *EXCLUDES WETLAND, SLOPES IN EXCESS OF 25% AND EASEMENTS.



PURSUANT TO THE SUBDIVISION REVIEW REGULATIONS OF THE HUDSON PLANNING BOARD, THE SITE PLAN APPROVAL GRANTED HEREIN EXPIRES ONE YEAR FROM DATE OF APPROVAL.

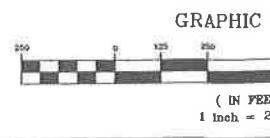
APPROVED BY THE HUDSON, NH PLANNING BOARD
DATE OF MEETING: _____

SIGNATURE _____ DATE _____

SIGNATURE _____ DATE _____

SUBDIVISION PLANS ARE VALID FOR ONE YEAR FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL. FINAL APPROVAL COMMENCES AT THE PLANNING BOARD MEETING DATE AT WHICH THE PLAN ACHIEVES FINAL APPROVAL.

- LEGEND**
- BUTTER LINE
 - EXISTING PROPERTY LINE
 - WETLAND
 - EDGE OF PAVEMENT
 - EDGE OF GRAVEL
 - PROPOSED PROPERTY LINE
 - PROPOSED EDGE OF PAVEMENT



19 & 21 Second Street Subdivision Plan

STAFF REPORT

March 11, 2015

SITE: 19 & 21 Second St. & 7 Oakwood Street - Map 182/Lots 167, 167-1, 168 - SB# 01-15

ZONING: TR -- Minimum lot size 10,000 sf and 90 ft. of frontage.

PURPOSE OF PLAN: Lot-line relocation and subdivision of two lots into four lots creating two new building lots and making lot 167 more conforming re: 15 ft. rear setback. Application Acceptance & Hearing.

SUBDIVISION PLAN UNDER REVIEW ENTITLED: 19 & 21 Second Street & 7 Oakwood Street, Tax Map 182/Lots 167, 167-1, 168, Hudson, NH, prepared by Maynard & Paquette, Engineering Associates, LLC, 23 East Pearl Street, Nashua, NH 03060, dated 19 JAN 2015, last revised 18 FEB 2015, consisting of Sheets 1 – 3 and Notes 1 – 8 are included on Sheet 1 of 3 (said plan is attached herewith).

ATTACHMENTS:

- 1) Subdivision Application, Waiver Request Form, and Aerial Photo, showing features within 200 ft. of the subdivision, date stamped 29 JAN 15 – Attachment “A”.
- 2) Comments from: Zoning Administrator, Kevin Desmond, Town Eng., Elvis Dhima, Asst. Assessor, Jim Michaud, and Deputy Fire Chief, John O’Brien – “B”.

OUTSTANDING ISSUES:

1. Sheet 2 of 3 shows existing lots, described as follows:
 - a) Map 182/Lot 168, having an existing house and consisting of 38,304 sf, with 125 ft. of frontage on Oakwood St.
 - b) Map 182/Lot 167, having an existing house and consisting of 11,686 sf, with 69.74 ft. of frontage on Oakwood St and 168 ft. of frontage on Second St. (this latter frontage is considered the street frontage providing access to this lot).
 - c) Map 182/Lot 167-1, an undeveloped lot, consisting of 10,970 ft. with 174.57 ft. of frontage on Second St.
2. Sheet 1 of 3 shows the subdivision of the above 3 described lots into 4 proposed lots, described as follows, and as depicted in the Hall Chart also shown on Sheet 1 of 3:
 - a) Map 182/Lot 168, still having an existing house, will consist of 20,797 sf (no wetland or slope area greater than 25%), with 125 ft. of frontage on Oakwood St.
 - b) Map 182/Lot 167, still having an existing house, will consist 14,124 sf, (no wetland or slope area greater than 25%) with 84.74 ft. of frontage on Oakwood St and 162.57 ft. of frontage on Second St. (this latter frontage will still provide driveway access to this lot).
 - c) Map 182/Lot 167-1, still an undeveloped lot, will consist of 14,067 sf. (no wetland or slope area greater than 25%) with 90 ft. of frontage on Second St. NOTE: it appears that the building envelop for this lot measures 42 ft. X 40 ft.

d) Map 182/Lot XXX, an undeveloped lot, will consist of 10,852 sf. (no wetland, but 1,120 sf of slope area greater than 25%), with 90 ft. of frontage on Second St. NOTE: it appears that the building envelop for this lot measures 38 ft. X 26 ft.

3. As you can see, all 4 newly formed lots meet or exceed the minimum 10,000 sf lot size and 90 ft. of frontage. This leaves the following outstanding issue with this proposed subdivision: the Applicant seeks a waiver for §193-10.E. – Driveway Safe Sight Distance. To this effect, please see the applicant's submitted waiver form and explanation as to why this waiver is warranted for the proposed driveways for Lots 167-1 and XXX.
4. As you can see on Sheet 1 of 3, all of the structural encroachments within the borders of all 4 lots have been addressed, via the razing of the structures. The only exception is the existing dwelling on Lot 167. This dwelling predates zoning, having been built in 1920, so the front structural encroachment is considered legal, nonconforming.
5. This plan does not include wetland or wetland buffer impacts. To this effect, please see Hall Chart on Sheet 2 of 4 and Plan Sheets.
6. The following notes need to be inscribed on the Recording Sheet, i.e., Sheet 1 of 3:
 1. *A cost allocation procedure (CAP) amount of \$1,111.25 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.*
 2. *A public school impact fee in the amount of \$3,578.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.*
 3. *A recreation contribution in the amount of \$400.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.*
 4. *Construction activities involving the proposed undeveloped lots shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.*

REQUESTED WAIVER: §193-10.E. – Driveway Safe Sight Distance

APPLICATION TRACKING:

29 JAN 15 - Application submitted.
11 MAR 15 - Initial public hearing scheduled.

RECOMMENDED ACTION: For this meeting, staff recommends application acceptance, conduct the public hearing and subdivision approval in accordance with the below DRAFT MOTIONS. That is, unless the board denies the requested waiver on Driveway Safe Sight Distance.

DRAFT MOTIONS:

I move to accept the 4-lot Subdivision application for 19 & 21 Second St. & 7 Oakwood Street.

Motion by: _____ Second: _____ Carried/Failed: _____

I move to defer the public hearing on this Subdivision application date specific to the 8 APR 2015 Planning Board meeting.

Motion by: _____ Second: _____ Carried/Failed: _____

REQUESTED WAIVER:

- § 193-10.G. Driveway Safe Sight Distance

I move to grant the requested waiver - § 193-10.G. - Driveway Safe Sight Distance – for both Lots 167-1 and XXX, Map 182 – because the proposed driveways are optimally located for each lot, and provide a minimum of 160 ft. of sight distance to the south and in excess of 200 ft. to the north along Second St.; further, in accordance with the American Association of State Highway and Transportation Officials (AASHTO) documentation, submitted by the applicant, said distances are safe for the average speed associated with Second Street, i.e., between 20 – 25 mph, therefore, the granting of this waiver is found not to be contrary to the spirit of the regulations.

Motion by: _____ Second: _____ Carried/Failed: _____

NOTE: if the board chooses not to vote on this waiver, or votes to deny it, the Applicant should be requested to withdraw the application, and submit a revised plan that complies with the sight distance requirement. This would probably involve eliminating 1 of the lots.

MOTION to APPROVE:

I move to approve the subdivision plan entitled: 19 & 21 Second Street & 7 Oakwood Street, Tax Map 182/Lots 167, 167-1, 168, Hudson, NH, prepared by Maynard & Paquette, Engineering Associates, LLC, 23 East Pearl Street, Nashua, NH 03060, dated 19 JAN 2015, last revised 26 FEB 2015, consisting of Sheets 1 – 3 and Notes 1 – 8, in accordance with the following terms and conditions:

1. All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the HCRD, together with the Plan.
2. A cost allocation procedure (CAP) amount of \$1,111.25 per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
3. A public school impact fee in the amount of \$3,578.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
4. A recreation contribution in the amount of \$400.00, per residential unit shall be paid prior to the issuance of a Certificate of Occupancy.
5. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of -Record.
6. Approval of this plan shall be subject to final engineering review, including the location of the driveways for each lot.

7. Construction activities involving the proposed undeveloped lots shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.
8. Prior to Planning Board endorsement of the Plan, all of the above notes, together with the granted sight distance waiver shall be inscribed on the Plan.

Motion by: _____ Second: _____ Carried/Failed: _____.

"A"



SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

Date of Application: 1/26/15 Tax Map # 182 Lot # 167, 167A, 168
Name of Project: SECOND ST SUBDIV
Zoning District: TR General SB# 01-15
(For Town Use) (For Town Use)
ZBA Action: _____

PROPERTY OWNER:

Name: BRIAN COMULVEAU
Address: 2 WHITNEY COURT
Address: BREDFORN NH 03110
Telephone # 603 231 2655
Fax # _____
Email: Corvs@comcast.net

DEVELOPER:

DANIEL DEVITT | CPC INVESTMENTS LLC
19 SECOND ST | 17 MARSHALL ST
HUDSON NH | NASHUA, NH 03060
603 880 9988

[Signature]

PROJECT ENGINEER

Name: MAYNARD PAQUETTE ENG ASSOC LLC Telephone # 887 8284
Address: 23 EAST PEARL ST Fax # 887 7227
Address: NASHUA NH 03060 Email: MPEALLC@AOL.COM

PURPOSE OF PLAN:

LOTLINE RELOCATION AND SUBDIVISION OF TWO LOTS
INTO FOUR LOTS CREATING 2 NEW BLDG LOTS
AND MAKING LOT 167 MORE CONFORMING RE: 15 FT REAR
SETBACK

(FOR TOWN USE) <u>PKB MTO</u>	
Plan Routing Date: <u>1-30-15</u>	Sub/Site Date: <u>2-25-15</u>
<input type="checkbox"/> I have no comments	<input type="checkbox"/> I have comments (attach to form)
Title: _____	Date: _____
(Initials)	
DEPT:	
<input type="checkbox"/> Zoning	<input type="checkbox"/> Engineering
<input type="checkbox"/> Assessor	<input type="checkbox"/> Police
<input type="checkbox"/> Fire	<input type="checkbox"/> Planning
<input type="checkbox"/> Consultant	<input type="checkbox"/> Highway Department
Fees Paid _____	

SITE DATA SHEET

Plan Name: SECOND ST SUPDN

Plan Type: Subdivision Plan

Legal Description: Map 182 Lot 167-1, 167, 168
Map " Lot

Date: 4/26/15

Location: SECOND F OAKWOOD ST

Total Area: S.F. 60,960 Acres:

Area in Wetlands: NONE

Zoning: TR

Lots Not Meeting Required Dimensions: N/A

Required Area: 10,000 ±

Required Frontage: 90

Water and Waste System Proposed: YES TOWN SEWER/WATER

Number of Lots With Existing Buildings: 2

Existing Buildings To Be Removed: NONE (NO LONGER)

Flood Zone Reference: N/A

Proposed Linear Feet Of New Roadway: N/A

LOT AREA CALCULATION TABLE

LOT #	TOTAL AREA	WETLAND AREA	AREA > 25% SLOPE	BUILDABLE AREA (net contiguous upland useable)	FRONTAGE
XX	11,972	—	—	11,972	90.00
162-1	14,067	—	—	14,067	162.57 90.0
162-7	14,124	—	—	14,124	162.57
162-8	20,797	—	—	20,797	125.00
5.					
6.					
7.					
8.					
9.					
10.					

Data Sheets Checked By: _____ Date: _____

SUBDIVISION PLAN DATA SHEET

Dates/Case #/Description/
Stipulations of ZBA,
Conservation Commission,
NH Wetlands Board Action:

NA

(Attach Stipulations on
Separate Sheet)

List Permits Required:

NONE

**Waivers Requested:* Hudson Town Code Reference Regulation Description

<i>NONE</i>	1.		
	2.		
	3.		
	4.		
	5.		
	6.		
	7.		

**(Left Column for Town Use)*

	<u>Amount</u>	<u>Account</u>
Impact Fees	<hr/>	<hr/>
	<hr/>	<hr/>
	<hr/>	<hr/>
Cap Fees	<hr/>	<hr/>
	<hr/>	<hr/>

Development Agreement Proposed: Yes ~~No~~ No
 If Yes Endorsed Yes No Date _____

Applicant
Initials

Staff
Initials

✓ n) Certified list of names and addresses of bordering abutters, shown on Tax Assessor's records not more than five (5) days prior to application date to be listed on plan.

JL

✓ o) Location of all structures, roads, wetlands, hydrants, wells, septic systems, 4k reserve area, floodways/floodplains, driveways, travel areas, parking areas, natural features within 200 feet of the tract.

JL

✓ p) Locations of existing and proposed permanent monuments and benchmarks within 200 feet of the tract.

JL

N/A q) Pertinent highway projects.

N/A

✓ r) Assessor map and lot number.

JL

N/A s) Waiver application form shall be submitted with subdivision application, Note on plan listing waivers requested/granted; and all waivers granted to the subdivision regulations shall be listed on the final plan.

JL

✓ t) Delineate zoning.

JL

N/A u) Storm water drainage plan.

JL No ROAD CONSTRUCTION

✓ v) Topographical contours at 2-foot intervals existing and proposed.

JL

✓ w) Utilities: existing and proposed.

JL

✓ x) Building and wetland setback lines.

JL

✓ y) Rights of way, existing and proposed.

JL

N/A z) Location of dedicated recreational public use land(s) proposed.

N/A

N/A aa) Detailed designs of bridges and culverts.

N/A

N/A ab) Typical roadway cross-section, road profile, stationing, and curve data, etc.

N/A

Applicant
Initials

Staff
Initials

- N/A ac) Proposed location of water supply and sewage disposal systems, including perk test data, test-pit logs and locations; wells, (proposed and existing) 75' protective well radii and attached copies of any required well protection easements.
- ad) All notes from plats.
- N/A ae) Buffers as required by subdivision regulations.
- N/A af) Soil types and boundaries, Note: If site contains marginal or questionable soils, a High Intensity Soil Survey (HISS) may be deemed necessary to submit as part of the application. Said HISS, if required, shall be performed by a State of New Hampshire Certified Soil Scientist, who shall affix his/her stamp and signature and this shall be inscribed on the plan.
- N/A ag) Wetlands (and poorly-drained and very poorly-drained soils), also identified as Class 5 and Class 6 High Intensity Soil Survey (HISS soils), and permanent and seasonal wetlands shall be identified on the plan by a New Hampshire Certified Wetland or Soil Scientist, who shall affix his/her stamp and signature to the respective plan.
- N/A ah) Easements, existing and proposed.
- ai) State of New Hampshire Engineer's seal and signature.
Surveyor's seal and signature.
- aj) Error of closure (1 in 10,000 or better).
- N/A ak) Drafting errors/omissions.
- N/A al) Note outlining phasing schedule.
- N/A am) Narrative description stating the purpose, location, long range plans impacts on traffic, schools, and utilities.
- N/A an) Aerial photograph of site and area within 200 feet of the subdivision parcel.
- N/A ao) Fiscal impact study.
- N/A ap) Traffic study.
- N/A aq) Drainage calculations and supporting data.

N/A
W & S MUNICIPAL

JC

N/A

N/A

N/A

N/A NONE PROVIDED

JC

JC N/A

N/A

SHOWN ON PLAT
& APPLICATION
PRESENTED
AT MEETING

N/A

N/A

N/A

Applicant
Initials

Staff
Initials

N/A ar) Copies of any proposed or existing easements, covenants, deed restrictions, right of way agreements or other similar documents. N/A

N/A as) Copy of applicable town, state, federal approval/permits to include but not limited to the following: N/A

- sewer applications
- flood plain permit
- wetlands special exception
- variance
- erosion control permit (149:8a)
- WSPCC subdivision approval (septic)
- dredge and fill permit
- curb cut/driveway permit
- shore land protection certification in accordance with RSA483-B.
- if applicable, review application with Lower Merrimack River Local Advisory Committee (LMRLAC) and attach LMRLAC project comments hereto.

N/A at) Off-site agreement(s). N/A

N/A au) Presentation plan (colored, with color-coded bar chart). N/A

av) Fees paid to clerk. JL

aw) Plans that include relocation of lot lines shall clearly delineate the former (old) lot lines from proposed (new) lot lines. JC

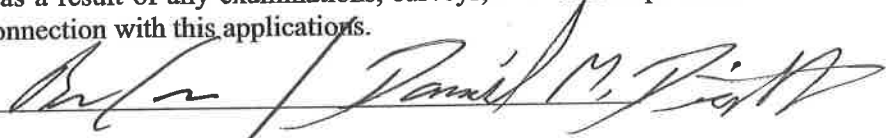
- Any or all items may be waived under the purview of the Planning Board.

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

I hereby apply for Subdivision Plan 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 Subdivision Plan 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 (their) property in connection with this applications.

Signature of Owner: _____



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

Signature of Developer: _____



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

Technical Review Signature: _____

Planner Approval Signature: _____



SUBDIVISION/SITE PLAN WAIVER REQUEST FORM

Name of Subdivision/Site Plan: _____

Street Address: _____

I _____ hereby request that the Planning Board waive the requirements of item _____ of the Subdivision/Site Plan Checklist in reference to a plan presented by _____

_____ (name of surveyor and engineer) dated _____

_____ for property tax map(s) _____ and lot(s) _____

_____ in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Subdivision/Site Plan regulations.

Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

Reason(s) for granting this waiver, relative to not being contrary to the Spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attach the appropriate documentation hereto):

Signed:

Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____

Waiver Not Granted _____

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

SCHEDULE OF FEES

A. REVIEW FEES

- | | | |
|----|---|------------------|
| 1. | \$170.00 per lot x 4 lots | \$ <u>680.00</u> |
| 2. | <u>Consultant review fee</u> :(separate check)
Linear feet of roadway (including cul-de-sac).
Length of roadway _____ feet, @ \$1.25 per linear foot or \$1,250.00, whichever is greater.
<i>This is an estimate for the cost of consultant review. The fee is expected to cover the amount.
 A complex project may require additional funds. A simple project may result in a refund.</i> | \$ _____ |
| | <u>Legal Fees.</u>
The applicant shall be charged attorney costs billed to the Town for Town's attorney review of any application plan set documents. | \$ _____ |
| 3. | Conceptual Review Only - \$100.00 | \$ _____ |
| 4. | ZBA Input Only - \$100.00 | \$ _____ |

B. POSTAGE

Current "certified mail" postage rate per abutter to proposed site plan and current first class postage rate per property owner within 200 feet of proposed site plan.

<u>12</u>	abutters @ \$3.56 (certified mail)	\$ <u>42.72</u>
<u>3</u>	property owners within 200 feet @\$.46 (first class)	\$ <u>1.38</u>

+ ENGINEER

C. ON SITE SIGNS

\$ 15.00

D. ADVERTISING

(PUBLIC NOTICE) For all subdivisions

\$ 40.00

E. TAX MAP UPDATE FEE

2 to 7 lots (# of lots x \$30.00) + \$25.00 (min. \$85.00)
 8 lots or more (min. \$325.00)

\$ 85.00
 \$ _____

TOTAL

\$ 864.10

**APPLICATION FOR SUBDIVISION PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

**SCHEDULE OF FEES
(CONTINUED)**

AMOUNT DUE	\$ _____	DATE RECEIVED	_____
AMOUNT RECEIVED	\$ _____	RECEIPT NO.	_____
		RECEIVED BY	_____

F. RECORDING FEES *— Not YET ~~A~~*

The applicant shall pay the costs of recording the final plan layout prior to final subdivision recording, in accordance with fees established by the County.

Recording of Plan	@ \$24.00/sheet	\$ _____
	+ \$2.00/surcharge/Plan	_____
Land & Community Heritage Investment Program (LCHIP) fee	\$25.00	\$ _____
Easements/Agreements (if applicable)	@ \$10.00/first sheet	\$ _____
	@ 4.00/each sheet thereafter	\$ _____
	+ \$2.00/surcharge/doc.	\$ _____
	+ first class return postage rate	\$ _____
TOTAL		\$ _____

PLEASE NOTE: Recording fees shall be computed when plans are finalized for recording. The applicant must pay recording fees prior to recording.

The applicant shall be responsible for all fees incurred by the Town for processing and review of the applicant's application, plan, and related materials. All such fees must be paid prior to recording.

G. COST ALLOCATION PROCEDURE AMOUNT CONTRIBUTION AND OTHER IMPACT FEE PAYMENTS

To be determined by vote of the Planning Board and paid by the applicant at the time of submittal of the Certificate of Occupancy Permit request, subject to annual inflation as permitted by the impact fee methodology.

LIST OF ABUTTERS

List of all the names and addresses of the owner(s) of record of the property and abutters, as of the time of the last assessment for taxation made by the concerned property by a street(s), public land(s) or stream(s) up to distance of 200 feet from subject tract.

I. ADJACENT PROPERTY OWNERS

MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____

II. PROPERTY OWNERS WITHIN 200 FEET

MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____
MAP _____	LOT _____	NAME _____	ADDRESS _____

PLANNING BOARD

NOTICE TO SUBDIVISION APPLICANTS

The following information is required to be filed with the Community Development Department at the time of subdivision application.

Note: An appointment is required to file applications.

1. One original and one copy of the completed application.
2. Submission of nine (9) full sets of Site Plans (sheet size: 22" x 34") shall be submitted at the time of application filing, followed by the submission of seventeen (17) 11" X 17" plan sets (revised if applicable) to the Community Development Department no later than 10:00 A.M. Tuesday the week prior to the scheduled public hearing/conceptual review date.
3. Seventeen copies of the project narrative, describing the project.
4. All plans shall be folded and all pertinent data shall be attached to the folded plans with an elastic band.
5. All plan revisions and supporting documentation must be submitted to the Community Development Department no later than 10:00 A.M., Tuesday the week prior to the scheduled Planning meeting.
6. Five (5) 22" x 34" copies of the plan shall be brought to the Planning Board meeting and distributed to the Planning Board members at the meeting.
7. Three sets of mailing labels for abutters notices.

LIST OF ABUTTERS

List of all the names and addresses of the owner(s) of record of the property and abutters, as of the time of the last assessment for taxation made by the Town of Hudson and the Town of Litchfield, including persons whose property is separated from the concerned property by a street(s), public land(s) or stream(s) up to a distance of 200 feet from subject plat.

ADJACENT PROPERTY OWNERS:

Map 182/Lot 167
Daniel & Carol Devitt
19 Second Street
Hudson, NH 03051

Map 182/Lot 167-1
Brian Corriveau
2 Whitney Court
Bedford, NH 03110

Map 182/Lot 168
CPC Investments, LLC
17 Marshall Street
Nashua, NH 03060

Map 182/Lot 166
Dominic & Susan Scurini
30 Hurley Street
Hudson, NH 03051

Map 182/Lot 109
Town Of Hudson School District
20 Library Street
Hudson, NH 03051

Map 182/Lot 169
Kenneth Boulanger
18 Poneham Road
Amherst, NH 03031

Map 182/Lot 170
Town Of Hudson
12 School Street
Hudson, NH 03051

Map 182/Lot 171
Nancy J. Molnar
13 Second Street
Hudson, NH 03051

Map 174/Lot 208
Daniel R. Dube
18 Second Street
Hudson, NH 03051

Map 182/Lot 172
Jeffrey M. Allison
22 Second Street
Hudson, NH 03051

Map 182/Lot 173
Ralph E. & Rosemary A. Parker
26 Second Street
Hudson, NH 03051

Map 182/Lot 174
2 Lions Avenue LLC
9 Auburn Street Suite 2
Nashua, NH 03062

PROPERTY OWNERS WITHIN 200 FT:

Map 182/Lot 165
Ronald E. & Donna M. Gagnon
28 Hurley Street
Hudson, NH 03051

Map 182/Lot 185
3 Lions Avenue LLC
P.O. Box 515
Nashua, NH 03061

CONSULTANTS:

Maynard & Paquette
Engineering Assoc., LLC
23 East Pearl Street
Nashua, NH 03060

"A cont."

SUBDIVISION/SITE PLAN WAIVER REQUEST FORM

Name of Subdivision/Site Plan: SECOND AND OAKWOOD STREET SUBDIV

Street Address: 1921 SECOND ST, 7 OAKWOOD ST

I RICHARD A. MAYNARD (AUTH REP) hereby request that the Planning Board waive the requirements of item _____ of the Subdivision/Site Plan Checklist in reference

to a plan presented by MAYNARD & PROQUITE ENGINEERING ASSOCIATES LLC (name of surveyor and engineer) dated 1/19/2014

_____ for property tax map(s) (B2) and lot(s) 167, 167-1, 168 in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Subdivision/Site Plan regulations.

Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

DRIVEWAY SIGHT DISTANCE REGULATION GREATLY EXCEEDS WELL ESTABLISHED NATIONAL/ASHTO RECOMMENDATIONS ESPECIALLY IN LOW TRAFFIC, LOW SPEED TR ZONE (SEE ATTACHED MEMO AND ASHTO CHART)

Reason(s) for granting this waiver, relative to not being contrary to the Spirit and Intent of the Subdivision/Site Plan regulations: (if additional space is needed please attach the appropriate documentation hereto):

PROPOSED DRIVEWAYS ARE IN OPTIMUM LOCATION FOR THESE TR ZONE LOTS AND EXCEED SIGHT DISTANCE RECOMMENDATIONS FOR SAFE DRIVEWAYS

Signed: Richard Maynard 2/23/15
Applicant or Authorized Agent

Planning Board Action:
Waiver Granted _____
Waiver Not Granted _____





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

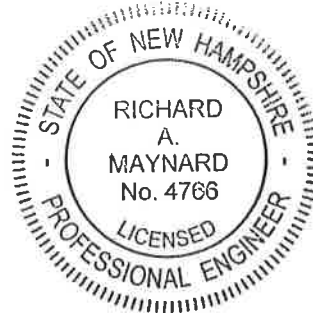
MEMO

To: John Cashell - Town Planner
Hudson Planning Board

From: Richard A. Maynard, PE

Date: February 18, 2015

Subj: Driveway Sight Distance
Second and Oakwood Street Subdivision (J-12418)



1. The Hudson Ordinance under section 193-10-E states: "Safe Sight Distance of at least 400 feet in both directions along the highway."
2. Per AASHTO this applies to HIGHWAYS (not local roads and secondary roads) with posted speed limits of 55 MPH (see AASHTO chart). It also doesn't take into consideration local streets under stop sign control.
3. Second Street, south east of Oakwood Street is a very low volume average daily traffic local street with full stop control at the northerly end and partial single stop sign at Lions Avenue at the southerly end. Traffic generally travels at speeds on the order of 20 to 25 MPH.
4. Per the attached AASHTO sight distance chart, sight distance for local roads for 20 MPH is 95 feet and for 25 MPH is 125 feet.
5. Proposed subdivision lot 167-1 has 200 feet of sight distance to the south and 200 feet to the 4 way stop sign intersection to the north. Per the AASHTO chart, a 205 sight distance would be consistent with a roadway speed of approximately 35 MPH.
6. Proposed subdivision lot xxx has a 290+ foot sight distance to the north and a 160 foot sight distance to the south. Per the AASHTO chart, the 160 feet sight distance would be adequate (safe) for a 30 MGP road.
7. Conclusion - Both proposed driveways exceed the AASHTO recommended safe sight distance and more than satisfy good engineering practice.

attachment
ram2418

in appearance, and adequate for drainage. For simplicity, the parabolic curve with an equivalent vertical axis centered on the vertical point of intersection is usually used in roadway profile design. The vertical offsets from the tangent vary as the square of the horizontal distance from the beginning of the curve.

Metric				
Minimum sight distance (m) for specified design traffic volumes and location types				
Design speed (km/h)	0–100 veh/day	100–250 veh/day		250–400 veh/day
	All locations	"Lower risk" locations ¹	"Higher risk" locations ²	All locations
20	15	15	15	15
30	25	25	30	30
40	35	35	40	40
50	45	45	55	55
60	60	60	70	70
70	75	75	90	90
80	95	95	110	110
90	120	120	130	130
100	140	140	155	155

US Customary				
Minimum sight distance (ft) for specified design traffic volumes and location types				
Design speed (mph)	0–100 veh/day	100–250 veh/day		250–400 veh/day
	All locations	"Lower risk" locations ¹	"Higher risk" locations ²	All locations
15	65	65	65	65
20	90	90	95	95
25	115	115	125	125
30	135	135	165	165
35	170	170	205	205
40	215	215	250	250
45	260	260	300	300
50	310	310	350	350
55	365	365	405	405
60	435	435	470	470

¹ away from intersections, narrow bridges, railroad-highway grade crossings, sharp curves, and steep downgrades
² near intersections, narrow bridges, or railroad-highway grade crossings, or in advance of sharp curves or steep downgrades

Exhibit 8. Design Sight Distance Guidelines for New Construction of Very Low-Volume Local Roads



American Association of
State Highway and
Transportation Officials

**Guidelines for
Geometric
Design of Very
Low-Volume
Local Roads
(ADT \leq 400)**

2001



19 & 21 Second St & Oakwood St



March 4, 2015

Parcels - Aerials

Parcels

1 inch = 166 feet

0 180 360 Feet



H



W B

SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

Date of Application: 1/26/15 Tax Map # 182 Lot # 167, 167-1, 168
Name of Project: SECOND ST SUBDIV
Zoning District: TR General SB# 01-15
(For Town Use) (For Town Use)
ZBA Action: _____

PROPERTY OWNER:

Name: BRIAN COMBEAU
Address: 2 WHITNEY COURT
Address: PIEDFORD NH 03110
Telephone # 603 231 2655
Fax # _____
Email: Corvs@comcast.net

DEVELOPER:

DANIEL DEVITT } CPC INVESTMENTS LLC
19 SECOND ST } 17 MARSHALL ST
HUDSON NH } NASHUA, NH 03060
603 880 9988

[Signature]

PROJECT ENGINEER

Name: MAYNARD PAQUETTE ENG ASSOC LLC Telephone # 887 8384
Address: 23 EAST PEARL ST Fax # 887 7227
Address: NASHUA NH 03060 Email: MPEALLC@AOL.COM

PURPOSE OF PLAN:

LOTLINE RELOCATION AND SUBDIVISION OF TWO LOTS
INTO FOUR LOTS CREATING 2 NEW BLDG LOTS
AND MAKING LOT 167 MORE CONFORMING RE: 15' REAR
SETBACK

(FOR TOWN USE) PR M+O
Plan Routing Date: 1-30-15 Sub/Site Date: 2-25-15
 I have no comments I have comments (attach to form)
KWD Title: Zoning Administrator Date: 1-30-15
(Initials) * Single family homes only, allowed on map 182/Lot 167-1 & Lot 167
DEPT: map 182/Lot xx & Lot 168
 Zoning _____ Engineering _____ Assessor _____ Police _____ Fire _____ Planning _____
_____ Consultant _____ Highway Department
Fees Paid _____

Lavoie, Pam

From: Dhima, Elvis
Sent: Friday, January 30, 2015 1:58 PM
To: Cashell, John
Cc: Lavoie, Pam
Subject: 19 & 21 Second Street

John

My comments for the above:

1. Show existing driveway location of lot 166, map 182.
2. Show proposed driveway location and grading.

Thanks

Elvis

Elvis Dhima, P.E.
Town Engineer

Town of Hudson, NH
12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Mobile: (603) 318-8286



Elvis

Town of Hudson

Town

Elvis

Town of Hudson

Town



**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Date of Application: 1/26/15 Tax Map # 182 Lot # 167, 167-1, 168
Name of Project: SECOND ST SUBDIV
Zoning District: TR General SB# 01-15
(For Town Use) (For Town Use)
ZBA Action: _____

PROPERTY OWNER:

Name: BRIAN COMULVEAU
Address: 2 WHITNEY COURT
Address: BREDFORD NH 03110
Telephone # 603 231 2655
Fax # _____
Email: Corvus@comcast.net

DEVELOPER:

DANIEL DEVITT } CPC INVESTMENTS LLC
19 SECOND ST } 17 MARSHALL ST
HUDSON NH } NASHUA, NH 03060
603 880 9988
[Signature]

PROJECT ENGINEER

Name: MAYNARD PEARLIE LUGG ASSOC LLC Telephone # 887 8784
Address: 23 EAST PEARL ST Fax # 887 7227
Address: NASHUA NH 03060 Email: MPEARL@AOL.COM

PURPOSE OF PLAN:

LOTLINE RELOCATION AND SUBDIVISION OF TWO LOTS
INTO FOUR LOTS CREATING 2 NEW BLDG LOTS
AND MAKING LOT 167 MORE CONFORMING RE: 15 FT REAR
SETBACK

(FOR TOWN USE) PK M+0
Plan Routing Date: 1-30-15 Sub/Site Date: 2-25-15
I have no comments I have comments (attach to form)
(Initials) [Signature] Title: Ast. Assessor Date: 2-2-15
DEPT: _____
Zoning _____ Engineering _____ Assessor _____ Police _____ Fire _____ Planning _____
_____ Consultant _____ Highway Department _____
Fees Paid _____

Recommend that new lot be labeled as: Map 182 Lot 167 Sublot 002



**SUBDIVISION PLAN APPLICATION FOR PLAN REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

Date of Application: 1/26/15 Tax Map # 182 Lot # 167, 167-1, 168
Name of Project: SECOND ST SUBDIV
Zoning District: TR General SB# 01-15
(For Town Use) (For Town Use)
ZBA Action: _____

PROPERTY OWNER:
Name: BRIAN COMTEAU
Address: 2 WHITNEY COURT
Address: BREDFORD NH 03110
Telephone # 603 231 2655
Fax # _____
Email: Corvus@comcast.net

DEVELOPER:
DANIEL DEVITT } CPC INVESTMENTS LLC
19 SECOND ST } 17 MARSHALL ST
HUDSON NH } NASHUA, NH 03060
603 880 9988
[Signature]

PROJECT ENGINEER
Name: MAYNARD PAQUETTE ENG ASSOC LLC Telephone # 887 8284
Address: 23 EAST PEARL ST Fax # 887 7227
Address: NASHUA NH 03060 Email: MPEALLC@AOL.COM

PURPOSE OF PLAN:
LOTLINE RELOCATION AND SUBDIVISION OF TWO LOTS
INTO FOUR LOTS CREATING 2 NEW BLDG LOTS
AND MAKING LOT 167 MORE CONFORMING RE: 15 FT REAR
SETBACK

(FOR TOWN USE) PB M+G
Plan Routing Date: 1-30-15 Sub/Site Date: 1-25-15
 I have no comments I have comments (attach to form)
JOB Title: Deputy Fire Chief Date: 1/30/15
(Initials)
DEPT: _____
Zoning _____ Engineering _____ Assessor _____ Police Fire Planning _____
_____ Consultant _____ Highway Department _____
Fees Paid _____

ABUTTERS:

- MAP 182/LOT 167
DANIEL & CAROL DEVITT
19 SECOND STREET
HUDSON, NH 03051
- MAP 182/LOT 167-1
BRIAN CORRIVEAU
2 WHITNEY COURT
BEDFORD, NH 03110
- MAP 182/LOT 168
CPC INVESTMENTS, LLC
17 MARSHALL STREET
NASHUA, NH 03060
- MAP 182/LOT 166
DOMINIC & SUSAN SCURINI
30 HURLEY STREET
HUDSON, NH 03051
- MAP 182/LOT 109
TOWN OF HUDSON SCHOOL DISTRICT
20 LIBRARY STREET
HUDSON, NH 03051
- MAP 182/LOT 169
KENNETH BOULANGER
18 PONEHAM ROAD
AMHERST, NH 03031
- MAP 182/LOT 170
TOWN OF HUDSON
12 SCHOOL STREET
HUDSON, NH 03051
- MAP 182/LOT 171
NANCY J. MOLNAR
13 SECOND STREET
HUDSON, NH 03051
- MAP 174/LOT 208
DANIEL R. DUBE
18 SECOND STREET
HUDSON, NH 03051
- MAP 182/LOT 172
JEFFREY M. ALLISON
22 SECOND STREET
HUDSON, NH 03051
- MAP 182/LOT 173
RALPH E. & ROSEMARY A. PARKER
26 SECOND STREET
HUDSON, NH 03051
- MAP 182/LOT 174
2 LIONS AVENUE LLC
9 AUBURN STREET, SUITE 2
NASHUA, NH 03062

PROPERTY OWNERS WITHIN 200 FT.:
MAP 182/LOT 165
RONALD E. & DONNA M. GAGNON
28 HURLEY STREET
HUDSON, NH 03051

MAP 182/LOT 185
3 LIONS AVENUE LLC
2 WHITNEY COURT
NASHUA, NH 03061

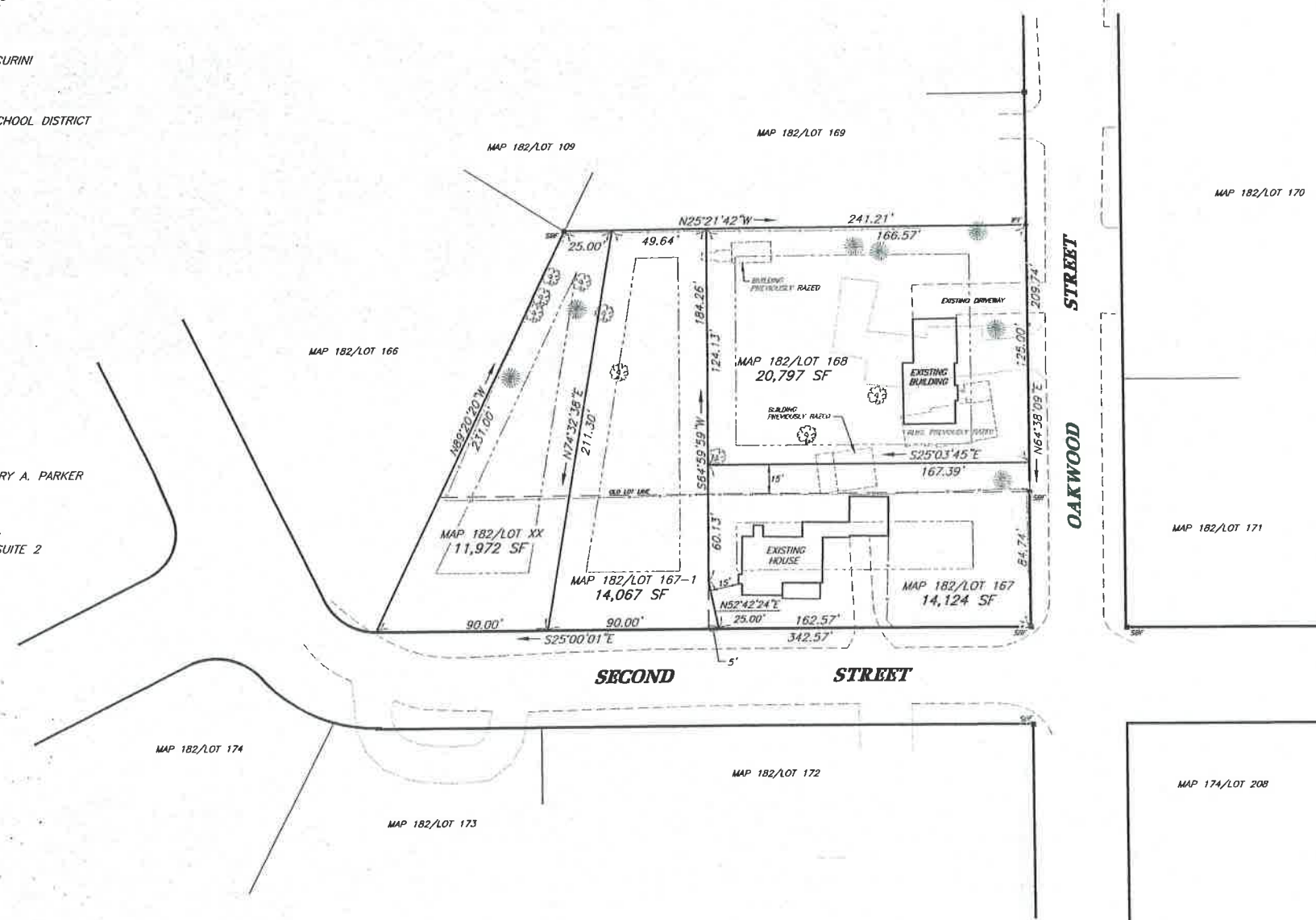
PLAN REFERENCES:

1. SUBDIVISION PLAN - TAX MAP 182/LOT 167, 19 SECOND STREET HUDSON, NH; FOR: MILTON EDWARDS FAMILY, LLC, BY: MAYNARD & PAQUETTE ENG. ASSOC., LLC; DATED: FEBRUARY 1, 2008; SCALE: 1"=20'; H.C.R.D. NO. 36019

LEGEND

- STONE BOUND FOUND
- STONE BOUND TO BE SET
- IRON PIN FOUND
- IRON PIN TO BE SET
- MINIMUM BUILDING SETBACK
- - - EXISTING BUILDING
- (47) STREET ADDRESS

VICINITY



NOTES:

1. PRESENT ZONING - "TR" TOWN RESIDENTIAL
2. EXISTING & PROPOSED USE - RESIDENTIAL
3. THE PURPOSE OF THIS PLAN IS TO RELOCATE THE LOT LINES BETWEEN MAP 182/LOT 167, MAP 182/LOT 167-1 AND MAP 182/LOT 168.
4. TOTAL AREA OF PARCELS - 60,960 SF
5. LOTS ARE SERVED BY TOWN WATER AND SEWER.
6. AREA OF EXCHANGE -

	OLD AREA	NEW AREA	AREA OF EXCHANGE
LOT 167	11,686 SF	14,124 SF	+2,438 SF
LOT 167-1	10,970 SF	14,067 SF	+3,097 SF
LOT 168	38,304 SF	20,797 SF	-17,507 SF
LOT XXX	0 SF	11,972 SF	+11,972 SF
TOTALS	60,960 SF	60,960 SF	0

7. IRON PINS TO BE SET AT ALL LOT CORNERS BY A LICENSED LAND SURVEYOR.
8. DIMENSIONAL REQUIREMENTS -

 - MINIMUM LOT AREA - 10,000 S.F.
 - FRONT YARD SETBACK - 30 FEET
 - SIDE YARD SETBACK - 15 FEET
 - REAR YARD SETBACK - 15 FEET
 - MIN. LOT FRONTAGE - 90 FEET

LOT CRITERIA

LOT NO.	GROSS AREA	WETLANDS	STEEP SLOPE	NET AREA
167	14,124 SF	0	0	14,124 SF
182	20,297 SF	0	0	20,297 SF
167-1	14,067 SF	0	0	14,067 SF
XXX	11,972 SF	0	1,120 SF	10,852 SF



LOT LINE RELOCATION & SUBDIVISION PLAN - MAP 182/LOTS 167, 167-1 & 168
19 & 21 SECOND STREET & 7 OAKWOOD STREET HUDSON, NEW HAMPSHIRE

OWNER: LOT 167 DANIEL & CAROL DEVITT
19 SECOND STREET HUDSON, NH 03051

OWNER: LOT 167-1 BRIAN CORRIVEAU
2 WHITNEY COURT BEDFORD, NH 03110

OWNER: LOT 168 CPC INVESTMENTS, LLC
17 MARSHALL STREET NASHUA, NH 03060

SCALE: 1" = 40' DATE: JANUARY 19, 2015

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

APPROVED BY THE TOWN OF HUDSON PLANNING BOARD

SECRETARY: _____ DATE: _____

CHAIRMAN: _____ DATE: _____

Daniel A. Devitt 1/27/15
DANIEL & CAROL DEVITT (OWNER LOT 167) DATE

Brian Corriveau 1/26/15
BRIAN CORRIVEAU (OWNER LOT 167-1) DATE

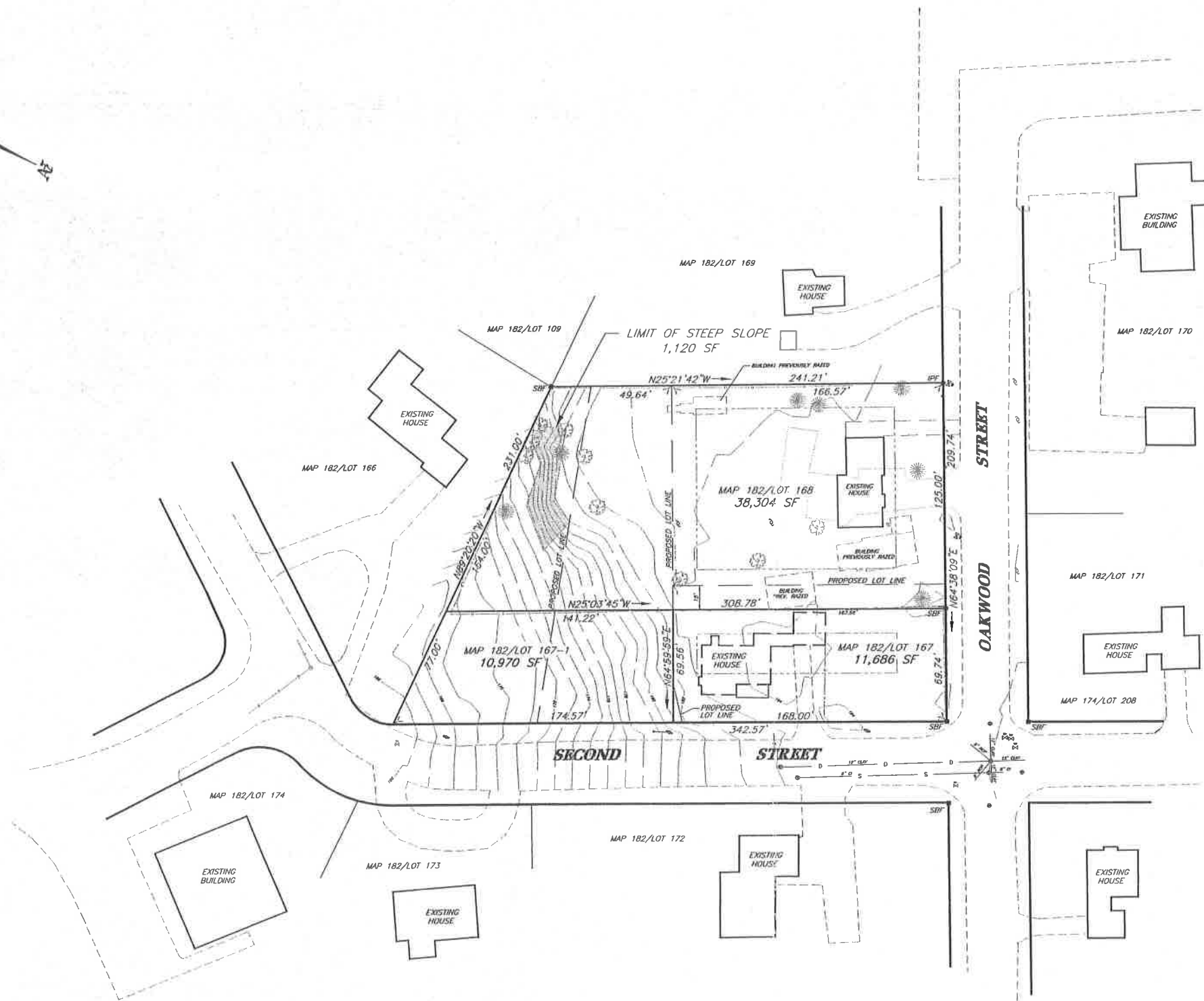
CPC Investments, LLC 1/26/15
CPC INVESTMENTS, LLC (OWNER LOT 168) DATE

I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCE 1 AND A FIELD SURVEY MADE ON THE GROUND IN JULY 2014 HAVING A MAXIMUM ERROR OF CLOSURE OF 1:10,000.



KPM	APB	XXX-XX	D	1241B
DESIGNED	DRAFTED	CHECKED	APPROVED	BOOK & PAGE
			REVISION	SIZE
				JOB NUMBER

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DWG. NO. 1 OF 3



LOT CRITERIA

LOT NO.	GROSS AREA	WETLANDS	STEEP SLOPE	NET AREA
167	14,124 SF	0	0	14,124 SF
182	20,297 SF	0	0	20,297 SF
167-1	14,067 SF	0	0	14,067 SF
XXX	11,972 SF	0	1,120 SF	10,852 SF

NO.	DATE	DESCRIPTION	BY
1	2/18/2015	ADDED LOT CENTER INFO.	APB
2	2/26/2015	ADDED ABUTTING STRUCTURES AND DRIVEWAYS	APB

EXISTING CONDITIONS/GRADING PLAN - MAP 182/LOTS 167, 167-1 & 168
19 & 21 SECOND STREET & 7 OAKWOOD STREET
HUDSON, NEW HAMPSHIRE

OWNER: LOT 167 OWNER: LOT 167-1 OWNER: LOT 168
 DANIEL & CAROL DEVITT BRIAN CORRIVEAU CPC INVESTMENTS, LLC
 19 SECOND STREET 2 WHITNEY COURT 17 MARSHALL STREET
 HUDSON, NH 03051 BEDFORD, NH 03110 NASHUA, NH 03060

SCALE: 1" = 40' DATE: JANUARY 19, 2015



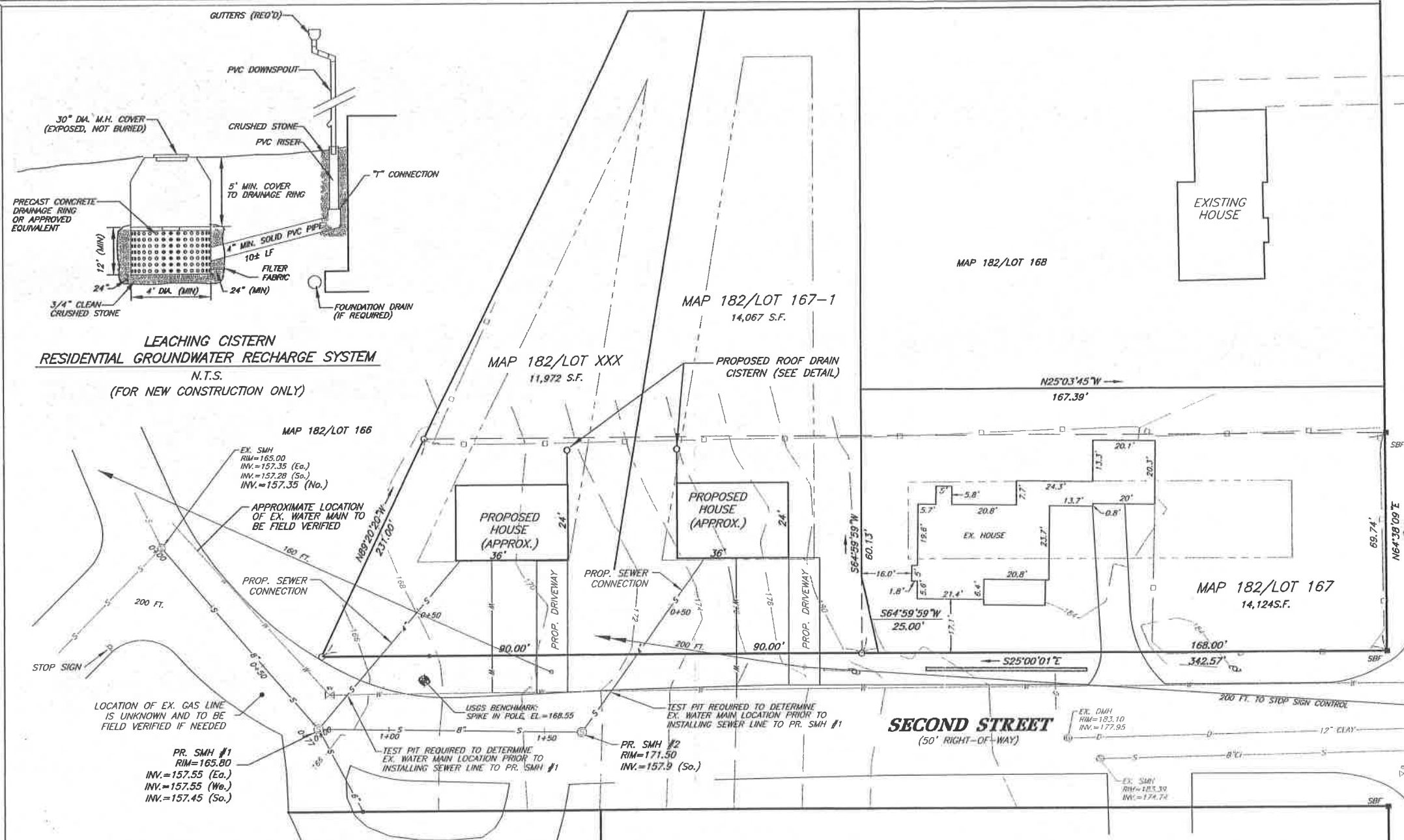
ENGINEERING
MP
ASSOCIATES
Maynard & Paquette
 Engineering Associates, LLC
 Consulting Engineers and Land Surveyors
 23 East Pearl Street, Nashua, NH. 03060
 Phone: (603)883-8433 Fax: (603)883-7227

DESIGNED	DRAWN	CHECKED	APPROVED	BOOK & PAGE	REVISION	SIZE	JOB NUMBER
KPM	APB			XXX-XX	D		12418

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 DWG. NO. **2**
 OF 3

LOT CRITERIA

LOT NO.	GROSS AREA	WETLANDS	STEEP SLOPE	NET AREA
167	14,124 SF	0	0	14,124 SF
182	20,297 SF	0	0	20,297 SF
167-1	14,067 SF	0	0	14,067 SF
XXX	11,972 SF	0	1,120 SF	10,852 SF



OAKWOOD STREET
(50' RIGHT-OF-WAY)

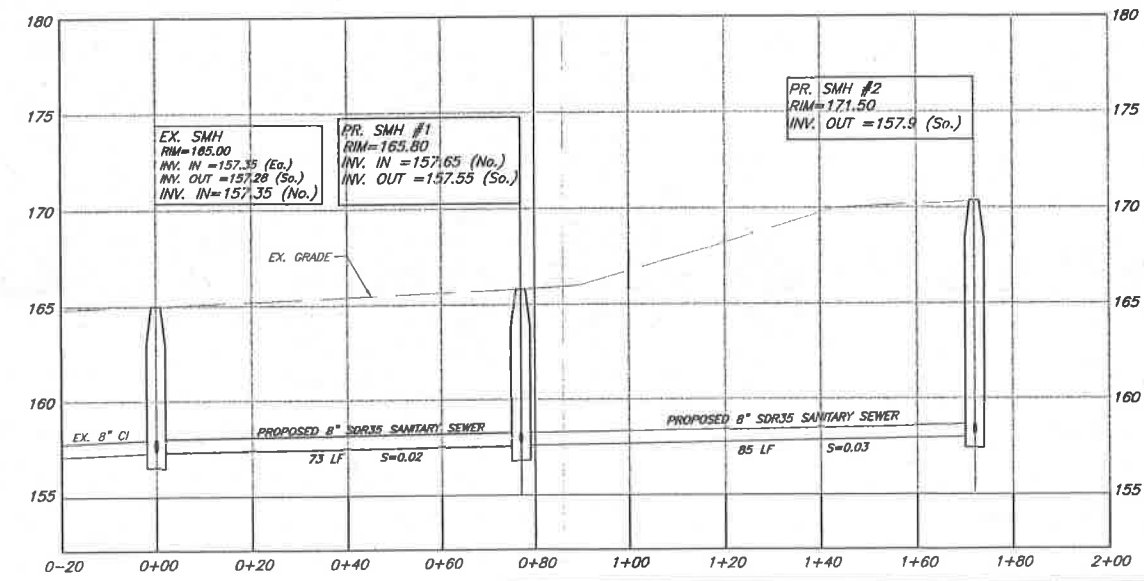
SECOND STREET
(50' RIGHT-OF-WAY)

GRADING PLAN - MAP 182/LOTS 167, 167-1 & 168
19 & 21 SECOND STREET & 7 OAKWOOD STREET
HUDSON, NEW HAMPSHIRE

OWNER: LOT 167 DANIEL & CAROL DEVIT 19 SECOND STREET HUDSON, NH 03051
 OWNER: LOT 167-1 BRIAN CORRIVEAU 2 WHITNEY COURT BEDFORD, NH 03110
 OWNER: LOT 168 CPC INVESTMENTS, LLC 17 MARSHALL STREET NASHUA, NH 03060

SCALE: 1" = 20'
DATE: JANUARY 19, 2015

ENGINEERING
MP ASSOCIATES
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



NO.	DATE	REVISION
1	2/18/2015	ADDED SIGHT DISTANCE AND LOT CRITERIA INFO
2		
3		

KPM	APB	XXX-XX	D	12418
DESIGNED	DRAFTED	CHECKED	APPROVED	BOOK & PAGE
			REVISION	SIZE
				JOB NUMBER

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