

**TOWN OF HUDSON
PLANNING BOARD
PUBLIC MEETING
TOWN OF HUDSON, NH
NOVEMBER 12, 2014**

12 School Street

Hudson, New Hampshire 03051

603/886-6005



The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, November 12, 2014 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. 08-27-14 Minutes - 11-12-14 Packet
- VI. CASES REQUESTED FOR DEFERRAL
- VII. CORRESPONDENCE
- VIII. PERFORMANCE SURETIES
- IX. ZBA INPUT ONLY
 - A. Market Basket Plaza Map 222/Lot 018
ZI# 04-14 220 Lowell Road

Purpose of plan is to propose a series of small building additions totaling approximately 16,165 sf of additional floor area, along with significant access, circulation, and parking improvements in order to move the main access drive to a new signalized intersection. The temporary wetland impact is 946 sf, the permanent wetland impact is 2,850 sf, and the buffer impact is 47,221 sf.
- X. PUBLIC HEARINGS
- XI. OLD BUSINESS/PUBLIC HEARINGS
 - A. Tolles-Riverside LLR Map 173/Lots 12,14,15,16
SB# 08-14 Tolles Street

Purpose of plan: Lot Line Adjustment/Consolidation. Hearing. Deferred Date Specific from the 10-22-14 Planning Board Meeting.

Market Basket ZBA Input Only Review

STAFF REPORT

November 12, 2014

SITE: Market Basket Plaza - Lowell/Wason Roads - Map 222/Lot 018 - ZI# 04-14

ZONING: Industrial (I), Business (B) & General-1 (G-1).

PURPOSE OF PLAN: to propose a series of small building additions totaling approximately 16,165 sf of additional floor area, along with significant access, circulation, and parking improvements in order to move the main access drive to a new signalized intersection. The temporary wetland impact is 946 sf, the permanent wetland impact is 2,850 sf, and the buffer impact is 47,221 sf.

PLAN UNDER REVIEW ENTITLED: Wetland and Wetland Buffer Impact Plan Market Basket Plaza, Map 222 Lot 18 220 Lowell Rd., Hudson, prepared by Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110, consisting of Sheet 1 of 1 and Notes 1 - 13, dated 14 April 2014 and no revision date (said plan attached hereto).

ATTACHMENTS:

- ✓ ZBA Input Only Application, date stamped 6 Oct 2014 “A”.
- ✓ Conservation Commission “Motion to Recommend Wetland Special Exception” dated 14 July 2014 – “B”.

REQUESTED WAIVERS: N/A -- ZBA Input Only.

OUTSTANDING ISSUES: As shown on the attached Plan, the proposed permanent wetland impact of 2,850 sf, the temporary wetland impact of 946 sf and the 47,221 sf buffer impact are associated with the singular wetland that runs along the rear of the parcel north to the northeast corner of the parcel then due west to Lowell Rd. Action taken by the Town of Hudson Conservation Commission on this matter is attached for board reference – see attachment “B”. The Con-Com finding concerning said wetland is that it serves primarily as a holding basin for stormwater runoff associated with the Market Basket site, “... with minimal additional function.”

RECOMMENDATION: For this ZBA Input Only Review, staff recommends application acceptance and for the board to conduct the requisite public hearing. After which, the board may want to consider taking action on this application in accordance with the below DRAFT MOTION. Please note, as always, ZBA Input Review only involves review of the proposed wetland impacts issues at-hand and whether or not the board determines the proposed wetland impacts are appropriate, relative to the site’s proposed development. That is, if the applicant is requesting a reasonable degree of relief from the wetlands protection statutes. In this particular case, as cited and explained by the Conservation Commission in its attached Motion to Recommend Wetlands Special exception (“B”) it appears that the proposed wetland impacts “ ... are necessary to the development of the site.”

APPLICATION TRACKING:

- Application submitted on 10/06/2014.
- ZBA Input by Planning Board scheduled hearing 11/12/2014.

DRAFT MOTIONS:

I move to accept the ZBA Input Only Application for Market Basket, 220 Lowell Rd., Map 222 Lot 18.

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

I move to forward correspondence to the ZBA, citing that the Planning Board has no outstanding concerns with the proposed wetland impacts for the Market Basket Site, located at 220 Lowell Rd., Map 222, Lot 18, and as depicted on the following Plan entitled: Wetland and Wetland Buffer Impact Plan Market Basket Plaza, Map 222 Lot 18 220 Lowell Rd., Hudson, prepared by Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110, consisting of Sheet 1 of 1 and Notes 1 - 13, dated 14 April 2014 and no revision date.

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

"A"

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

Date of Application: 10-6-2014 Tax Map # 222 Lot # 18

Name of Project: Market Basket Plaza

Zoning District: _____ General Zoning ID# _____
(For Office Use) (For Office Use)

ZBA Action: N/A

PROPERTY OWNER:

DEVELOPER:

Name: Demoulas Super Markets, Inc.

(Same)

Address: 875 East Street

Address: Tewksbury, MA 01876

Telephone # (978) 851-0200

Fax # _____

Email: jlamp@jandcomp.com

PROJECT ENGINEER

Name: Keach-Nordstrom Associates, Inc.

Telephone # (603) 627-2881

Address: 10 Commerce Park No., Suite 3

Fax # (603) 627-2915

Address: Bedford, NH 03110

Email: pcolburn@keachnordstrom.com

PURPOSE OF PLAN:

The purpose of the plan is to propose a series of small building additions totaling approximately 16,165 sf of additional floor area, along with significant access, circulation, and parking improvements in order to move the main access drive to a new signalized intersection. The temporary wetland impact is 946 sf, the permanent wetland impact is 2,850 sf, and the buffer impact is 47,221 sf.



(For Office Use)

Plan Routing Date: _____ Plan Date: _____

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

_____ Title: _____ Date: _____

(Initials)

Department:

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

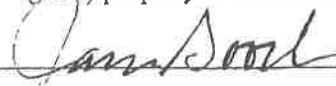
_____ Highway _____ Consultant Review _____ Fees Paid

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

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

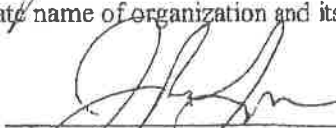
Pursuant to RSA 674:1-IV, the owner(s), by the filing of this application as indicated above, hereby give permission for any member of the Hudson Planning Board, the Town Engineer, the Conservation Commission and such agents or employees of the Town or other persons as the Planning Board may authorize,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

Signature of Owner: _____



- ❖ 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 individual in charge of the project must notify the Code Enforcement Officer/Building Inspector within two (2) working days of any change.

Technical Review Signature: _____



Planner Approval Signature: _____



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

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

CON-Com

" B "

Motion to Recommend
Wetlands Special Exception

Date: 14 July 2014

Case: Demoulas Super Markets, Inc
220 Lowell Road
Map 222 Lots 018

Referenced Plan: Wetland/Wetland Buffer Impact Plan; Market Basket Plaza
Dated: April 14, 2014

Description of Work to be performed: A series of small building additions totaling 16,165 SF of additional floor area along with significant access, circulation, and parking improvements in order to move the main access drive to a new signalized location. The project will entail storm water management improvements, landscaping, and lighting. Wetland buffer impacts include 946 SF of temporary impacts and 2,850 SF of permanent impact along with 47,221 SF of buffer impact.

Members Present: J Battis, R Brownrigg, K Dickinson, R Jurewicz
Members Stepping Down: None
Alternates Seated: None

Motion to Recommend: Favorable X
Unfavorable

With Stipulations:

1. Construction and restoration shall comply with: *BEST MANAGEMENT PRACTICES TO CONTROL NON-POINT SOURCE POLLUTION: A GUIDE FOR CITIZENS AND TOWN OFFICIALS* (NH Dept of Environmental Services – Current Issue.)
2. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.

Motion By: R Jurewicz

Second By: K Dickinson

Vote: Favorable 4 Unfavorable 0 Abstain 0

Summary of Arguments For Recommending: The proposed wetland and wetland buffer impacts are all within the uses permitted by special exception under §334-35 *Uses within the Wetland Conservation District* of the Hudson Town Code and meet the conditions required to grant a special exception. The proposed impacts are necessary to the development of the site. The existing wetland serves primarily as a holding basin for storm water with minimal additional function.

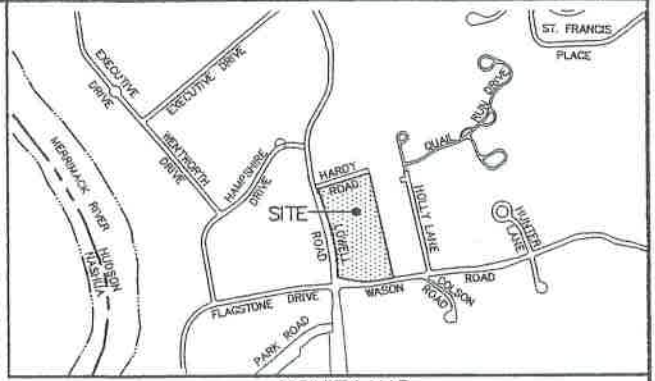
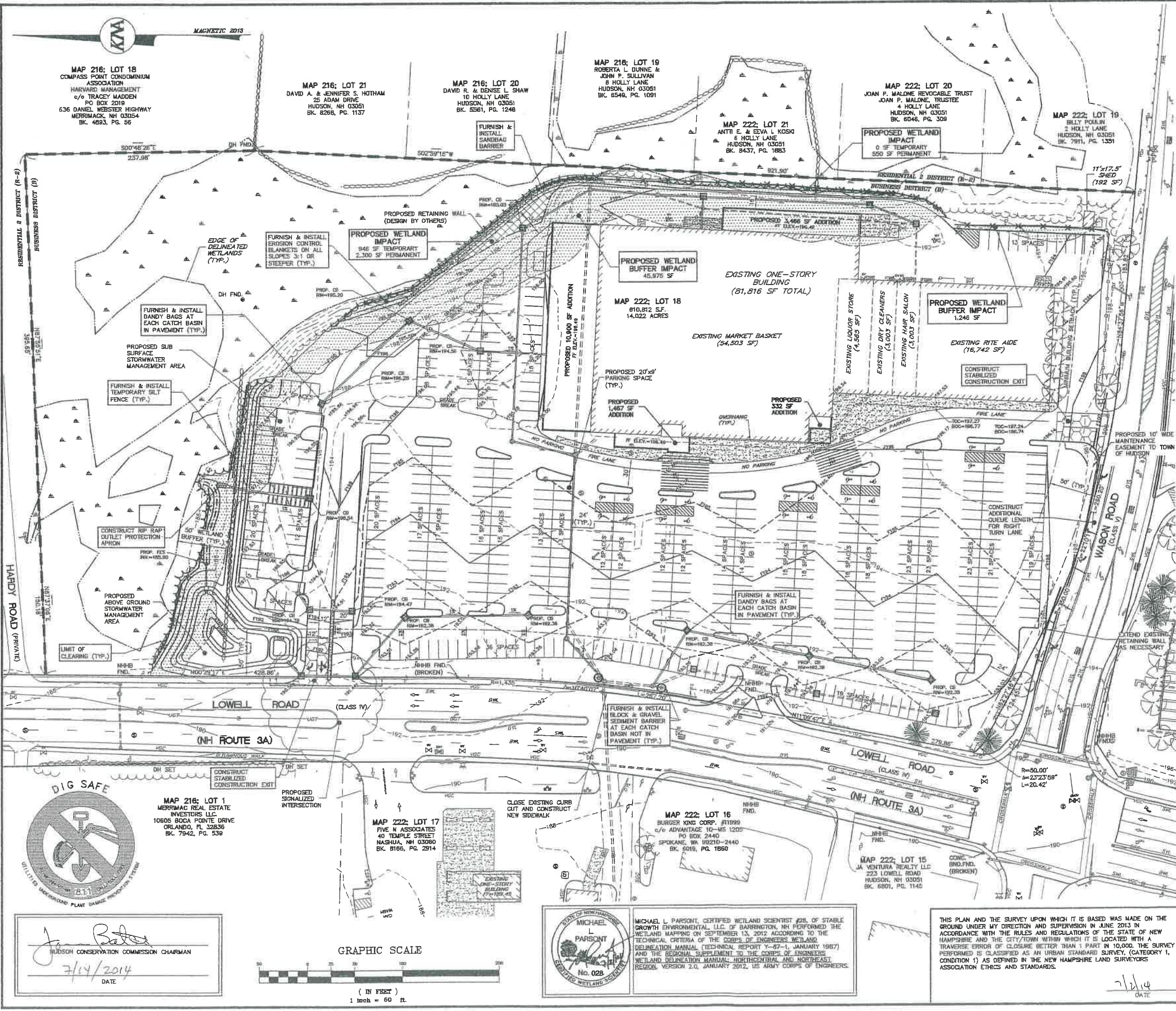
Dissenting Argument(s): None

This motion is based on the plan(s) submitted by the applicant. Additional impacts that result from the relocation of impervious surfaces or structures have not been addressed. It is recommended that if such changes are made the plan be returned to the Conservation Commission for further review.

Approved



Jim Battis, Chairman



VICINITY MAP
SCALE: 1" = 1,000'

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO DEPICT THE WETLAND AND WETLAND BUFFER IMPACTS ON MAP 222: LOT 18.
 - TOTAL SITE AREA: 610,812 SF, OR 14.022 ACRES
 - PRESENT ZONING: BUSINESS (B)
MINIMUM LOT REQUIREMENTS:
- LOT AREA: 30,000 SF (WITH WATER AND SEWER)
- LOT AREA: 43,560 SF (WITHOUT WATER AND SEWER)
- LOT FRONTAGE: 150 FT (LOCAL/ARTERIAL/COLLECTOR ROADWAYS)
MINIMUM BUILDING SETBACKS: (LOCAL/ARTERIAL/COLLECTOR ROADWAYS)
- FRONT: 50 FT
- SIDE: 15 FT
- REAR: 15 FT
 - MAP 222: LOT 18 INDICATES TOWN OF HUDSON TAX ASSESSORS MAP AND LOT NUMBER.
 - PRESENT OWNER OF RECORD:
DEMOULAS SUPER MARKETS, INC.
875 EAST STREET
TEWKSBURY, MA 01876
BK. 5856, PG. 1904
 - BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY THIS OFFICE IN JUNE 2013.
 - WETLAND MAPPING WAS PERFORMED BY MICHAEL L. PARSONT, CERTIFIED WETLAND SCIENTIST #28, OF STABLE GROWTH ENVIRONMENTAL, LLC OF BARRINGTON, NH ON SEPTEMBER 13, 2012.
 - HORIZONTAL DATUM IS ASSUMED NORTH ORIENTATION IS MAGNETIC 2013. VERTICAL DATUM IS NGVD 29.
 - EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, MAP NUMBER 33011C06560 PANEL NUMBER 656 OF 701, EFFECTIVE DATE: SEPTEMBER 25, 2009 INDICATES THAT THE SUBJECT PREMISES IS NOT LOCATED WITHIN A FLOOD HAZARD AREA.
 - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 811.
 - PARKING CALCULATION:
MARKET BASKET = 70,668 SF/200 = 353.44 SPACES
LIQUOR STORE = 4,585 SF/200 = 22.93 SPACES
CLEANERS = 3,003 SF/200 = 15.02 SPACES
HAIR SALON = 3,003 SF WITH 8 OPERATORS = 3 SPACES/OPERATOR x 8 = 24 SPACES
RITE AIDE = 16,742 SF/200 = 83.71 SPACES
TOTAL SPACES REQUIRED = 489 SPACES
PROPOSED PARKING = 514 SPACES (INCLUDES 20 HANDICAP SPACES AND 11 CARRIAGE CORRALS)
 - OPEN SPACE:
35% REQUIRED
38.9% PROPOSED
 - TOTAL PERMANENT WETLAND IMPACT: 2,850 SF
TOTAL TEMPORARY WETLAND IMPACT: 946 SF
TOTAL WETLAND BUFFER IMPACT: 47,221 SF (14,067 SF EXISTING)

LEGEND

■	STONE BOUND FOUND	---	ABUTTER LINE
●	IRON PIN FOUND	---	PROPERTY LINE
○	SIGN	---	WETLAND
○	LIGHT	---	STOCKADE FENCE
○	GAS VALVE	---	OVERHEAD UTILITIES
○	WATER VALVE	---	TREELINE
○	HYDRANT	---	EDGE OF PAVEMENT
○	WATER SHUT OFF	---	STONEWALL
○	SEWER MANHOLE	---	BUILDING SETBACK EASEMENT
○	DRAINAGE MANHOLE	---	SILT FENCE
○	CATCH BASIN	---	SANDBAG BARRIER
○	BLOCK AND GRAVEL SEDIMENT BARRIERS	---	AREA OF WETLAND IMPACT
○		---	AREA OF WETLAND BUFFER IMPACT

WETLAND/WETLAND BUFFER IMPACT PLAN
MARKET BASKET PLAZA
MAP 222; LOT 18
220 LOWELL ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD:
DEMOULAS SUPER MARKETS, INC.
875 EAST STREET
TEWKSBURY, MA 01876
H.C.R.D. BK. 5856, PG. 1904

APPLICANT:
DEMOULAS SUPER MARKETS, INC.
875 EAST STREET
TEWKSBURY, MA 01876

KM KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-8881

REVISIONS

No.	DATE	DESCRIPTION	BY

DATE: APRIL 14, 2014
PROJECT NO: 11-1206-2
SCALE: 1" = 50'
SHEET 1 OF 1

MAP 216; LOT 18
COMPASS POINT CONDOMINIUM ASSOCIATION
HARVARD MANAGEMENT
c/o TRACEY MADDEN
PO BOX 2019
636 DANIEL WEBSTER HIGHWAY
MERRIMACK, NH 03054
BK. 4893, PG. 56

MAP 216; LOT 21
DAVID A. & JENNIFER S. HOTHAM
25 ADAM DRIVE
HUDSON, NH 03051
BK. 8268, PG. 1137

MAP 216; LOT 20
DAVID R. & DENISE L. SHAW
10 HOLLY LANE
HUDSON, NH 03051
BK. 5361, PG. 1248

MAP 216; LOT 19
ROBERTA L. DUNNE &
JOHN P. SULLIVAN
8 HOLLY LANE
HUDSON, NH 03051
BK. 5549, PG. 1091

MAP 222; LOT 20
JOAN F. WALONE REVOCABLE TRUST
JOAN P. WALONE, TRUSTEE
4 HOLLY LANE
HUDSON, NH 03051
BK. 6046, PG. 309

MAP 222; LOT 19
BILLY POLLEN
1 HOLLY LANE
HUDSON, NH 03051
BK. 7911, PG. 1351

MAP 222; LOT 21
ANITA E. & EVA L. KOSKI
6 HOLLY LANE
HUDSON, NH 03051
BK. 8437, PG. 1883

MAP 222; LOT 18
610,812 S.F.
14.022 ACRES

MAP 222; LOT 16
BURDEN KING CORP. #11999
c/o ADVANTAGE 16-45 1205
PO BOX 2440
SPOKANE, WA 99210-2440
BK. 9019, PG. 1860

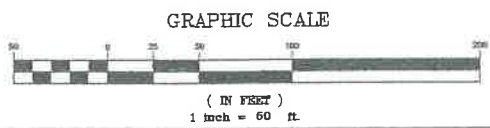
MAP 216; LOT 1
MERRIMACK REAL ESTATE INVESTORS LLC
10605 BOCA PONTE DRIVE
ORLANDO, FL 32836
BK. 7942, PG. 539

MAP 222; LOT 17
FIVE W ASSOCIATES
40 TEMPLE STREET
NASHUA, NH 03060
BK. 8166, PG. 2914

MAP 222; LOT 15
JA VENTURA REALTY LLC
223 LOWELL ROAD
HUDSON, NH 03051
BK. 6801, PG. 1145

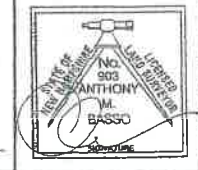


John Bates
HUDSON CONSERVATION COMMISSION CHAIRMAN
7/14/2014
DATE



MICHAEL L. PARSONT, CERTIFIED WETLAND SCIENTIST #28, OF STABLE GROWTH ENVIRONMENTAL, LLC OF BARRINGTON, NH PERFORMED THE WETLAND MAPPING ON SEPTEMBER 13, 2012 ACCORDING TO THE TECHNICAL CRITERIA OF THE SOBER'S ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1, JANUARY 1987) AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012, US ARMY CORPS OF ENGINEERS.

THIS PLAN AND THE SURVEY UPON WHICH IT IS BASED WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION IN JUNE 2013 IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF NEW HAMPSHIRE AND THE CITY/TOWN WITHIN WHICH IT IS LOCATED WITH A TRAVERSE ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000. THE SURVEY IS PERFORMED AS AN URBAN STANDARD SURVEY, (CATEGORY 1, CONDITION 1) AS DEFINED IN THE NEW HAMPSHIRE LAND SURVEYORS ASSOCIATION ETHICS AND STANDARDS.



7/14/14
DATE