



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

Roger Coutu, Selectmen Liaison



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

PUBLIC MEETING – APRIL 28, 2021

COVID-19 Meeting Procedure

Due to the Covid-19 pandemic, and pursuant to Governor Sununu’s Executive Order #12, the Planning Board meeting will be using remote technology in addition to limited physical presence. **The public may attend physically** in accordance with CDC guidelines and Town policy.

To attend remotely:

Please register for Hudson Planning Board - Hudson Logistics Center on April 28, 2021 7:00 PM EST at <https://attendee.gotowebinar.com/register/6012260836858911757>

After registering, you will receive a confirmation email containing information about joining the webinar. Use the “raise hand” feature to be called on.

You may also observe the meeting in real-time on Hudson Community Television, Comcast Cable Channel 22, or through: <http://www.hudsonctv.com/CablecastPublicSite/watch/2?channel=3>

If you are experiencing technical difficulties or are unable to access the webinar, please email planning@hudsonnh.gov.

The Town of Hudson Planning Board will hold a regularly scheduled meeting on **Wednesday, April 28, 2021 at 7:00 p.m.** at the **Hudson Community Center**, 12 Lions Ave., Hudson, NH. The following items will be on the agenda:

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
- V. MINUTES OF PREVIOUS MEETING(S)
 - 24 March 2021 Meeting Minutes – Decisions
 - 07 April 2021 Meeting Minutes - Decisions
 - 14 April 2021 Meeting Minutes – Decisions
- VI. NEW BUSINESS

A. 37 Webster Street Driveway Waiver
WR# 01-21

37 Webster Street
Map 173/Lot 052-001

Purpose of Plan: to widen the current driveway by nine (9) feet which encroaches three (3) feet into the fifteen (15) foot setback. Waiver acceptance & hearing.

B. Derry Street 5-Lot Subdivision Plan
SB# 04-21

29 Derry Street
Map 174/Lot 077

Purpose of Plan: to depict the subdivision of Lot 174/Lot 077 into five (5) residential lots.
Application acceptance & hearing.

VII. OLD BUSINESS

A. American Tower Site Plan & Conditional Use Permit
SP# 01-21 & CUP# 02-21

143 Dracut Road
Map 259/Lot 011

Purpose of Plan: to propose a 155-foot camouflaged “monopine” tower with T-Mobile antennas, associated 48’x48’ fenced ground area for carrier equipment with access from Dracut Road over existing paved driveway to proposed crushed stone driveway to the locked entrance gate and underground utilities. Application Acceptance & Hearing.

VIII. ADJOURNMENT

Comments may be submitted in writing until 10:00 a.m. on the Tuesday prior to the day of the meeting.

Brian Groth
Town Planner

POSTED: Town Hall, Library & Web – 04-15-21 (Revised 04-22-21)



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

MINUTES/DECISIONS OF THE PLANNING BOARD MEETING DATE: MARCH 24, 2021

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Remote = R			
Tim Malley	Ed Van der Veen	Elliott Veloso	Jordan Ulery
Chair <u> X </u>	Vice-Chair <u> X </u>	Secretary <u> X </u>	Member <u> X </u>
Dillon Dumont	William Collins	Victor Oates	Leo Fauvel
Member <u> X </u>	Member <u> X </u>	Alternate <u> X </u>	Alternate <u> X </u>
Brian Groth	Roger Coutu	Marilyn McGrath	
Town Rep. <u> X </u>	Select. Rep. <u> X </u>	Alt. Select. Rep. <u> X </u>	

- I. CALL TO ORDER BY CHAIRPERSON AT 7:07 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES

None.

V. OLD BUSINESS

A. Hudson Logistics Center Subdivision, Site Plan & Conditional Use Permit

SB# 11-20	Lowell & Steele Road
SP# 04-20	Map 234/Lots 5, 34 & 35, Map 239/Lot 1
CU# 02-20	

Purpose of Plan: to show the dedication of a new subdivision road and the consolidation/subdivision/lot line adjustment of Map 234/Lots 005, 034 & 035, and Map 239/Lot 001. And, to propose commercial development consisting of three (3) new distribution and logistics buildings with associated access ways, parking, stormwater/drainage infrastructure and other site improvements. Continuance of Hearing.

Attorney Amy Manzelli, BCM Environmental & Land Law, PLLC, 3 Maple Street, Concord, NH 03301

- Introduction

- Representing over 50 households of Hudson residents, many of which are abutters of this project
- Conflict of Interest
 1. Selectman Coutu – text
 2. Law Firm DTC – represented the Town of Hudson in a previous multi-town lawsuit
 3. Member Ulery – biased comments on social media; member of American Legislative Exchange Council (ALEC), which supports free market policies, Federalism, and corporate interests
- Failure of Abutter Notice: Failure of notice for 23 Fairway Drive; current owners after recent property sale are not listed on the abutters’ list for the Lot Line Relocation application.
- Request proceedings be stayed until the Planning Board investigates these matters, but allow the public comment session to proceed tonight

Chairman Malley stated that the Planning Board doesn’t investigate allegations of conflict of interest. Members had responded. Matter is closed.

Public Input Session opened @ 7:36 P.M.

Mary Palmer, 26 Chalifoux Road - Voiced concerns about traffic, environmental impact, flaws and bias in the applicant’s studies.

Jim Crowley, 4 Fairway Drive - *With yielded time from Kathy Crowley (4 Fairway Drive), Martha Marsch (3 Fairway Drive), Sandra Dubuc (11 Eagle Drive), Judith Schibanoff (8 Birdie Ln), Bob Costello (17 Fairway Dr), William Marks (6 Leonard Avenue), Mary Dumont (10 Fairway Drive), Kristen Sullivan (15 Lorraine St), Ralph Nevim (3 Eagle Drive).*
The Board granted 30 minutes to Mr. Crowley’s presentation.

Voiced concerns about stormwater management, conditional use permit (proposed road alignment), impact to property value of surrounding properties, traffic. Mr. Crowley also voiced a concern that the public’s concerns and statements were not adequately considered.

Mu-jane, Monk, 13 Fairway Drive - Voiced concerns about traffic and property value impacts.

Colleen Vurgaropulos, 5 Muldoon Drive - Voiced concerns about future use of Building C.

Attorney Amy Manzelli, BCM Environmental & Land Law, PLLC, 3 Maple Street, Concord, NH 03301 - Voiced concerns about the applicant not meeting the legal requirement in addressing impacts to property value, traffic, character of the area, and water resources. Voiced concerns about conflicting opinions between experts, and the board violation of the public’s right to due process/to be heard.

Rita Banatwala, 29 Fairway Drive - Voiced concerns about traffic, noise, property value impacts.

Patricia Reichard, 23 Par Lane - Voiced concerns about traffic impact.

Karen Bell, 95 Parnell Place, Nashua, NH 03060 - Voiced concerns about Gov. Sununu’s characterization of the project opponents, traffic impact, and noise.

Jim Dobens, 4 Eagle Drive - Voiced concerns about traffic, noise, property value, wetlands, groundwater, emergency services, air quality, lighting pollution, town's financial impacts.

Marie Dobens, 4 Eagle Drive - Voiced concerns about property value, traffic, and environmental impacts.

Diane Mulligan, 5 Fairway Drive - Voiced concerns about traffic and noise impacts, as well as the waiver request for reduced parking requirements.

Bill Marsch, 3 Fairway Drive - Voiced concerns about noise and visual impact of the sound wall. Also suggested the Planning Board to require the developer or tenant pay all legal fees and comply within 30 days for noise violations.

Owen Sullivan, 15 Lorraine Street - Voiced concerns about noise and air pollution.

Meeting recessed at 8:55 P.M.

Meeting resumed at 9:08 P.M.

John Dubuc, 11 Eagle Drive - Voiced concerns about the Board of Selectmen's vote on sewer access, property value impact, and inadequate sound wall design.

Eileen Gosselin, 423 Elk Run - Voiced opposition to the project.

Urs Nager, 8 Par Lane - Voiced concerns about impacts to traffic, noise, town's finances.

George Villemaire, 32 Musquash Road - Voiced support for the project.

Chris Mulligan, 5 Fairway Drive - Referenced the town's decision on the Hudson Speedway. Voiced concerns about unaddressed concerns, such as traffic.

Robert Chesler, 14 Fairway Drive - Voiced concerns about the applicant not being truthful, line of sight of sound wall, impact to emergency services, and changes made to building square footage.

Johnathan Fontaine, 8 Eagle Drive - Voiced concern about traffic, light, noise, fire suppression systems, and heat-island impacts.

Tim Monk, 13 Fairway Drive - Voiced concerns about the applicant's compressed project timeline in relation to the approval process, appraisal study, noise study, and pattern of providing incorrect information.

Eric Winkler, 17 Riviera Road - Voiced support for the project. Commented that the noise impact may be irrelevant when trucks become electric in near future.

Kenneth Dolan, 105 Dracut Road - Voiced concerns about having high truck traffic around town.

Xenophon Vurgaropoulos, 5 Muldoon Drive - Voiced concerns about the Town Engineer's comments on the traffic impact and need to complete the Hudson Boulevard project, and the lack of discussion on the subject.

Dean Sakati, 11 Fairway Drive - Voiced concerns about the beam, noise impact, and the applicant's un-neighborly approach to this application.

Abigail Sakati, 11 Fairway Drive - Voiced concerns about environmental impacts, actual job opportunities to Hudson's residents,

Mike Ruby, 7 Eagle Drive - Voiced concerns about how the project would change the character of the town and impacts to the environment/wetlands, including more flooding.

Paige Schaller, 213 Fox Hollow Drive - Voiced concerns about public not given the opportunity to address various concerns, actual financial benefits to the town, and traffic impacts.

Jerome Bento, 7 Muldoon Drive - Voiced concerns about impacts to emergency services, traffic, as well as increased air pollution.

Kerrie Harrington, 48 Orchard Park Lane - Voiced concerns about noise, traffic, pollution, and health impacts.

Karen Nevin, 3 Eagle Drive - Referenced the town's decision on the Hudson Speedway. Voiced concerns about traffic and noise impacts, as well as the applicant's handling of social media.

Joan Troop, 10 Stable Road - Voiced concerns about ecological impacts, including the loss of old trees and sink for greenhouse gas.

Joe Dipilato, 12 Eagle Drive - Voiced concerns about non-compliance of town's regulations, including impact to property value and noise. Existing penalty for violation of §249-7 is insufficient.

Jen Rousseau, 123 Wason Road (formerly), also Co-Founder Hudson Alliance for Responsible Development - Voiced concerns about traffic impacts, especially given the Town Engineer's concerns about inadequate traffic mitigation plans and reliance on the Hudson Boulevard plan.

Heidi Jakoby, 94 Gowing Road - Voiced concerns about insufficient evidence that the project meets the town's requirements.

Paula Michalski, 1 Rena Ave - Voiced concerns about health impacts due to lack of sleep.

Ed Thompson, 22 Burns Hill Road - Voiced concerns about the applicant's compressed timeline in relation to the approval process, the project's negative attributes and impacts, non-compliance to town's codes, and insufficient studies done.

Grace Kennedy, 30 Glen Drive - Voiced concerns about height and size of the buildings, the project being inconsistent with the Town's master plan, and actual public benefits to the Town.

Merrill Harriman, 5 Birdie Lane - Voiced concerns about the Board of Selectmen's haste in making the sewer decision.

Selectman Coutu: We have been here for a year and nowhere near a decision. Will not drag this out for 3 years and need to make a decision at some point.

Meeting recessed at 10:37 P.M.

Meeting resumed at 10:41 P.M.

Hillwood (Justin Pasay, DTC Lawyers, PLLC)

1. Appreciate the process, dedicated meeting for public comment
2. Acknowledges that are disagreements and different opinions
3. Believes that reports were taken out of context
4. Want to respond to technical questions in writing
5. Hope the public comment is closed; will respond to the comments raised tonight; and hope to start the next the next phase of this deliberation process

Member Fauvel: Didn't get to the first item of new business – does this property has a mortgage? If not, then the applicant can go ahead to merge the lots according to the RSA.

Chairman Malley: The applicant had some missing abutter notifications. The Lot Line Relocation will be on the next meeting's docket.

Public Input Session for the Conditional Use Permit and Site Plan closed @ 10:45 P.M.

The window for additional public input via email was extended until the morning of March 31, 2021.

Mr. Collins made a motion to continue the hearing on the Hudson Logistics Center, to date certain, April 7, 2021.

Motion seconded by Mr. Van der Veen. Motion carried 6/1/0 (Coutu opposed).

VI. ADJOURNMENT

Mr. Collins moved to adjourn. Motion seconded by Mr. Ulery. All in favor – motion carried.

Meeting adjourned at 10:48 p.m.

Elliott Veloso
Member, Planning Board

These minutes are in draft form and have not yet been approved by the Planning Board.

Note: Planning Board minutes are not a transcript. For full details on public input comments, please view the meeting on HCTV (Hudson Community Television).



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MINUTES/DECISIONS OF THE PLANNING BOARD

MEETING DATE: APRIL 7, 2021

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Remote = R			
Tim Malley	Ed Van der Veen	Elliott Veloso	Jordan Ulery
Chair <u> X </u>	Vice-Chair <u> X </u>	Secretary <u> X </u>	Member <u> X </u>
Dillon Dumont	William Collins	Victor Oates	Leo Fauvel
Member <u> X </u>	Member <u> X </u>	Alternate <u> X </u>	Alternate <u> X </u>
Brian Groth	Roger Coutu	Marilyn McGrath	
Town Rep. <u> X </u>	Select. Rep. <u> X </u>	Alt. Select. Rep. <u> X </u>	

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

None.

V. OLD BUSINESS

- A. Greenmeadow Lot Line Relocation Lowell & Steele Road
SB# 01-21 Map 234/Lots 5 & 34, Map 239/Lot 1

Purpose of Plan: To relocate a lot line between Map 234/Lot 5 and Map 234/Lot 34, and then to consolidate Map 234/Lot 5 with Map 239/Lot 1. Application Acceptance & Hearing.

Mr. Ulery moved to accept the application for the Lot Line Relocation and Consolidation Plan, SB# 01-21, for Map 239/Lot 1, and Map 234/Lots 5 & 34.

Motion seconded by Mr. Collins. All in favor – motion carried.

Public Input opened for Lot Line Relocation Only.

James Crowley, 4 Fairway Drive – Questioned Town water & sewer allocation, and believes the property should be services by septic, not sewer.

Public Input closed @ 7:08 P.M.

Jim Petropulos responded in regards to having the proper sewer and water applications.

After the boards' discussion, the following motion was made:

Mr. Collins moved to approve the Greenmeadow Lot Line Relocation Plan between Map 234/Lot 5 and Map 234/Lot 34, and then to consolidate Map 234/Lot 5 with map 239/Lot 1.

A friendly amendment, agreed by Mr. Collins and the applicant:

1. Contingent on approval of the Site Plan and Wetland Conservation Commission permit for use.

Motion seconded by Mr. Van der Veen. All in favor – motion carried 7/0/0.

A. Hudson Logistics Center Subdivision, Site Plan & Conditional Use Permit

SB# 11-20
SP# 04-20
CU# 02-20

Lowell & Steele Road
Map 234/Lots 5, 34 & 35, Map 239/Lot 1

Purpose of Plan: to show the dedication of a new subdivision road and the consolidation/subdivision/lot line adjustment of Map 234/Lots 005, 034 & 035, and Map 239/Lot 001. And, to propose commercial development consisting of three (3) new distribution and logistics buildings with associated access ways, parking, stormwater/drainage infrastructure and other site improvements. Continuance of Hearing.

Discussion by the board on the Wetland Conditional Use Permit.

Mr. Collins moved to continue the public hearing for the Condition use Permit CU# 02-20, to date certain, April 21, 2021.

Motion seconded by Mr. Dumont. All in favor – motion carried 7/0/0.

Discussion by the board on the Site Plan Review.

Mr. Ulery moved to continue the public hearing for SB# 11-20, SP# 04-20, and CU# 02-20, AKA Hudson Logistics Center, to date certain, April 21, 2021.
Motion seconded by Mr. Van der Veen. All in favor – motion carried.

VI. ADJOURNMENT

Mr. Collins moved to adjourn. Motion seconded by Mr. Van der Veen. All in favor – motion carried.

Meeting adjourned at 10:56 p.m.

Elliott Veloso
Member, Planning Board

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MINUTES/DECISIONS OF THE PLANNING BOARD

MEETING DATE: APRIL 14, 2021

In attendance = X	Alternate Seated = S	Partial Attendance = P	Excused Absence = E
Tim Malley Chair <input checked="" type="checkbox"/>	Ed Van der Veen Vice-Chair <input checked="" type="checkbox"/>	Elliott Veloso Secretary <input checked="" type="checkbox"/>	Jordan Ulery Member <input checked="" type="checkbox"/>
Dillon Dumont Member <input checked="" type="checkbox"/>	William Collins Member <input checked="" type="checkbox"/>	Victor Oates Alternate <input checked="" type="checkbox"/>	Leo Fauvel Alternate <input checked="" type="checkbox"/>
Roger Coutu Select. Rep. <input checked="" type="checkbox"/>	Marilyn McGrath Alt. Select Rep. <input checked="" type="checkbox"/>	Brian Groth Town Rep. <input checked="" type="checkbox"/>	

- I. CALL TO ORDER BY CHAIRPERSON AT 7:01 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. MINUTES OF PREVIOUS MEETING(S)

- 10 March 21 Meeting Minutes – Decisions

Mr. Ulery moved to accept the 10 March 21 Meeting Minutes (as written/amended).

Motion seconded by Mr. Collins. All in favor – motion carried.

V. CORRESPONDENCE

- A. Bond Release – 4 Executive Drive, by Elvis Dhima, Town Engineer.

Mr. Ulery moved to release the bond balance of \$4,155.95 for 4 Executive Drive, for the completion of a two-year maintenance bond for off-site improvements.

Motion seconded by Mr. Coutu. All in favor – motion carried 7/0/0.

- B. Bond Release – 25 Derry Street / Lee Way, by Elvis Dhima, Town Engineer.

Mr. Ulery moved to release the established surety in the amount of \$28,018.35 for 25 Derry Street / Lee Way for the completion of the one-year warranty related to sewer work and off-site improvements.

Dracut Road over existing paved driveway to proposed crushed stone driveway to the locked entrance gate and underground utilities. Application Acceptance & Hearing.

Mr. Van der Veen moved to continue the public hearing for the site plan & conditional use permit application for American Tower LLC at 143 Dracut Road, Hudson, NH, Map 259/Lot 011, to date certain, April 28, 2021.

Motion seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

VIII. ADJOURNMENT

Motion to adjourn by Mr. Collins. Seconded by Mr. Veloso. All in favor – motion carried 7/0/0.

Meeting adjourned at 8:03 p.m.

Elliott Veloso, Secretary

These minutes are in draft form and have not yet been approved by the Planning Board.

Note: Planning Board minutes are not a transcript. For full details on public input comments, please view the meeting on HCTV (Hudson Community Television).

37 WEBSTER STREET DRIVEWAY WAIVER

DRIVEWAY WAIVER APPLICATION WR# 01-21

STAFF REPORT

April 28, 2021

SITE: 37 Webster Street; Map 173, Lot 052-001

ZONING: Town Residential (TR)

PURPOSE OF PLANS: To widen the current driveway by nine (9) feet which encroaches three (3) feet into the fifteen (15) foot setback.

PLANS UNDER REVIEW: Driveway Layout Plan from the Driveway Permit Application

ATTACHMENTS

A. Driveway Permit Application

APPLICATION TRACKING:

- April 16, 2021 – Driveway Waiver Application received.
- April 28, 2021 – Meeting scheduled.

COMMENTS & RECOMMENDATIONS:

BACKGROUND

A single-family house with an attached garage currently occupy the lot. There is an existing 24-foot wide driveway going up slope from Webster Street to the two-car garage. An open lawn fronted the house and aerial imagery seems to indicate hardscapes (e.g. paved patio) behind the house.

The applicant is expanding the driveway by 9' because he has nowhere to safely park his boat due to the existing grade of the lot/driveway. The widened driveway will be 33-foot wide, have the same slope, and 12' from the property line on one side.

STAFF COMMENTS

Waiver Requested: The applicant is requesting a waiver to §193-10 (H) within the Driveways Regulations Chapter, which reads:

DRIVEWAYS are not permitted in side or rear setback areas, unless a shared ACCESS is required by the PLANNING BOARD.

Since the concerned driveway is not a shared access, the proposed driveway expansion cannot take place without a waiver from the Planning Board.

DEPARTMENTAL COMMENTS

1. Town Engineer (April 5, 2021): “Eng. is ok with the proposed work, no comments”

DRAFT MOTIONS:

APPROVE the driveway waiver application:

Driveway Width - To GRANT a waiver:

I move to grant a waiver from §193-10.H regarding driveways in the side-yard setback, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.

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

DEFER the driveway waiver application to date certain:

I move to defer consideration of the driveway waiver application for 37 Webster Street, Map 173, Lot 052-001, to date certain, _____, 2021.

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

[If the Board needs more time or information, move to defer the hearing]

DRIVEWAY WAIVER REQUEST FORM
Town of Hudson, New Hampshire

Street Address: 37 Webster Street

I Joey Nguyen hereby request that the Planning Board waive the requirements of item 193-10-H of Chapter 193 Driveways in reference to a plan presented by Existing Driveway Plans (name of surveyor and engineer) dated 2017 for property tax map(s) 173 and lot(s) 52-1 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. (For Subdivisions) and RSA 674:44, III (e) (For Site-Plans). 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 Driveway regulations.

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

Due to the existing grade of the lot I have nowhere to park my boat

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):

This will address a safety issue related to parking a boat

Signed: *Duy Nguyen*
Applicant or Authorized Agent

Planning Board Action:

Waiver Granted _____

Waiver Not Granted _____



Town of Hudson
Driveway Permit Application

OFFICE USE	
Application Fee	\$50.00
Receipt #	_____
Date:	_____
Permit #	_____

Date 173 Map 52 Lot 1

Driveway Address 37 Webster St.

Applicant Name DUY NGUYEN Telephone # 603 966 0431

Applicant Address 37 Webster St

Email Address unitedclock@gmail.com Cell Phone # 603 966 0431

Driveway grade percent (%) 9 (10% maximum grade). (Existing drive way extension)

Driveway surface (check one): Paved Gravel Stone

Length of driveway from street to end _____ ft.
Width of driveway at street entrance _____ ft. } Existing

At the point of intersection with the street, the driveway, at a 3.5 ft. elevation above the driveway grade, shall provide in both directions of the street an AASHTO Safe Sight Distance, as shown in Table 2.2: Recommended Decision Sight Distance Values.

Sight distance: _____ Left _____ Right Speed Limit: _____
Distance to nearest intersection: _____ Left _____ Right
Proposed roadway drainage improvements:
 Swale Curb & Catch Basins Other (describe)
none

Special conditions requested (e.g., construct a turnaround at end of driveway):
widening of the drive way (same slope)
width of driveway less than 50'

Is this application for a second driveway on the parcel? Yes No

- * Second driveways are not permitted for single family homes or ALU's (per Zoning Ordinance).
- * No Water Shut-offs and/or Sewer Clean-outs will be allowed on new residential driveways.



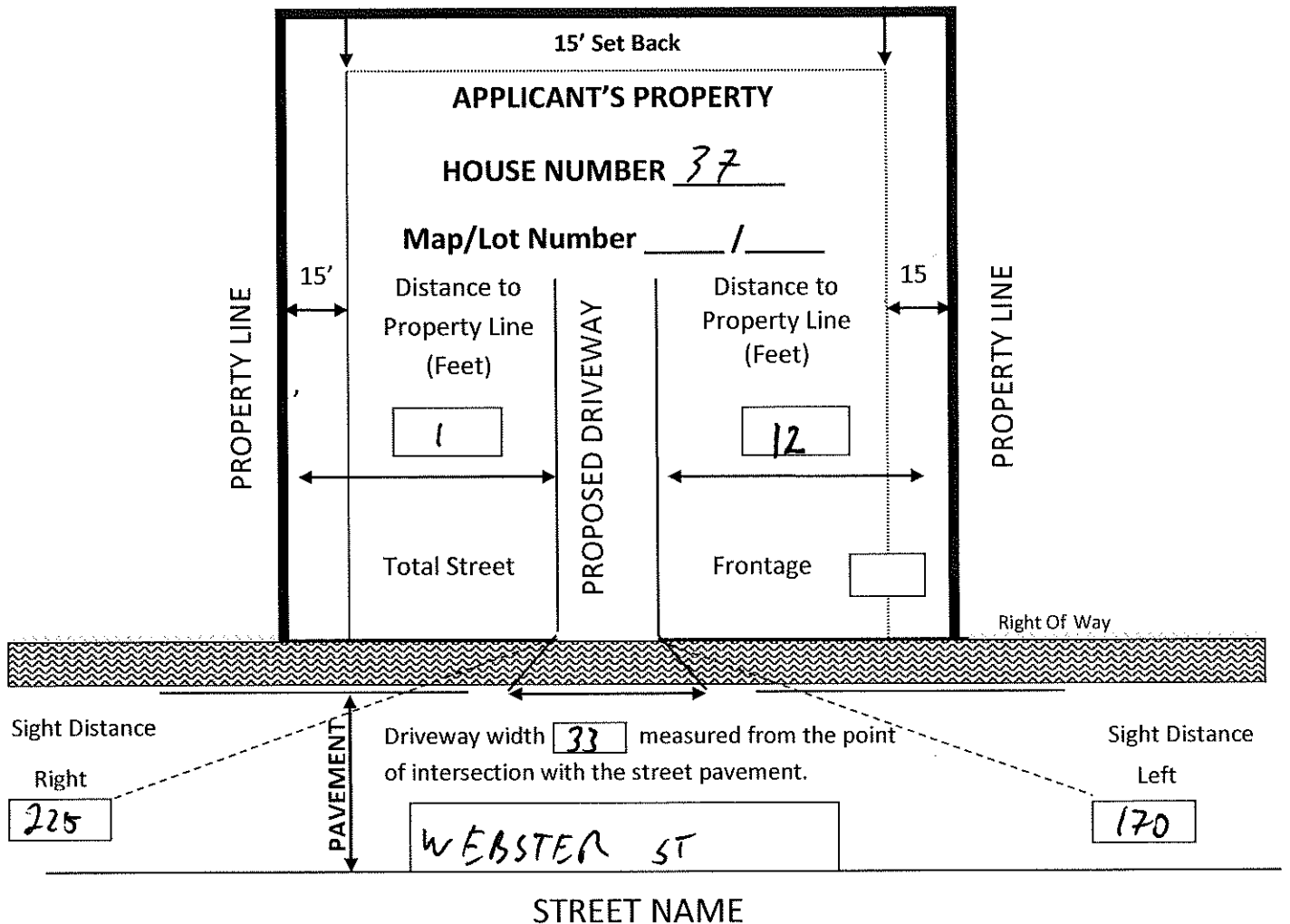
Town of Hudson
Driveway Permit Application

Page 2

Driveway Layout Plan

In the below Driveway Layout Plan, please fill-in all blank boxes with their respective actual measurements in feet. In accordance with the Planning Board's Driveway Regulations, Chapter 193, the minimum setback for driveways is 15 feet from side and rear lot lines. Also, driveways shall intersect with the adjoining street at 90° (degrees), and the dimensions indicated below must include the street frontage of the parcel.

* A Plan and Profile will be required for any driveway accessing public roads.





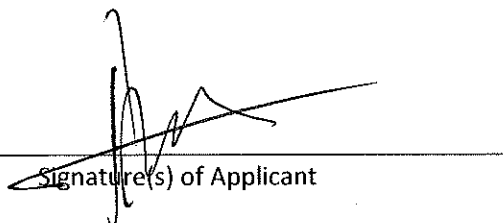
TOWN OF HUDSON
DRIVEWAY PERMIT APPLICATION
AND NH RSA 36-A: 4 (III) DISCLOSURES

Page 3

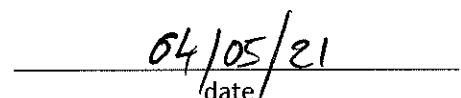
By filing this application, the owner(s) hereby grants permission to the members of the Hudson Planning Board and Conservation Commission, as well as their assigned agents, to enter upon the associated property at all reasonable times and for the express purpose of conducting examinations, surveys, tests and inspections as may be appropriate to enable the office of the Town Engineer to process this application. I/we also hereby waive and release any claim or right I/we may have now or hereafter against any of the aforementioned parties resulting from said examinations, surveys, tests and inspections conducted on my/our property in connection with this application.

I/we hereby attest to the accuracy of the information submitted herein, including any attachments, and acknowledge that any inaccuracies or omissions can result in revocation of this permit and loss of any rights, vested or otherwise to this permit.

The undersigned hereby acknowledges that before signing this application s/he/they read this application form that contains the follow disclosure as required by NH RSA 36-A:4 (III). The inspection to be conducted by the Hudson Conservation Commission is undertaken to evaluate the impact of the proposed permit on protected wetlands and wetland buffers as defined in Article IX – Wetland Conservation District – Town of Hudson Zoning Ordinance, §§334-33 through 334-39. The specific features to be studied by the Hudson Conservation Commission would be the area of land that is subject to the activity described in the permit application, and associated landforms, wetlands, and water bodies. The data to be collected by the Conservation Commission will be collected through personal observation by the Conservation Commission members and those observations may be recorded through hand written notes and through digital and cell phone photography. In addition to members of the Hudson Conservation Commission, inspection and data collection may also be carried out by the Public Works Director, the Hudson Fire Department and the Hudson Town Engineer or his designee. The Information collected by the Conservation Commission, or other representatives of the Town of Hudson, would then be further distributed through public discussion at Conservation Commission and Planning Board meetings and that information may also be committed to written documents that may be distributed by the Community Development Department to other interested parties, including but not limited to, the New Hampshire Department of Environmental Services, the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the United States Environmental Protection Agency and members of the public. The possible known consequences of this inspection and data collection include, and are not limited to, denial of a special exception to construct the proposed driveway, the requirement to redefine and readjust a wetland boundary and designation and the associated costs to the applicant for the hiring of a wetlands scientist for this purpose, possible code enforcement actions by the Town of Hudson to abate observed violations of the Hudson Zoning Ordinance and Land Use Regulations and possible enforcement actions against the applicant for violations of State or Federal Law.



Signature(s) of Applicant



date

Town of Hudson
Driveway Permit Application

Page 4
Routing Sheet

[FOR OFFICE USE ONLY]

**Reviewed by Road Agent if connecting to existing Town accepted road

Approved _____
Town Engineer Date

Comments/stipulations

Approved _____
Zoning Administrator Date

Comments/stipulations

Approved _____
Public Works Director Date

Comments/stipulations

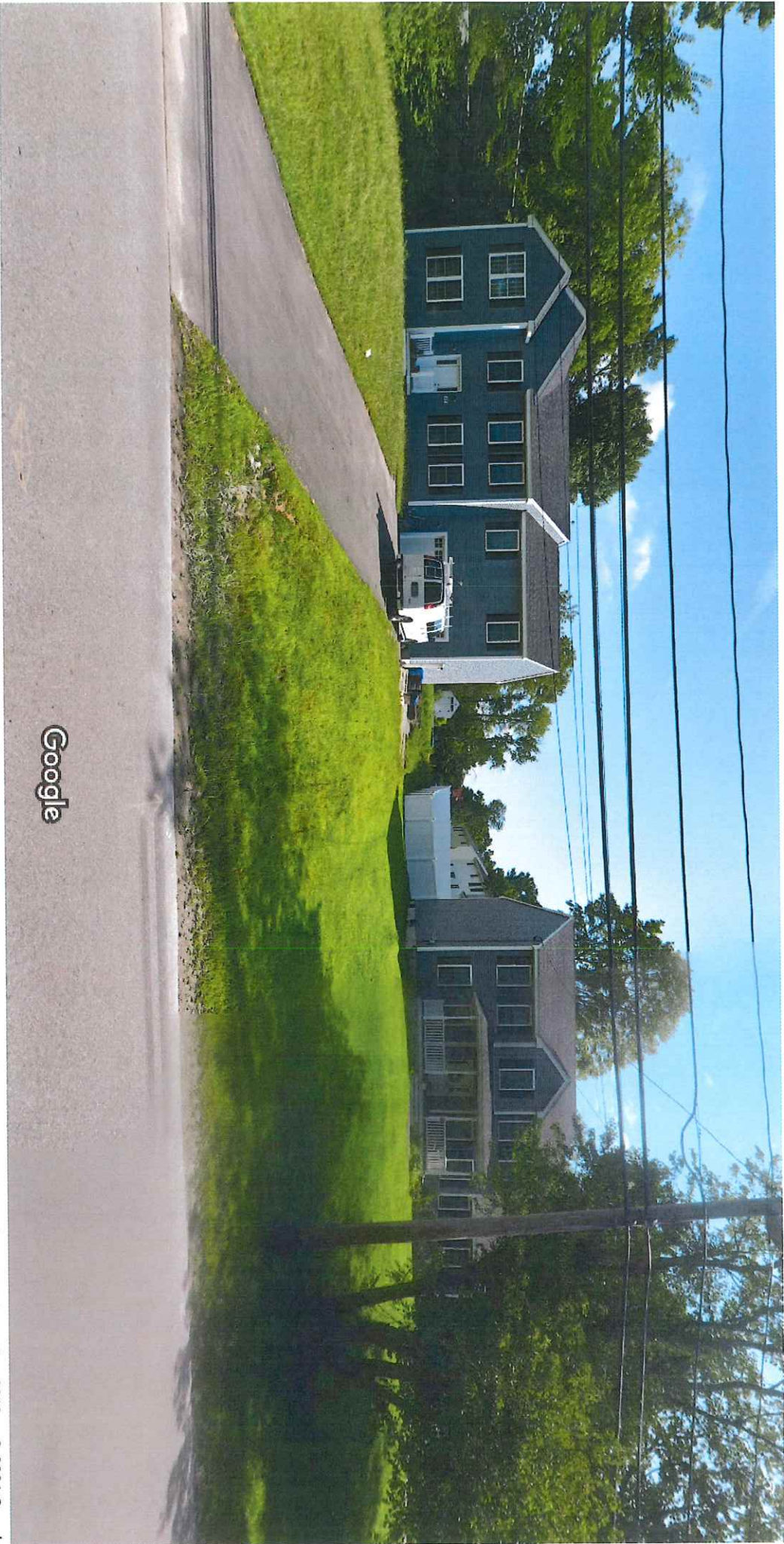
Approved _____
Fire Dept. Date

Comments/stipulations

Driveway satisfactorily completed _____
Town Engineer Date

Comments/Final Inspection





Google

BEFORE / EXISTING

Hudson, New Hampshire



Street View



PROPOSED
EXTENSION

AFTER.

Google

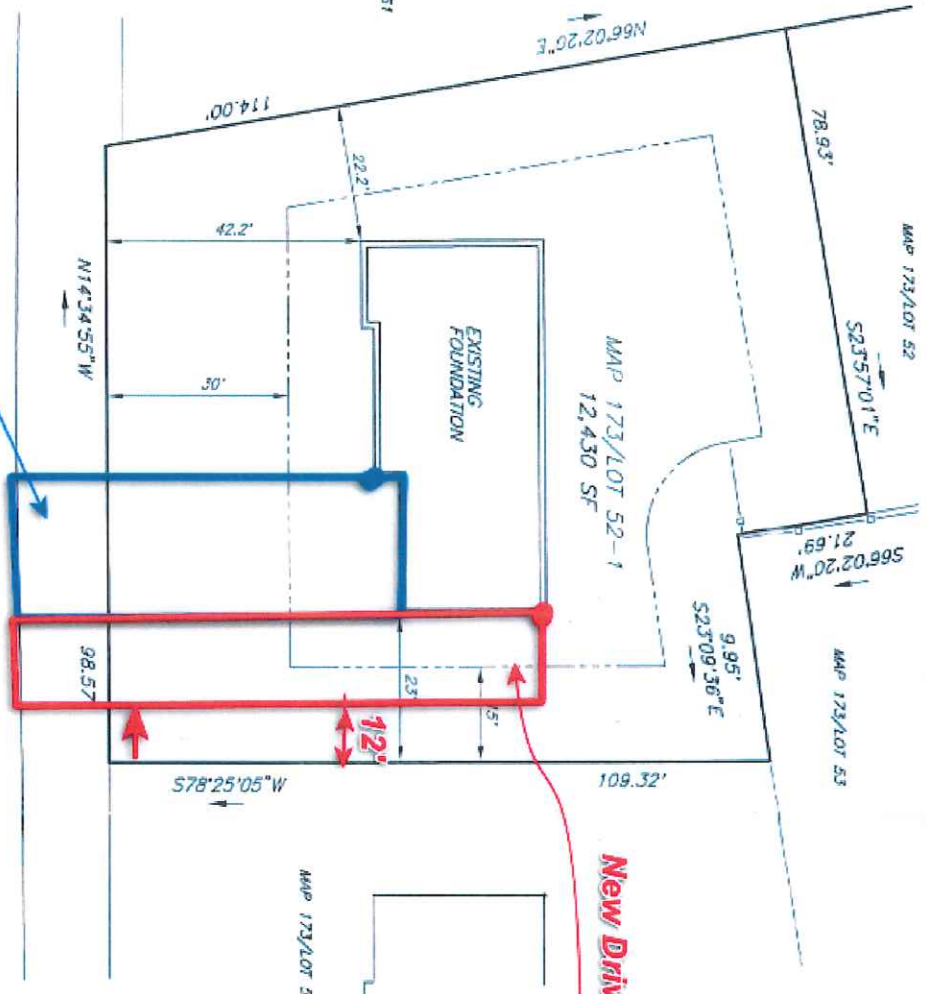
Hudson, New Hampshire



Street View

PLAN REFERENCE:
 LOT LINE RELOCATION PLAN MAP 173/LOT 52-1 & 53-2,
 19 CUMMINGS & 37 WEBSTER ST., HUDSON, NH, DATED
 MAY 16, 2017 BY WAYNARD & PAQUETTE ENG. ASSOC., LLC

Existing Driveway



New Driveway Addition (9'wide)



RECEIVED

SEP 13 2017

HUDSON FIRE DEPARTMENT
 INSPECTORIAL SERVICES DIVISION

65 9-14-17

I CERTIFY THAT THE FOUNDATION WAS
 LOCATED AS SHOWN ON SEPT. 13, 2017
 AUTHORIZED COPIES OF THIS PLAN WILL
 BEAR A SIGNATURE IN BLUE INK.



CERTIFIED FOUNDATION PLAN MAP 173 / LOT 52-1
37 WEBSTER STREET
HUDSON, N.H.

SCALE: 1" = 20'

DATE: SEPT. 13, 2017

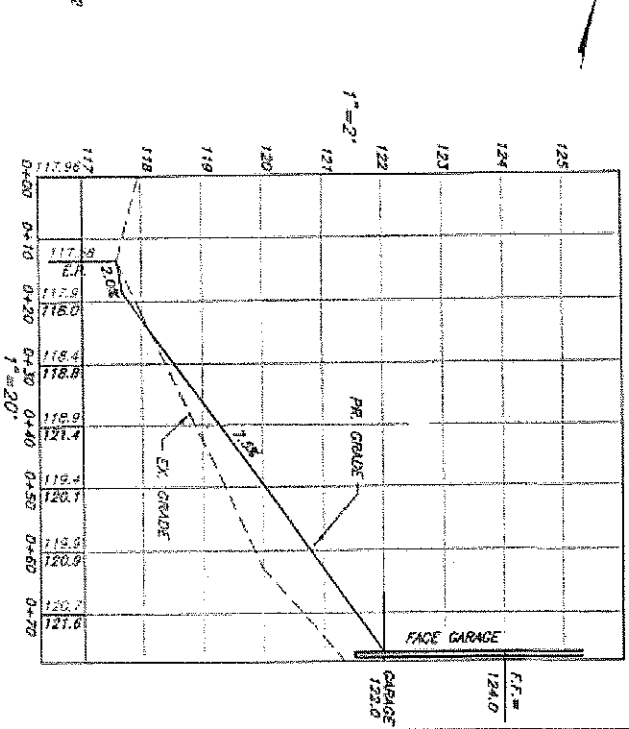
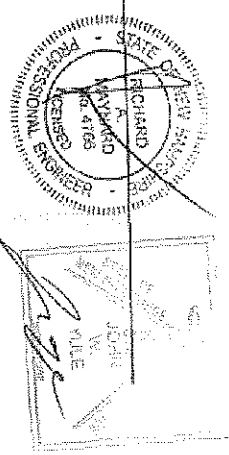
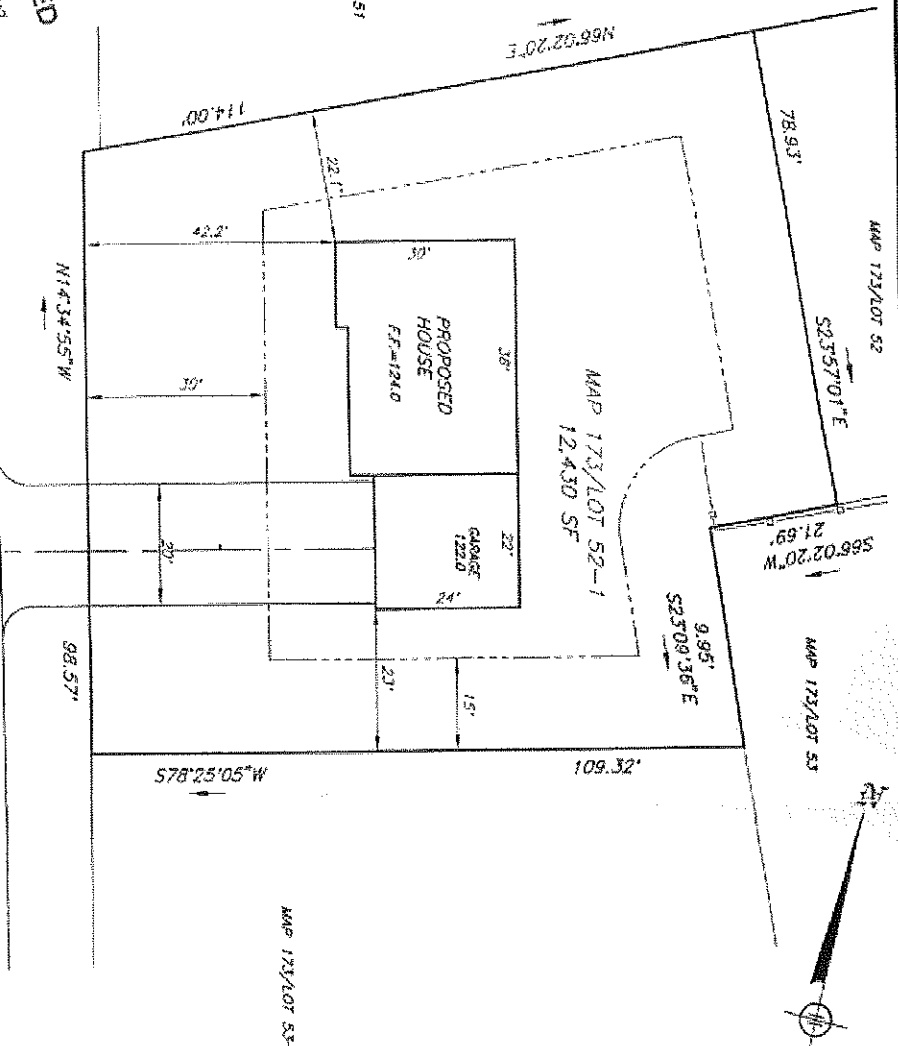


Maynard & Paquette
Engineering Associates, LLC
 Consulting Engineers and Land Surveyors
 23 East Pearl Street, Nashua, NH, 03060
 Phone: (603)883-8433 Fax: (603)883-7227

DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER
JWY	JWY	737/54			12522

PLAN REFERENCE:
 LOT LINE RELOCATION PLAN MAP 173/LOT 52-1 & 53-2,
 19 CUMMINGS & 37 WEBSTER ST., HUDSON, NH, DATED
 MAY 16, 2017 BY MAYNARD & PAQUETTE ENG. ASSOC., LLC

RECEIVED
 8-30-17
 AUG 30 2017
 HUDSON FIRE DEPARTMENT
 INSPECTORAL SERVICES DIVISION



BUILDING PERMIT PLAN
 REV. GARAGE WIDTH 8-30-17
37 WEBSTER STREET
HUDSON, N.H.
 MAP 173 / LOT 52-1

SCALE: 1" = 20'
 DATE: JULY 26, 2017
ENGINEERING 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

DATE	BY	BOOK / PAGE	TYPE	SIZE	JOB NUMBER
JULY	JULY	735 / 15			12522
DEPARTED	CHECKED				

AMERICAN TOWERS LLC

CONDITIONAL USE PERMIT & SITE PLAN APPLICATION

(CUP# 02-21; SP#01-21)

STAFF REPORT #3

April 28, 2021

SITE: 143 Dracut Road; Map 259 Lot 011-000

ZONING: General-One (G-1), Residential-Two (R-2)*

*Besides utilizing an existing driveway for access to the proposed tower, no development is proposed on the portion of the property within the R-2 zone.

PURPOSE OF PLANS: Proposed 155-foot camouflaged “monopine” tower with T-Mobile antennas, associated 48’ x 48’ fenced ground area for carrier equipment with access from Dracut Road over existing paved driveway to proposed crushed stone driveway to the locked entrance gate and underground utilities.

PLANS UNDER REVIEW: American Tower, Hudson 3 NH; prepared by ATC Tower Services, 3500 Regency Parkway Suite 100, Cary, NC 27518; prepared for: American Towers, LLC, 10 Presidential Way, Woburn, MA 01801 and Rosa C. Chan and Tom W. Chan and Joshua M. Willet and Kristine C. Willet, 143 Dracut Rd., Hudson, NH 03051’ consisting of 17 sheets, with project notes 1-5 on Sheet G-001, additional general notes on Sheet G-002 and Sheet V-201; dated November 9, 2020, last revised March 24, 2021

ATTACHMENTS:

- A. Fuss & O’Neill 2nd Peer Review, dated April 22, 2021
- B. Proposed Screening of abutting properties, prepared by Member Collins.

APPLICATION TRACKING:

- February 12, 2021 – Conditional Use Permit & Site Plan Application received.
- March 17, 2021 – Planning Board heard the application and continued to April 14, 2021.
- April 2, 2021 – Revised Plan Set received.
- April 14, 2021 – Site Walk and Meeting scheduled, continued to 4/28/21.
- April 28, 2021 – Continuance of hearing.

WAVIER REQUESTS:

At the previous meeting, the Planning Board granted waivers in accordance with the following requests:

- §275-9.G – Copy of all applicable Town, state, country or federal approvals or permits
- §276-11.1.B(17) – Existing Topography

- §276-11.1.B(20) – Location of all Existing Buildings (including size and height)
- §276-11.1.B(25) – Access Road within side yard setbacks

Additionally, the Board found that the waiver request from §276-11.1.B(12) was not applicable at the previous meeting.

COMMENTS:

Attachment A is the peer review consultant’s latest round of review comments. Of particular interest is the structural review of the tower design. Fuss & O’Neill favorably reviewed this structural design.

Staff reviewed the other comments in this letter with Fuss & O’Neill and the Town Engineer who both found them minor and administrative in nature. However, while neither Engineer found it a critical issue, it is not understood why the applicant has not provided flow calculations for the stormwater runoff.

Attachment B is a sketch prepared by Planning Board Member Collins for the benefit of the applicant to understand the screening strategy being requested.

Item The applicant submitted a letter dated March 30, 2021 (**Attachment A**), in response to the Peer Review Comments, alongside a revised plan dated March 24, 2021.

DRAFT MOTIONS

CONTINUE the public hearing to a date certain:

I move to continue the public hearing for the site plan & conditional use permit application for Americans Towers LLC at 143 Dracut Road, Map 259 Lot 11, to date certain,_____.

Motion by: _____Second: _____Carried/Failed: _____

*[If the Board needs more time to deliberate, move to **continue** the hearing]*

CONTINUED ON THE NEXT PAGE

APPROVE the site plan application:

I move to approve the Commercial Wireless Telecommunication Facility Conditional Use Permit & Site Plan application titled: American Tower, Hudson 3 NH; prepared by ATC Tower Services, 3500 Regency Parkway Suite 100, Cary, NC 27518; prepared for: American Towers, LLC, 10 Presidential Way, Woburn, MA 01801 and Rosa C. Chan and Tom W. Chan and Joshua M. Willet and Kristine C. Willet, 143 Dracut Rd., Hudson, NH 03051' consisting of 17 sheets, with project notes 1-5 on Sheet G-001, additional general notes on Sheet G-002 and Sheet V-201; dated November 9, 2020, last revised March 24, 2021; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. Prior to the issuance of a final certificate of occupancy, a L.L.S. certified "As-Built" plan shall be provided to the Town of Hudson Land Use Division confirming that the site conforms to the Plan.
3. This approval shall replace any previously approved site plans and development agreements.
4. Subject to final review by the Town's peer review engineering consultant.
5. Subject to final administrative review by Town Planner and Town Engineer.
6. The proposed development shall be subject to a new driveway permit, with which the applicant shall provide a drainage report demonstrating that it meets "pre vs. post" conditions to the satisfaction of the Town Engineer.
7. The applicant shall schedule a pre-construction meeting with the Town Engineer prior to applying for a building permit.
8. The Applicant, as well as all future assigns to the subject wireless tower, shall provide access to the tower for Town emergency service communications needs.
9. The Applicant, as well as all future assigns to the subject wireless tower, shall provide access for co-location as availability provides.
10. A note shall be added to the plan stating that the development will comply with MS4 requirements.
11. Proposed easements shall be favorably reviewed by Town Counsel.
12. The applicant shall provide the town with a bond in accordance with §334-97 and in the amount recommended by the Town Engineer, \$30,000.
13. Construction activities involving the approved plan 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.
14. If a back-up generator is installed, on suite testing of same will only occur Monday through Friday only, between the hours of 7:00 A.M and 5:00 P.M.

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



FUSS & O'NEILL

April 22, 2021

Mr. Brian Groth
Town Planner
Town of Hudson
12 School Street
Hudson, NH 03051

Re: Town of Hudson Planning Board Review
American Tower Site Plan, 143 Dracut Road
Tax Map 259, Lot 11; Acct. #1350-893
Reference No. 03-0249.1990

Dear Mr. Groth:

Fuss & O'Neill (F&O) has reviewed the forth submission of the materials received on March 17, 2021, related to the above-referenced project. Authorization to proceed was received on April 8, 2021. A list of items reviewed is enclosed. The scope of our review is based on the Site Plan Review Codes, Stormwater Codes, Driveway Review Codes, Sewer Use Ordinance 77, Zoning Regulations, and criteria outlined in the CLD Consulting Engineers Proposal approved September 16, 2003, revised September 20, 2004, June 4, 2007, September 3, 2008, and October 2015.

The phased project appears to consist of the construction of a telecommunications tower, gravel access road, underground utilities, landscaping and other associated site improvements. It is not noted whether the existing buildings on the site are serviced by Town water and sewer. The plan notes that the proposed tower compound does not need water or sewer services.

The following items have outstanding issues:

1. Site Plan Review Codes (HR 275) & Administrative Review Codes (HR 276)

- f. *Former Fuss & O'Neill Comments:* HR 275-9.F. and 276-11.1.B.(20). *No existing easements, covenants or deed restrictions were noted on the plan set nor were copies of the same received as part of the review package. The plans note a proposed access and utility easement for the access road and lease for the communications tower area, a copy of which was included in the application package. / The applicant has shown a proposed access easement on the plans and forwarded a copy of an existing slope and embankment easement. The applicant noted that the existing easement is depicted on Sheet V-102; however, we were unable to find the easement on the plan. / The applicant has revised the access easement for the new tower location. Revised easement documents were not provided for review.*

Current Fuss & O'Neill Comment: The applicant should forward a copy of the access easement to the Town for their records/review.

- q. *Former Fuss & O'Neill Comment:* HR 276-11.1.B.(9). *The applicant has not noted the error of closure on the plans. / The applicant has noted the error of closure on the plans. No further Fuss & O'Neill comment.*

Former/Current Fuss & O'Neill Comment: The applicant has not noted the error of closure on the revised plans.

50 Commercial Street
Manchester, NH
03101
t 603.668.8223
800.286.2469
www.fando.com

California
Connecticut
Maine
Massachusetts
New Hampshire
Rhode Island
Vermont

Mr. Brian Groth
April 22, 2021
Page 2 of 6

2. Driveway Review Codes (HR 275-8.B. (34)/Chapter 193)

- e. **Former/Current Fuss & O'Neill Comment:** The applicant has proposed a 4% slope on each side of the crown of the access road. As this is an unpaved roadway the applicant may want to consider lesser slopes to prevent potential rutting and washout of the gravel surface.

4. Drainage Design/Stormwater Management (HR 275-9.A./Chapter 290)

- b. *Former Fuss & O'Neill Comment:* HR 290-5.L. The applicant should provide rip-rap stone size information for what is labelled "R3 Rip Rap" upon the plan set, plus include any supporting calculations illustrating that the stone size is adequate for the proposed flow. / The applicant has noted that the R3 Rip Rap size is indicated on Plan Sheet C-501 and is typically 3"-6" stone. We continue to recommend that the specific size be added to the plan set./ The applicant has added a detail with zoning information to the plan set. We note that no sizing calculations were provided for review

Current Fuss & O'Neill Comment: The applicant has added riprap sizing calculations. We note that drainage calculations were never provided to confirm that the sizing calculations are correct. The applicant should provide some flow calculations showing the culvert and riprap are sized appropriately.

6. Zoning (ZO 334)

- e. *Former Fuss & O'Neill Comment:* ZO 334-35. The applicant has not shown any existing wetlands within the subject site on the plans. Soil boundaries are not shown for the entire parcel.

Former/Current Fuss & O'Neill Comment: The applicant has added wetlands boundaries to the plan set along with the 50' wetlands buffer line. The applicant has not indicated on the plans that the wetlands were delineated by a certified soils scientist and/or certified wetlands scientist. The tower compound was relocated to be outside the wetlands buffer. We were unable to find any additional soil boundary data in the latest submittal.

The following items require Town evaluation or input:

1. Site Plan Review Codes (HR 275) & Administrative Review Codes (HR 276)

- c. *Former Fuss & O'Neill Comment:* HR 275-9.B. The applicant did not include a Traffic Study within the Site Plan Application nor was a waiver from this Regulation included in the package received for review. /The applicant has requested a waiver from this Regulation.
- d. *Former Fuss & O'Neill Comment:* HR 275-9.C. The applicant did not include a Noise Study within the Site Plan Application nor was a waiver from this Regulation included in the package received for review. /The applicant has requested a waiver from this Regulation.
- e. *Former Fuss & O'Neill Comment:* HR 275-9.D. The applicant did not include a Fiscal Impact Study within the Site Plan Application nor was a waiver from this Regulation included in the package received for review. / The applicant has requested a waiver from this Regulation.
- g. *Former Fuss & O'Neill Comment:* HR 275-9.G. No copies of applicable approvals or permits were provided in Fuss & O'Neill's review package. / The applicant appears to have requested a waiver from

Mr. Brian Groth
April 22, 2021
Page 3 of 6

this Regulation. We suggest that the applicant clarify the intent of the waiver request. / The applicant has requested a waiver for this requirement.

- h. *Former Fuss & O'Neill Comment: HR 275-9.I. The applicant did not include an Environmental Impact Study within the Site Plan Application. / The applicant has requested a waiver from this Regulation.*
- i. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(3). The title block provided on the plans does not meet the Regulation. / The applicant has noted that the title block indicates all necessary information requested. The Town should confirm that they are satisfied with the applicant's presentation of the data.*
- m. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(6). The Owner's signature is not included on the plan set. / The applicant has added a block with the Owner's name and address along with a line for the Landlord's signature to the plans, and has noted that each sheet will be signed before project commencement.*
- n. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(7). The applicant has noted several abutters as "unknown". / The applicant has noted that abutters have been updated as necessary. Fuss & O'Neill did not verify the five-day update criteria.*
- s. *Former Fuss & O'Neill Comments: HR 276-11.1.B.(12). The applicant has not shown any building setback lines on the plans. / The applicant has added building setback lines to the plans; however, the front setback line is shown at 30'. This should be 50' as Dracut Road is considered an Arterial road per ZO 334-11.A. Also, the applicant appears to have requested a waiver from this Regulation (the waiver request does not note this specific Regulation). / The applicant has added the 50' building setback lines to the plans and has requested a waiver from this Regulation since they are not proposing construction of a building, parking or display areas.*
- t. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(17). The applicant has not shown permanent monuments for the parcel boundaries on the plan set. / Permanent monumentation (property corner pins or bounds) is not shown at most of the property corners, including the lot corners at Dracut Road. The applicant has requested a waiver from this Regulation.*
- u. *Former Fuss & O'Neill Comments: HR 276-11.1.B.(20). The applicant has not shown the height of existing buildings on the plan set. / The applicant has noted that existing building heights were not available at the time of review. Heights have been added to the plan set for all of the existing buildings except for the 1-story frame building. / The applicant has requested a waiver from this Regulation.*
- x. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(25). The applicant has proposed construction of the access road within the side setback adjacent to parcel 254-3. / The applicant has requested a waiver from this Regulation.*

4. Drainage Design/Stormwater Management (HR 275-9.A./Chapter 290)

- a. *Former Fuss & O'Neill Comment: HR 290-5.L. The applicant did not include a Stormwater Management Plan with the review package, nor was a waiver request included in the package received for review. / The applicant has requested a waiver from this Regulation.*

6. Zoning (ZO 334)

- a. *Former Fuss & O'Neill Comment: ZO 334-17, 334-20 and 334-23. The applicant has noted that the portion of the site where the telecommunications tower is located is within the General-1 (G-1) District, while the overall site is bisected with district R-2 also. The plans do not show the R-2/G-1 District boundary.*

Mr. Brian Groth
April 22, 2021
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According to ZO 334, Attachment 1, the proposed use requires a Special Exception in the G-1 District.

Former/Current Fuss & O'Neill Comment: The applicant has added a zoning boundary line to the plan set. In their narrative to support the Conditional Use Permit and Site Plan approval, the applicant has noted that they have separately filed an application for Special Exception with the Hudson Zoning Board of Adjustment, and noted that a wireless communications facility is an allowed use by Special Exception. We note that the Zoning Ordinance referenced for the Special Exception (334-31.D.24) appears to be incorrect.

- f. *Former Fuss & O'Neill Comment: ZO 334-57. The applicant has provided details for fence mounted signs. It is noted that the actual sizes of the signs were not indicated on the details. No other signs are proposed.*

Former/Current Fuss & O'Neill Comment: The applicant has provided the size for the ATC site sign. Other sign sizes are not indicated.

- i. *Former Fuss & O'Neill Comments: ZO 334-96.1. The proposed tower location is greater than 880' from any corridor, but is within 880' of residential use. Based on the table in the Regulation, for the G-1 zoning district a Conditional Use permit is required. / The applicant has noted that they will get a Conditional Use permit. No further documentation or explanation was provided. / The applicant has provided a copy of their application for Conditional Use Permit and Site Plan Approval with the current review documents. The CUP application appears to be address the various related sections of the Ordinance. Please note that Fuss & O'Neill did not perform a detailed review of the CUP documents such as radio frequency reporting, photographic simulations or the real estate market study.*

8. State and Local Permits (HR 275-9.G.)

- a. **Former/Current Fuss & O'Neill Comment:** *The applicant should forward copies of all documentation related to any permitting for the facility to the Town for their records.*

The following items are resolved or have no further Fuss & O'Neill input:

1. Site Plan Review Codes (HR 275) & Administrative Review Codes (HR 276)

- j. *Former Fuss & O'Neill Comment: HR 276-11.1.B.(4)(a). The approval block on the plans does not meet the Regulation for location, size, or wording. / The applicant has added an approval block to the plans that meets the Regulation. We note that there is a typographical error within the approval block ("recieves") that should be corrected.*

Current Fuss & O'Neill Comment: The applicant has added updated the approval block on the plans. No further Fuss & O'Neill comment.

- k. *Former Fuss & O'Neill Comments: HR 276-11.1.B.(4)(b). The approval block is only located on the cover sheet, not each plan sheet as required by Regulation. / The applicant has added the approval block to all plan sheets except Compound Detail sheet V-101 and Existing Conditions sheet V-102. / The applicant continues to show the approval block on select sheets. The approval block is missing from sheets G-002, C-501-503, E-501 and R-601.*

Current Fuss & O'Neill Comment: The applicant has added the approval block to each sheet. No further Fuss & O'Neill comment.

- l. *Former Fuss & O'Neill Comments: HR 276-11.1.B.(5). The applicant has not provided the approval block language regarding expiration of approval as required by the Regulation. / The applicant has added*

Mr. Brian Groth
April 22, 2021
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the expiration of approval language to all of the plan sheets except Compound Detail sheet V-101 and Existing Conditions Sheet V-102. The note is not written in the specified two inch by one and one-half inch space (2"×1-1/2")./ The applicant continues to show the expiration of approval language block that does not meet the size required and also is not on every plan sheet.

Current Fuss & O'Neill Comment: The applicant has revised the block and also added it to every page. No further Fuss & O'Neill comment.

- y. *Former Fuss & O'Neill Comment: 290.5.K.(22). Snow storage areas are not noted on the plans. / The applicant has added snow storage areas on the plans. No further Fuss & O'Neill comment. / Snow storage areas are not noted on the current plan set.*

Current Fuss & O'Neill Comment: The applicant has added snow storage areas on the plans. No further Fuss & O'Neill comment.

4. Drainage Design/Stormwater Management (HR 275-9.A./Chapter 290)

- d. *Former Fuss & O'Neill Comment: The applicant will be required to comply with all provisions of the Town of Hudson's MS4 permit, including but not limited to annual reporting requirements, construction site stormwater runoff control, and record keeping requirements.*
- e. *Former Fuss & O'Neill Comment: Please note that this review was carried out in accordance with applicable regulations and standards in place in New Hampshire at this time. Note that conditions at the site, including average weather conditions, patterns and trends, and design storm characteristics, may change in the future. In addition, future changes in federal, state or local laws, rules or regulations, or in generally accepted scientific or industry information concerning environmental, atmospheric and geotechnical conditions and developments may affect the information and conclusions set forth in this review. In no way shall Fuss & O'Neill be liable for any of these changed conditions that may impact the review, regardless of the source of or reason for such changed conditions. Other than as described herein, no other investigation or analysis has been requested by the Client or performed by Fuss & O'Neill in preparing this review.*

5. Erosion Control/Wetland Impacts

- a. *Former Fuss & O'Neill Comments: HR 290-5.K.(14). The applicant has not shown a staging or stockpile area. Associated erosion control measures should be indicated for these locations. / The applicant has noted that the snow storage areas noted on the plans will also be used as staging areas and stockpiles during construction. Associated erosion controls were not included on the Erosion & Sedimentation Control Plan that shows these snow storage/stockpile areas. /The applicant has not shown staging and stockpile areas during construction on the revised plan set.*

Current Fuss & O'Neill Comment: The applicant has added staging and stockpile areas to the revised plan set. No further Fuss & O'Neill comment.

6. Zoning (ZO 334)

- j. *Former Fuss & O'Neill Comments: ZO 334-102. The applicant has not provided a fall zone calculation with the review package as required by the Regulation. / The applicant has added a fall zone radius to plan Sheet C-401. We noted that the center of the 155' monopole is shown as 154' +/- from the southern property line of the site on Sheet C-101 (the property line is not shown in this proximity on Sheet C-401). The applicant should review the monopole location and provide an actual fall zone*

Mr. Brian Groth
April 22, 2021
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calculation to ensure that it is not capable of falling or collapsing beyond the bounds of the property on which it is situated. /The applicant has relocated the tower and fall zone from the previous plan location. We note that the applicant provided a copy of Zoning Determination #20-039 letter dated April 29, 2020, which states that the proposal would appear to satisfy the required fall zone per Ordinance Section 334-102.A based on engineering details that were not submitted at that time. We note that the plan submitted for Fuss & O'Neill review does not match the date of the plan referenced in the letter from the Town. We also note that a fall zone calculation as described in Ordinance Section 334-102.A was not provided to Fuss & O'Neill as part of the structural design report. Fuss & O'Neill will coordinate with the Town for a review of this structural design report under a separate letter.

Current Fuss & O'Neill Comment: Fuss & O'Neill has reviewed the Structural Report prepared by Michael F. Plahovinsak, P.E., dated January 21, 2021, with regard to the fall zone of the tower structure. The proposed tower structure is designed as a circular tapered steel monopole that varies in diameter and thickness and is composed of four sections. As noted by the applicant in the structural report, the monopole has been designed in accordance with applicable structural provisions of ASCE-7 and ANSI/TIA-22 to resist loads resulting from a basic wind speed of 97 mph with no ice and a wind speed of 40 mph with 1 inch of ice. The applicant has designed the monopole to swing down and rest on the ground with a fall radius of approximately 36 feet based on a buckling elevation of 74 feet. This buckling elevation is the top of the proposed slice between sections L2 and L3 of the monopole. The design provides adequate assurance that if properly constructed and maintained, should the monopole fail it will occur at a location that will result in the structure falling within the zone required by the Ordinance. No further Fuss & O'Neill comment.

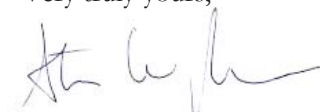
9. Other

- d. *Former Fuss & O'Neill Comment: The applicant has provided both full size (22" x 34") and half size (11" x 17") copies of the project plan set. When measured with a scale, the written scales included in both sized plan sets do not actually agree with the values noted. The applicant should review and adjust the scales or the printed plans accordingly to prevent potential errors during construction.*

Current Fuss & O'Neill comment: The applicant has revised the scaling. No further Fuss & O'Neill comment.

Please feel free to call if you have any questions.

Very truly yours,



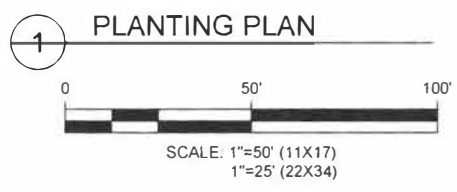
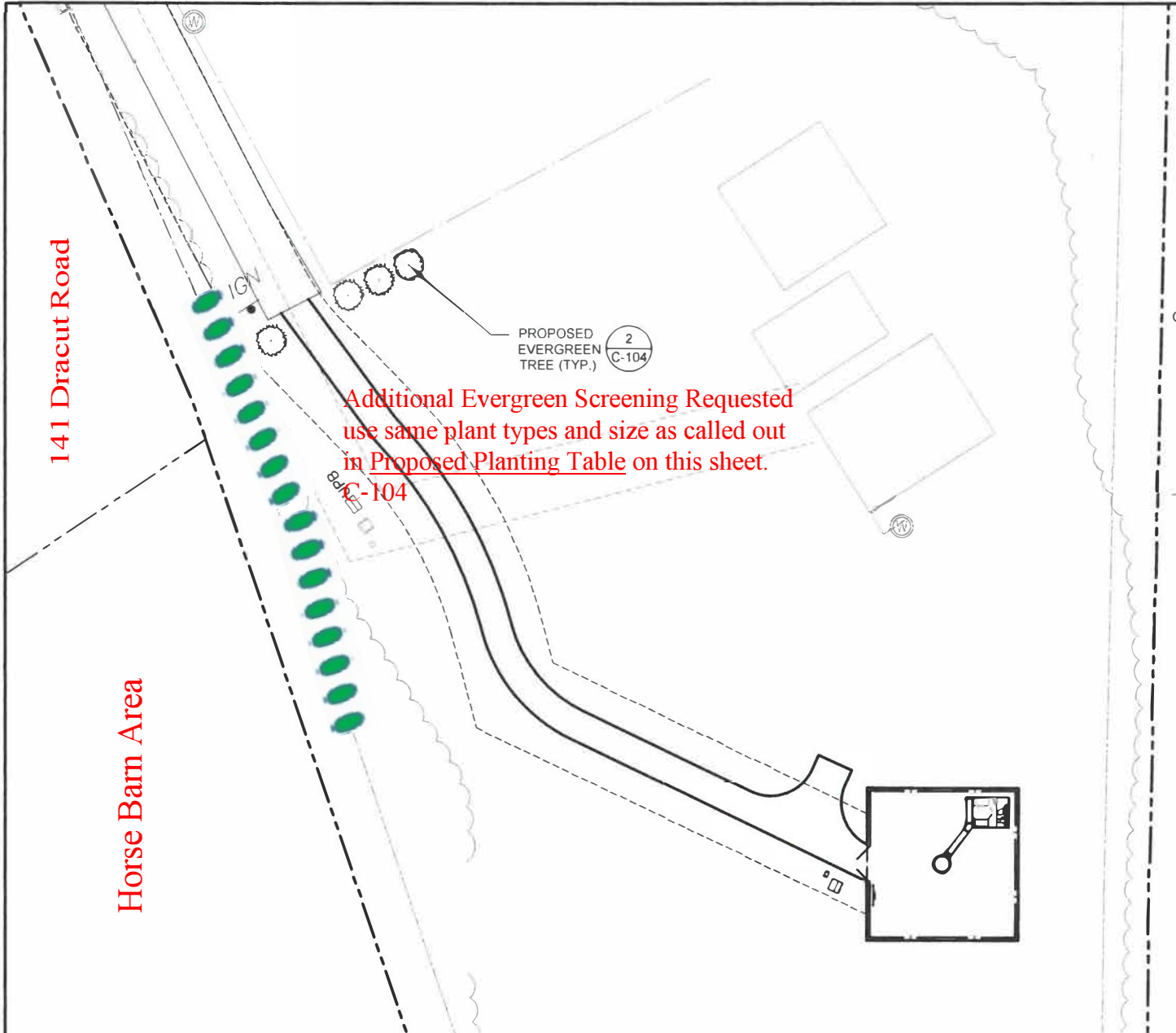
Steven W. Reichert, P.E.

**Steven W.
Reichert, PE**

Digitally signed by Steven W. Reichert,
PE
DN: cn=Steven W. Reichert, PE, c=US,
o=Fuss & O'Neill, Inc., ou=Fuss &
O'Neill, Inc.,
email=sreichert@fando.com
Date: 2021.04.22 09:11:47 -0400'

SWR:
Enclosure

cc: Town of Hudson Engineering Division – File
Duval & Klasnick (Dklasnick@dkl-legal.com)



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

PROPERTY OWNER:
TOM W. & ROSA C. CHAN
143 DRAUT ROAD
HUDSON, NH 03051

LANDLORD SIGNATURE: _____

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

SITE 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 RECEIVES FINAL APPROVAL.

PROPOSED PLANTING TABLE					
SPECIES:	QTY:	MIN CALIPER SIZE	MAX HEIGHT	SPACING	MAX WIDTH
ARBORVITAE (GREEN GIANT)	4	3" CALIPER	50-60'	12' O/C	10-12'