

March 21, 2021

VIA EMAIL AND BY HAND

Planning Board
Town of Hudson
Attn: Brian Groth, Town Planner
12 School Street
Hudson, NH 03051

RE: Hudson Logistics Center – Site Plan, Conditional Use Permit and Lot Line
Relocation Applications
Supplemental Information


Dear Brian:

On behalf of the Applicant, Hillwood Enterprises, L.P., enclosed for filing with the Board are twelve (12) copies of the following documents:

1. Email Correspondence Concerning Fire Chief Input on Site Plan Review Criteria, dated March 3, 2021;
2. Memorandum, dated March 13, 2021, from John Plante, Langan, to Brian Desfosses, NHDOT;
3. Letter to Tim Malley, Chair, dated March 20, 2021, from Judi Barrett, Barrett Planning Group LLC; and,
4. Memorandum to Hudson Planning Board and Brian Groth, Town Planner, dated March 19, 2021 (responding to Planning Board questions).

Please do not hesitate to contact me with any comments, questions or concerns. Thank you for your time.

Very truly yours,


John T. Smolak, Esq.

cc: Brian Kutz, Hillwood (email only)
Langan (email only)
Justin L. Pasay, Esq. (email only)

John Smolak

Subject: FW: Hudson Logistics Center

From: Groth, Brian [mailto:bgroth@hudsonnh.gov]
Sent: Wednesday, March 03, 2021 2:19 PM
To: John Smolak
Subject: FW: Hudson Logistics Center

John – see Chief Buxton’s response below.

From: Buxton, Robert <RBuxton@hudsonnh.gov>
Sent: Wednesday, March 3, 2021 10:45 AM
To: Groth, Brian <bgroth@hudsonnh.gov>
Subject: RE: Hudson Logistics Center

Please see my comments in red below.

From: Groth, Brian <bgroth@hudsonnh.gov>
Sent: Wednesday, March 3, 2021 9:07 AM
To: Buxton, Robert <RBuxton@hudsonnh.gov>
Subject: FW: Hudson Logistics Center

Will follow up with you

From: John Smolak <JSmolak@smolakvaughan.com>
Sent: Wednesday, March 3, 2021 8:54 AM
To: Groth, Brian <bgroth@hudsonnh.gov>
Subject: Hudson Logistics Center

EXTERNAL: Do not open attachments or click links unless you recognize and trust the sender.

Hi Brian:

We have just received and reviewed a copy of Chief Buxton’s Memorandum, dated March 2, 2021, to you concerning the Hudson Logistics Center. It appears to us that the comments from this Memorandum are construction/safety-related items intended to be reviewed and discussed as preconditions to the issuance of a building permit.

As you know, as a part of the Site Plan review process, the Planning Board must determine that adequate provision has been made for a number of matters listed under Section 275-6 of the Site Plan Regulations, and among them are the following:

- E. Emergency vehicle access, including fire lanes.
- I. Adequate provision for fire safety, prevention and control.

K. Suitably located travelways of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air and ACCESS for fire-fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system.

N. Conformance with all existing codes.

We assume, but want to reconfirm with Chief Buxton, that through the March 2, 2021 Memorandum, Chief Buxton is confirming that based upon his review of the Project and related materials, and subject to the reasonable satisfaction of the comments and conditions within the March 2, 2021 Memorandum, that he has determined that the proposed Project satisfies these site plan review regulatory requirements cited above, including Code Conformance for those matters cited by Chief Buxton in that March 2, 2021 Memorandum.

This would be a correct statement from a regulatory standpoint the site plan is required to meet the State of New Hampshire Building and Fire Codes. Specifically the requirements vehicle access points for emergency response are within the scope of the current code. As stated in my letter dated March 2, 2021 additional markings of fire lanes will need to follow NFPA 1 which is the State of NH adopted Fire Code.

Lastly, the Site Plans include a slight relocation of the tail section of Steele Road and the extension of same via an easement running westerly through the Project site to the Merrimack River. Access to this area may facilitate several public purposes, and we understand that among them, Chief Buxton has expressed the interest and need for this improved access for Fire Safety purposes to be used by Town officials only. We understand the relocation/extension of Steele Road would enable the Fire Department to access the Merrimack River to draw water for fire protection purposes (e.g., such as through the installation of a dry hydrant), although the final design details of the improvements to this access area to be located within the 250-foot Shoreland Area will remain to be worked out with the Town and Fire Department as a separate future permitting effort. We would also ask Chief Buxton to confirm the Town need for this access for fire safety purposes.

The installation of a dry hydrant at the end of Steele Road will provide an additional opportunity for water supply in this area if needed.

Thank you for your assistance with this matter.

Regards,

John

John T. Smolak, Esq.
Smolak & Vaughan LLP
East Mill
21 High Street, Suite 301
North Andover, Massachusetts 01845
Tel. 978.327.5220 (Main)
Tel. 978.327.5215 (Direct)
Fax 978.327.5219
E-Mail: jsmolak@SmolakVaughan.com
Web: www.SmolakVaughan.com

IRS CIRCULAR 230 NOTICE

Applicable Treasury Regulations require that I inform you that any U.S. tax advice in this communication and any attached document is not intended or written to be used, and cannot be used by any taxpayer for the purpose of avoiding U.S. tax penalties.

STATEMENT OF CONFIDENTIALITY

This communication is intended only for the use of the individual or entity named as the addressee. It may contain information which is privileged and/or confidential under applicable law. If you are not the intended recipient or such recipient's employee or agent, you are hereby notified that any dissemination, copy or disclosure of this communication is

strictly prohibited. If you have received this communication in error, please immediately notify us at (978) 327-5220 or via return e-mail to jsmolak@smolakvaughan.com and expunge this communication without making any copies. Thank you for your cooperation.

DISCLAIMER REGARDING ELECTRONIC TRANSACTIONS:

This communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means or otherwise. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract, binding agreement, or electronic signature under the Electronic Signature in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act, including but not limited to the Massachusetts Uniform Electronic Transactions Act, or any other statute or laws governing electronic transactions.

888 Boylston Street, Suite 510 Boston, MA 02199 T: 617.824.9100 F: 617.824.9101

To: Brian Desfosses/NHDOT

From: John D Plante

Info: John Butler/NHDOT
 Brian Kutz/Hillwood
 John Smolak/Smolak and Vaughan
 Frank Holmes/Langan

Date: March 13, 2021

Re: **Hudson Logistics Center**
Building A/Trip Generation
Hudson, NH
Langan Project No.: 151010101

This memorandum provides additional information relative to Building A of the proposed Hudson Logistics Center and associated trip generation.

As presented in the Traffic Impact Study (TIS), Amazon is the perspective tenant for Building A and as such, tenant specific information was considered for use in the study. This tenant-specific information accounted for the entire building area, including a mezzanine. Building A is a non-sort fulfillment warehouse with a specific role in the e-commerce supply chain, with the internal operations defined based on this specific building. Complete information on the number of anticipated daily employees, the specific shift operations and associated trip generation is included in the TIS. Building area was not a consideration in the tenant trip generation for Building A.

The TIS and supplemental information details the methodology used in developing the trip generation for the proposed project. A conservative approach was utilized in developing the trip generation, such as, using the higher peak-hour volumes of either the tenant volumes or the Institute of Transportation Engineers (ITE) volumes and considering the peak-hours of the generator and the existing roadway network were coincident.

LOCATION	LAND USE CODE	PEAK HOUR SCENARIO	Independent Variable		AM Peak-Hour			PM Peak-Hour			ADT	No. of Studies
			Amount	Unit	IN	OUT	TOTAL	IN	OUT	TOTAL		
Lot A	Fulfillment Ctr N-S LUC 155	Generator	Tenant		184	54	238	187	197	384	1631	Tenant
Lot B	Fulfillment Ctr N-S LUC 155	Generator	1,001,700	GFA	110	110	220	135	135	270	1830	1/1/22
Lot C	Fulfillment Ctr N-S LUC 155	Generator	522,000	GFA	58	57	115	71	70	141	870	1/1/22
UNADJUSTED TOTAL					352	221	571	393	402	795	4331	

MEMO

Hudson Logistics Center
 Building A/Trip Generation
 Hudson, NH
 Langan Project No.: 151010101
 March 13, 2021- Page 2 of 2

The area of Building A has been depicted as the building footprint at 1,079,700 square-feet. The building includes a mezzanine, dedicated to storage and staff facilities, such as bathrooms and break areas. The total area of the building is approximately 1,330,825 square-feet. The anticipated number of employees, 683, has not change and was based operations, which was based on this total building area. The trip generation included in the TIS (Table 4 above) and approved by the NHDOT is valid.

To confirm this, the following analysis employs follows the same methodology used in determining the trip generation projections in the TIS, while incorporating the total area of the building. Also included is the ITE trip generation during the adjacent street peak hour based on employees, for reference (ITE does not have a generator peak hour for the employee independent variable).

HUDSON LOGISTIC CENTER – BUILDING A UNADJUSTED ANTICIPATED TRIP GENERATION											
LOCATION	LAND USE CODE	PEAK HOUR SCENARIO	Independent Variable		AM Peak-Hour			PM Peak-Hour			No. of Studies
			Amount	Unit	IN	OUT	TOTAL	IN	OUT	TOTAL	
Lot A	Fulfillment Ctr N-S LUC 155	Generator	Tenant		184	54	238	187	197	384	Tenant
Lot A	Fulfillment Ctr N-S LUC 155	Generator	1,330,825	GFA	237	56	293	140	219	359	ITE 1/1/22
Lot A	Fulfillment Ctr N-S LUC 155	Adjacent Street Traffic	1,330,825	GFA	162	38	200	83	130	213	ITE 22/22/22
Lot A	Fulfillment Ctr N-S LUC 155	Adjacent Street Traffic	683	Employees	72	17	89	43	66	109	ITE 7/7/7

As illustrated on the table above and in the TIS analysis the PM peak-hour is the critical period relative to the impact of the development on the roadway network. The PM peak-hour represent the higher peak hour volumes from the development, primarily due to the timing of the morning and evening shift changes. It is the impact of the PM peak-hour volumes that dictate the off-site roadway improvements proposed by the developer and conceptually accepted by the NHDOT.

Although not the critical period to the analysis and the resulting proposed improvements, the table above indicates that the trip generation volumes used in the AM peak hour is representative of the ITE volumes, in between the two different peak hour scenarios.

The table above provides a comparison of the approved unadjusted tenant trip generation and the unadjusted ITE volumes for the total building area, for both the Generator and Adjacent Street Traffic peak periods. The comparison of the critical PM peak-hour period indicates that the tenant provided volumes are greater than either the ITE Generator or Adjacent Street Traffic volumes.

Therefore, the previously approved traffic analysis and the proposed roadway and traffic signal improvements continue to adequately address and mitigate the anticipated impact of the proposed Hudson Logistics Center.

\\langan.com\data\BOS\data1\151010101\Project Data\Discipline\Traffic\Trip Generation\Building A Trip Generation vs Building Area 3-15-2021.docx



March 20, 2021

Timothy Malley, Chair
Hudson Planning Board
12 School Street
Hudson, NH 03051

Reference: Hudson Logistics Center

Mr. Chair and Members of the Planning Board:

We have been asked to comment on the revenue impact of an additional 251,125 sq. ft. of floor area that was not accounted for in the Building A size profile we originally received for this development. The additional floor space is located in a mezzanine.

Using the same estimate of assessed value per sq. ft. from our original study, we estimate that the additional tax revenue will be \$302,000 (rounded), for a revised total of \$5,426,300 in property taxes per year.

We hope this information is helpful to the Planning Board in its consideration of the Hudson Logistics Center.

Thank you,

BARRETT PLANNING GROUP LLC

Judith A. Barrett
Owner and Managing Director

MEMORANDUM

To: Hudson Planning Board (Timothy Malley, Chair)
Brian Groth, Town Planner

From: John T. Smolak, Esq. Smolak & Vaughan, LLP &
Justin L. Pasay, Esq., Donahue, Tucker & Ciandella, PLLC

Re: Hudson Logistics Center – Site Plan, Conditional Use Permit, and Lot Line
Adjustment/Merger Applications
Findings and Conclusions

Date: March 19, 2021

On behalf of the Applicant, Hillwood Enterprises, L.P., the following sets forth the Applicant's responses to a list of questions provided to us through the Town Planner. Responses to these questions were prepared in consultation with certain members of the Applicant's Project Team, and are ordered in the sequence which the questions were provided to us.

1.) How long from the date of potential approval to the day when building "A" & "B" are completed and in full operation?

Response: It is expected that Building A & B will have a 15 month construction duration.

2.) In your presentation, you stated that prior to the issuance of Building "C" building permit you would prove that your traffic calculations for building "A" & "B" were accurate.

Response: The applicant has proposed to conduct a post opening traffic assessment subsequent to the opening and normal operations of Building A & B. This assessment will confirm the project's proposed traffic mitigation as evaluated in the submitted traffic impact study ("TIS"), if necessary. This information will be provided to the Town Planner to confirm the actual operations of the two buildings.

a.) How long do you anticipate having Buildings "A" & "B" in operation before you attempt to prove your traffic calculations?

Response: The intention is to provide confirmation of the mitigation parameters contained within the TIS. The post opening traffic evaluation will be conducted during a period of the Building A & B operations that mimic the period evaluated in the TIS. The study is anticipated to be undertaken within six months after the commencement

of full operations of Building A and Building B, or other period agreeable to the owner and the town planner.

b.) What is the monitoring system you will be using to prove these traffic calculations?

Response: We will use equipment technology to collect traffic data; this will be either video or tube type equipment, specific to the collection of vehicular trip data. The data collection will also include visual observations.

c.) Who do you anticipate presenting these traffic calculations to for approval?

Response: The applicant anticipates that the post opening traffic evaluation will be presented to the town planner and town engineer, and if requested, to a peer review firm selected by the town and paid for by the developer, all for the purpose of confirming the TIS projections.

d.) Due to potential changes in the ITE manual, changes in actual existing traffic in the future-by-future development, will you be presenting at the time you desire the building permit be on the latest updated manuals, actual existing traffic and any changes in the laws set forth by the people, or will you be presenting off the proposal set forth today?

Response: The applicant anticipates site plan approval for Building C at this time. The purpose of the post opening traffic evaluation will be to confirm the actual traffic generated and the operational impacts of Buildings A & B.

3.) Will the applicant be setting a concrete timeframe of when they will apply for building "C"? Or is the intent to leave Building "C" open ended?

Response: The applicant anticipates site plan approval for Building C at this time. The application before the planning board for site plan approval reflects three buildings of a certain size and use. The applicant will construct Buildings A & B and the associated roadway, utilities and other improvements for the entire Hudson Logistics Center resulting in the substantial completion of the industrial park. Building C will apply for a building permit subsequent to the operations of Building A & B but there is no concrete timeframe as to when that building permit application would be filed.

4.) By approving Building "C" in today's site plan, does that place Building "C" in a vested status and not subject to future land-use, zoning, and land-use regulations?

Response: Yes. The applicant anticipates defining "active and substantial development" and "substantial completion" pursuant to RSA 674:39 through the approval process. The applicant anticipates that by the time Buildings A & B are complete, the project will be

substantially complete. Assuming that Building C, as presented to the Planning Board, does not change in a way to implicate additional site plan review jurisdiction of the Planning Board, it will be in a "vested status" and not subject to future land-use controls.

5.) Why not remove Building "C" from the current plan set and application and reapply for Building "C" once the traffic projections are proven?

Response: The application before the planning board is for three buildings, two of which have a tenant identified, as presented. The third building, Building C, similar to other commercial developments, is awaiting a tenant or multiple tenants. Building C is being marketed in the category of a non-sort fulfillment center warehouse. Any projected tenant will fall within the ITE land-use category presented in the submitted traffic impact study. To remove Building C would unnecessarily duplicate permitting efforts and may result in a loss of a prospective tenant if all permits are not otherwise in place for the construction of Building C. We are confident that the development will operate within the parameters we have presented, however, if a prospective tenant is a different use, the applicant may need to obtain the necessary approvals.

6.) Why does the description/labeling of Building "C" keep changing on the various plan set being submitted? Example one plan set lists it as a "Cross Dock Facility" and the latest plan set lists it as "Dual Load Facility"? What are the differences between the operations of those two facilities?

Response: Adjustment to current appropriate industry terminology, as cross-dock is a more generic term. A dual-load facility is a more accurate description of the proposed building.

7.) Why are building "A", "B" & "C" not listed on the plan sets as "High-cube Non-sort Fulfillment Center Warehouse for E-commerce" (Page ES 1 of 4") as presented in the traffic study but only listed as "Distribution Warehouse" & "Dual Load Facility"? I ask this question, because the traffic study seems to emphasize the E-commerce side, does this type of building supplying a grocery store chain change the traffic models? What prevents or would trigger full site plan review if a future tenants converts the faculty into High-Cube Fulfillment Center to the end-user?

Response: The land use used in the traffic impact study, High-Cube Non-Sort Fulfillment Center Warehouse, is a specific type of category of distribution warehouse and the dual loaded facility refers to the design of that particular building. We can change the nomenclature on the plans to match the nomenclature of the traffic impact study if desired. The applicant has testified that the three buildings will be occupied by tenants of this specific land use. If the land use were to change, a new Site Plan approval may be required, pursuant to Sec. 275-4 – No person shall commence a new use, change a use or commence any site development activity without first securing site plan approval from the Hudson Planning Board pursuant to this chapter.

8.) In the latest submitted plan set submitted to the Planning Board, the set I received is missing Page CS003, has this been changed from the original submittal? If not several question? Go to questions 10 – 13, then back to 9.

Response: Langan has double checked the documents that were filed electronically and the sheet cited is in that set. We apologize if the hardcopy you received did not have that sheet, but an updated set of plans has been filed.

9.) On Sheet EC103, there is an existing Shed with Diesel tank show, I want to verify that these are planned to be removed. I believe so because I do not see them listed on other plan sets.

Response: The intent is to drain and remove the diesel tank and shed, and the plans will note as such.

10.) On drawing CS003 under General Notes #4 Trash Pick-up, The Town of Hudson has always stipulated the hours of trash removal normally Monday – Saturday, 7AM to 7PM, the note be changed to reflect this? And part of this is I do not see any dumpster locations show on the site plans, have I missed them?

Response: Unlike many commercial facilities, these buildings will have internal refuse control and dumpsters and compactors directly connected to the building, occupying loading dock bays. There are no freestanding dumpsters elsewhere on the site. Therefore the trash removal activity will be very similar to other truck activity on the site. We would suggest that not limiting hours of trash removal will not have an effect on the activity on the site. These locations have been added to the plan.

11.) I do not see anywhere on the plan set a note for hours of construction activity. Normally we require construction activity Monday – Saturday 7:00Am to 7:00PM with no exterior construction on Sunday. Do the size and amount of long-term construction activity, would the applicant be willing to stipulate “Construction Activity on site be limited to Monday – Saturday 7:00AM to 5:00Pm and no construction activity on Sunday” if approval is proposed?

Response: The applicant would not be agreeable to limiting construction hours beyond what is allowed by town ordinance and/or normally permitted by the Planning Board. The main reason is that further limiting work hours will prolong the construction process, potentially further affecting the community.

12.) On drawing CS003 under General Notes #30 “If additional snow storage is required. Snow will be trucked offsite.” Where would this snow be trucked to? Under your current snow storage shown on the plans, is there enough snow storage for any storm? Additional Snow Storage Question, the following plan sheets show or do not show snow storage, how will it work on the site as a whole? To access these snow storage area, heavy equipment will have to operate on proposed landscape areas and hop curbs. Is it possible to a full site layout with the snow storage highlighting so we can how it is a functioning system.

Response: The note reference will be removed from the plan as adequate snow storage areas are being provided on the site and noted on the plans. An overall snow storage area plan (Snow Storage Area Figure, FIG. 01) has been created to provide a comprehensive understanding of the snow storage areas. The full plan set has been revised to address this approach and the comments below. We are providing approximately 8 acres of snow storage outside of the existing pavement. It should be noted that other than the limited peak shopping season, the majority of the employee parking lots will also be available for snow storage as may be necessary.

- a.) On drawing CS104 shows snow storage outside of parking area and across the street.
- b.) CS105 shows no snow storage. Older plan set show small storage.
- c.) CS106 shows small snow storage.
- d.) CS110 show no show storage.
- e.) CS111 shows no snow storage.
- f.) CS116 show no snow storage.
- g.) CS117 shows some snow storage near building "A" small snow storage shown for Building "B".
- h.) CS18 shows small snow storage.
- i.) CS119 show snow storage.
- j.) CS126 shows some snow storage. According LP126, there appears to tree's and shrubs
- k.) CS127 shows snow storage with gates behind Hydrogen storage and refueling, purpose?
- l.) CS128 shows snow storage, a gate has been added, but how will this work?

Response: The above referenced plans have been adjusted as necessary. At the 2.24.21 Planning Board meeting, an overall snow storage plan was presented to the Board.

13.) On drawing CS003 under General Notes #35 states a NH Certified Green Snow Pro Application shall be used for snow management purposes on the development. What is this? How does the Town verify that it is being done on long term scope?

Response: NHDES certifies contractors as Green SnowPro when they comply with state-of-the-art salt reduction practices that prioritize public safety while mitigating salt usage. The requirement for this approach is identified in the Stormwater Management Plan for the development. The Applicant can provide evidence to the town of retained contractor's certification. Any deviation from this practice could be enforced like any other condition of approval.

Additional information below:

<https://www.des.nh.gov/land/roads/road-salt-reduction/green-snowpro-certification>

Green SnowPro Certification

State-of-the-art salt reduction practices that prioritize public safety while mitigating salt usage.

Commercial Salt Applicators certified by NHDES Green SnowPro under RSA 489-C, and property owners or managers who hire them, are granted limited liability protection against damages arising from snow and ice conditions under RSA 508:22.

How do I become a certified NHDES Salt Applicator?

Individuals who have attended the Green SnowPro Training and passed the exam are eligible to apply for the voluntary NHDES Salt Applicator Certification. To obtain your certification from NHDES and obtain limited liability relief for you and your clients from slip and falls, you must:

- 1. Take the Green SnowPro Full Course and pass the exam. Available exams are listed at the bottom of the page.**
- 2. Fill out and submit to NHDES the Salt Applicator Certification Form for Initial or Renewal certification (certification expires every year on June 30).**

<https://www.clarkmortenson.com/nhsnowpro/>

In order to gain a better understanding of the snow and ice management industry and how salt is used, NHDES formed the I-93 Salt Reduction Work Group consisting of state, municipal, and private sector representatives who perform winter maintenance activities within the impaired watersheds. NHDES quickly learned that private companies were applying excessive amounts of salt to help reduce their potential exposure to liability in slip and fall lawsuits.

Hearing the liability concerns of these private companies, NHDES began working on legislation which would provide liability protection for these salt application companies and mitigate the risk of applying less salt. Legislation was enacted in 2013 which mirrors the liability protections provided to ski areas, and includes a requirement that, in order to receive the liability protection, individuals must have taken the New Hampshire Certified Green

SnowPro training course and received a Certified Salt Applicator certificate. NHDES issues the Certified Salt Applicator certificates granting the liability protection through RSA 508:22, which protects individuals holding the certificate, and those who hire a certified individual, from damages arising from snow and ice conditions.

By reducing liability concerns, the Salt Applicator Certificate has proven valuable to private contractors, their clients, and their insurance carriers. To date, 685 individuals have become Certified Salt Applicators and three certificate holders are currently involved in claims that they plan to deny in court, citing the liability protection granted to them through the certification program. NHDES has been tracking these cases and their outcomes. NHDES recently learned that one of the three claims was dropped when the liability protection was cited

14.) On drawing CS100, Parking requirements; Why does the plan not show the number of required calculations of parking spaces? Reference 275-8 C (1) &(2) (g) Industrial: one for each 600-square feet of gross floor space or 0.75 space per employee of the combined employment of the two largest successive shifts, whichever is larger. The current plan only states "AS REQUIRED BY THE PLANNING BOARD", which is allowed under 275-8 C. (2) for any use not listed, yet the ITE Trip Generation Manual Lists High Cube Warehouses as an industrial use. Granted the Planning Board may vary these requirements if the applicant can demonstrate that fewer spaces than required are consistent with proposed use, but I feel the applicant should show what is required under the regulation and submit their reasoning why the Planning Board should grant a variation from the current regulation.

Response: Parking requirements have been computed and added to the site plans. A waiver has been requested to reduce parking as described in the waiver request.

15.) On drawing CS100 Notes 1. Can the applicant please explain Note 1.

Response: Note 1 is the definition of "Open Space" under Section 276-11.1B(24).

16.) On Drawing CS103, there is no sidewalk that I see on this proposed entrance, why?

Response: There is an expectation of limited employee pedestrian activity to and from the surrounding residential neighborhoods, however one sidewalk has been provided on Green Meadow Drive, from the development to Lowell Road.

17.) On Drawing CS102, there is no proposed signage, site directory proposed at the entrance?

Response: Site and building signage plans have been provided to the Planning Board illustrating building signage, monument signs for the industrial park and the individual buildings, and site directional signage. We note that all signs are subject to approval by the Hudson Code Enforcement Officer prior to installation.

18.) On drawing CS105 & CS127 show Hydrogen Storage and refueling, can they provide a basic knowledge and how these activities will happen? What will be refueled with here? Is it fork trucks that operate inside the building, or other vehicles? Are all vehicles that will utilize these be strictly on site vehicles?

Response: Hydrogen will be used for fueling only the forklifts that operate inside Building A & B. The hydrogen facility will be designed and operated in accordance with all federal, state and local regulations and guidelines and will be permitted accordingly.

19.) On drawing CS107, there is no proposed site directory or indent signage proposed?

Response: See response to Comment 17.

20.) On drawing CS107, there is a piece of land that abuts Lowell that is not part of this site development. Is the access easement from this site off the new proposed main entrance? Where is this access shown on the plans?

Response: We believe this question relates to the portion of 273 Lowell Road that will be incorporated into the development property through the pending Lot Line Adjustment Application filed with, and pending before, the Planning Board. This parcel is being utilized to provide required lot frontage on Lowell Road. There are no development plans for this parcel at this time.

21.) On drawing CS107 & CS108 shows utility poles going down the new proposed Main entrance. Our regulations require utilities be placed under ground, why are these poles being installed and not underground utilizes?

Response: Eversource indicated that the utility pole currently serving Mercury Systems will remain and that the initial segment of their service from Lowell Road will remain above ground, so their system does not go from above ground in Lowell Road, to add small segment of below ground in the new driveway and then above ground again to connect to the Mercury System infrastructure. Such a short segment of below ground infrastructure is not desirable nor practical. The applicant is requesting a waiver for this requirement for this limited area and presented the same at the March 10, 2021 Planning Board meeting.

22.) Along the new main entrance, there is some land between the proposed driveway and the sidewalk, I did not see on the landscape what was proposed to be in this space? Will this be grass?

Response: This will be a strip of maintained grass between the curb line and the sidewalk.

23.) On drawing CS116, I do not see any indication of "Yield" or directional signage proposed at the entrances to the roundabout, will the applicant be adding this type of signage?

Response: This signage has been included in the new signage plans. Refer to the Signage and Striping Plans, included in the CP series of drawings.

24.) On drawing CS120 shows an existing structure to remain "Pump House" What is it? Does it serve the site or another site? If it serves another site will there be easements added to the plans?

Response: This pump house provides the irrigation water to the World Cup Golf Center and will be maintained and easements provided to continue its use.

25.) On drawing CS120, the potential Emergency Access Road, what is the purpose of the road? If it is only for emergency access, why is there is no Gate limiting access show on the plan?

Response: See the applicant's letter to the Planning Board dated March 3, 2021. The applicant is proposing to construct the access road, as indicated on the plans, to provide the town emergency access to the Merrimack River, Fire Department access to the river, a water source, and for Conservation Commission use to access the restoration areas along the river. The applicant is proposing to restrict access to the access road utilizing the existing swing gate on the existing driveway, with use of the gate to be coordinated with emergency services. This gate is noted to remain on drawings CS100 and CS120. The applicant proposes to provide the town an easement, of sufficient size, from the end of the constructed access drive to the river, allowing the town to install the infrastructure, such as a turn around, or other infrastructure the town and Fire Department require, via a distinct review and permitting process. The access road is not intended for public access and is limited to the Town uses as described above.

26.) On drawing CS129, the Emergency road just ends, how will Fire apparatus turn around? Why is the Emergency access turn around pushed closer to the river to be permitted separately?

Response: See response to Comment 25.

27.) What is the overall length of the proposed Emergency Access road?

Response: The length of the access road from the existing swing gate to the proposed end of the road at the Shoreland Buffer is about 2,500 feet.

28.) I still question the need to have the street light poles along this stretch of proposed roadway. This is the closest point to the abutters, and if possible to remove, or lower the lights I think would be good idea to explore.

Response: The purpose of lighting is to provide the minimum lighting for security purposes. The lighting photometrics plan included in the application demonstrates no light spillover resulting from these lights, and there are shields and cutoffs designed to direct light away

from the residences and onto the pathway. However, as this access road will not be open to the public, the applicant is agreeable to the planning board including a condition of approval to remove the light fixtures along the access road.

29.) Who will maintain and snow plow this access roadway?

Response: The applicant will maintain this access road, and eventually, the condominium association will assume this responsibility.

30.) The potential emergency boat launch on this site, why is it only shown on drawing CG129? Should it not be shown consistently throughout the site plan?

Response: It is our understanding the town no longer desires to pursue an emergency boat launch at this site, and other options for Town use of this area are now been explored. All references to the boat launch have been removed from drawing set.

31.) I do not see on the plans, where the wetland markers will be placed.

Response: The Conservation Commission recommended to the Planning Board, as a part of its approval on 1.25.21, the following:

"24. A stipulation and or note should be added to the plan that states "Conservation Wetland Overlay District Markers shall be placed at 50 foot intervals along the wetland boundaries, post construction to clearly identify the conservation easements areas".

We would recommend revising this language for the markers to be more appropriately placed at the boundaries of the conservation easement, in 100 foot intervals, because that easement boundary is permanent and will not change, unlike the potential for the wetlands to move over time. This note would be added to the plans. This note has been added to the General Notes on drawing CS103 as note #2.

32.) On drawing CS105 & CS123 & CS117 shows fire tanks and pump house, what is the height of the Fire tanks? Are they elevated off the ground?

Response: These water tanks and associated equipment will be designed to provide additional fire protection volumes and pressure for each building. The tanks will be designed to provide approximately 250,000 gallons of storage. The tanks will sit on an independent concrete foundation and will be approximately 32 feet tall.

33.) What happens to Mercury Systems existing road sign in the middle of the current driveway?

Response: The existing Mercury Systems monument sign will be relocated to the north of the revised Green Meadow Drive intersection with Lowell Road. This is indicated on drawing CP107.

34.) Drawing CU129 was not in my plan set.

Response: This sheet has been removed from the set.

35.) Under Regulation 275-6 (E), Emergency Vehicle Access, including Fire Lanes. Has Hudson Fire determined if they need specific "Fire Lanes" on the site, or will existing travel ways satisfy their needs?

Response: The town engineer indicated that the fire department has reviewed the plans and all comments have been incorporated into the plans. Chief Buxton has submitted a comment letter to the Planning Board confirming his review and he testified at the March 10, 2021 Planning Board meeting regarding same.

36.) Under Regulation 275-6 (I), Has Hudson Fire determined there are adequate provisions for fire safety, prevention and control?

Response: The town engineer indicated that the fire department has reviewed the plans and all comments have been incorporated into the plans. Chief Buxton has submitted a comment letter to the Planning Board confirming his review and he testified at the March 10, 2021 Planning Board meeting regarding same.

37.) Under Regulation 275-6 (K), Has Hudson Fire determined that the applicant has provided adequate light, air and access for fire-fighting apparatus and equipment to buildings, and to be coordinated so as to compose a convenient system?

Response: The town engineer indicated that the fire department has reviewed the plans and all comments have been incorporated into the plans. Chief Buxton has submitted a comment letter to the Planning Board confirming his review and he testified at the March 10, 2021 Planning Board meeting regarding same.

38.) The applicant indicated that each site would have a mobile snow scraping system for the trucks, Under regulation 275-6 (W) requires that the location for the storage of equipment be indicated on the plan. I was unable to locate where the storage of this equipment was going to be when not in use.

Response: The tenants will be using mobile snow scraping equipment at these facilities. As they are mobile, there is no permanent location for them. They will occupy a trailer parking space when not in use. This note is added to the plans.

39.) Under Regulation 275-6 (V), requires that placement of all outside appurtenance be shown on the site plan, when can expect to see the placement of the exterior A/C equipment?

Response: All known outside appurtenances are shown on the plans. All mechanical equipment for the buildings are located on the roof, which also includes a parapet.

40.) Under regulation 275-6 (V) that if in future solar panels where to be installed on this site, that it would require/ trigger site review to be in compliance with this regulation. Does the applicant agree with this interpretation?

Response: The buildings are being designed a solar ready and we agree with that interpretation. We recommend:

The installation of solar panels would constitute neither a "change of use" nor "development" under the Town's Land Use Regulations (see §275-4) and therefore, no site plan review jurisdiction would be triggered. Rather, solar panels could be installed upon issuance of a building permit.

41.) On their advertising on their web site to obtain a tenant for building "C" they use the statement of a truck court, can they please explain what this terminology means?

Response: A truck court is the area associated with the loading bays, in which the tractor trailer truck maneuver in and out of the loading bays and where the trailers are parked.

42.) Recently I received a delivery at my work, this delivery happens to come on an 18-wheeler tractor truck. After receiving the delivery, the driver informed me that he needs to park the vehicle do a requirement that the vehicle need to go into a high idle for 40-minutes or the vehicle would shut down due to some fuel additive they were required to use. Have you heard of this requirement with these types of vehicles, and what is the likely of trucks coming to these facilities needing to do this?

Response: We are not aware of this requirement.

43.) On drawing CS003 under General Notes #35 states a NH Certified Green Snow Pro Application shall be used for snow management purposes on the development. What is this? Just a brief explanation and How does the Town verify that it is being done on long term scope?

Response: See response to Comment 13.

Please let us know if you have any further questions and comments concerning the responses to the above questions. Thank you.