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Submission #187

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Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Tue, 03/30/2021 - 7:09pm

75.68.90.2

Your Contact Information

First Name

Di

Last Name

Sh

Phone Number

Email

dishphoto@gmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Hudson must deny this monstrosity takeover by Amazon!! Do the right thing Hudson. You know it's wrong to allow this ugliness to come to our beautiful green patch.

The health of wildlife impacts our health

“How we treat wildlife impacts both their health and ours” (Humane Society Wildlife Land Trust: –wildlifelandtrust.org)

Protecting wetlands is important, of course, but so is protecting dry land. You can't have an ugly warehouse, then a little wetland, then an ugly warehouse, then a little wetland ... and on and on like a bar graph. You can't have wetlands without dry lands. We've surrounded many ponds by hapless buildings – the ponds are essentially dead. Not much thrives there. And the animals that live on dry land and that require those wetlands will be gone. Various animals dwell in forested habitat near wetlands. Their dens might be on banks of streams, rivers, lakes; they line their dwellings with dried grass and leaves from the dry lands. Are you willing to destroy that? Why? Hudson, you should be ashamed. Prevent the destruction; keep the trees to conserve the majesty of God's creation and the natural beauty of our world

Wealthiest man enriching himself at our expense; his blight is a cost to society

Why is Hudson even contemplating the obliteration of our beautiful green area by the wealthiest person on Earth? Hudson already has an industrial park. Let that be the place where we insist Amazon go. Why break up a beautiful paradise and stick three big warehouses there? Hudson, stop destroying our beautiful green spaces. Get the blight out of our town!

Wealthiest man on Earth is enriching himself at our expense through despoiling and defacing our environment. He advantages himself at cost of society.

Responsibility and forward thinking

HUDSON, get it together and become an environmentally responsible forward-thinking town. Don't use the excuse that this will help our taxes. Most people who want this monstrosity don't even live here (the governor, for example --let this destruction occur in his town and see how he reacts). STOP allowing BIG MONEY BIG TECH to take advantage of our little piece of Eden. We can raise money and convert this gem of land into a sanctuary or maybe a small community gardens. Hudson, become a model town, not a town that cowers to BIG MONEY BIG TECH. If other towns can have this foresight and environmental planning, so can Hudson.

Sacrifice

Humans ended sacrifice years ago. We're supposed to honor that tradition. We do not take an innocent being (animal or human) and desecrate it

because we're afraid to stand up to the evil bully monopolistic oligarch, so that we can seem like good people by telling residents "our taxes will be lower." We do not shun those innocent beings and then send them off into the wilderness (if there is any wilderness remaining).

Evil – we must not enable the corporatocracy's greed and destruction. Does supporting this monstrosity while knowing the harm it'll cause to environment and habitat make one evil? Does being timid and going along with this corporate oligarch in defacing our land and habitat make one evil? Does refusing to face these facts – that this pollution and destruction by this corporatocracy is wrong – make one evil? Let's work hard to prevent this takeover of our gem of green space paradise by the powerful corporate oligarch. What is righteous about letting this monopolistic corporatocracy take over? Nothing is righteous about it.

Allowing this evil destruction is a pretense of goodness. You will know forever in your hearts and minds that this destruction is absolutely wrong. Why would you allow it then? It is a crime against life, done with reckless abandon. Please don't be timid in saying NO to the monster.

Land is not infinitely available; once it's gone, it's gone. And, who is the backwards thinker that believes land is infinitely available and we don't have to protect those innocent beings? Is it you? Is keeping up appearances in the face of the corporate greedy industrialist pack Hudson's goal? The pack doesn't care about doing good for the world. Please don't be fooled by the corporatocracy. They want us to believe they are experts but they are on the side of ruination of our beautiful God-created open spaces. Time to be virtuous and take a stand against this evil. We must not enable their greed, destruction.

Localism – we must deny the globalist takeover of our land. The enemy of globalism (which is what Amazon is part of) is localism. We must push back against this ruination and control. Largest transfer of wealth. The lockdowns closed small businesses, many for good. Many small businesses existed for decades and generations. They are now closed permanently. Who benefited (and maybe who helped steer this)? Amazon. Amazon put out small enterprises. Is it an orchestrated authoritarian consolidation where even the big box stores will be crushed? And this is the kind of company Hudson is inviting in to destroy our paradise? You know it's not right. Shame on Hudson if this is allowed.



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Submitted by Visitor (not verified)

Wed, 03/10/2021 - 1:43pm

73.149.105.122

Your Contact Information

First Name

Gregory

Last Name

Putnam

Phone Number

Email

gputnam1@hotmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Good afternoon,

I would like to express my support for the Hudson Logistics Center. This non-residential development is much needed for tax relief in this community. The

pros far outweigh the cons associated with this proposal. I implore you to also support this project.

Thank you,
Greg Putnam

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Submission information

Form: [Contact a Board or Committee](#) [1]
Submitted by Visitor (not verified)
Wed, 03/31/2021 - 11:29am
75.68.88.104

Your Contact Information

First Name

Heidi and Michael

Last Name

Jakoby

Phone Number

603-595-2069

Email

mjakoby65@gmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

We have lived in Hudson, NH since 1994 and have loved living here. When we moved here the town had an eye to the master plan and a clear vision for the character and development of Hudson. Over the years there has been a clear change in how the boards have voted regarding preservation or our quiet, environmentally conscious, limited building town that it was. As all people have a right to sell their property, we entrust our town official to ensure that all development is in the best interest of all the citizens of Hudson and takes the public input and the master plan into consideration. Additionally, our town officials are required to scrutinize and question all applicants and to ensure waivers are not granted when there is a way to develop the land within the guidelines of the town. Hillwood is not asking for one waiver, but several, why? This project needs to be denied because they have made no effort to promote their idea for this land with out needing a waiver. I am appalled at such a large developer coming in and asking us, Hudson NH to grant several waivers so they can develop the land as they wish and disregarding what is best for Hudson and our community!

We urge you to deny all waivers Hillwood has requested! To be honest if there was one waiver or two small waivers, we would feel differently but no, they ask for waiver and exception after exception and to top it off they offer money for some projects in town, small amounts of money with no guarantee of when or if all the money may come. This is not neighborly it is conniving and distasteful.

We want to also address the major issues and reasons why we also believe you need to vote no on this application:

Property Values: Let me be clear, property next to a golf course is more valuable than property next to a berm/ warehouse! Property values are largely influenced by location. On this point alone the application needs to be denied.

Traffic: The traffic analysis the applicant did is woefully inadequate and that will be proven as they try and implement the plan and the State DOT must deny specific requests as they do not meet the requirement. Remember the NHDOT approved the methodology not the actual traffic items. Also, there was no consideration of the increased traffic on Dracut Road and the impact this facility will have on the intersection of Dracut, Sanders, and Pine roads. This intersection is a nightmare now, and many tractor trailer trucks come down this way.

Character of the Area: As we stated earlier the town of Hudson is not now nor does it endeavor to be an industrial trucking hub. Looking at the Hudson master plan this facility does not do anything to enhance our community or town. Moreover, Hillwood says it wants to be a good neighbor it has shown little respect and has literally shut down conversation and dialog with the community on all their social media outlets. Hillwood has promoted on many occasions and in many locations that the HLC is a done deal and they have been recruiting and sending our false news on all social media platforms as well as news agencies. Dialog is the only way to create relationships and to be a "good neighbor".

Water: Let us be clear relocating wetlands and animals does not work, that is why our rules state that any development should minimize this impact and as James Crowley showed the applicant had not taken any action to minimize this impact. Hillwood wants what Hillwood wants and has not shown any care for our waterways. In the beginning Hillwood completely ignored the smaller tributaries, and in the beginning did not consider wildlife movement. It was not until the citizens of Hudson raised these issues, did Hillwood do a redesign. We implore you to do a little research and check into the survival rate of relocated wetland animals, the statistics are extremely poor. The Merrimack River is beautiful, cleaner than it has been, and this facility will have a negative impact on the river as does every industrial building on the river.

As the applicant had to pay, I believe a \$250,000.00 application fee, we had hoped this money would be going toward independent peer review for the board to get an objective perspective on this project. Overall peer review has been minimal. We hope you are each doing your own independent research on the issues surrounding this application.

Just because the applicant says it is true does not mean it is. Remember there are many aspects to this project and clearly, they have not met the requirements of Hudson, NH and this application must be denied.

The town of Hudson is on very solid ground as this project does not meet the most important requirement, that of the Master Plan and the future of Hudson, NH.

We strongly agree with Attorney Manzelli's assessment that. "Hillwood has not provided the Planning Board with sufficient, credible evidence upon which the Planning Board could defensibly base any approval, and therefore, the Planning Board should deny the Applications."

Finally, thank you to the board for the respect that was shown at the last Planning Board meeting, it was great to see the board listening to the public. To be clear the lack of questions from the board and the disrespect of public input, has been disappointing. One of the most disturbing actions of the board at the March 24th meeting was cutting off the attorney representing several residents of Hudson. This was not the only time you have cut off the attorney, but it has been a repeated action by the board. You have allowed the applicant to talk for hours, then change their data, then talk some more and again change drawings and data, but when an Attorney representing over 50 households in Hudson you disrespect the Attorney and all those residents. It is the chairs responsibility to allow comment, the chair can allow 90 seconds more to anyone without any input from the board. It was just unbelievable to see the total disrespect for someone who asked for 90 sections not 10 minutes. We believe that the board has lost sight of the most important people and views in this situation, which to be clear is the voice of the citizens, not the voice of the applicant. We believe you must deny this application and all requested waivers.

Sincerely,

Mr. and Mrs. Michael Jakoby
94 Gowing Road Hudson, NH

Links

[1] <https://www.hudsonnh.gov/community/webform/contact-board-or-committee>



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Submission information

Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Sun, 03/14/2021 - 3:55pm

73.249.226.163

Your Contact Information

First Name

James & Nancy

Last Name

Doyle

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bogeyjim30@comcast.net

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Dear Board,

We are contacting you regarding the proposed Hudson Logistics Center. We

moved to Hudson from MA in 2006. While we were both still working in MA, we were thinking ahead to our retirement and looking for a nice community with a small town feel where we could enjoy our retirement years.

In the past 15 years we watched as one project after another was added onto the Lowell Rd. Corridor. Adding several more traffic lights (there are now 11 from our house on Doveton Lane to the Sagamore Bridge) and we assume another coming at the new apartments. Many of these strip mall projects are full of empty space, as are the industrial parks along Lowell Rd. While we were both working over the past 14 years it could take 15-20 minutes to travel the three miles from our house to get to the Walmart area and then head to the MA border.

We can only imagine what it will be like when folks are stuck behind all the tractor trailer units that will be going to and from the HLC when Amazon takes up residence. We are also fearful of the increased truck traffic passing by our complex on route 3A, a full 3 1/2 miles from the HLC, as they head to and from the Manchester area.

We understand the burden you have to consider the tax revenue from a project like this. However we feel it much more important to weigh the quality of life in Hudson, and that it not deteriorate further from what it was when we moved here. We do not begrudge the Friel family wanting to retire and cash in on their property. But not this project! The proposed HLC is just not the right fit for that property. We urge you to please reject the applications for this project and keep Hudson as it is, a great place to live.

Best regards,
Jim & Nancy Doyle
10B Doveton Lane

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Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Sun, 03/14/2021 - 5:17pm

73.89.35.4

Your Contact Information

First Name

Kathleen M

Last Name

Martinek

Phone Number

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Email

kmmartinek@msn.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

3/14/21 To the entire Planning Board. Subject Hudson Logistic Center (HLC). We are asking for an additional Planning Board meeting to allow for more Public

Comments/input and more deliberation and additional discussions not included at previous meetings. We feel that so many unanswered questions and their details still exist for the topics of traffic congestion, fire safety for surrounding areas, future costs to residents thru increased taxes for road repairs not covered by this agreement with with developer. This project will forever change the Town of Hudson. How can a project so vast running 365 days a year 24/7 be an asset to our culture and future legacy to our residents? Not even an air port operates at such a level. Please consider giving this vast project more time to be deliberated. Thank you for your consideration. Steve and Kathy Martinek - 4 Birdie Lane - Hudson Residents for over 40 years.

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Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Tue, 03/16/2021 - 9:52am

73.238.127.137

Your Contact Information

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Kevin

Last Name

Walsh

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889-7379

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km_walsh@comcast.net

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Thank you for all the work you do on behalf of our community.

I viewed the meeting of March 8 and came away with a couple of

observations regarding the Hudson Logistics Center project proposal. First, with Amazon adopting various delivery options besides vans, such as "flex" drivers (individuals in cars - think Uber for packages), drones, autonomous vehicles, etc. what do we and the developer/Amazon envision delivery to look like in the future - both near and longer term and the impact on our community? Secondly, in Massachusetts, the Metropolitan Area Planning Council recently published a report on Amazon and the emergence/explosion of e-commerce and its impact on communities. You may find this report of interest in further understanding the scope and impact of e-commerce and the proposal before the board will have on our community going forward - the report can be found at <https://www.mapc.org/wp-content/uploads/2021/02/Feb2021-Ecommerce-Report.pdf>

Thank you again for all your work and due diligence!

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Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Tue, 03/30/2021 - 11:03pm

71.181.25.62

Your Contact Information

First Name

Pat

Last Name

Reichard

Phone Number

603-289-2148

Email

pat.reichard@juno.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Dear Planning Board,
Largest Warehouses in THE WORLD

1. Boeing Everett Factory, Everett Washington 4.3 million s.f.
2. John Deer Warehouse, Milan Illinois 2.6 million s.f.
3. ?????? Will you be responsible for allowing Hillwood's warehouse to put Hudson NH to become the third largest warehouse in the world ?????? Is this what you want for our town?????
4. Target Import Warehouse, Lacey Washington 2 million sf
5. Jean-Luc Lagardere Plant, France, Toulouse, France 1.32 million sf

Recall how folks from my neighborhood asked Hillwood's engineers early in this process to identify where they have built a warehouse this magnitude in a residential neighborhood. Recall how Hillwood chose not to respond to that question. That's because they've NEVER built anything to this magnitude before ESPECIALLY near a residential neighborhood. This is an interesting link which identifies all the Amazon warehouse (existing and proposed) around the world. https://mwpvl.com/html/amazon_com.html Please don't tell yourselves that 'this is just another Amazon warehouse - they are all over the place'. This will be the LARGEST AMAZON WAREHOUSE IN THE WORLD.

Does that fit in with Hudson's master plan?

I thank you for your volunteer work. Please consider that such a massive massive warehouse is more responsibility than our town can handle when considering traffic, fire, police, noise, pollution and all the issues brought up by the Hudson's residents that have attended the Planning Board's meetings so faithfully this past year.

Thank you. Sincerely, Pat Reichard, 23 Par Lane, Hudson NH

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Submission information

Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Tue, 03/23/2021 - 3:48pm

72.71.213.87

Your Contact Information

First Name

Peter

Last Name

White

Phone Number

9788151201

Email

Construction@AquatimePools.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

I have been looking to add an addition to my existing building for 7 Months now with Maynard and Paquette Engineering. Aquatime Pools is located at 89

River Rd, Hudson NH and owned by Taymar Realty, LLC.. I was told to ask for Tim Malley to discuss some issues that the Engineer has run into for this simple building addition converting "outdoor storage" to "indoor storage" not requiring any variances. He is being told that Amazon is taking up everyone's time which I am not sure is the case. I am concerned that these delays will adversely affect my construction season with ability for indoor storage of items needed to be adequately stockpiled due to my industry's continued supply chain issues. If Mr. Malley could contact me to briefly discuss and provide some direction, my information is as follows:

Peter White

Aquatime Pools and Spas, Inc.

Taymar Realty, LLC

89 River Rd.

Hudson, NH 03051

My cell is 978-815-1201 and I can be reached at any time that is convenient.
Property Map 251/Lot 2

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Submission information

Form: [Contact a Board or Committee](#)
Submitted by Visitor (not verified)
Tue, 03/30/2021 - 6:16pm
71.169.141.18

Your Contact Information

First Name

Phil

Last Name

Wright

Phone Number

16038823063

Email

pwright948@myfairpoint.net

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

I have lived in Hudson for almost 70 years. I watched the town grow from a sleepy suburb of Nashua to what it is today. I watched the town grow without

a master plan which put commercial and residential next door to each other. I watched the town dither about a highway around the town to relieve traffic woes which is now going to bite us in the butt. I watched the town allow continuous development of the Lowell Road corridor even though the road could not support such development. In usual fashion traffic lights were installed to quell complaints of residents who were unable to access Lowell Road from commercial properties or side streets. I watched the Sagamore Bridge area continue to be developed sending more and more traffic onto Lowell Road. As a result the 5 pound bag cannot hold the 10 pounds of crap. From 3:30 to 6 every day traffic is backed up to the Subaru dealership. Now you want to allow a mega commercial development of the Green Meadow Golf Course and dump even more traffic onto Lowell Road and much of it is trucks. You are out of your collective minds!!! All you can see is more property tax revenue. Quality of life in the south end of town cannot be of concern to you. You can't be foolish enough to think that Hudson residents will make up the lions share of the workforce. Wake up! Most of the employees will come from the Lowell/Lawrence area. If you approve this project you will be sentencing Hudson residents to traffic hell. This is a bad deal for Hudson and I entreat you to use your common sense and not approve this project.

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Submission information

Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Wed, 03/31/2021 - 12:32am

71.161.197.252

Your Contact Information

First Name

Rita

Last Name

Banatwala

Phone Number

Email

ritamrsb@gmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

While anyone should be allowed to sell their property that is not the issue at-hand with the proposed Hudson Logistic Center. The issues are with the development proposed for the lots. The developer is requesting specific land-

use and exceptions to the town laws. These exceptions should only be granted if it is determined that they are for the betterment of the town's health, welfare and safety.

In reality we have to look at the tradeoffs to determine if the benefits outweigh the irreparable changes to the environment.

Are the destruction of wetlands, addition of noise, light pollution, air pollution, water pollution and enduring more traffic 24/7/365 days acceptable tradeoffs for some tax revenue and some jobs? Also, will real estate maintain its value? Will the character of Hudson change in a positive or negative way for the majority of the citizens with this proposed development?

Wetlands: ecosystem changes that affect wildlife and our air quality
An attempt to minimize the damage is in the plans, but we heard how more minimization may be possible in the last public hearing session

Noise Across Land & Water: affects physical and emotional well-being of humans and animals
A noise study across land was presented, but it is incomplete as far as covering the various areas. Also, no data was collected for the noise travelling up and down the river.

Light Pollution: affects physical and emotional well-being of humans, plants and animals
The plans attempt to minimize the light pollution, but no response has been received yet to the question raised about the downward lighting on snow-covered ground.

Air Pollution: affects physical well-being of humans, plants and animals
Trucks, more cars and machinery yield more pollution

Water Pollution: affects physical well-being of humans, plants and animals both locally and downstream
With no real barrier other than space along the river, particulates will likely land in the river. Two of the storage basins are rather close to the river so overflow will occur if the river runs high again. As in May 2006, the river has been high, washing over thirty feet of the east bank.

Traffic: affects physical and emotional well-being of humans and animals
Towns build reputations which either draw or deter people and businesses to live, spend or run a business. Businesses hurt when people have a hard time

getting to or from the business. Therefore, businesses that require in-person patrons will suffer in an area where the main means of transportation is cars. Cars sharing the road with trucks also increases safety issues along with longer signals at intersections. Safety issues may occur because of the lack of visibility around a truck. The longer signals are because large trucks take more time than a car to move from a still position to clear an intersection.

Real Estate: affects physical and emotional well-being of humans
As people realize the decline of their real estate investments, their confidence/luxury of satisfying the basic fundamental human need of shelter may become a risk. When looking at comparable homes would you choose one by a logistics center or elsewhere? The real estate study that was performed is insufficient.

Town Character: affects physical and emotional well-being of humans and animals

Basically, the place we call home provides comfort. If a person ignores the area possibly affected by the proposed logistic center, they may believe the character of the town is unaffected. However, once they realize school schedules need adjusting because of busing and the amount of time it takes to cross town increases to undesirable, Hudson's Town Character will be affected. Possibly the town will become more divided by accessible and hard access areas. This would be a significant, undesirable change in Hudson's Town Character.

Please consider all the information and note all the information missing. There are so many items in the proposed plans that are detrimental to Hudson's environment. In addition to the information on-hand (the latest proposed plans), there are still issues not addressed or insufficiently addressed. Therefore, as things stand today, please deny the land-use application and any permit exceptions.

Thank you for all you do for the Town of Hudson!

Rita Banatwala
A Hudson Resident for over 24 Years

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Submission information

Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Sun, 03/14/2021 - 12:58pm

71.161.197.252

Your Contact Information

First Name

Rita

Last Name

Banatwala

Phone Number

6039434339

Email

ritamrsb@gmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

Dear Planning Board,

I appreciate all the time and energy you have been putting into

understanding the Proposed Hudson Logistics Center. It is a big deal with huge impacts to the town so careful consideration is needed.

It seems some information that was presented over the past several months is still incomplete for making a thoughtful, thorough decision. For example, one item that comes to mind is the noise study. The applicant conducted a noise study that seems insufficient or incomplete. It was pointed out after they claimed the study was from a central site, that the location they chose was not central. They stated it was near the Fairway & Eagle Drive intersection. In reality that may be a good location for homes near the west end of the Green Meadow Neighborhood. What about the east end? What about the Bruce & Linda St neighborhood? What about River Rd and the Rena neighborhood? What about the higher noise level caused by increased traffic on the bridge going up & down the river? It was also mentioned during the Planning Board Meeting that noise levels over water are typically higher and there is no noise barrier planned between the facilities and the river.

I am guessing, but I have a feeling that locations other than the location from which the study was conducted may reveal noise levels higher than the ordinances allow. Without an informative noise study we do not know. Therefore, I ask you to ask for complete information before making a decision on this proposed project.

Thank you for your consideration,
Rita Banatwala
Resident of Hudson, NH

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Form: [Contact a Board or Committee](#)

Submitted by Visitor (not verified)

Wed, 03/10/2021 - 9:52pm

76.28.46.29

Your Contact Information

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THERESA

Last Name

MOCERI

Phone Number

603-566-4940

Email

tmo0812@gmail.com

Select the Board or Committee you would like to contact

Planning Board

Question/Comments you'd like to share

At the March 10, 2021 planning board meeting, the motion carried to allow the public to speak about the Hudson logistics center at the March 24, 2021

planning board meeting. Will the March 24th meeting be offered as a webinar and, if so, will remote attendees be allowed to speak?

Thank you in advance for your response.

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Groth, Brian

From: David Andrew Baur <david.baur@gmail.com>
Sent: Friday, March 26, 2021 4:37 PM
To: Groth, Brian
Subject: Hudson Logistics Center

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

As a Hudson, NH resident, I support the plans for the Hudson Logistics Center. The annual tax revenue and finally addressing the traffic issue on Lowell Road will be a benefit to all.

Thank you.

--

David Andrew Baur
37 Moose Hill Rd, Hudson, NH 03051

Groth, Brian

From: charlie brown <4lovebob4@gmail.com>
Sent: Sunday, March 28, 2021 7:02 AM
To: Timothy Malley; Groth, Brian; McGrath, Marilyn
Subject: Amazon Deltona hiring begins for distribution center

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

How can anyone say HLC will NOT change our town?

Just watch this. And there are more for you to see.

Please.

These videos do NOT lie. They let us see the fruition of these massive warehouses.

Where do you see neighborhoods?

My neighborhood will be gone with many others.

Can you honestly say this will NOT decrease the value of my home?

Respectfully,

Janie Delano

18 Blueberry Ln.

Hudson NH

I have been a resident here for almost 44 years.

<https://www.gainesville.com/business/20200525/amazon-deltona-hiring-begins-for-distribution-center>

Good Evening board members, my name is John Dubuc and I live with my family at 11 Eagle Drive for the last 19 years

I want to speak about a few items tonight, I thank you for the opportunity to speak and am asking for your help in the items that I about to address.

I spoke last night about the sewer vote that incorrectly gave this development sewer access. The Board of Selectmen are readdressing this wrong and until they fix this you should not take any votes on this project. Doing so would be wrong knowing that the Board of Selectmen are reviewing something that will impact this project design. The golfers are enjoying this beautiful Golf Course while we are in this meeting and there is no rush on your end or the Town of Hudson's end to speed anything through until all items have been resolved.

I am asking for your help with the Property Value study that was performed by Mr. Wesley Reeks.

The first property impact study had many problems with it when reviewed by Russell Thibeault.

On August 6, 2020 Russell Thibeault from Applied Economic Research provided a peer review on the Trimont Real Estate Analysis and Mr. Thibeault starts by stating "The impact of a proposed facility on abutting properties is site-specific. I find this analysis to be overly generic."

Mr. Thibeault then goes on to state:

- There is little analysis of the selected comparable sites and how they compare to the Hudson setting
- The Logistics developer is proposing berms and sound barriers to mitigate the impact of the facility on some of the abutting residential properties. There is no indication if such measures were warranted or undertaken in the comparable settings or whether such measures are adequate or necessary to mitigate the potential negative impact on abutting properties in Hudson.
- The study also references a second analysis prepared by Jonathon Wiley, PhD in 2015, apparently addressing residential price trends in response to commercial development in the Atlanta region. One of the Wiley excerpts quoted in the Trimont analysis notes: *"Sites targeted for new industrial development exist in neighborhoods where values are relatively lower and already experiencing a downward trend in advance of the project completion."* Such a characteristic and trend are not evident in the Hudson Logistics neighborhood. In fact, quite to the contrary, neighborhood residential values are not "relatively lower" and they have been rising.
- The abutting and neighborhood properties in Hudson are facing a pronounced land use change, from an innocuous open space amenity use (golf course), to what is arguably the largest single approval nonresidential development proposal in the State's history. There are site-specific aspects and impacts that are not addressed in this analysis.

My concern and question for you is that we paid for a peer review for the impact on property values. Why have we not provided a second peer review on the updated information. This new report by Mr. Wesley Reeks makes statements that property situated next to a Golf Course will

not go down in value when the Golf Course is torn up and a 2.5 Million Square Foot Industrial Warehouse facility is built. First, I am using common sense to know that this cannot be accurate. Secondly, I have spoken to real estate agents in Hudson and a City Assessor who reinforced my thoughts and did let me know that this is not true.

I would also like to ask for your help to fix this poorly designed Berm/Sound Wall. When the State Of New Hampshire Highway Department designs and builds a sound wall they work with the impacted receptors when they are designing it to ensure it will satisfy their needs. Do you know who these impacted receptors are, I do... its all of the neighbors that surround this massive development. It is not only Fairway Drive and Eagle Drive that will be impacted Muldoon Street, River Road, Steele Road, Rene Ave and Rita Ave. The sound will also be travelling along the river and impacting our neighbors across the River and also up and down the river which the sound study never took into consideration when they did the study.

I am still bothered that the development told you that this berm/sound wall is reasonable for the project. I am going to tell you something that you already know but I want to state this for public record, the developer Hillwood, does not determine what is reasonable, that is not in their power. You as a Planning Board determines what is reasonable and hopefully you are doing this with feedback from the impacted receptors, the neighbors who will be living with this Massive Industrial Development.

I am telling you that this berm/sound wall is not reasonable. It is not reasonable for the residents to see these buildings from their second-floor bedrooms and offices. The Sound wall should have been designed first to block all views and sounds, the road should have been designed next to eliminate any wetlands impacts and then the developer can use what's left to design the massive industrial buildings. What I have seen throughout this process is the largest buildings that could fit in the uplands area (as was stated at the NHDES Wetlands Hearing) were designed and then multiple designs were worked on to try fit a berm\sound wall and roads into the remaining space, which from my point of view were not successful with both the berm\sound wall and the roads. I am not an engineer but I think my way is taught in engineering 101!

Please take action on what I have asked of you.

- 1- Do not vote on anything until this sewer allocation issue is corrected
- 2- Get an independent Real Estate Property evaluation and have it peer reviewed, we all know that a house next to a golf course is worth more than a house next to a massive industrial complex
- 3- Require that the developer work with the neighbors to ensure that any berm\sound wall that is designed will be reasonable for the neighbors and not the developer
- 4- Fix this sound study to include sounds that will be travelling along the water. Look at the plans, the generators are river facing with little obstructions. How did the sound engineer not include this in his study?

Thank you...

Traffic - NH DOT Schedule, Plan and Funding

The traffic study has made several recommendations to improve the flow over the Sagamore bridge. It has been made clear that a lot of effected roads in the mitigation plan are owned by the State and I would like the Town to have a plan from NH DOT with schedule and funding established and aligned with the applicant's construction schedule prior to groundbreaking. I have shaken faith given the promises of the Circumferential Highway when it comes to traffic mitigation implementation.

Light Pollution – Dark Sky on Highly Reflective Surfaces

There was a study published that investigates the impact of the Dark Sky lighting on highly reflective surfaces such as white snow and it was reference in an earlier meeting. I would like the Board to require a review and more in-depth study regarding light pollution under these conditions. The article stated that the light could outshine the moon and I have great concerns for surrounding neighborhoods.

Reference: <https://www.sciencemag.org/news/2019/08/light-reflected-fresh-snow-can-outshine-moon>

Study Reference: <https://www.mdpi.com/2313-433X/5/8/69>

Noise Pollution Monitoring

I have concerns about the Noise generation and impact on the surrounding residential neighborhoods. I would ask the Planning board to require the applicant to install sound monitoring and alerting systems around the border of the property and report the measurements to the town on a Quarterly cadence. This will alleviate finger pointing between neighbors and simplify noise complaints and resolutions. I would also ask that the Board come up with a reasonable deterrent for if the facility is found to be out of compliance that may be more than just monetary given the deep pockets of the tenant and the applicant.

Water Usage After a Fire Incident

The water usage estimates for the facility have been reviewed and I would like to know if the review included the well reservoir impact in the event of a fire at the facility. The massive pumping power of the sprinklers and proposed firefighter equipment could pull a lot of supply from the towns drinking water. Given the droughts of late, I would want to know that even if a fire were to occur; the town would still have a viable water supply with no shortages.

Environmental Impact – Black Asphalt

I have environment concerns around the amount of green space being removed and covered by warehouses and asphalt. I recommend that the Planning board require a "Cool Pavement" and "Cool Roof" compliant solution for the project. This is a solution found to reduce the impact in multiple areas including: Power Consumption, Emissions, Air Quality, Lighting cost, and improve water quality as outlined by the Berkley Labs study "Heat island". Further details can be found online.

"Because dark pavements absorb almost all of the sun's energy, the pavement surface heats up, which in turn also warms the local air and aggravates urban heat islands." – Haley Gilbert, a researcher in the [Heat Island Group](#) of Lawrence Berkeley National Laboratory (Berkeley Lab)

Reference: <https://newscenter.lbl.gov/2012/09/13/parking-lot-science/>

Reference: <https://heatiland.lbl.gov/coolscience/cool-pavements>

Reference: <https://heatiland.lbl.gov/coolscience/cool-roofs>

Construction Impact

Lastly, all the studies and presentations thus far have been focused on the facility once built, but little attention or information has been presented around the construction phase. I would request that the Board be presented this information prior to plan approval with a focus to the applicant's plans for mitigating Noise, Sound, Dust and other irritants.

As your neighbor, what should I expect?

Will I be able to open my back windows or will dust clouds be blooming from the site?

As a parent and an abutter, how will I be notified about of any hazards?

Groth, Brian

From: joe gagliardi <joeg4m@gmail.com>
Sent: Saturday, March 27, 2021 10:15 AM
To: Groth, Brian
Subject: Hillwood project

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SUPPORT HILLWOOD PROJECT WHICH WILL PROVIDE MUCH NEEDED INCOME TO THE TOWN.

Joe Gagliardi, Hudson



Virus-free. www.avast.com

Groth, Brian

From: Lisa Johnson <lisajohnson22@aol.com>
Sent: Friday, March 26, 2021 8:29 PM
To: bos@hudsonnh.gov
Cc: rcoutu@hudsonnh.gov
Subject: Hillwood

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

Selectman of Hudson, New Hampshire!!

Don't be afraid to turn Amazon down! This really will be a disastrous, detrimental change to this small area of New Hampshire. The general townspeople can't possibly have any idea how this will impact their daily traveling route.

I am a resident of Tyngsborough, and with the sale of the golf course here, I am wondering how people here think a "few condo buildings" will not affect how they will get across the bridge on a daily commute. You can't get it back EVER once it is plowed under. Please consider over and above what the people who attend these meetings are asking, and think about the fact that Amazon will consume, without apology, the resources of the town, chew them up and spit them in the Merrimac. We all love Amazon for what it gives us, but we don't need it on top of us. Move them north!

Hundreds of trucks!!! The backup that will have to be alleviated at Lowell Road will be a huge ongoing problem.

Demands for hundreds of employees!

24/7, 365 days!!! This is a FACTORY!! Night and day. That means floodlights at night for all of their parking lots.

Please vote it down. Im sure the Friels will survive the disappointment. I doubt that their dad would have liked what they planned anyway.

Lisa Johnson

Tyngsborough, MA

Groth, Brian

From: Terrence Martin <termart461@aol.com>
Sent: Saturday, March 27, 2021 9:32 AM
To: Groth, Brian
Subject: Logistics Center

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

Ladies and Gentlemen,

I will make this short and sweet. It's about time for the Town Of Hudson to put itself on the map as a community that fends for itself. I arrived in our fair community in 1984, bought a house and settled in with my family to enjoy living in NH. Every year since we arrived, the taxes have been steadily climbing and the quality of life has been faltering. I believe we need that Logistics Center and it's location would be perfect for easy access to our major highway system. As Hudson has grown, the south end of town has seen fewer and fewer residential neighborhoods and more industry base buildup.

I would hate to think that the individuals who are against its establishment would be willing to put our community on the same level that Rep AOC did for New York and have us lose the opportunity to step smartly into the future.

Thank you

Terrence N. Martin
15A Lenny Lane
Hudson, NH 03051

Groth, Brian

From: Richard Olson <rolson@eneofnh.com>
Sent: Sunday, March 28, 2021 2:06 PM
To: Groth, Brian
Cc: ~BoS; Dhima, Elvis; info@hudsonlogisticscenter.com
Subject: Hudson Logistics Center

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

To Whom it may concern,

I have lived in the town of Hudson for over twelve years and I wholeheartedly support the construction of the Logistic Center. Please vote to approve this project for the betterment of the entire town. Thank you.

Sincerely,

Richard Olson



ENE Systems of New Hampshire
155 River Rd
Bow, NH 03304
Tel: 603-856-0330
Fax: 603-856-0332

Groth, Brian

From: Paul & Leslie Paquette <paul-les@comcast.net>
Sent: Saturday, March 27, 2021 7:44 AM
To: Groth, Brian
Subject: Hillwood Project

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

To whom it may concern

I along with my wife live in Hudson off Lowell Rd in Mission Pointe. Having lived in Hudson and pay our taxes for 15 years we support the development of the Green Meadow Golf Project. We feel this is the best way to utilize this land rather than develop it for housing. The benefits out way the alternatives.

Regards

Paul & Leslie Paquette

[3 Coventry Ct](#)

[Hudson, NH 03951](#)

Sent from Paul's iPhone

Groth, Brian

From: CRAIG PROULX <craig2381@comcast.net>
Sent: Sunday, March 28, 2021 12:41 PM
To: Groth, Brian
Subject: Hudson Logistics Center

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

Good Morning Mr. Groth and Members of the Planning Board,

My name is Craig Proulx. My wife Courtney and I reside at 6 Eagle Drive.

I just want to commend the board for listening to the public and putting in countless hours during the meetings, and outside of the meetings to try and digest all of this information. It is not an easy job, and you are all appreciated for what you do. I know as we get closer to voting on this project the importance of this decision has never been more clear.

I have been following the meetings and the presentations from the applicant Hillwood regarding the Hudson Logistics Center. I have been doing my best to listen to both sides of the project as we all know and agree that this is private property and the owner has the right to sell it. I find myself echoing many of the same concerns my fellow residents have. I also find the anxiety of this situation to be getting worse as we come closer to the day of voting for this project.

It really hit me the other day when I heard a fellow resident mention that this is up there with one of the largest buildings in New Hampshire. Doing my research from what I could find it seemed to hold true. I believe the FW Webb facility in Londonderry was pretty close to one of these buildings at around 1M square feet. That within itself is alarming, but to further the perspective a little, the will be not just one but 2.5 times the size of this FW Webb facility. This really hit me at how important this decision really is. We all know this project is big, but when you are talking record square footage in the state it really hits home to the impact that this will have on a community like Hudson. Please take this into consideration when you vote.

I know the applicant has put forth a lot of information before the board and gives the impression that it has answered a lot of concerns, but there seems to be a lot left on the table. The biggest problem I have with this information is most of it seems to be based off of models and not real world examples. I will be honest in saying that the single most important I had at the very beginning of the announcement of this project has never been answered. That question is: **"Please provide an example of the same size facility in an area similar to that being proposed."** In my opinion the applicant failed on this question, as the example they provided was not even close in size never mind an area similar to Hudson or it's residential neighborhoods. I find myself to be a very practical person. A real world example would have gone a long way in my book. This scares me. I deal very much with the engineering world myself, as I work directly with engineers on a daily basis. We all know things don't always work the way the do on paper. I find most of the time, I am having to correct or entirely change entire designs because they simply do not work in the field. For a project of this size, the unknown issues that may not show themselves on paper could have a disastrous affect, and who will pay most of the price, it will be the Town and residents of course. My point with all of this is, without the question above being adequately answered and real world data to go by, I myself cannot

take much of Hillwood's presentation seriously. It all sounds good on paper, but I would not want to rely on what is on paper to dictate the future of this Town. Please consider this and ask for more real world data. Go out and talk to these communities to see how they have been affected by these projects, and keep in mind that these affects need to be multiplied to match the size of this proposed development.

Another picture came to me the other day, when discussing the future of companies like Amazon and where this market might be headed. I know none of us can answer such questions, and none of us have a crystal ball, but there is some serious danger here from what I see coming down the road. Amazon seems like the unstoppable monster at this point. They did record numbers this past year due to people being home from the pandemic. Just using common sense, the amazing success that this company has is bound to run dry eventually. Whether it be from economic collapse, or just the typical lifespan of a business that has had as much success as Amazon has. I seem to recall Amazon's own founder stating he does not know how much longer Amazon will be around. The picture that was painted in my head, was a Town that approved this application. A Town that went through immense disruption, noise, traffic, and not to mention loss of business to local business during construction (we have not even seen a glimpse of what this phasing/detours/affects would look like). A Town that witnessed an enormous transformation of greenspace to paved parking lots and roads. A Town that now was looking at these huge buildings, that while they maybe privately owned, now sat empty without a tenant. Trying to find a tenant that could use a building of this size would prove to be impossible, as there is really only one type of business that could utilize this space. Even if the buildings were subdivided, they are enormous, it would be tough to find tenants to fill. Let's be honest, there is no more manufacturing in this country and the office space as we knew it is now the home thanks to the pandemic. It seems irresponsible to make such a decision, when inevitably, we will be left with 2.5 million square feet of empty concrete buildings at some point. It is just a matter of when. If things were developed differently on that property, at least there would be a chance of re-use of the buildings/property. As the person from Amazon who spoke at the meetings clearly pointed out, as the demands increase for the company, so does the need to put up more facilities like this. Many have voiced their concerns about things getting busier, but the opposite can happen also. If the demand were to suddenly drop off, they could decide to terminate their lease at any time and vacate the property. I have seen Amazon do it first hand during a good market. Things change on a daily basis with companies of this size.

I would like the board to also consider the following: "What happens when Hillwood decides to sell the property?" This is huge. It is easy to say that the immense responsibility of property maintenance such as snow removal, storm water management system, berm and sound wall will be taken over by the next owner, but I find this to be highly unlikely. While Hillwood themselves may have a good track record of the property maintenance with these facilities, this becomes more of the responsibility of the Town at this point to thoroughly vet and enforce that the new owners of the property are doing this maintenance. This is very important. I cannot tell you how often I see properties 1/10th of this size that are not properly maintained. Please take this into consideration when voting for this decision. What system will the Town have in place to see that this is a well documented and seamless process if Hillwood sells? If this property is not maintained, the environmental impacts along with the general safety of our first responders will be jeopardized.

In closing, I want to thank the board again for allowing all the public input from my fellow residents and neighbors. Most of them are much smarter than I am when it comes to a lot of the specialty disciplines that are involved with a project of this size. Please listen to them. We are all trusting that you will make what you feel is the best decision for the Town.

Sincerely,

Craig and Courtney Proulx
6 Eagle Drive
Hudson, NH

March 22, 2021

VIA EMAIL

Town of Hudson Planning Board
Attn: Brian Groth, Town Planner
bgroth@hudsonnh.gov
planning@hudsonnh.gov

RE: Hudson Logistics Center: Site Plan SP# 04-20, Conditional Use Permit CU# 02-20, Lot Line Relocation SB# 01-21

Dear Chair Malley and Members of the Planning Board,

As you know, I represent more than fifty households in Hudson who continue to oppose the applications for Site Plan, Conditional Use Permit, and Lot Line Relocation (“Applications”) submitted by Hillwood Enterprises, L.P. (“Applicant”) to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center. Please make this letter a part of your record in these matters.

As a summary, this letter makes the following requests and points:

1. Request for repeat of the public hearing on the lot line relocation application because of probable failure of at least one abutters notice, or provision of proof of sufficient abutters notice;
2. Request for investigation and other actions associated with whether regular Planning Board member Representative Ulery has a conflict of interest;
3. Request for investigation and other actions associated with whether a conflict of interest exists in connection to the law firm of Donahue, Tucker & Ciandella, PLLC; and
4. Continued problems on the part of the Planning Board with due process and on the part of the Town, including the Planning Board, with right-to-know.

Repeat Public Hearing of Lot Line Relocation Because of Possible Failed Abutter Notice

First, with respect to the newly filed application for lot line relocation, at least one of the abutters may not have been notified as required by state law. The abutters notice for 23 Fairway Drive (Tax Map 245, Lot 12) was addressed to the prior owners of that property, Richard R. & Audrey S. Lebourdais. It was forwarded to the Lebourdais at their current Hull, MA residence and they received it there. *See* attached copy of the envelope enclosing the Lebourdais abutters notice, and their abutters notice (EXHIBIT A).

I am unaware of whether the current owners of 23 Fairway Drive received any notice. However, it appears they may not have. The Applicant's abutters list contains the prior owners (the Lebourdais) and not the current owners.

I presume this was an inadvertent oversight given that the Applicant had actual knowledge of the somewhat recent sale of this residence based on its updated application materials. Nevertheless, such a deficiency in abutters notice would require a repeat of the public hearing on the lot line relocation application. Otherwise, any decision on the lot line relocation would be subject to judicial reversal for failure to follow required notice procedures.

Accordingly, please either: (a) provide legally sufficient abutters notice and repeat the public hearing on the lot line relocation application; or (b) provide me with copies of all governmental records that show that the current owners of 23 Fairway Lane were provided the statutorily required abutters notice.

Possible Conflict of Interest of Representative Ulery

Second, my clients are concerned that regular Planning Board member Representative Ulery has a conflict of interest. I first address the law pertaining to conflicts of interests of Planning Board members and then address the facts which give rise to this concern.

One of the key state laws is RSA 673:14, I (Disqualification of Member). In pertinent part, it says: "No member of a ... planning board ... shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens ..." (When a planning board decides applications such as the Applications here, the board is acting in a judicial capacity, judging whether the Applicant has satisfied its burden of proof based on the information provided to the Board.)

A second key state law is the one about when a juror would be disqualified. The law mentioned above (RSA 673:14, I) has a second part that says: "No member of a ... planning board ... shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity ... if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law." That points to RSA 500-A:12, the juror standard. That law contains a list of circumstances in which a juror could not serve because the juror would be disqualified:

- (a) Expects to gain or lose upon the disposition of the case;
- (b) Is related to either party;
- (c) Has advised or assisted either party;
- (d) Has directly or indirectly given his opinion or has formed an opinion;
- (e) Is employed by or employs any party in the case;
- (f) Is prejudiced to any degree regarding the case; or

(g) Employs any of the counsel appearing in the case in any action then pending in the court.

The last notable law that applies is from Hudson Planning Board Rules of Procedure, Section IV(5)(a). It says:

If any Member finds it necessary to disqualify him/herself from sitting in particular case, he/she shall notify the Chairman as soon as possible so that an Alternate may sit in his/her place. The disqualification shall be announced before the beginning of the public hearing on the case by the Chairman or the Member disqualifying him/herself. The Member disqualifying him/herself shall absent him/herself from the Board table during the public hearing and during all deliberations on the case.

I turn now to the facts that give rise to my clients' concerns. Concern first peaked when, in late November of 2020, Representative Ulery commented on social media that suggested serious insult, possibly based on gender and/or race, to now Vice President Harris. *See* attached copy of a Facebook post (EXHIBIT B).

More recently, my clients have become aware that Representative Ulery is an active member of the American Legislative Exchange Council, known as ALEC. ALEC says about itself that it "is America's largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of *limited government, free markets and federalism*." *See* <https://www.alec.org/about/>, visited 3/19/21 (emphasis added). ALEC also says about itself, "ALEC is truly a unique organization in the right-of-center policy movement in that it creates an environment for a genuine, nonpartisan exchange of policy ideas between elected officials and leaders in commerce." *See* <https://www.alec.org/app/uploads/2016/06/ALEC-Strat-Plan-Final-051616.pdf>, visited 3/19/21.

Representative Ulery was active with ALEC before he was appointed to the Planning Board in 2019, has attended at least one of ALEC's Annual Meeting, and is a member of ALEC's Tax and Fiscal Policy Task Force. *See* https://www.sourcewatch.org/index.php/New_Hampshire_ALEC_Politicians#cite_ref-TFOH_3-4, visited 3/19/21. He currently serves as Chair or Co-Chair of the New Hampshire state chapter of ALEC. *See* <https://www.alec.org/about/state-chairs/>, visited 3/19/21. As such, Representative Ulery has been asked to take an oath that, "I will act with care and loyalty and *put the interests of the organization first*." *See* <https://nhlabornews.com/2013/12/breaking-leaked-documents-show-nh-legislators-asked-to-take-pledge-putting-corporate-front-group-ahead-of-constituents/>, visited 3/19/21 (citing to <https://www.documentcloud.org/documents/841593-alec-docs.html>, visited 3/19/21) (emphasis added). I am not aware of whether Representative Ulery has taken such an oath.

Given Representative Ulery's comment on social media and his involvement with ALEC, it seems he does not satisfy the legal requirements to be qualified to sit in judgment of the

Applications. We respectfully request that the Planning Board comprehensively investigate these important issues, involving Town Counsel and/or the Selectboard as appropriate, and report back to me or in public meetings both the nature of the Planning Board's investigation and the Planning Board's findings.

Possible Conflict of Interest of Law Firm

Third, another conflict-of-interest issue involves the law firm of Donahue Tucker & Ciandella, PLLC ("DTC"). One of the Applicant's lead co-counsel is Justin L. Pasay, who is a partner at DTC. Attorney Pasay has served the Applicant in this capacity since at least the time of the original filing of the first of the Applications in the late spring of 2020.

Based on the attached excerpt of the Town of Hudson Annual Report, the Town of Hudson paid legal fees to DTC in FY2020. (EXHIBIT C). I assume that DTC served as Town Counsel for the Town of Hudson in some capacity during 2020, though I recognize the payment may represent something else (for example a payment of an award of attorney's fees where DTC represented a prevailing party who was adverse to the Town of Hudson).

If DTC did serve as counsel for the Town of Hudson, it is possible that an impermissible (unwaivable) conflict of interest exists. I am not aware of the nature of DTC's work, so I cannot analyze further whether or not a conflict of interest exists. Accordingly, we respectfully request that the Planning Board comprehensively investigate this important issue, involving Town Counsel (outside of DTC) and/or the Selectboard as appropriate, and report back to me or in public meetings both the nature of the Planning Board's investigation and the Planning Board's findings on this question.

Persistent Problems with Due Process and Right-to-Know

Fourth, I also want to note for the record that the Planning Board's process continues to squelch and chill public comment. For one example, the Planning Board has instructed the public that it would not entertain public comment on an evening's topic during that evening because it would entertain public comment on that topic at the following meeting. However, when those following meetings occurred, members of the public have been either: (a) not allowed to speak at all; or (b) chided for addressing the topic of the prior meeting instead of the topic of the current meeting. As another example, Planning Board members have made statements and exhibited body language in connection to public comment that expressed the members' opinions that public comment is not useful or welcome to them.

As a last example, recently the public was not allowed to provide comment to the Planning Board for the Planning Board to discuss with municipal officials. Instead, the municipal officials were given leave to vacate the venue without any apparent intention on the part of the Planning Board to have those officials appear again. A question I have since heard many times is whether any of the municipal officials would have recommended that the Applicant pay the

money they are offering to support STEM education over the very long period of ten years, as the Applicant proposed, or up front in a lump sum into a trust fund for the Town and/or School District to manage over the years? It appears the public may now never have the opportunity to provide comments and receive input from the municipal officials about this and any number of additional points.

I have previously discussed at length that these and other aspects of the Planning Board's process violate, or at the very best, frustrate, the public's due process rights and this comment is meant to document that this problem remains.

Another important problem that persists is the Town's continued violation of the right-to-know law. Other documents detail the violations. Suffice to say here that the public is entitled to, and the Town has deprived the public of, sunshine into the internal operations of its Town government with respect to the Applications.

Conclusion

Thank you in advance for your consideration of my clients' requests and concerns. We look forward to hearing your responses prior to the close of the public hearing.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc: Clients

EXHIBIT A 2021-03-22 Manzelli Letter to Planning Board

TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

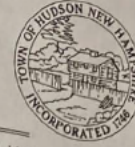
Roger Coutu, Selectmen Liaison

12 School Street

Hudson, New Hampshire 03051

Tel: 603-886-6008

Fax: 603-594-1142



ABUTTER NOTIFICATION

Date: February 25, 2021

Subject: Greenmeadow Lot Line Relocation
SB# 01-21

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.

Location: Lowell & Steele Road - Map 234/Lots 5 & 34, Map 239/Lot 1

You are hereby notified of the subject plat that will be presented before the Planning Board for review on Wednesday, March 10, 2021 at 7:00 p.m., Hudson Community Center, 12 Lions Ave., Hudson, NH.

Applicant: Greenmeadow Golf Club, Inc.
55 Marsh Road
Hudson, NH 03051

Thomas P. Friel & Philip J. Friel, III
55 Marsh Road
Hudson, NH 03051

COVID-19 Meeting Procedure
Due to the Covid 19 pandemic, 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 March 10, 2021 7:00 PM EST at: <https://attendee.gotowebinar.com/register/4647509619739106320>

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.

Respectfully,

B. O...

TOWN OF HUDSON
PLANNING BOARD
12 SCHOOL STREET
HUDSON, NEW HAMPSHIRE 03051

CERTIFIED MAIL



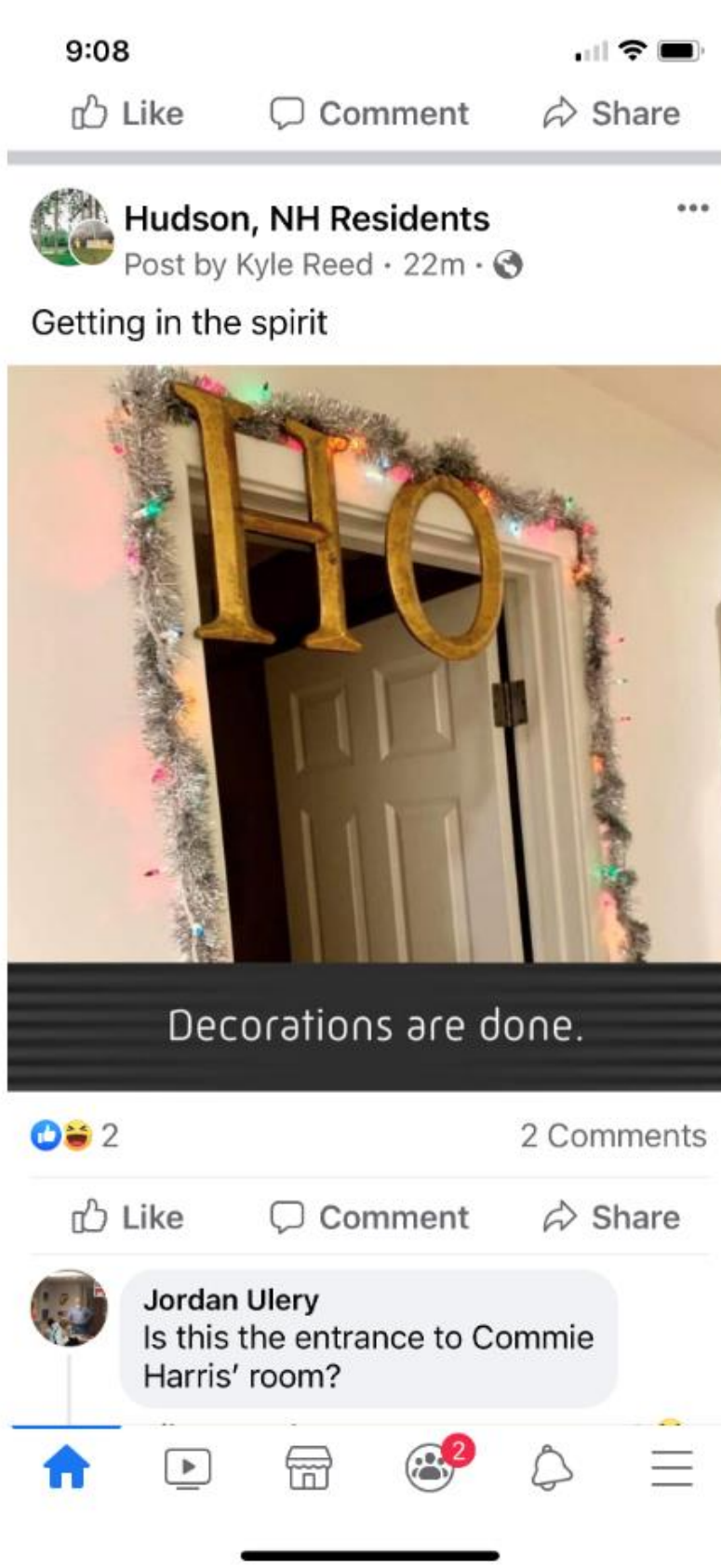
7019 0700 0000 2994 7089



Richard R. & Audrey S. Lebourdais
23 Fairway Drive
Hudson, NH 03051

015 NFE 1 12118882/25/21
NOTIFY SENDER OF NEW ADDRESS
LEBOURDAIS
26 COMMODORE CT
HULL MA 02045-1317
BC: 02045131726 *1754-05795-25-39

03051 5207 BC
02045 1317



Town of Hudson, NH

Accounts Payable Charges

Fiscal Year July 1, 2019 through June 30, 2020

Vendor ID	Vendor Name	Paid Amount
00869	DLT Solutions	2214.80
1711	Dolliver-Krawic, Rebecca	59.70
0890	Donahue, Tucker & Ciandella, PLLC	6225.94
0980	Donald Provencal	1700.00
0892	Donghue, William	180.00
0897	Donovan Equipment Co., Inc.	69563.00
0899	Donovan Spring Co., Inc.	6313.03
902	Door Control, Inc.	4423.50
575	Doyle, Andrew	3147.66
046	Draper, Dana C.	480.00
093	DRI Refrigeration LLC	577.00
98	Drummond Woodsum & MacMahon	10267.44
37	Dubowik, Brooke	22.70
48	Dubuque, Madisyn	145.00
09	Duggan, Janel	125.00
07	Dumas Jr, Robert W	14.40
5	Dupont, Mary	375.00
6	Durand, Paula	125.00
6	Durham, Calvin	522.00
5	Durham, Calvin P.	733.00
	Duschesne, Edmond	178.00
	Dwornick, Kristopher	49.50
	Dyleski, Michael	389.30
	Earl, Robert A.	720.00
	Eastern Industrial Automation	347.10
	Eastern Minerals, Inc.	70727.60
	EastPoint Lasers	
	Eaton, Gail	

March 23, 2021

Via Email

Town of Hudson Board of Selectmen
bos@hudsonnh.gov

Town of Hudson Planning Board
Brian Groth, Town Planner
bgroth@hudsonnh.gov
planning@hudsonnh.gov

Re: Notice of Possible Conflict of Interest of Selectboard Member Coutu

Dear Members of the Selectboard and Planning Board,

As you know, I represent more than fifty households in Hudson who continue to oppose the applications for Site Plan, Conditional Use Permit, and Lot Line Relocation filed with the Planning Board and a request for new sewer allocation filed with and granted by the Selectboard (“Applications”) submitted by Hillwood Enterprises, L.P. (“Applicant”) to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center. Please make this letter a part of your record in these matters.

I have recently become aware of facts that may demonstrate that Selectboard Member Coutu may have a conflict of interest with respect to the Applications. I first address the law that applies and then address the facts.

One of the key state laws is RSA 673:14, I (Disqualification of Member). In pertinent part, it says: “No member of a ... planning board ... shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens ...” (When a planning board decides applications such as the Applications here, the board is acting in a judicial capacity, judging whether the Applicant has satisfied its burden of proof based on the information provided to the Board.)

A second key state law is the one about when a juror would be disqualified. The law mentioned above (RSA 673:14, I) has a second part that says: “No member of a ... planning board ... shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity . . . if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law.” That points to RSA 500-A:12, the juror standard. That law contains a list of circumstances in which a juror could not serve because the juror would be disqualified:

(a) Expects to gain or lose upon the disposition of the case;

- (b) Is related to either party;
- (c) Has advised or assisted either party;
- (d) Has directly or indirectly given his opinion or has formed an opinion;
- (e) Is employed by or employs any party in the case;
- (f) Is prejudiced to any degree regarding the case; or
- (g) Employs any of the counsel appearing in the case in any action then pending in the court.

A third notable law that applies is from Hudson Planning Board Rules of Procedure, Section IV(5)(a). It says:

If any Member finds it necessary to disqualify him/herself from sitting in particular case, he/she shall notify the Chairman as soon as possible so that an Alternate may sit in his/her place. The disqualification shall be announced before the beginning of the public hearing on the case by the Chairman or the Member disqualifying him/herself. The Member disqualifying him/herself shall absent him/herself from the Board table during the public hearing and during all deliberations on the case.

Lastly, it is well established in New Hampshire law that no board member who is biased in favor of or against an application or who has prejudged an application may participate on the Board in any way in the proceedings on that application or vote on the application. *Winslow v. Holderness Planning Bd.*, 125 N.H. 262, 269 (1984).

I turn now to the facts that give rise to the possible conflict of interest. Since the first of the Applications were filed in the spring of 2020, Selectboard Member Coutu has served on the Selectboard and has also served as the Selectboard's Representative on the Planning Board, a full voting position on the Planning Board. He has voted on several motions, including approving a new sewer allocation, with respect to the Proposed Project that have come before the Selectboard. He has also voted on procedural motions associated with the Applications before the Planning Board (though the Planning Board has not yet voted to deny or approve those Applications).

It is troubling that Selectboard Member Coutu denied having any emails related to Applications, contrary to the evidence. *See* EXHIBIT A, email string dated 2/11/20 (containing email from Selectboard Member Coutu's personal email address that relates to the Proposed Project); EXHIBIT B, email string dated 2/12/21 (email from Selectboard Member Coutu saying he has no emails from his personal email address that relate to the Proposed Project).

Meanwhile, since before the first of the Applications were filed, Selectboard Member Coutu has been involved in communications and meetings, outside of the Planning Board and Selectboard meetings, in furtherance of the Proposed Project. He was invited to a meeting with Governor Sununu, the Applicant, and other State agencies, to which he responded, in part, "I can

go.” See EXHIBIT A. The familiarity exhibited between the Governor’s Senior Business Development Manager and Selectboard Member Coutu suggest this communication and planned meeting were not the first. (Despite repeated right-to-know requests, to both the Town and the Governor’s Office, we have not been provided with any further records that speak to this.)

The Selectboard’s Minutes from its meeting on 1/22/19 indicate the Town had some knowledge that the Proposed Project was in the early stages of possible development. See https://www.hudsonnh.gov/sites/default/files/fileattachments/board_of_selectmen/meeting/17441/bos-m2019-01-22.pdf, at 6, visited 3/23/21 (“I gather that there may be some plans heading this way towards the potential subdivision of lots in the Green Meadow parcel.”) Those Minutes also show that Selectboard Member Coutu was in attendance and was Chair at that time. *Id.*

The topic of the so-called Circumferential Highway should not be ignored in this analysis of a possible conflict of interest. Town records demonstrate that Selectboard Member Coutu is a long-time proponent of the Circumferential Highway. The result of the meeting discussed in the 2/11/20 email (and possibly other efforts) was written support from Governor Sununu of the Proposed Project and a commitment from him to provide funding for the Circumferential Highway if the Applications were approved. So, the Circumferential Highway and the Proposed Development are connected.

Various employees, board members, and Boards have pursued development of the Circumferential Highway for several years. For example, at the Conservation Commission meeting on 1/14/19, Selectboard Member Morin provided an update to the Commission about the Selectboard’s efforts to date. He stated that the federal government grant the Town sought was not received and that it was “suggested that we go to a private entity to get the funding to fund the highway” and that the “Town Planner has some meetings he’s got to attend to get some further information and then depending on what is received” See <http://www.hudsonctv.com/CablecastPublicSite/show/8146?channel=1>, visited 3/23/21, at 72 minutes.

It would appear that the suggested “private entity” turned out to be the Applicant and the support from the Governor, which Selectboard Member Coutu was involved in from before the time the Applications were filed. This course of dealings represents a conflict of interest pursuant to the laws described above.

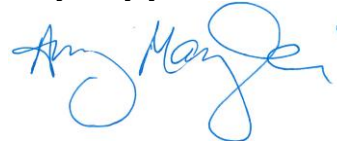
As a consequence, Selectboard Member Coutu should not have participated as a board member on any matter regarding the Proposed Project, whether before the Selectboard or Planning Board. Any proceedings he did participate in as a board member, whether before the Selectboard or the Planning Board, should be invalidated and repeated without his participation on the board. “The rationale for this is the belief that it is impossible to estimate the influence one member might have on other members and, therefore, the entire decision must be invalidated.” 15 Land Use Planning and Zoning § 20.08 (2020) (citing *Winslow v. Holderness Planning Board*, 125 N.H. 262 (1984)).

As such, on behalf of my clients, I respectfully request that the Selectboard and Planning Board proceed as follows:

1. Stay all action on the Applications until such time as the issues raised here, and for the Planning Board only the issues I raised in my letter dated 3/22/21, have been comprehensively investigated, involving Town Counsel as appropriate;
2. Report back to me or in public meetings both the nature of the investigation and the findings; and
3. Proceed subsequent to that as appropriate according to the results of investigations.

Thank you for your time and attention to this letter and its enclosures.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc: Clients

From: rogerec <rogerec@comcast.net>
Sent: Tuesday, February 11, 2020 9:09 PM
To: Bergeron, Michael; Coutu, Roger; Malizia, Steve
Subject: RE: State of NH--Michael Bergeron

Categories: Yellow Category

I can go. Are you not going Brian?
Roger

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: "Bergeron, Michael"
Date: 2/11/20 8:09 AM (GMT-05:00)
To: rcoutu@hudsonnh.gov, smalizia@hudsonnh.gov
Subject: State of NH--Michael Bergeron

February 11, 2020

Roger and Steve; I want to let you know that I have organized a meeting with Governor Sununu and Hillwood Investments relative to the confidential golf course project.

There will be no technical consultants or attorneys attending--only the company representatives, owner representative, and commissioners of DOT and DES. It will be a high level review of the project for the Governor and Commissioners.

Sorry to have you draw straws, but let me know which one of you can attend on behalf on Hudson.

It will be on February 19 at 3:00pm at the State House.

Let me know.

Thanks

mb

Michael Bergeron

Senior Business Development Manager

Division of Economic Development

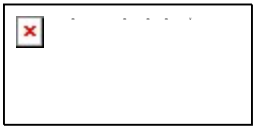
Department of Business and Economic Affairs

State of New Hampshire

(O) 603-271-0658

(M) 603-419-9163

nheconomy.com // Twitter: nheconomy



CAUTION!!

This email came from outside of the organization. Do not click links/open attachments if the source is unknown or unexpected.

CAUTION!!

This email came from outside of the organization. Do not click links/open attachments if the source is unknown or unexpected.

From: [rogerec](#)
To: [Groth, Brian](#); [Coutu, Roger](#)
Cc: [Dubowik, Brooke](#); [Malizia, Steve](#)
Subject: RE: Right to Know request
Date: Friday, February 12, 2021 3:59:27 PM

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

Planner Groth:

Please be advised that I have no emails from my personal email address that **relate to the Hillwood development proposal.**

Selectman Roger Coutu

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: "Groth, Brian" <bgroth@hudsonnh.gov>
Date: 2/12/21 3:29 PM (GMT-05:00)
To: "Coutu, Roger" <rcoutu@hudsonnh.gov>
Cc: "Dubowik, Brooke" <bdubowik@hudsonnh.gov>, "Malizia, Steve" <smalizia@hudsonnh.gov>
Subject: Right to Know request

Selectman Coutu,

Please see attached Right To Know request from Chris Thatcher on behalf of SaveHudon.org, specifically page 2 of 3. Mr. Thatcher is requesting any communications related to the Hillwood proposal from your personal email address: rogerec@comcast.net

Note that any communications you have had with me (bgroth@hudsonnh.gov) are already part of the record. If you do not have any emails pursuant to the request, please respond accordingly. Please respond with "Reply All" to this email so it reaches both the Planning Department and the Town Administrator.

Thank you and let me know if you have any questions.

Brian

Brian Groth, AICP

Town Planner

Town of Hudson, NH

12 School Street

Hudson, NH 03051

Phone: (603) 886-6008

Fax: (603) 594-1142

bgroth@hudsonnh.gov

Via Email

March 24, 2021

Town of Hudson Planning Board
Brian Groth, Town Planner
bgroth@hudsonnh.gov
planning@hudsonnh.gov

RE: Hudson Logistics Center: Site Plan SP# 04-20, Conditional Use Permit CU# 02-20, Lot Line Relocation SB# 01-21

Dear Chair Malley and Members of the Planning Board,

As you know, I represent more than fifty households in Hudson who continue to oppose the applications for Site Plan, Conditional Use Permit, and Lot Line Relocation (“Applications”) submitted by Hillwood Enterprises, L.P. (“Applicant”) to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). Please make this letter and its enclosure a part of your record in these matters.

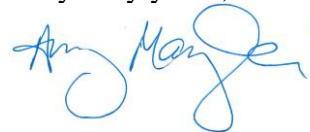
I enclose a second letter from Marc Jacobs, CWS, CSS, CPESC. Since Mr. Jacob’s first letter, the Applicant has revised the Proposed Project. Accordingly, Mr. Jacob’s second letter addresses the Proposed Project as the Applicant has now revised it.

In Mr. Jacob’s expert opinion, the Proposed Project does not satisfy legal requirements with respect to impacts to wetlands and wetland buffers, especially with respect to the requirement to avoid and minimize such impacts.

Mr. Jacob’s primary point is that most wetland impacts arise because of the size of the proposed buildings, not because of the configuration of the cul-de-sac or accessways. The configuration of the cul-de-sac and accessways are driven almost exclusively by the size of the buildings. Accordingly, the Applicant’s choice to create such large buildings is the ultimate driver of much of the impacts, not the purpose of the project.

Thank you in advance for your consideration of Mr. Jacob’s opinion.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc: Clients

Via Email

March 31, 2021

Town of Hudson Planning Board
Brian Groth, Town Planner
bgroth@hudsonnh.gov
planning@hudsonnh.gov

RE: Hudson Logistics Center: Site Plan SP# 04-20, Conditional Use Permit CU# 02-20, Lot Line Relocation SB# 01-21

Dear Chair Malley and Members of the Planning Board,

On behalf of my clients, I submit the following with respect to the applications for Site Plan, Conditional Use Permit, and Lot Line Relocation (“Applications”) submitted by Hillwood Enterprises, L.P. (“Applicant”) to redevelop the golf course, property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 (“Property”), into the proposed Hudson Logistics Center (“Proposed Project”). Please make this letter and its enclosure a part of your record in these matters.

First, as the Planning Board is aware, I have raised numerous concerns with respect to due process. In that category is the current procedural posture, which may be headed in an unlawful direction. The Town of Hudson Planning Board Rules of Procedure do not call for any further testimony after the public hearing is closed. Town of Hudson Planning Board Rules of Procedure Section IV(4) (“When the public hearing portion of the meeting is closed and the Planning Board enters its deliberations ...”). That comports with state law and general practice of planning boards statewide.

Towards the end of the Planning Board’s meeting on 3/24/21, the Chair closed the public hearing on the Site Plan and Conditional Use Permit applications while also saying that written submissions may be made until noon today. In addition, the Applicant indicated it wishes to respond to new information from the public and the public’s representatives. This would indicate the public hearing is actually not and/or should not have been closed.

Also, the Planning Board prevented members of the public who do not reside in Hudson from testifying at the same time as those that do, but then never invited testimony from non-residents after Hudson residents were done. While non-residents are not conferred abutter status by virtue of this being a development of regional impact, lack of abutter status is not a justifiable reason to exclude such testimony. Indeed, many members of the public who reside out of Hudson may actually reside closer to the Proposed Project than some Hudson residents.

To prevent all of this from becoming reversible legal error, the Planning Board should clarify that the public hearing on the Site Plan and Conditional Use Permit applications is not closed, that it remains open limited to the purposes of: (1) non-resident members of the public verbal and/or written testimony at the Planning Board’s next meeting (anticipated to be on 4/7/21); and (2) for the written submissions by the Applicant and Hudson residents and their representatives by noon today.

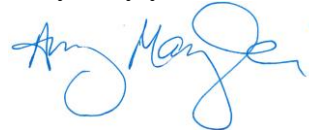
Second, another due process issue relates to the time and technology limits on public comment. Given the magnitude of these Applications, the large number of hours the Applicants have had to present, the constraints on public participation presented by the pandemic, and more, it was wrong for the Planning Board to limit each speaker so strictly to three minutes, including disallowing me to speak by muting my audio so I could no longer be heard. Muting me disallowed me from making legal arguments I had prepared to justify my request for an additional ninety seconds. I acknowledge that Mr. Crowley was allowed more than three minutes, but that was at the expense of several members of the public having to forfeit their right to testify. Additionally, the Planning Board refused to make audio-visual presentation available to the public, though it has been freely available to the Applicant.

Third, I have previously raised possible conflicts of interest with respect to Planning Board members Selectboard Representative Coutu, Representative Ulery, and others. While I recognize and appreciate the Planning Board taking up these issues, the Planning Board has not adequately addressed them. As the Planning Board knows (because it has had to do both of these already in the proceedings on these very Applications) the Planning Board has two powers that apply here and that the Planning Board did not use, though it should have. First, the Planning Board can vote to advise any member in question, in a non-binding way, whether the member should be disqualified. RSA 673:14, III. Second, the Planning Board can vote to refer the matter to the Selectboard for the Selectboard to consider whether the member should be removed from office. RSA 673:13. Both of these powers can involve fact-finding and investigation.

I close by encouraging the Planning Board that your record of these Applications is sufficient to defend denials and is not sufficient to defend approvals. The legal standards that the Applicants must satisfy with sufficient, credible evidence are not a majority test. Approval cannot be granted if the Applicants have satisfied most of the requirements or even if they have mostly satisfied all of the requirements. The Applicants have to completely satisfy all of the requirements. Your record demonstrates the Applicants have not done that.

Thank you.

Very truly yours,



Amy Manzelli, Esq.

Licensed in New Hampshire

(603) 225-2585

manzelli@nhlandlaw.com

Cc: Clients

From: Frederick, Gary <gary.frederick@hillwood.com>
Sent: Thursday, November 5, 2020 8:16 PM
To: Bergeron, Michael <michael.b.bergeron@livefree.nh.gov>
Subject: Fwd: BOS voted 4-0 to remove Cole

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

We feel vindicated that Board of Selectmen took action tonight. So much for mob rule. Please share w
Governor Sununu. Thanks

Gary B. Frederick
Senior Vice President / Market Leader NE
O: (717) 603-4140
M: (843) 576-9409
Internal x-4140

From: John Smolak <JSmolak@smolakvaughan.com>
Sent: Thursday, November 5, 2020 7:35 PM
To: Frederick, Gary; Scott Tranchemontagne; Grace, John; Kutz, Brian; Cheek, Jennifer; Alderman, Michael; Justin Pasay; John Plante; Nathan Kirschner; Jim Petropulos
Cc: Tessa Kurman Ali; Jessica Knight; Andy Leach; Nicholas Pappas
Subject: RE: BOS voted 4-0 to remove Cole

I watched the deliberation by the Selectmen. Very powerful words by all 4 members.

1

Cole actually signed an engagement letter with Manzelli for purposes of opposing the project before he joined the Planning Board as an alternate.

Coutu also chastised Atty. Amy Manzelli, suggesting that she was late in disclosing the relationship with Cole and Cole's wife.

I'm sure Scott is working this one very hard with the press. I think he managed to get the Fmr. State Commissioner of Agriculture to stand up, testify, and reference the jury standard. Was very powerful.

Regards,

John

John T. Smolak, Esq.
Smolak & Vaughan LLP
Tel. 978.327.5215 (Direct)



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

Mr. Chris Thatcher
SaveHudsonNH Representative
SaveHudsonNH@gmail.com

Mr. Thatcher,

Thank you for reaching out to me about the Hudson Logistics Center. As I have stated previously on this topic, the approval of the Hudson Logistics Center will be beneficial for both the town and the State. Some of the fiscal and economic benefits of this project include \$5.1 million in new tax revenue for the town annually, an additional 1,400 well-paying jobs, and approximately \$1.5 million in weekly wages to the local economy.

While I understand you and your organization have several concerns, the State of New Hampshire is a local control state and therefore has a limited role in the approval process for this project.

The State's function is to determine if the applicant, in this case Hillwood Enterprises LP, sufficiently meets New Hampshire's thorough permitting requirements administered by the New Hampshire Department of Environmental Services (NHDES) and the New Hampshire Department of Transportation (NHDOT). Regarding traffic, the NHDOT has been working with the applicant for several months to help them mitigate their traffic impacts in the vicinity of the project. These efforts have ultimately led the applicant to not only address the traffic their development would create but potentially alleviate some of the existing traffic problems on and near Lowell Road.

Likewise, the NHDES held a public hearing on March 9, 2021 for Hillwood's wetlands permit application which is currently under review by the department along with the applicant's alteration of terrain permit application. Hillwood has been working with NHDES and the local Conservation Commission for several months to ensure they meet all of New Hampshire's robust regulatory requirements in both of these permits.

I can assure you that the State of New Hampshire takes seriously our role of preserving the environment and ensuring applicants meet traffic impact requirements. However, the decision to approve or deny this project is a local one that will be made by the Hudson Planning Board. They are scheduled to hold a final public hearing on March 24, 2021 at 7:00 PM. I urge anyone

who wants to express their views on the project to attend the Hudson Planning Board's next meeting. Thank you for reaching out to me on this important topic.

Sincerely,



Christopher T. Sununu
Governor

Dubowik, Brooke

From: Christopher Thatcher <clthatch@gmail.com>
Sent: Thursday, March 18, 2021 10:06 PM
To: ~BoS; Planning
Subject: Concerns of HLC project and RTK files
Attachments: image (3).png; image (2).png; Final Signed Letter to SaveHudsonNH.pdf; Final Signed Letter to SaveHudsonNH.pdf

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

Dear Select Board and members of the Planning Board,

I'm writing to express concern about the influence from the Gov. office on this project. I feel that this process has been tainted by outside influences and that this project and review should be reconsidered from afresh.

I also wish to shed light again on the behavior and treatment of the public by Hillwood, which publicly claims to be working with the community and public, but privately mocks and attacks them. This is evidenced by my previous email in which I shared that Hillwood refuses to allow public comment on it's social media accounts, blocking and deleting legitimate and respectful questions and comments. Also evidence by calling us "activist" and "Mob". The even gloated to the Gov. office about getting Bill Cole removed from the Planning Board.

I also find the comments about getting the Comm. of Agriculture Jasper, a resident of Hudson to speak out against this project questionable.

As you will see in the attached files Hillwood maintains communications and updates to the Gov office, and refers to the public as the mob.

Please also find attached the letter reply to the Gov for a request by our group to meet with him. While our group is disappointed in the Gov. letter and his stance, our group did feel it was right to share his response with the town.

Sincerely,

Chris Thatcher

Dubowik, Brooke

From: Linda Zarzatian <zarzatian@gmail.com>
Sent: Friday, March 19, 2021 7:07 PM
To: Groth, Brian; Planning; ~BoS
Subject: Hillwood

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

I would like to address the lack of public input regarding the Hillwood project on emergency services. We, the residents of OUR town would like to be able to discuss our concerns regarding all the safety issues this facility will bring to OUR town. Up to this point we have not been allowed to present our safety and emergency concerns.

Please just look up the statistics on Amazon facilities and all the safety issues they have. The list is endless and troubling. They have warehouse fires, roof collapses, hazmat issues, traffic issues, injuries to employees, truck and vehicle accidents, lethal weapon incidents, mentally ill/ violent issues, drug overdoses, and many more incidents regarding safety issues.

We do not have the proper police facility and equipment to be able to take care of all these potential safety issues. Everyone knows this will be happening. When the Grace chemical accident happened, I was lucky enough to be able to vacate my home and leave the area. When, and I repeat, when a dangerous safety issue occurs at this proposed facility, I will not be lucky enough to be able to leave the area. The reason is, there will be thousands of cars with the Amazon employees, and hundreds of 18 wheelers and other trucks trying to get to safety and leave the area. There will be unbelievable traffic and gridlocks and we the residents will not be able to escape our homes and get on the roads and leave the area, to get to safety.

This project is not providing all the safety precautions that they should. They haven't at any of their other facilities and they are all suffering at said facilities. But wait, Hillwood and all their lawyers will be safe in their own homes far far away from any Hillwood Amazon distribution center with all its horror. Lucky, smart lawyers. Well I am not a lawyer, I am just a resident of this town for 45 years and I have rights too. Hillwood and Amazon are violating them by proposing to build a facility, near my house, that is full of unsafe consequences that we will have to endure. Just read their statistics and remember, please remember, this proposed facility is so much larger than any facility they are referring to when they present their false figures.

The rules and regulations that they must abide to, regarding the proposed project, have not been met. I have stated them repeatedly.

I suspect you are in heavy thought regarding all of this. I think it is simple. Is this facility for the betterment of the town and its people? Regardless of any revenues, will the people of Hudson be able to live in this town if this project is living here with us? Will there be unbearable traffic and continued gridlocks? Will there be many more dangerous accidents with 18 wheelers traveling our roads all day and night, every single day of our lives? Will there be noise at a level that is unsafe and above our town regulations? Will there be pollution that will make us temporarily sick and permanently ill? Will all our wild life be gone? Will we be blinded by the light and not be able to sleep at night? Will the construction disturb our homes with blasting and dirt beyond our imaginations? Will our wetlands be so terribly disturbed that our septic systems at our homes, and our wells that provide us with our drinking water be compromised? I can just imagine, if all of a sudden due to all of this,

my septic starts having issues, no one will take care of it because they will refuse to believe all this construction and relocating of wetlands, etc. had anything to do with new well or septic issues for us residents.

Just make your decision with regards to this project, Skls with the thought that you live at the southern tip of Hudson

Sleepless in Hudson

I

Dubowik, Brooke

From: Linda Zarzatian <zarzatian@gmail.com>
Sent: Friday, March 19, 2021 6:16 PM
To: ~BoS; Groth, Brian; Planning
Subject: Hillwood, Martin, Sewerage

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

I understand that FORMER selectman Martin is seeking appointment to the ZBA. I adamantly oppose this appointment and so should the board of selectmen.

His lack of proper knowledge on a given subject has proved to the residents of this town, and should to you, that he is completely incapable of working with the best interests of the town and its residents.

We will not tolerate his disrespectful actions to all the residents of this town. You made us live with it up till now, it is not to be continued. The way he treated the town residents, who have every right to be present and speak at the town meetings, with such disdain, will not be tolerated.

I had requested, to the town officials, that I feel, Martin should be instructed to give a public apology for calling us residents, and I quote " the peanut gallery", while attending a meeting. Everyone whether at the hall or on the phone or watching on the television were highly insulted and disgusted.

If you appoint this person to the ZBA the town will be in for his inappropriate behavior and lack of knowledge on issues this board will be working on. He proved that's his MO when he said he knowingly chose not to read what the residents lawyer submitted for evidence in the sewer decision processing.

That being said I believe that the sewer decision, to take a second vote, thanks to Martin telling Hillwood, if you come up with evidence regarding the sewer decision, that you did not previously submit, I will allow the board to reconsider the sewer vote.

Martin read something that he thought was new evidence and would not, as I stated above, even look at what we submitted regarding this and changed his vote to a Yes, instead of his previous No to the sewer allotment to Hillwood. That, and I can not quote the legal mistakes that were made, must be corrected. That changed vote was done inappropriately and must be denied.

Sewer to Hillwood must be denied. It states, and I apologize for not having the correct terminology, the sewer allocation that was purposely left as is, is only dedicated and available for the betterment of the town and its residents. A facility like a hospital or school or the town residents, who have been in need of sewerage for years, not for the largest distribution center in new england for the betterment of Amazon. Amazon has enough. We the residents of this town have more important needs to be addressed and filled. It is a fact that the sewage that is still available is for the town, not Hillwood.

We the people of Hudson DO NOT WANT MARTIN, on any board.

HUDSON, NH BOARD OF SELECTMEN

Minutes of the January 22, 2019 Meeting

Attorney-Client Session, pursuant to RSA 91-A:2 I
(not open to the public)

1. CALL TO ORDER - by Chairman Coutu the meeting of January 22, 2019 at 7:06 p.m. in the Selectmen's Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Selectman McGrath.
3. ATTENDANCE

Board of Selectmen: Roger Coutu, David Morin, Marilyn McGrath, Angela Routsis, Normand Martin

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant

4. PUBLIC INPUT

Chairman Coutu asked if there was anyone in the audience who wished to address the Board on any issue which the Board has control of at this time.

Paul Inderbitzen - Thank you Mr. Chairman, ladies and gentlemen. Paul Inderbitzen, 2 Timothy Lane. I'm the Hudson Town Moderator. When I brought to you the issue of moving our meeting which is on this year's ballot and school ballot of moving it to April, we did not have an option based on the impasse between the Secretary of State's Office and the legislature. Well that all changed and a couple of weeks ago I was made aware of a Bill in the House which is also coming out in the Senate but a little different version that will give Town Moderators the right with consultation with the elected boards, Police, Fire, and whoever - emergency management to postpone elections. It also provides a very nice procedure as to what you can do and can't do when you do that.

I went last week with the Clerk and I testified on this Bill because I think it's a really good Bill in terms of keeping the decisions about town elections in the town. Every town isn't going to have an emergency. This is not just weather emergencies, this would be fires, severe floods, bomb threats unfortunately, and other things. We needed a procedure and we didn't have one. This Bill proposed will have one. Elections would be held two weeks after the original date. Everybody would be on the same page. There's information spreading requirements. There's also the opening of the absentee ballot procedure for people who could not be at the postponed session up until 5 p.m. of that day. We have the things in place if we need to postpone an election to do it and have all the public the opportunity to be notified and to provide options if they can't be present on the postponed day. I think it's a good Bill. It's probably going to get a few tweaks here and there but it won't be finalized before our March elections.

I'm not sure how the Board feels. I did send you a copy of this Bill. If you read it, it's pretty good. It keeps it in the town. It makes the town decision. The Secretary's office seems to be amendable to doing this. The Senate Bill which his office had a chance to work on. It hasn't been given a number yet so we don't even know what it looks like. They said it's very similar to this except it's in another part of the RSAs. They prefer to go 669 which is the Town Meeting Bill. This one most of it is in 40 which is the Election Bill but it references all the parts in 669 and I think 670 that are appropriate. I think my recommendation would be if this passes, we really wouldn't have to change our election day. I like tradition just like everybody else does. There are three towns in New Hampshire that have April elections - Chester, Merrimack (which has been doing it for a long time), and one other one and nobody could remember who it was. I tried to find out.

What I'm thinking of I was going to step down and speak at the Deliberative Session both for the Town and the School in favor of moving our elections. We didn't have an option when we brought this forward. Now we have an option and if the legislature will give us the control that we really feel we should have then we don't need to move it if we wanted to keep it traditional. It's up to how the Board wants to move forward. This has to go forward. This has to be on the ballot. We can't take it off but my recommendation

to the public would be that we should maybe wait a year and not pass it this year unless the public really thinks they want to move it to April. To wait a year if we can get this Bill passed in that year, we'll be in good shape we won't have to make the move because we'll be able to do the postponements that we would have to do in an emergency. I don't know how the Board feels about that it's certainly something to consider.

Just my opinion, Selectman Martin didn't mind seeing the issue if it passes to be able to give it to the Moderator to postpone. What are we going to cause with the voters? I didn't get notified. I didn't know about social media. I don't go on social media. I don't read the newspaper. Just those little things. Voter suppression is what I'm worried about here and money. Not only is it going to cost you money to notify people so why wouldn't we just go ahead and move the day to April in my mind instead of having to worry about not notifying all of the voters that come to vote. Granted there's not a lot that come to vote but people who come out do come out. I think that it may cause a lot of confusion - lots, and lots and lots if you're postponing the elections the day of or the day before and people say I didn't know they were postponed. I feel that's voter suppression in my mind.

Selectman Morin asked is there any procedure for notification of voters in that. Paul Inderbitzen stated it says that the Moderator, and I think it mentions the Clerk, will take every effort to notify the voting public of the postponement and the subsequent postponed date for the election. We have a lot down here that we can do. Up north they don't have so much. I think with our TV, cable, regular television, newspapers. Chairman Coutu said that's fine if we don't lose power.

Selectman Routsis said in previous years when we've had the storms and we've had to notify people, we've also had someone sitting at the Community Center in case someone did come in so they could fill out a ballot and it would be processed when we had the opportunity. I believe last time we did it we did a couple of days in advance because we knew of the pending storm so it didn't happen the day of. We still had relatively good turnouts in comparison to prior years.

Paul Inderbitzen said yes we were a little bit under. Our last two years the attendance was slightly under what it has been considering that we had bond issues on there and some other important stuff.

Chairman Coutu indicated one of the things that frightens me Mr. Inderbitzen is it just happened this weekend. Last Wednesday they were calling for 21 inches of snow in the Nashua area. We got less than half of that. Probably a third of that is what we got. A little more than a third. It can also work in the reverse. They can predict a four inch storm and the wind suddenly turns and it can turn into a foot and a half over night. You would have to make that call with emergency management which is usually the Chairman of the Board, Police, Fire and make that call. You'd have to make it in the morning before the polls open if that's the case. There's no guarantees that these Bills are going to pass. The House and the Senate are different versions. If the House passes theirs and the Senate passes theirs, now they both have to go to conference. You have to hope that North Country supports whatever the conference agrees to because they're ultimately the ones who usually decide the representation in the North Country control those votes. Anything north of Manchester typically doesn't support changing election laws. They figure they live in snow country and they can do it, we should be able to do it as well. The difference is having lived in the North Country - Woodstock - yes we had a lot of snow sometimes on Election Day. The streets were plowed. It was one straight shot to the voting booth. It was fine. It wasn't difficult. They had to run the plow up and down the main road, a couple of side streets, and everybody got to the polls. You're talking about 1,400 residents. Maybe 400, 500 voters at best.

Chairman Coutu said I am a strong advocate of moving the election date to April only because two weeks, again still in March, we could have a snow storm the first day. If you move it out two weeks and they get hit with another big snowstorm, you can't move it a second time. Mr. Inderbitzen said that's not clear in the law. Chairman Coutu didn't think based on what I read you're going to be able to do it more than just once. You can't just keep moving an election out. I feel very strongly that we should move the election out to April, be done with it, and that's it. A lot of things can happen - power outages. We heard voter suppression the last time quite a bit. A lot of people told us they had no idea that the polls were closed. People did show up to vote. I have a few seniors call me who were very upset.

Selectman McGrath said we did hear from a lot of voters. I talked to you about it the day of the election a month or so ago. People wanting to change the location. People wanting to change the date in March. I'm fine with whatever the voters choose to do. I can get there but I think it should be up to the voters. We shouldn't be making these decisions and saying it's going to be this way or another way. It's up to the voters. You forwarded a petition to the School Board to try and get them to agree to change their date and we have a warrant article for the town's portion. I would prefer, and I think it's the right thing to do, is to just leave it as it is. If this passes whatever form it takes because that crew up there, god only knows what they'd come up with by the end of it all, and it may not go anywhere at all. This gives the voters of Hudson the choice about whether or not they want to keep their election in March or if they want to change it to April. It should be their decision.

Paul Inderbitzen said I don't disagree with that. I do but I think they also need to get the information that there is activity in Concord that may allow us to do what we wanted to do in the first place which we did two years ago when they told us we couldn't last year. Just so that they know that all of the information is there and let them decide. I'm not saying that they shouldn't decide. These are on the ballot. They're going to go to the ballot. The public needs to know and I will make them aware that there are bills out there that will allow us to do what we wanted to do in the first place.

Chairman Coutu asked if both of these warrant articles were to pass regardless of what they do, the election will move out to April correct. Mr. Inderbitzen agreed.

Selectman McGrath said there's no guarantee that in April we won't have a snow storm like we did a number of years ago. There was no traffic moving. We can't predict the weather in New Hampshire. That's just a given.

Paul Inderbitzen stated what this Bill does too is no matter what date we have our elections if you get a hurricane, if like in Cheshire County when a couple of towns lost their roads, if that had happened on a voting day, people couldn't get to vote which is really unfortunate. This will give towns the ability to make the decisions. Dave Scanlon at the meeting brought up the fact that a number of years ago up in Colebrook, there was a shooting at the court house where a Judge was shot. I don't know if any of you remember that. It was in November on voting day. The polling place was next to the court house. They had to lock it down - shelter in place - for like a bunch of hours because the person wasn't caught. Eventually shot himself in another town but they had to go to court because it was a federal election. They had to go to a federal court and get permission to reopen the voting at another time so for that town to vote to get their ballots in. This allows us an option to handle different emergencies no matter when they come up. No matter what date we have if something happens, the Community Center burns down, Town Hall burns down and the ballots and the machines with it what do you do? We don't have any ballots. These are things that oh it can't happen. Well it can't but if you're not prepared then you don't know what you're going to do. This Bill will give us some good procedures and good options no matter what date we pick. I agree. The public should decide on this. If they think that we should move it to April, then fine I don't have a problem with that. I just want them to be aware that now it looks like the legislature which was in total disagreement last year when the Bill came up because you had to go to the Secretary of State and ask permission to postpone your election. This is a town election. It's ours. The Secretary of State really doesn't get involved in town elections but he did that time. No matter what happens, this Bill will be good if it comes out whatever we decide to do for elections. I'm just going to bring to the public's notice that there is something out there that would allow us to do what we wanted to do if they have that strong feeling that they'd like to maintain a March Town Meeting.

Chairman Coutu said we're also assuming the Governor is going to sign it. It still has quite a few hurdles to go through. We'll let the voters decide. Thank you. We appreciate it.

Chairman Coutu said I'll ask because I have to is there anyone else in the audience who has public input. Seeing none.

5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS - None

6. CONSENT ITEMS

Chairman Coutu asked does any Board member wish to remove any item for separate consideration. Seeing none.

Motion by Selectman McGrath, seconded by Selectman Martin, to approve consent items A, B, C, D, E and F as noted or appropriate, carried 5-0.

A. Assessing Items

- 1) Veteran Tax Credits - Map 252, Lot 056 - 12 Anna Louise Drive; Map 190, Lot 095 - 3 Riverview Street; Map 190, Lot 095, w/recommendation to grant
- 2) Solar Exemption - Map 129, Lot 058 - 10 St. Laurent Drive, w/recommendation to grant
- 3) 2019 Supplemental Tax Bill - Map 190, Lot 094 - 5 Riverview Street, w/recommendation to approve

B. Water/Sewer Items

- 1) Water Abatement - W-UTL-19-01 21 Adelaide Street, w/recommendation to abate

C. Licenses & Permits & Policies

- 1) Outdoor Gathering Permit - Ice Fishing Tournament - Kiwanis Club of Hudson, Inc.
- 2) Request to Solicit Funds - Girl Scouts Community 219

D. Donations - None

E. Acceptance of Minutes

- 1) Minutes of the January 8, 2018 Meeting

F. Calendar

- 01/23 7:00 Planning Bd - Buxton CD Meeting Room - CANCELLED
01/24 3:00 Trustees of Trust Fund - Buxton CD Meeting Room - CANCELLED
01/24 7:00 Zoning Bd of Adjustment - Buxton CD Meeting Room
01/28 7:00 Sustainability Cte - Buxton CD Meeting Room
02/02 9:00AM Deliberative Session - Town - Community Center
02/07 6:30 Recreation Cte - BOS Meeting Room
02/07 7:00 Benson Park Cte - HCTV
02/09 9:00AM Deliberative Session - School - Community Center

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on January 8, 2019

- 1) Motion by Selectman Morin, seconded by Selectman McGrath, to hire Christine Strout-Lizotte for the Assistant Town Clerk/Tax Collector position at a starting rate of \$16.14 per hour, Step 1, in accordance with the Town of Hudson Support Staff Union AFSCME Local 1801 Union Contract, carried 5-0.
- 2) Motion by Selectman Morin, seconded by Selectman Routsis, to hire Jacquie Lemay and Madalyn Persons-Cutting for the "Regular Shift Employee" HCTV Camera Operator positions at a starting rate of \$11.00 per hour, carried 5-0.

- 3) Motion by Selectman McGrath, seconded by Selectman Routsis, to hire Lorrie Weissgarber for the position of Administrative Aide in the Board of Selectmen/Town Administrator's office at Step 1, \$17.02 per hour, in accordance with the Town of Hudson Support Staff AFSCME Local 1801 Union Contract, carried 5-0.
- 4) Motion by Selectman McGrath, seconded by Selectman Martin, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the Class Action Overtime Pay, carried 5-0.
- 5) Motion by Selectman Routsis, seconded by Selectman Morin, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the member who was bypassed for a promotion to the position of Parks Foreman, carried 5-0.
- 6) Motion by Selectman Morin, seconded by Selectman Routsis, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the Class Action Parks Foreman Promotion process, carried 5-0.
- 7) Motion to adjourn at 9:35 p.m. by Selectman Martin, seconded by Selectman Morin, carried 5-0.

8. NEW BUSINESS

- A. Petition for Release and Discharge from the Public Servitude of Never Constructed Portion of Muldoon Street

Chairman Coutu noted Muldoon Street is in the south end of town. It abuts the Green Meadow property. It's not in the middle but it's in the first third of a thickly residential area that was developed in the late 1970s early 1980s.

Steve Malizia stated you basically have the packet of information in front of you including the location maps. Attorney Westgate is here representing his client to request from release of public servitude this portion of Muldoon Street which has never been constructed. There is a six inch water main underneath that unconstructed portion which basically ends at the property line between this street and the Green Meadow golf course. It was put in presumably by the former owner of the water company. We didn't put it in. They stubbed it out to the end of that unconstructed road back when they probably put the water into that neighborhood.

In essence Mr. Malizia said what Attorney Westgate is asking for is release of this road from public servitude. It has, again, never been constructed and the Board has the option of releasing or not releasing this property. I submitted this to department heads. The majority had no comment. Two - one was the Town Engineer and one was the Fire Chief made mention that for future purposes you may want to retain this if Green Meadow ever gets developed. You might loop the water utility and it might be accessed to that property. Again those were their comments. It's your choice as to whether you release or don't release this property from public servitude. Presumably if you release it, then the petitioners would have to go to court I'm assuming to quiet title the property which would basically divide the property between the two abutting property owners. At that point in time, I believe they would take title. I would presume you'd want an easement for the water. I don't think we want to give that right up because that could be a potential looping spot if something ever gets developed down there. That's up to this Board but once you give it up the public servitude, I believe that's it. It would then revert to their ownership and you would not be able to construct that portion unless I'm missing something.

Selectman McGrath indicated we had correspondence from the Town Engineer and the Fire Chief. Did Brian take a look at this as well? Steve Malizia said yes. He had no comment on it because he's too new to the position and didn't have any specific comment. Selectman McGrath said it seems to me that based on the memo that we received from Mr. Dhima, it in all likelihood he and Brian had a conversation because there's a comment in here about its currently active and coming before the Planning Board for

a multi-phased development. I'm point that out because if that's the case then we'd need to have Brian take a look at this a little bit more closely.

Steve Malizia noted everyone had the opportunity. I don't believe he had any comment on it. Selectman McGrath said I understand. I want to point that out because I think that's going to be a...Mr. Malizia was not aware of any active or any plan that has come into the Town of Hudson regarding the property that abuts this unconstructed road.

Chairman Coutu asked we have nothing before us. Mr. Malizia said not that I'm aware of. Chairman Coutu said we should be making our decision based on the fact that you have nothing before us.

Good evening Chairman and members of the Board. Attorney Brad Westgate - I'm a lawyer with Winer and Bennett in Nashua. As Mr. Malizia mentioned, I represent Scott Wade who is one of the two owners of the property that abuts this small section of Muldoon Street never developed. I think you have an area map in Mr. Malizia's memo as well as a copy of the petition that I prepared and filed. I just thought I'd take a few minutes if I may Mr. Chairman with a little bit more background information and just a few thoughts on the rationale behind the petition and maybe a thought or two on what the Board might consider doing. I did bring a copy of the tax map of a little bigger scale than what you have.

Attorney Westgate explained as the Chairman noted, it was developed in the late '70s early 80's as residential development. The only way in is through Chalifoux and that then feeds into all of the streets. If this section of Muldoon Street is ever to be used to access into the Green Meadow complex, you're literally going around the bend, through Chalifoux, and all the way up Muldoon Street and sort of right through the whole neighborhood. I gather that there may be some plans heading this way towards the potential subdivision of lots in the Green Meadow parcel. There is nothing pending before the town officially to my knowledge as well.

Attorney Westgate stated the Board probably is aware that when Planning Boards approve subdivision plans and there are lots and streets laid out on those plans, the recording of that plan constitutes what is called a "dedication of public servitude". So a town gets an automatic right to accept any street shown on a recorded, approved Planning Board plan to accept that street in the future. The law used to be that if a street was shown on a plan and was not accepted by the town, never built, and all that for 20 years, it automatically went up in smoke if you will. The public serve through dedication went away. The law got changed in 1989 that said instead of the 20 years passing, it automatically the public servitude was lost and the Board of Selectmen, or Mayor and Aldermen in a city would have to actually affirmatively release the street from public servitude. If this had been ten years earlier, we wouldn't be here tonight because the 20 years would have passed under the old law and there would be no action required but there is action required because of the change in the law.

Over the years, Attorney Westgate stated this has obviously grown. It is treed in the front. There's been some dead trees that the Wades and neighbors have taken care of over the years. They sort of manage the property in terms of just keeping it property handled in terms of dead vegetation and that sort of thing. It's never obviously been used but the water line does exist and I gather from engineering it was stubbed out as well. When you take a look at the two memos from the Town Engineer and from Fire, I got the sense that their main point was not to lose obviously the ability to have the water line exist because if Green Meadow ever did get developed and that section contemplated looping of the water line for fire suppression, that would make sense to exist. Obviously we understand that as well. Certainly would agree that the granting of an easement if the public servitude was ever released would be appropriate so that the town would have an easement to firm up if you will the existing water line that's already been built there and for the future use into the extension into Green Meadow.

If Green Meadow ever does get developed, Attorney Westgate said it's hard for me to imagine how this stub section of Muldoon Street would ever be extended and used any sort of prime access or even secondary full public access into Green Meadow. I don't envision a large development in Green Meadow being accessed through that neighborhood. I know the Planning Board would have a fun time with the neighbors in that street section hearing the concerns that they may raise in any such case. I did note that there is certainly a secondary thought in the two memoranda that Mr. Malizia received relative to

possible emergency access. That might be of some value if Green Meadows developed even if the Muldoon Street stub is not used for full access. The only thing is wonder about whether that's a viable alternative only in this sense. The Green Meadow developer if one ever appeared on the scene doesn't own that stub. The rights of that stub are either the ownership of the two abutters - Mrs. Walsh and Mr. Wade - and the town through the dedication of public servitude. The dedication of public servitude is for the town to accept it as a road. The stub would have to be built and then accept as a road. I honestly don't know this answer whether something in between is even viable. That is it's dedicated for public servitude on the one hand but that's not the same as saying that it can be used for emergency access capability to an abutting property owner if it doesn't become a full blown town road. The notion of it being a full blown town road through that neighborhood for access into Green Meadow is I think just not a likely scenario.

Attorney Westgate also recognized that this Board gives due respect to its staff and department heads and has to give a lot of credence to their recommendations and thoughts. I fully appreciate that as well. The concluding thought that I had was that if the Board is not comfortable in light of the memos, and recommendations, and comments they've received in granting this petition, then perhaps deferring the action the petition may make some sense to see what develops, what we may gather for additional information not even deferred to a date certain but just table it and perhaps at some point if more insightful information is viable we may request that it be put back on an agenda for the Board. Certainly we'd be happy to see the petition granted subject to the granting of an easement for the water line if that's the Board's pleasure. If not, again my sense being that it being a viable, full-blown access to Green Meadow I don't think is a likely scenario. The uncertainty of emergency access to me is an unknown question but the need for the water line capability and easement is certain logical and realistic. Those are out thoughts. I'm happy to answer any of your questions you may have.

Based on what he just said, Chairman Coutu asked could we grant the petition with a right of easement to the water line. Steve Malizia presumed we could get an easement to the water line. You could make that a condition of your approval. Attorney Westgate thought so too. Mr. Malizia noted you don't want to give that water line up. We need to be able to access that to repair to get to it.

Chairman Coutu asked to make one comment. What frightens me is that even though the likelihood of the parcel of land between the Wades and the Walshes the likelihood of that becoming an access way stranger things have happened in Hudson and that worries me. I put myself as a homeowner on any one of those parcels and say I would not want that opened up like that. This is an awful lot of land on this side. God knows what could or may be developed there in the future. It may never be developed. Things happen and then they go away. A lot of things have happened with Green Meadow properties. A lot of discussions over the years. A lot of paranoia about golfers oh they're not going to be here next year. They have another year. It's an attraction to our town. It's a sizable lot. I understand that the Friels want to make money and I don't blame them. Whatever they can do in order to enhance their wealthy, I'm sure that they're going to do and I don't blame them. I just don't want to see that becoming an access way.

Selectman Morin stated you both bring up what I was going to speak about. I think we should keep it as an access point due to the fact that right now there's only one way into that neighborhood as the Attorney stated. If a big development goes into the golf course, there's only going to be one way into that. Now we've had past snowstorms, ice storms, floodings, and things like that have closed that neighborhood that we couldn't get into when we needed to. If we kept this as an access point and put a gate so people aren't going through the neighborhood, at least we have two ways in and two ways out for that neighborhood and just gate it off.

Selectman McGrath didn't think we should take action on this certainly not tonight. I think that it might be prudent for us to have a discussion with the Fire Chief and with the Town Engineer and the Town Planner. There may be plans that they know about that they're not at liberty to discuss in any detail. Before we make any kind of a decision about this, we need to have a bigger discussion. I understand why the neighborhood would want to keep that as it is and not allow additional traffic through but that might not be the safest option in the end for that neighborhood and for those individuals that maybe in more in danger by not having additional access points or egress points. I don't think that we should

make any kind of a decision without having bigger discussions with our town staff especially the two individuals that took the time to write something and advise us not to do anything. I understand your position. I understand your client's position but I think we need to do something that's going to be for the safety of all individuals.

Selectman Routsis said I'm actually in agreement with deferring it for the exact reasons Selectman McGrath said but I think that we set a date for it. We don't just leave it as an open deferral for like you said for other things come up. I think we have to set a date for it and make a decision on it one way or another.

Motion by Selectman Routsis, seconded by Selectman Morin, to defer the Petition for Release and Discharge from Public Servitude of Never Constructed Portion of Muldoon Street, carried 4-1.
Selectman Coutu in opposition.

B. Sale of Surplus Vehicles

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia indicated I told the Public Works Director I'd handle this for him. He obviously had a long weekend. This is a pretty simple item. As you recall, the Public Works Director came to the Board and asked for permission to dispose of surplus vehicles by putting them up for sealed bid. There were I believe 5 vehicles. They were advertised in all the local newspapers as well as our web page and our Facebook page. As you can see from I believe the second and third pages, we had a multitude of bids on the vehicles. We are recommending that we take the high bid on each vehicle. I added it at one point and I think it's in excess of \$13,000 which is pretty good for a bunch of broken down vehicles quite frankly. We are recommending the high bid for each vehicle that's in the memorandum that the Public Works Director prepared for your attention. It's the fairest way to do it. The bids were opened by the Town Clerk in a public bid opening. Again these were the results that were tabulated.

Motion by Selectman Martin, seconded by Selectman Routsis, to award the bids for surplus vehicles in the Public Works Department to the highest bidders as follows: 2008 Ford F-350 VIN# 1FTWX31Y58EB75905 to Donald Provencal in the amount of \$1,200.00; 2008 Ford F-350 VIN# 1FTWX31Y38EB75904 to Cary Coulombe in the amount of \$3,007.00; 2008 Ford F-350 VIN# 1FDWF37Y28EB75902 to Cary Coulombe in the amount of \$4,227.00; 2008 Ford F-350 VIN# 1FDWF37Y08EB75901 to Cary Coulombe in the amount of \$4,227.00; and a 2006 Chevy Trailblazer VIN# 1GNET13M862332600 to Brian Funchion in the amount of \$850.00, carried 5-0.

C. Sale of Town Property - 316 Elmwood Drive

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia explained the town is in possession of a condo located at the Elmwood Village complex. This is at 316 Elmwood Drive. It was taken by tax deed. Unfortunately the former owner died intestate. In order to be able to market the title, we had to go to the quiet title process which is a court process that Attorney LeFevre did for us. That was completed in December. There was a 30 day appeal period. We had to wait for it just in case anybody came back to appeal that. That period I believe has past. We are now able to market and sell this property with a clear title which means that anybody who wishes to buy it will be able to get bank financing which is a real key element. I put this to Lisa DiBernardo who has handled all of our other real estate transactions. She has recommended a listing price of \$136,900. It needs some work. It's been, I think, abandoned for over a year. We're not going to put the work into it. Somebody else is going to do it. We get to keep all the money on this after condo fees. There are some outstanding condo fees that will get paid off. That was part of the quiet title process. This one will be a winner for the town. We will get all our taxes, our interest, our costs and will make a small profit which will go into sale of town property which will go to our surplus.

Chairman Coutu noted I've been to Elmwood. I know where this property is. My question is and I had made a note when I read through this, it would appear that on the premise that no one has lived there

for over a year that this place is a mess. According to the document that's presented to us, there's a lot of furniture in there and then god knows what the condition of what the unit is. Who is this the work is going to be done by someone else.

Steve Malizia indicated we will hire as we have in the past, usually Pete Ripaldi, part of his operation will go in, empty the unit out, donate the salvageable stuff to either Habitat for Humanity, and if there's any other things that can go to an organization such as that. If it's trash, it gets throw away. We'll broom clean it. In other words, we'll make sure everything is in good repair - the stove works, the heat's on, the water works, and all that. That's how we will sell it. It will be cleaned out first.

Chairman Coutu asked if it needs a new stove will we put in a new stove. Mr. Malizia said yes we will be putting in a new stove because I believe we're required to have a stove in any dwelling unit. We don't put in a frig., we're not putting in a dishwasher, we will put in a stove. Chairman Coutu asked we're not going to do any cosmetic work. Steve said not unless it's patching a hole and if anybody does it, it will be Wayne. Chairman Coutu said some of the units have rugs and some don't and they usually frill up, or curl up, or bunch up. Steve said this doesn't have rugs in it my understanding based on what Ms. DiBernardo said. I'm actually going to go over there with Wayne this week to take a look at it. Chairman Coutu wanted to make sure that even though the memo says that it's obviously not ready for sale, somebody is going to fix it. I wouldn't want the town to present a property that's not in great shape. Mr. Malizia stated great shape is a matter of opinion. It will be in certainly acceptable shape. Chairman Coutu said to do otherwise would dissuade people from wanting to bid on it. Mr. Malizia said they also have to get an appraisal. If it looks like a pigsty more than likely the appraisal is going to reflect that.

Selectman McGrath indicated it says in the notes - I read this carefully too yesterday - the electric isn't on and there appears to be a problem with the plumbing in the kitchen. Steve Malizia stated we typically shut the utilities off so that we're not spending any money. Wayne and I will make sure that the utilities are back on and that they're working properly. Selectman McGrath noted she was saying she turned the water on at the kitchen sink and it sprayed backwards. Mr. Malizia said she might have had some water in the line. That unit still has the meter in it but I believe it's been shut off.

Chairman Coutu stated I'm happy that we're going to do something about taking care of it because I know Wayne has done it in the past for other properties that we've had. Any other questions or comments? Seeing none.

Motion by Selectman McGrath, seconded by Selectman Morin, to sell Town owned tax deeded property located at 316 Elmwood Drive that is surplus to the Town's needs for a listing price of \$136,900 and to hire DiBernardo Real Estate for the sale of this property, carried 5-0.

D. Discussion Relative to Personal Injury Policy

Chairman Coutu recognized Selectman David Morin.

Selectman Morin stated as the Board knows, a couple of weeks ago we did have an accident. Fortunately no one was injured in it. After the accident and working for a long time, I have a pretty good idea of what the procedure is. I have seen in the past that if an employee didn't submit a State injury form even though they weren't injured and then later on considering a motor vehicle accident or a fall, you may get pain two or three days later or something may come up. If the form wasn't submitted, the State will deny their injury. I made an inquiry if that had been done with the person that was involved in this and it had not and they do not have a policy to do that. They never have and there are several other departments in town that do not. I think this should cover every employee. I don't want this to supersede any department that already has a policy because their policies do require their employees to fill out the State forms and they're specific to their job. I'm including the people at Town Hall, this department that we're talking about, and anybody else I feel that we should put this policy in place and to the Personnel Policy and every time there is an accident, this forms gets filled out and put in the file so it is there in case something comes up later that there has to be a claim in. Our employee will be covered plus we're covered as the town that we're making the employees do this form.

Chairman Coutu asked were we informed. I'm not aware of any employee being injured. Selectman Morin said I didn't say he was injured. I just said the form wasn't done.

Selectman Routsis noted the truck that tipped on its side.

Selectman Morin said in that situation, a couple of days later there could be some pain, some neck, back and whatever and if there was no form filled out when the accident took place - and like I said I've seen it happen at the department I worked at that an employee was injured, didn't get reported, the forms didn't get filled out, and they were denied their claim.

Steve Malizia said in the safety policy which all employees have and have access to, there's actually a section regarding that. The town has a town-wide policy that all employees sign off on. This is for handling injuries and accident reporting and investigation. This is in the Joint Loss Safety Manual. All employees get this. I have a copy if you'd all like to have it.

Selectman Morin asked why wasn't that done in this case. Mr. Malizia said my understanding was the employee was not injured. If there's no injury...Selectman Morin said that's the point here. He wasn't injured at the time. They were injured at the time but as I stated if you don't fill out that State form and you have some type of injury from that accident later, you will be denied your claim because you didn't follow the proper procedure. I've seen it happen in the Fire Department. This is a draft for the Board to look at.

Chairman Coutu stated this says here "the injured member shall complete all necessary forms". If he's not injured at the time...Selectman Morin indicated that's why it's a draft. We can change it to the employee involved shall fill out the paperwork and then leaved the injured out of there. As you know, and I'm going to use the car accident again, we can have back pain. We can have neck pain. We can bang our knee or whatever. If somebody falls and a couple days later their ankle hurts them, their knees hurt them, they come in and they say I've got pain. There's been no claim form filled out as a precaution. We don't have to do anything with this form. All we have to do is put it in their file. If there's no injury, it goes away and there's nothing on the town and there's nothing on the State. At least we did the paperwork in case something happens.

Selectman McGrath indicated it's a preventative measure so it's protection for them. I didn't read this carefully but on the very bottom where it's talking about the on-duty Captain. Selectman Morin said I forgot to take that out. Sorry about that. I read it numerous times to make sure that didn't happen. What that would be would be the direct supervisor or the department head who doesn't have form. Selectman McGrath said I understand but I wanted to point that out.

Chairman Coutu reiterated it would be submitted to...Steve Malizia said our worker's comp. carrier Primex. Chairman Coutu said it won't be submitted to Primex. I thought he said that if they're not injured...Selectman Morin noted it just goes in their file. All we're looking for is the form to be filled out and placed on file at the town. Chairman Coutu said they'd be given to Kathy Wilson or KC. They're the ones who handle these types of things. Mr. Malizia said typically when we fill out those forms, we typically submit them to the insurance company that carries our worker's comp. Primex. Chairman Coutu asked even if they're not injured. Mr. Malizia said typically they're injured and that's why we fill them out. We haven't filled out forms that people that aren't injured because they're not injured.

Chairman Coutu said I hope Selectman Routsis is going to say what I know and what I've been told time and time again.

Selectman Routsis didn't know that but I'm going to say in the policy it says if they're injured they fill out a form for the employee's first report of injury, or injury, or occupational disease form and then it also says under the accident and investigation that they must forward a complete packet of the accident incident to the Joint Loss Management Committee. So there should be some type of accident/incident packet that they're filling out per this. That's basically what you're trying to do here is already what they have.

Selectman Morin noted it's not being done. Selectman Routsis asked why add something to it as opposed to just saying do the policy we have. Selectman Morin said the State form is not on that. You guys can vote or go against it. I'm just telling you. I've seen in the past where employees have been denied their benefits even though they weren't injured at the time. Something came up later related to the accident and they hadn't filled out the form.

Selectman Routsis stated if you have a first reported incident, you're making the town aware of it. So you have that first report of incident. The down side to what you're looking to do is if you're going to have everybody submit a form, you're increasing your worker's comp. rate.

Selectman Morin said no we're not because it doesn't get to them unless they're injured. It goes into their personnel file. That's it and it's documented on that day that the accident occurred whether they're injured or not this took place...Selectman Routsis indicated that's what the first report of injury or accident is. Selectman Morin said no this is a whole step form. It is the Department of Labor form and that is a required form to be submitted. If you do it at the time and again when employees have been hurt, they were not hurt at an accident but something took place later, the form had not been billed out at the time of the accident and they were denied their claim.

Chairman Coutu asked does every single department including Recreation - I'm not pulling them out of the hat. They're a small department. Do they all have personnel files? Steve Malizia said yes everybody has a personnel file. They have separate medical personnel files. Chairman Coutu asked said Mr. Yates for has a personnel file for the three part-timers he has. Mr. Malizia noted we have a file here for them. We keep them in my office. They're under lock and key. Chairman Coutu asked what other files are up there for personnel other than Recreation. Mr. Malizia said Library. We have files for the seasonal Rec. people. Chairman Coutu asked why are we keeping files for the Library. They're autonomous and a separate body. Steve indicated we still manage all their benefits. Chairman Coutu said I'm glad you mentioned that because that's going to come up in my comments. I'm very attentive to the last meeting. God love you.

Other than school employees, Steve Malizia believed all the other employees we have a personnel file here for them. Chairman Coutu said Police, Fire, every single employee. Okay. Mr. Malizia indicated we also manage terminated employees for a period of time and then they go to storage but we also have those too.

Selectman Morin asked to give a better example - take a firefighter especially with the cancer. We're exposed to some type of chemical at an incident. The form got filled out even though we didn't go to the hospital and we weren't transported. Ten years later when they get a cancer, it's documented on that form which is the State Reporting Injury form that they were exposed to that situation which is going to help them in the long run.

Chairman Coutu stated the problem I'm having Selectman Morin is I understand where you're going and where you want to go. Both of these policies the one that exists and the one that you're recommending both talk about the same form. You said the form isn't on here but it is on here. You can't force an employee to fill out a form if they don't want to.

Selectman Morin indicated you can because it's a standard part of the procedure. Chairman Coutu asked are you saying it's going to now become the department head's responsibility to make sure they fill out this form. Selectman Morin noted I can tell you in the Fire Department it's the Lieutenant or the Captain make sure that the employee fills it out after they report an injury whether they go to the hospital, we treat them, or not. If the employee can't fill it out, that Lieutenant or Captain, or the Secretary fills it out.

Chairman Coutu said I trust you relative to the Fire Department because you worked there for 30 years. You're saying that regardless if someone were to trip over a log walking into a barn when there's a fire and you can access it, you can get in through the front door, they trip over a log they should be filling out an accident report. Selectman Morin said if it's reported yes. Chairman Coutu said in the event that two or three days down the road if something comes back and they say geez something is wrong with neck,

I say oh my god you sprained it. Did you fall? Yes I fell the other day I was going into a fire. That's probably what caused it.

Selectman Martin asked to give my little story. I work in an industry in Massachusetts. Kind of the same laws. I tripped over a pallet and fell head over heels. I didn't get hurt. I reported it to my supervisor. She gave me the form to fill out. If anything happened to me after going on and I was seeking medical attention, it was reported to my work and worker's comp. would cover it. Since I didn't go to the doctor and do anything about it, it just goes in your file.

Regardless of what we do here, Chairman Coutu asked shouldn't we be reinforcing that at orientation. We do have orientation for all new employees I would suspect. Steve Malizia noted they get these policies. Chairman Coutu asked are they just handed and say here's all your policies. Mr. Malizia said they're required to sign off that they've read them. I can't sit them and make them read them but they are required to read them. It's not my job to sit there and...Chairman Coutu indicated some employees said they've never read it. They got it but they never read it. Mr. Malizia said they signed it they read it.

Chairman Coutu explained in essence what you're saying is the department head or the unit manager is going to be responsible to make sure these are filled out regardless.

Selectman Morin said if you make it a procedure and I understand they sign this but I signed a million things and I can't tell you what half of them were two days later because there's so many we sign. If you tell the department head or the supervisor - I'll tell you what, it works in the Fire Department and it works in the Police Department. This isn't a thing that's real tough to do. It's just a matter of getting in the procedure to do it and that's what kills me. We walk around these problems and just do it. If it's already in a policy that the town has and I'm backing it up with a second one, then the issue here isn't the policy. The issue here is the enforcement of the policies.

Chairman Coutu noted if the employee doesn't want to fill it out, he doesn't have to.

Selectman Morin said if the town says you will to protect us and to protect you, they will. It's part of the procedure.

Selectman Martin had one further comment. When I was in the military I was driving a vehicle. A side mirror got hit on the driver's side where I was. I immediately had to pull over and stop. They brought me for a drug test and everything. No questions. I didn't do anything wrong. If that's the policy in this town, then that's the policy they have to follow. You tell the employee you fill this out. It's CYA. It covers you, the town, and the employee in the event the employee later on leaves our employment and goes somewhere else. It covers all around. Some employees will say how often do you get hurt? How often have you done this? It just covers the employee and this one right here I think is really good. Here go you. You had an accident in the town vehicle or if you tripped in Town Hall and you fell have them sign this form. We're beating a dead horse and this is it.

Chairman Coutu noted we're not beating a dead horse. I know where Selectman Morin is going. He's been a strong advocate relative to policy and procedure. I don't condemn him for that I applaud him for that. We're not beating a dead horse. We're just trying to bring it to a head. What I don't understand Selectman Morin, again, vis-a-vie your policy recommendation as opposed to our policy. Your policy is written out as a policy. The town's policy defines punitive action if you don't fill out the form. It says, "It shall be the responsibility of all Town of Hudson employees to follow this policy." This is item #2 on the first page. "Violation of this policy will result in disciplinary action in accordance with the Town of Hudson disciplinary procedures." Granted department heads may not be subjecting the person or forcing the person to fill out the form but it's the employee's responsibility to fill it out or they could be subject to disciplinary procedures. Yours doesn't have that. It's not as forceful as this. If you want to put some of this language in, I'd agree to it.

Selectman Morin said here's my problem. This policy basically came from a department in here that does this for every single injury and it doesn't have to be forceful because they do it every single time and its second nature. Chairman Coutu indicated that's a semi-military organization. Selectman Morin

understood that. Here's my problem with this one. It's in here and says you will follow policy and none of our employees from the top down are doing it. So where is the problem? We have a policy right here that says you will do it and it's not being done. Where is the problem? Chairman Coutu said all employees of the town regardless of their title are employees of the town. Selectman Morin stated that's what I'm saying. That's why I said from the top down.

Chairman Coutu asked if an employee says who's the department head, I'm not going to fill it out then based on this policy it's up to the department head to come to us and say employee X is not filling out the form. I'm recommending the following. Selectman Morin asked why hasn't that been done but I'm going to take it from there. I bet we can bring in almost every employee and say tell me about this right here. They won't have a clue. Chairman Coutu said whether it's yours or this one, they won't have a clue. Selectman Morin asked whose responsibility is it the department head or the supervisor because that's part of their job to make sure that their rules and regulations are getting followed and that their employees are taken care of. That's their job. They're supervisors. So what is our bigger problem the safety of our people or not following our own rules?

Chairman Coutu indicate we're doing this for the safety of our people. We're doing it for the protection of our employees on a financial basis and we're also doing it to protect ourselves from liability in the future. Selectman Morin said it's not being done.

Selectman McGrath said if an employee doesn't want to fill out the form, all the supervisor needs to do is put a note in the file - "employee refused to fill this out" and that ends it. A notation is made in their personnel file. You don't have to punish them. Chairman Coutu noted it says so right here that it is punishable. Selectman McGrath said it may be if you choose to punish them but the ultimate punishment is going to be if they really got hurt and then they're not going to be able to collect benefits because they had the choice not to fill out a form. It's their choice. I'll use my brother as an example. He chose to smoke his entire life in spite of being diagnosed with a very serious injury. The ultimate choice that he made cost him to pass away. You can't force people to do something that they don't want to do. You can punish them all you want. You can scare them all you want but if they don't want to fill out a form and they know if they are injured and they're not going to be able to collect benefits because they chose not to fill out a form, the only thing that you can do is put a note in their file and it covers the town. It covers the supervisor by saying the employee refused to fill this out. Otherwise you can say alright we'll fire you because you didn't want to fill out a form.

Chairman Coutu said it doesn't lead to that. I know companies who have this type of policy and employees have denied when they eventually a week or so later felt the pain or whatever, denied that they were ever asked to fill out the form even though they denied filling out the form. I've talked to supervisors and said to me I gave them form he refused to signed it. I put on there he refused to sign it. I put it in the file. Now he's denying I ever showed it to him. That ends up in court. The always find in favor when there's a question, the employee will get the benefit of it and not the supervisor. Regardless, I think it's imperative that something be done to not just this but all our policies. I know that the police and fire they're very rigid. They're semi-military. I can speak from personal experience as you can. The Recreation Department, the Clerk's Office, upstairs, the Assessors. They have people out on the road that fall down. I don't know if they fill out forms. I hear about it. They do.

Steve Malizia explained we have a Joint Loss Safety Committee. Chairman Coutu said if they're hurt. Mr. Malizia said if they're not hurt, people don't fill out forms. Chairman Coutu said that's the point that Selectman Morin is trying to make and I don't disagree with that at all. Mr. Malizia said so you're going to fill out forms if they're hurt or not hurt. Selectman Morin said if they report that they fell, they got in a motor vehicle accident. Steve agreed if they report that they fell. If they don't come in and tell me anything, I can't make them do anything and then a week later oh I'm hurt. You didn't tell me.

Selectman Morin said a motor vehicle accident that should have been done especially with the risk of something cropping up later on from that. Steve Malizia indicated our employee's safety is paramount. That's why we have a Joint Loss Safety Committee. We've had it for many, many years. There are union representatives from each union. There are management representatives. Basically all of the departments. We review quarterly the worker's comp. claims. We don't see names but we see

departments and I can tell you that it's representative of all the departments in town and not just the two quasi-military ones. As an aside, we also review all the accident claims, i.e. motor vehicles, slip trip and fall we do all of that. We encourage strongly that everybody even if you don't think you hurt yourself, fill something out.

Selectman Morin stated its right in the policy. That's what I'm saying but we're not doing it. Steve Malizia thought we are. They didn't do it in this incident because the employee claimed he wasn't injured. I will show you other claims that get opened for \$50 that span the departments that don't lead to anything beyond the \$50 because that's the minimum they open them for. Selectman Morin understood that but, again, we're not doing it because if we were doing it we wouldn't be talking about this right now. Steve Malizia contended we do it. This one didn't get done. Selectman Morin said a lot of them don't get done as I just said. You could go to an employee and say do you know about this policy and they're going to tell you no and they don't even know what that form is.

Selectman Routsis said that's the employee's fault if they don't know what the safety manual is that they are signing off on. I have never once signed anything for any contract, any home purchase, any personal purchase, or anything employment related that I did not read it. They are physically given a copy and they sign off on it saying they are aware of it. The only thing addition you can do and I don't know if we do or not is send it out yearly and have them acknowledge it yearly. Steve Malizia noted when we update the document, we would resend it out. Short of that, Selectman Routsis said if an employee is signing something and they are saying they have no idea about it, then you know something shame on them for not reading what they're signing.

Chairman Coutu said where Selectman Morin is going with this is that the department head or the immediate supervisor has an area of responsibility here. Selectman Routsis agreed but he's saying people had absolutely no idea about this. They're signing and they have some type of idea. They have to. Chairman Coutu said they have an idea they have a Personnel Policy. What the language is, I don't think they know.

Selectman Morin said you've been an employee here for ten years and nothing happens and in your 11th year you got hurt. You're going to remember that? Like I said, we signed SOGs daily. Two weeks later unless something came out, I have to go back through the SOG book and review myself to make sure I understood what I was dealing with because there's so many. There's so many things going on. What is wrong with each department putting together a little injury packet with all the required forms, a report to write what happened in the accident. When an employee is injured, here you go fill this all out and get it back to me. Don't even say it's in there because it's not getting done.

Selectman Routsis said that's your Form 8WC. Selectman Morin noted that's not what I said. Selectman Routsis indicated you said giving them something to fill out. That's what that is. Selectman Morin said you didn't listen to me. A packet to put together because a report has to be submitted on the damage to whatever town it took place. You have to write up what happened, how the accident happened, what the injuries were, include the State form in there so there is a packet. Again this is what we pay people big bucks for whether you're the employee or not, the department head, you're responsible for your people. Selectman Routsis indicated I was in charge of injuries at my old job for six years. Selectman Morin noted so was I.

Selectman McGrath stated we do have a policy. Is it in print? Is it in booklet form or is it...? Steve Malizia indicated it's available and this is the format. It's on line in the public drive. It also gets sent over. Selectman McGrath asked to make a suggestion because I worked for a really large company. If an issue came up such as this where there were a number of injuries. We'd have group meetings. There were mandatory meetings so each department head can be given copies of the policy and have a meeting with their employees - a mandatory meeting, pass out the policies, instruct them on what needs to be done. If they're in any kind of an accident whether it's a slip and fall, whether it's getting knocked over the head by a book falling off a shelf, anything, and have a list of the attendees, have them sign off that they've attended the meeting, that they've received the policy and that will be done with it. We can keep spinning around on this all night long and for the next several meeting but unless we make sure that they get the policies that their manager hands it out to them can be a ten minute meeting. It doesn't

have to be an all-day meeting but a mandatory meeting with the employees and have them sign off an attendance sheet and that they've received the policy and that's the end of it. That's what I would suggest.

Again, Selectman Morin asked why we can't just put a packet together and automatically when an injury is reported it is handed by the supervisor or the department - here you go, fill it out, get it back to me, it goes in the file and we're done with it. You have a meeting in five months, no one is going to remember and we're going to be back in the same boat. What kills me is once again we have a policy that our people aren't enforcing and that's really starting to irritate me. It really is.

Chairman Coutu wanted to make Selectman Morin aware that regardless of which policy you want if it's the one that you're suggesting which I find not as severe as the one we presently have but if we were to enforce this or keep the one we have an amend - they have form 8WC and yours you have AWC - it's the same form. Regardless even at the staff meeting...Steve Malizia said I'm just listening to what you're saying. You keep saying "injury". We should probably be using the word "incident" or "accident". Chairman Coutu agreed. Mr. Malizia said when you say "injury", I'm not injured. Selectman Morin noted I said "accident". Mr. Malizia got the impression is I didn't get injured. You should be saying "incident".

Chairman Coutu stated tripping over a log is an incident. Steve Malizia said somebody hit me in the back of the head with something, that wasn't an accident. They did it on purpose. From a terminology perspective, I think if we tweaked this or worked with this to say "incident", it takes away well I'm not injured. We do strive to make sure we capture all this. We take this seriously. Chairman Coutu said it needs to be reinforced that to people. Mr. Malizia said we look at the claims.

Selectman Morin said here's why the other policy reason is written the way it is. You're right I'm not injured but if you took the time to come tell your supervisor that this happened, then something in the back of your head is saying there may be an injury later or something may have...Mr. Malizia said they may not have said anything. Maybe another guy said something or maybe the boss watched you. You may not have said anything to be honest.

Selectman Martin asked could you change the heading of this policy and revise it and send it out. Steve Malizia stated we have Safety Committee meetings. What we'll do is we'll discuss how to make this so that it covers what you're saying. Let me give you another for instance. I have people trip on the front stairs when it's bone dry and sunny out. I've gotten into the practice of going out and taking a picture. Why? If they ever come back, I sent something to the insurance company saying I'm not filing a claim. I'm just saying on this date I took a picture because somebody fell down. I don't know who they are. They didn't give me a name. They didn't report anything. I'm just doing it to be preemptive. That's what you're asking for is to be careful and preemptive. Selectman Morin said yes but I'm looking to cover our employees because they're not going to get their benefits if they're injured because they didn't fill out that form.

From my experience with it is, Mr. Malizia said every single worker's comp. is denied the first time. They all are. They automatically deny it. If for some reason the employee fails to report something, I think there's a lot more forgiveness on the part of the insurance company as opposed to if the employer does so. If Joe doesn't tell me because he hasn't been here for a shift, a week, or whatever, he comes in a week later oh by the way Chief I fell down last week. They're not going to not cover that guy. They will open a claim for that individual. I've never seen them not open a claim for an individual.

Selectman Morin said I can tell you we had an employee denied and we had to go through a whole big thing to get it. Mr. Malizia said I don't know what he was denied or she was denied. Selectman Morin said, again, why is it so hard just to do a preventative measure so we don't have to go through this. Steve said we're talking apples and oranges. Now we're talking incident which doesn't mean injury. Selectman Morin agreed to that. That's fine. Steve said it just means incident. That's different than injury because injury means I didn't get injured. I didn't report anything. That's how people think.

In order to put this to bed, Chairman Coutu asked to defer this and you meet with the Town Administrator and the Safety committee and resolve this and come up with the language that's a compromise in the

language. I think the language is similar. I don't know that we need to have a statement that we're going to shoot you if you don't do this. If they don't want to do it, they don't want to do it. As long as the department head makes note that they have to put something in the file. He refused to fill out the form. They refused to fill out the form.

Selectman Morin agreed and again I'm going to say it one more time. We have a policy. Chairman Coutu didn't think anyone was disagreeing with you on that. It's just reinforcing it. Better safe than sorry. I agree. So you will work with them and come with something. Steve Malizia thought the next meeting was in February so we'll certainly welcome you.

E. Fiscal Year 2020 Town Warrant and Warrant Article Speaker Designation

Chairman Coutu recognized Town Administrator Steve Malizia.

Steve Malizia explained in front of you we have the proposed order numbering of the warrant. It follows the typical format wherein all of the zoning articles are first followed by the General Fund Operating Budget, Sewer Fund, Water Fund, Union Contracts in the order that they were settled or agreed to, followed by asking for two police officers, and then funding for various Capital Reserve Funds, and Petitions are at the end. This is the proposed order of the Warrant. If this meets your approval, I'd like you to approve it because one of you at the next agenda item will need to post this. This is the Warrant that we're going forward with this year.

As part of that Warrant, Steve Malizia noted at the very back page, I've put your assignments for speaking at the Deliberative Session. These follow your liaison assignments. If there isn't a liaison, I believe I deferred it to the Chairman so that you could eloquently speak about all of the ones that are near and dear to your heart particularly the change of the Town Meeting which I know is important.

Chairman Coutu said there's two I'm not even going to vote for so they're really not near and dear to my heart.

Steve Malizia stated, again, this is following typical pattern where if you're the liaison you have the speaking assignment. I will prepare notes for you. You can do whatever you want but I typically give you a cheat sheet sort to speak so that you have the basic facts so when you get up to speak you will say this contract is 2 percent. This covers 35 firefighters or whatever the case may be. That will be prepared for you in advance. You need to approve the Warrant and by consensus the speakers. You can change it speaking wise if you'd like.

Chairman Coutu said when you look at the EMS Revolving Fund, that's something that the Chief knows more about than I know. Mr. Malizia said you will introduce though. You're the Fire liaison so you would introduce it and then you could defer it to the Chief. Chairman Coutu noted I voted yes to get it on the ballot but I looked into it as best as I can see. I'm not too happy with it. Any questions? Comments? Everybody knows their assignment. Everybody will be at Deliberative Session God willing.

Steve Malizia said I would like you to approve the order of the Fiscal Year 2020 Warrant just to make it official.

Motion by Selectman Routsis, seconded by Selectman Martin, to approve the order of the Fiscal Year 2020 Town Warrant, carried 5-0.

F. Designation of a Selectman to Post the Town Warrant

Chairman Coutu stated I'd gladly post the Town Warrant. Steve Malizia stated it needs to be posted by January 28th.

Motion by Selectman Martin, seconded by Selectman Routsis, to designate Selectman Coutu to post the Fiscal Year 2020 Town Warrant and Budget on or before January 28, 2019, carried 5-0.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Routsis - I wanted to thank the Highway Department because my street was great. My lawn didn't seem to be torn up and my mailbox didn't fall off. So I'm good. In all reality, our street was plowed well. The main roads were done well also. I was out Sunday for most of the day driving around. Even yesterday driving yesterday everything still went seamlessly for me as long as you went slow. I appreciate everyone taking the time and working all those hours to keep the neighborhoods and the roads how they were.

The last Library meeting was last Wednesday. The one thing that was brought up that I did make sure they knew is that we were not forwarding the Warrant Article for the reasons that they were looking for. Some of the Library Trustees do feel that we took the choice away from the voters. I did let them know that because it was put in the budget and then the Budget Committee did vote unanimously, I believe you said not to support it that that was the reason we were taking it out. They felt that the Budget Committee was trying to help them with getting them that much closer but because they all voted against it that was why we had made the decision not to move forward with it as well. Other than that, that is all I have.

Chairman Coutu told Selectman Routsis I watched that meeting. God love you. You offer a kid a lollipop and he really wants it. You tell him he's got to run around circles 100 times. I said we don't want you to run around the circle 100 times. We're just going to give you the lollipop. That's what this article is and they were upset about it. I'm upset the warrant article isn't being proposed. They gave him the money. Is it a ploy to get twice the money? If the warrant article passes and it's already in the budget and they get twice the money and what are they going to do with it? That upset me.

Chairman Coutu asked do they abide by our town policy or do they have their own policies. Steve Malizia indicated that's a broad question. When you say "policy" what policy are you referring to? Chairman Coutu said we have a town policy manual that we hand out to employees. Mr. Malizia said we have Personnel Policies for example. They have adopted their own Personnel Policies. They're very similar to us but they yet can be different.

Chairman Coutu noted they are different. They're creating a bonus program based on longevity for their employees? Selectman Routsis believed they already implemented that based similar to the structure that we have. Chairman Coutu said this is over and above all the money that they wanted to restructure everything to get everybody up and then they give them a bonus on top of it. If you're gone for five years, this discussion happened, and then you reapply and you come back in, they give the five years towards your longevity. Selectman Routsis said they have that as part of a discussion and they are going to further discuss it as to whether they're going to consider that or not. I did let them know that nowhere else anywhere has a policy like that. Chairman Coutu said you did and thank you for doing that. It appeared that this is what they're going to do regardless. That's the opinion I got from listening to them. You're being kind. Selectman Routsis said I try to be most of the time.

Chairman Coutu said there's nothing we can do, right? Steve Malizia indicated they are an elected group that has the authority and the ability to set their policies for their employees. Chairman Coutu commented I'm still going to get a legislature to put a Bill in the House to try to get them to be a separate budget. This is ridiculous. Thank you Selectman Routsis.

Selectman Martin - I don't have anything for you this evening.

Selectman McGrath - Just a couple of things. In reference to the Warrant Article for the Library, the reason why I didn't want to put it forward was because we had no other input from them. They didn't come in to try and explain anything or the rationale. They were here the night they presented their budget but I'm talking about this separate Warrant Article.

Selectman Routsis didn't believe as Selectman Martin had let us know that they knew that the Budget Committee voted unanimously against it or they weren't there for that part of it. Steve Malizia indicated they had left the meeting at that point in time so when the Budget Committee did take a vote, they were

not present at that period of time. We informed them - KC, myself - I believe the next day we told the Library Director that they had taken an action. I do believe they were not in the room when the Budget Committee voted. After they left, the Budget Committee put it in their budget and after that they made a motion to not recommend it. The Budget Committee cannot remove it or kill it but this Board took that action effectively.

Selectman Routsis said the only reason I can assume that they weren't here the night that we discussed it is because it came up in your Selectmen's remarks. It wasn't something on our agenda. I don't know that they - I give most people the benefit of the doubt. I think had they known they would have been here. Obviously I completely understand. Had we had more information, we would have been able to make possibly a different judgement.

Selectman McGrath said possibly. They made the choice to leave the Budget meeting before the item was taken up. They didn't bother to find out the next day so that they could be here when we'd be talking about it to make a final decision on it. Therefore, I didn't have enough information to feel comfortable to forward that to the voters. That's my point. It falls on them. It doesn't fall on us. I'm not going to speak for anyone else. If I don't have the information, I'm not going to forward something to the voters just because they want it to be forwarded. I have to feel comfortable with my decision that I'm recommending something to the voters that I may or may not know anything about. That's not right. That's item number one.

Selectman McGrath said also you commented about the roadways in Hudson. They did an exception job as they always do. It was more apparent to me today. I drove into Boston. What a treacherous, miserable trip I had. I drove out of my driveway, the road was clear, it was bare pavement. I got to Tyngsboro and it was nothing but ice and snow. That was just the beginning of my journey. Route 3 was backed up. It was like a parking lot. They didn't plow the full width of the roadways on Route 3. I got down to 128 and that wasn't much better and then into Brookline which was even worse. It just illustrated to me how very fortunate we are to have the crew that we have. They do an exceptional job and they may knock a few mailboxes down which would irritate me too but they really do a good job. That's all that I have.

Selectman Morin - I have nothing.

Selectman Coutu - I want to go back to the Library. I can remember we weren't too keen on them buying 3D printer. Now they have 3. Of course one was donated. We don't the value. We don't know if they accepted it with the proper procedure. If they have a piece of equipment that's worth more than \$500 - would they have to come before the Board to get approval? Steve Malizia said presumably they would have to go before the Trustees to get approval. They don't come to this Board. Chairman Coutu asked do you know that they went before the Trustees and asked for approval to accept that gift of over \$500? Would you say a 3D printer is over \$500? Selectman Routsis said yes but I do know that at the meetings that I have been at, they do accept donations and they have them written out in the front of them. They're pretty diligent even to the point of let's say Hannaford's donated three bags. Chairman Coutu asked do they vote on it that they're accepting the donation. Selectman Routsis said yes. Chairman Coutu noted I don't see them accepting any donations. Selectman Routsis indicated I have.

Selectman Martin asked if it had to be a public hearing. Mr. Malizia said no always. Chairman Coutu asked what constitutes a public hearing in excess of...Mr. Malizia said \$10,000 in cash or a check. Under \$10,000 they don't need a public hearing. They need to accept it at a public meeting but a public hearing is different. It's noticed differently. Chairman Coutu didn't think they accepted the new 3D printer which they stated they have a girl learning on how to run that thing all day long. I don't know how long. Is it a week? Two weeks for a new 3D printer. They've got somebody learning and that's her job is to learn it. Apparently they have a lot of people with a lot of time on their hands to do nothing more than play with a 3D printer all day. That upsets me as a taxpayer knowing that that's being done. Now they have 3 different sizes - tiny one for the children's room, a bigger one - they're always complaining about space but they keep putting this equipment in and they're continually revising the space to accommodate all these things. I think that's a disservice in the Library. I get frustrated with the Library.

Selectman Routsis said I will check and see if I can find out if they accepted that printer and what they did. Chairman Coutu asked about the other two. One they bought and the other I don't know if any money was allowed to buy a second and a third. I don't know that either one of them were ever accepted the two and they're both over \$500. Selectman Routsis indicated I don't know what their specific purchasing policies are. Enough. We can talk about the party later.

Chairman Coutu said I agree with everything you said Selectman McGrath when it came to the Department of Public Works. The Fire Chief made it a point to express and I believe you were also a recipient. I think we all were recipients. He wanted personally to have it expressed that he was very pleased with the work. The Department of Public Works made it easy for them as a Fire Department. It's great to know. The first thing on my mind when I think about snowstorm is I have to get out and clear as much as I can regardless of where I live in the event that we need fire or police service. We want them to be able to access our property. The most important thing is having the road access to even get anywhere near the property. They did an outstanding job and without incident I believe this time. No trucks tipped over.

Steve Malizia indicated I spoke with the Public Works Director and he didn't indicate that there were any incidents.

Chairman Coutu told the person that I work for in Dracut, I said I knew the minute I left Hudson. I went up Dracut Road and when I got to Ting Road, I was out of Hudson immediately. I can imagine River Road to Frost Road the same thing. Once you get past the State lines, it's a mess. Even when the roads are clear, the roads in Tyngsboro are nothing but pot holes. It's horrible. The said the other day at some sort of a meeting they had with citizens that their worst problem in town was the conditions of their roads year round. They're looking for State funding. Good luck to them for that.

Chairman Coutu wanted to make people aware that tomorrow Wednesday, January 23rd, is the first day that you can file your papers if you want to run for I believe there's 2 seats on the Board of Selectmen, 3 on the Budget Committee - there could be 4 on the Budget Committee. It doesn't matter the more the merrier that run. They need to do something. There's 3 seats up for School Board. I apologize to members of the School Board who are very, very sensitive about me saying "School Committee" instead of "School Board". The School Board there are 3 seats open. You've read in the local paper how anxious they are to make sure that a lot of people run because maybe we should be replaced. I encourage people that if you want to serve your government that you should file your papers regardless of what position it is. I applaud you for taking the time, the effort, and the energy to put together a campaign and to run for public office. I'm up for re-election and so is Selectman Routsis. Neither of us have filed papers yet. God knows what's going to happen. If I were to run and I were to lose, I served 10 years. I'm very pleased with it. I'll congratulate whoever gets elected and move on with my life. It won't end, it will begin there. It will be a new life. Selectman Routsis I'm sure you're going to make your decision in the next 10 days as will I. It's from tomorrow until 5 p.m. on February 1st. You should have filed your papers if you're interested in running for office in the Town Clerk's Office. I encourage anybody who wants to run for public office to please do so.

10. NONPUBLIC SESSION

Motion by Selectman McGrath, seconded by Selectman Routsis, to enter nonpublic session pursuant to RSA 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph, carried 5-0 by roll call.

Chairman Coutu entered Nonpublic Session at 8:45 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Chairman Coutu entered open session at 8:54 p.m.

11. ADJOURNMENT

Motion to adjourn at 8:54 p.m. by Selectman Routsis, seconded by Selectman McGrath, carried 5-0.

Recorded by HCTV and transcribed by Donna Graham, Executive Assistant.

Roger E. Coutu, Chairman

David S. Morin, Vice-Chairman

Marilyn E. McGrath, Selectman

Angela Routsis, Selectman

Normand G. Martin, Selectman



TOWN OF HUDSON

Board of Selectmen



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6024 • Fax: 603-598-6481

HUDSON, NH BOARD OF SELECTMEN

January 22, 2019

Attorney-Client Session, pursuant to RSA 91-A:2 I
(not open to the public)

6:30 p.m.

Regular meeting will begin immediately after Attorney-Client Session

BOS Meeting Room at Town Hall

Agenda

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ATTENDANCE
4. PUBLIC INPUT
5. RECOGNITIONS, NOMINATIONS & APPOINTMENTS - None
6. CONSENT ITEMS
 - A. Assessing Items
 - 1) Veteran Tax Credits - Map 252, Lot 056 - 12 Anna Louise Drive; Map 190, Lot 095 - 3 Riverview Street; Map 190, Lot 095, w/recommendation to grant
 - 2) Solar Exemption - Map 129, Lot 058 - 10 St. Laurent Drive, w/recommendation to grant
 - 3) 2019 Supplemental Tax Bill - Map 190, Lot 094 - 5 Riverview Street, w/recommendation to approve
 - B. Water/Sewer Items
 - 1) Water Abatement - W-UTL-19-01 21 Adelaide Street, w/recommendation to abate
 - C. Licenses & Permits
 - 1) Outdoor Gathering Permit - Ice Fishing Tournament - Kiwanis Club of Hudson, Inc.
 - 2) Request to Solicit Funds - Girl Scouts Community 219

D. Donations - None

E. Acceptance of Minutes

- 1) Minutes of the January 8, 2019 Meeting

F. Calendar

01/23 7:00 Planning Bd - Buxton CD Meeting Room - CANCELLED
01/24 3:00 Trustees of Trust Fund - Buxton CD Meeting Room - CANCELLED
01/24 7:00 Zoning Bd of Adjustment - Buxton CD Meeting Room
01/28 7:00 Sustainability Cte - Buxton CD Meeting Room
02/02 9:00AM Deliberative Session - Town - Community Center
02/07 6:30 Recreation Cte - BOS Meeting Room
02/07 7:00 Benson Park Cte - HCTV
02/09 9:00AM Deliberative Session - School - Community Center

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on January 8, 2019

- 1) Motion by Selectman Morin, seconded by Selectman McGrath, to hire Christine Strout-Lizotte for the Assistant Town Clerk/Tax Collector position at a starting rate of \$16.14 per hour, Step 1, in accordance with the Town of Hudson Support Staff Union AFSCME Local 1801 Union Contract, carried 5-0.
- 2) Motion by Selectman Morin, seconded by Selectman Routsis, to hire Jacquie Lemay and Madalyn Persons-Cutting for the "Regular Shift Employee" HCTV Camera Operator positions at a starting rate of \$11.00 per hour, carried 5-0.
- 3) Motion by Selectman McGrath, seconded by Selectman Routsis, to hire Lorrie Weissgarber for the position of Administrative Aide in the Board of Selectmen/Town Administrator's office at Step 1, \$17.02 per hour, in accordance with the Town of Hudson Support Staff AFSCME Local 1801 Union Contract, carried 5-0.
- 4) Motion by Selectman McGrath, seconded by Selectman Martin, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the Class Action Overtime Pay, carried 5-0.
- 5) Motion by Selectman Routsis, seconded by Selectman Morin, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the member who was bypassed for a promotion to the position of Parks Foreman, carried 5-0.
- 6) Motion by Selectman Morin, seconded by Selectman Routsis, to deny the Step 2 Grievance filed by the Hudson Public Works Union, AFSCME Local 1801 for the Class Action Parks Foreman Promotion process, carried 5-0.
- 7) Motion to adjourn at 9:35 p.m. by Selectman Martin, seconded by Selectman Morin, carried 5-0.

8. NEW BUSINESS

- A. Petition for Release and Discharge from the Public Servitude of Never Constructed Portion of Muldoon Street
- B. Sale of Surplus Vehicles
- C. Sale of Town Property - 316 Elmwood Drive
- D. Discussion Relative to Personal Injury Policy
- E. Fiscal Year 2020 Town Warrant and Warrant Article Speaker Designation
- F. Designation of a Selectman to Post the Town Warrant

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

10. NONPUBLIC SESSION

RSA 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.

THE SELECTMEN MAY ALSO GO INTO NON-PUBLIC SESSION FOR ANY OTHER SUBJECT MATTER PERMITTED PURSUANT TO RSA 91-A:3 (II).

11. ADJOURNMENT

Dubowik, Brooke

From: rogerec <rogerec@comcast.net>
Sent: Friday, February 12, 2021 3:59 PM
To: Groth, Brian; Coutu, Roger
Cc: Dubowik, Brooke; Malizia, Steve
Subject: RE: Right to Know request

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

Planner Groth:

Please be advised that I have no emails from my personal email address that **relate to the Hillwood development proposal.**

Selectman Roger Coutu

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: "Groth, Brian" <bgroth@hudsonnh.gov>
Date: 2/12/21 3:29 PM (GMT-05:00)
To: "Coutu, Roger" <rcoutu@hudsonnh.gov>
Cc: "Dubowik, Brooke" <bdubowik@hudsonnh.gov>, "Malizia, Steve" <smalizia@hudsonnh.gov>
Subject: Right to Know request

Selectman Coutu,

Please see attached Right To Know request from Chris Thatcher on behalf of SaveHudon.org, specifically page 2 of 3. Mr. Thatcher is requesting any communications related to the Hillwood proposal from your personal email address: rogerec@comcast.net

Note that any communications you have had with me (bgroth@hudsonnh.gov) are already part of the record. If you do not have any emails pursuant to the request, please respond accordingly. Please respond with "Reply All" to this email so it reaches both the Planning Department and the Town Administrator.

Thank you and let me know if you have any questions.

Brian

Brian Groth, AICP

Town Planner

Town of Hudson, NH

12 School Street

Hudson, NH 03051

Phone: (603) 886-6008

Fax: (603) 594-1142

bgroth@hudsonnh.gov

From: rogerec <rogerec@comcast.net>
Sent: Tuesday, February 11, 2020 9:09 PM
To: Bergeron, Michael; Coutu, Roger; Malizia, Steve
Subject: RE: State of NH--Michael Bergeron

Categories: Yellow Category

I can go. Are you not going Brian?
Roger

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: "Bergeron, Michael"
Date: 2/11/20 8:09 AM (GMT-05:00)
To: rcoutu@hudsonnh.gov, smalizia@hudsonnh.gov
Subject: State of NH--Michael Bergeron

February 11, 2020

Roger and Steve; I want to let you know that I have organized a meeting with Governor Sununu and Hillwood Investments relative to the confidential golf course project.

There will be no technical consultants or attorneys attending--only the company representatives, owner representative, and commissioners of DOT and DES. It will be a high level review of the project for the Governor and Commissioners.

Sorry to have you draw straws, but let me know which one of you can attend on behalf on Hudson.

It will be on February 19 at 3:00pm at the State House.

Let me know.

Thanks

mb

Michael Bergeron

Senior Business Development Manager

Division of Economic Development

Department of Business and Economic Affairs

State of New Hampshire

(O) 603-271-0658

(M) 603-419-9163

nheconomy.com // Twitter: nheconomy



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Dubowik, Brooke

From: Christopher Thatcher <clthatch@gmail.com>
Sent: Monday, March 22, 2021 2:49 PM
To: ~BoS; Planning; Brett Gagnon; McGrath, Marilyn; Roy, Kara
Subject: Conflict of Interest
Attachments: bos-m2019-01-22.pdf; bos-a2019-01-22.pdf; RE Right to Know request Roger Coutu Response.msg; RE State of NH--Michael Bergeron.pdf

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

Dear Select Board Members & Members of the Planning Board,

I submit the following arguments regarding a conflict of interest regarding Select Board members Coutu.

My argument is as follows:

1. Coutu was invited on his personal email address to a meeting with the Gov. and Hillwood in what is said to be a confidential meeting about the HLC. (Reference attachment RE State of NH -- Michael Bergeron).
 1. The tenor of the email suggests that this was not the first time Coutu or the town was made aware of this potential development. If this is the case then where are the records? We have nothing in the RTK that suggests earlier conversations back to that timeframe of even to 2019.
 1. What we do have are bits and pieces:
 - Mr. Scott Wade of 1 Fairway Drive was told something is coming in January of 2019 (Reference attachments bos-m2019-01-22.pdf & bos-a2019-01-22.pdf). Mr. Wade noted to me that:
"On January 22, 2019, my lawyer and I appeared before the BOS. I was trying to have the piece of land between me and 2 Eagle Drive (the Muldoon extension) turned over to us. That way no road could be extended into the golf course. Had we done this some years prior, it would've been done. But the BOS changed the laws and they had to approve it. We withdrew because of what was being said during that meeting. Attached are the minutes of the meeting. Look at the bottom of page 5, it mentions something might be coming to the GM."
 - I also reference a January 14, 2019 Conservation Commission Meeting in which Mr. Morin notes that the Hudson Blvd/Circumferential Highway is a no go, unless they can find a private entity or "concern" to fund it. Morin and the Commission further state that the town planner is investigating private funds, and that they could be looking into a third party. (Section to view:
1hr:12minutes: <http://www.hudsonctv.com/CablecastPublicSite/show/8146?channel=1>).
 2. The meeting occurred PRIOR to the submission for the application to the town.

3. This meeting appears to be separate from the meeting which Morin attended, even if it is NOT there is nothing corroborating that it was the same meeting. Further, Morin signed into a public meeting with Hillwood and the Gov. utilizing a private email address.
4. This email from the Gov. office does not appear in the Gov. RTK files.
5. Coutu is on record stating that he has no emails related to Hillwood or the development in his personal emails, contrary to evidence. (Reference attachment RE Right to Know request Roger Coutu Response).
6. Attending a meeting to discuss the project prior to submission like this reeks of a conflict of interest, especially since he sits on the planning board. What was said at this meeting? What was the purpose, clearly it was something important because they clearly state that no attorney's would be at the meeting.
7. Coutu is an outspoken advocate of the Circumferential Highway. There is no question about this.
8. Tie this meeting and Morin's meeting and the other records we have in the RTK, it is clear that the town was working with the Gov. Office and Hillwood to obtain funding for the Highway.
9. If Coutu has a conflict of interest on the Planning Board it is also fair to argue that his vote on the BOS regarding the sewer decision was also tainted/biased, which would then make the argument that the vote should be thrown out.

I respectfully request that the BOS and the planning board stay meetings until this and Mr. Ulery's conflicts of interest may be addressed and/or to have the entire application thrown out.

Sincerely, Chris Thatcher

Dubowik, Brooke

From: george may <outlook_713E3975D8E52763@outlook.com>
Sent: Monday, March 22, 2021 12:26 PM
To: Planning
Subject: Green Meadow

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The town of Hudson should ask the developer of this property to provide a full boat access as part of their development. The town is losing a quality recreational resource with the loss of the golf course. It should provide a compensation for this loss. The Merrimack is a resource that is going to grow in the future and this is an opportunity for Hudson. If the developer were asked, they would probably comply – they did put an access in for the fire department.

It should be expanded somewhat like the new, heavily used Greeley Park access across the river. The Lower Merrimack River LAC asked for this, but it's up to Hudson to ask for it if it's going to happen.

George May, President
Souhegan Watershed Association

Dubowik, Brooke

From: Jeanne French <calmit83@gmail.com>
Sent: Tuesday, March 23, 2021 8:03 PM
To: Planning
Subject: Amazon plant

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I moved to Hudson 29 years ago. It's wonderful town. Raised my family here. We have enough industrial locations. The proposed Amazon warehouse plant will reduce the quality, I love this town. I strongly disagree that such a thing would be needed here and beg the town not to approve it.

Regards
Jeanne French

Dubowik, Brooke

From: Larry Tipton <larry_judy.tipton@comcast.net>
Sent: Tuesday, March 23, 2021 11:13 AM
To: Planning
Subject: Martins Appointment to the Planning Board

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I would like to know how someone goes from the BOS to the Planning Board without being an alternate or anything like that? How exactly does that work? Do the members go from one group to the other just you want to? Do you people think that we are all stupid? We are citizens of Hudson and we deserve better. I hope someone will answer my email instead of hitting the delete button like the other emails that I have sent to the board.

Larry Tipton
603-459-3307
17 Par Lane

Dubowik, Brooke

From: fgurrisi_145 <fgurrisi_145@comcast.net>
Sent: Wednesday, March 24, 2021 10:30 AM
To: Planning
Subject: Hudson Logistics Center

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I will be unable to attend tonight's planning board meeting. But I wanted to express my support for this project it's something that Hudson and all of Southern New Hampshire needs plenty of jobs for young people help with our taxes and a great way to get our infrastructure in shape. Amazon has been considered an essential employer at this time providing goods for so many Americans. What a great company to have in our town. Also Amazon is committed to Green energy using their own power source without tapping into our grid. . Seems like a win-win situation to me hope the planning board makes the right decision for our community and approves Hudson Logistics
Frank Gurrisi. 3 shoal creek rd

Sent from my T-Mobile 4G LTE Device

not go down in value when the Golf Course is torn up and a 2.5 Million Square Foot Industrial Warehouse facility is built. First, I am using common sense to know that this cannot be accurate. Secondly, I have spoken to real estate agents in Hudson and a City Assessor who reinforced my thoughts and did let me know that this is not true.

I would also like to ask for your help to fix this poorly designed Berm/Sound Wall. When the State Of New Hampshire Highway Department designs and builds a sound wall they work with the impacted receptors when they are designing it to ensure it will satisfy their needs. Do you know who these impacted receptors are, I do... its all of the neighbors that surround this massive development. It is not only Fairway Drive and Eagle Drive that will be impacted Muldoon Street, River Road, Steele Road, Rene Ave and Rita Ave. The sound will also be travelling along the river and impacting our neighbors across the River and also up and down the river which the sound study never took into consideration when they did the study.

I am still bothered that the development told you that this berm/sound wall is reasonable for the project. I am going to tell you something that you already know but I want to state this for public record, the developer Hillwood, does not determine what is reasonable, that is not in their power. You as a Planning Board determines what is reasonable and hopefully you are doing this with feedback from the impacted receptors, the neighbors who will be living with this Massive Industrial Development.

I am telling you that this berm/sound wall is not reasonable. It is not reasonable for the residents to see these buildings from their second-floor bedrooms and offices. The Sound wall should have been designed first to block all views and sounds, the road should have been designed next to eliminate any wetlands impacts and then the developer can use what's left to design the massive industrial buildings. What I have seen throughout this process is the largest buildings that could fit in the uplands area (as was stated at the NHDES Wetlands Hearing) were designed and then multiple designs were worked on to try fit a berm\sound wall and roads into the remaining space, which from my point of view were not successful with both the berm\sound wall and the roads. I am not an engineer but I think my way is taught in engineering 101!

Please take action on what I have asked of you.

- 1- Do not vote on anything until this sewer allocation issue is corrected
- 2- Get an independent Real Estate Property evaluation and have it peer reviewed, we all know that a house next to a golf course is worth more than a house next to a massive industrial complex
- 3- Require that the developer work with the neighbors to ensure that any berm\sound wall that is designed will be reasonable for the neighbors and not the developer
- 4- Fix this sound study to include sounds that will be travelling along the water. Look at the plans, the generators are river facing with little obstructions. How did the sound engineer not include this in his study?

Thank you...

Good Evening board members, my name is John Dubuc and I live with my family at 11 Eagle Drive for the last 19 years

I want to speak about a few items tonight, I thank you for the opportunity to speak and am asking for your help in the items that I about to address.

I spoke last night about the sewer vote that incorrectly gave this development sewer access. The Board of Selectmen are readdressing this wrong and until they fix this you should not take any votes on this project. Doing so would be wrong knowing that the Board of Selectmen are reviewing something that will impact this project design. The golfers are enjoying this beautiful Golf Course while we are in this meeting and there is no rush on your end or the Town of Hudson's end to speed anything through until all items have been resolved.

I am asking for your help with the Property Value study that was performed by Mr. Wesley Reeks.

The first property impact study had many problems with it when reviewed by Russell Thibeault.

On August 6, 2020 Russell Thibeault from Applied Economic Research provided a peer review on the Trimont Real Estate Analysis and Mr. Thibeault starts by stating "The impact of a proposed facility on abutting properties is site-specific. I find this analysis to be overly generic."

Mr. Thibeault then goes on to state:

- There is little analysis of the selected comparable sites and how they compare to the Hudson setting
- The Logistics developer is proposing berms and sound barriers to mitigate the impact of the facility on some of the abutting residential properties. There is no indication if such measures were warranted or undertaken in the comparable settings or whether such measures are adequate or necessary to mitigate the potential negative impact on abutting properties in Hudson.
- The study also references a second analysis prepared by Jonathon Wiley, PhD in 2015, apparently addressing residential price trends in response to commercial development in the Atlanta region. One of the Wiley excerpts quoted in the Trimont analysis notes:
"Sites targeted for new industrial development exist in neighborhoods where values are relatively lower and already experiencing a downward trend in advance of the project completion."
Such a characteristic and trend are not evident in the Hudson Logistics neighborhood. In fact, quite to the contrary, neighborhood residential values are not "relatively lower" and they have been rising.
- The abutting and neighborhood properties in Hudson are facing a pronounced land use change, from an innocuous open space amenity use (golf course), to what is arguably the largest single approval nonresidential development proposal in the State's history. There are site-specific aspects and impacts that are not addressed in this analysis.

My concern and question for you is that we paid for a peer review for the impact on property values. Why have we not provided a second peer review on the updated information. This new report by Mr. Wesley Reeks makes statements that property situated next to a Golf Course will

I'm Mu-Jane Monk. I live on 13 Fairway Dr.

Hillwood in their report stated that they have complied with all legal requirements for building the Hudson Logistic Center. I would like to bring out a few points that show the contrary.

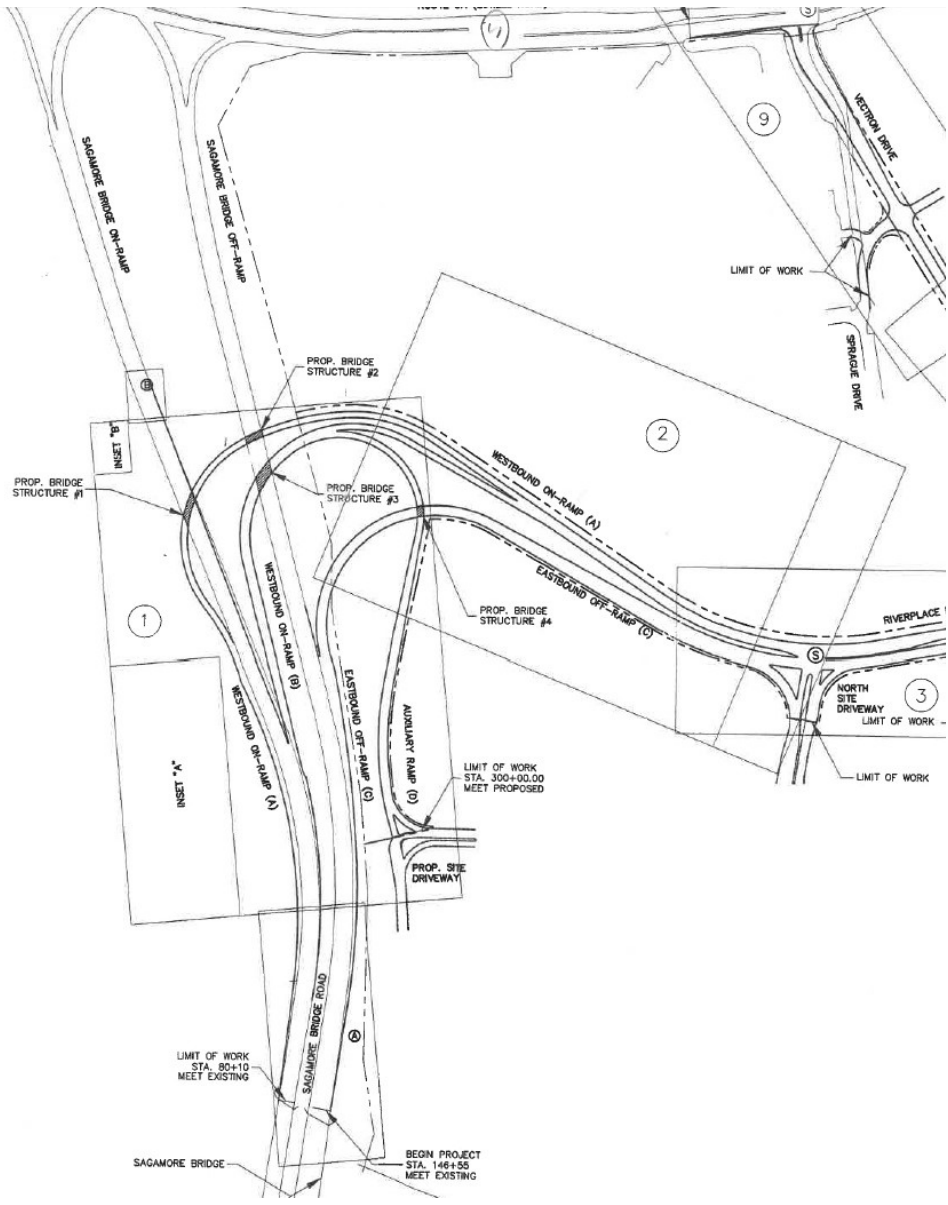
First, I'll talk about property values. Hudson's land use regulation 275-6(A) states that adequate provisions need to be made to ensure that there's no significant diminution in value of the surrounding properties. Mr. Reeks concludes in his study that this requirement is met because there's an increase in sale values of similar sites and in Green Meadow Subdivision. However, first, are these similar sites comparable to Green Meadow Golf Course? No, said the peer review consultant. None of these sites were a golf course before and they were not nearly as big as the HLC. Second, when sale's values of houses are higher everywhere, just to have an increase gives little information. What matters is how much it increases. As in the email I sent in before, while 23 Fairway Dr was sold at a relatively high price, it was about 20% less per square foot comparing to another house in Hudson on a much smaller lot. 20% is quite significant. Would it be worse once construction begins? Not to mention, we know at least one sale in our neighborhood fell through in the past year because the potential buyer was too concerned about the logistic center. In Hillwood's memo on March 3rd, it states that Mr. Reek's updated study was not peer reviewed and that there's not credible evidence contrary to Mr. Reeks' conclusion in the record. We just showed that there is evidence to show the contrary and if it's not in Hillwood's record, that's because they chose not to include it. Additionally, if the report is not peer reviewed, it's not credible, especially after the peer review consultant wrote "the case studies in this analysis are not sufficiently comparable to the Logistics Hudson proposal and its relationship to abutting residential units".

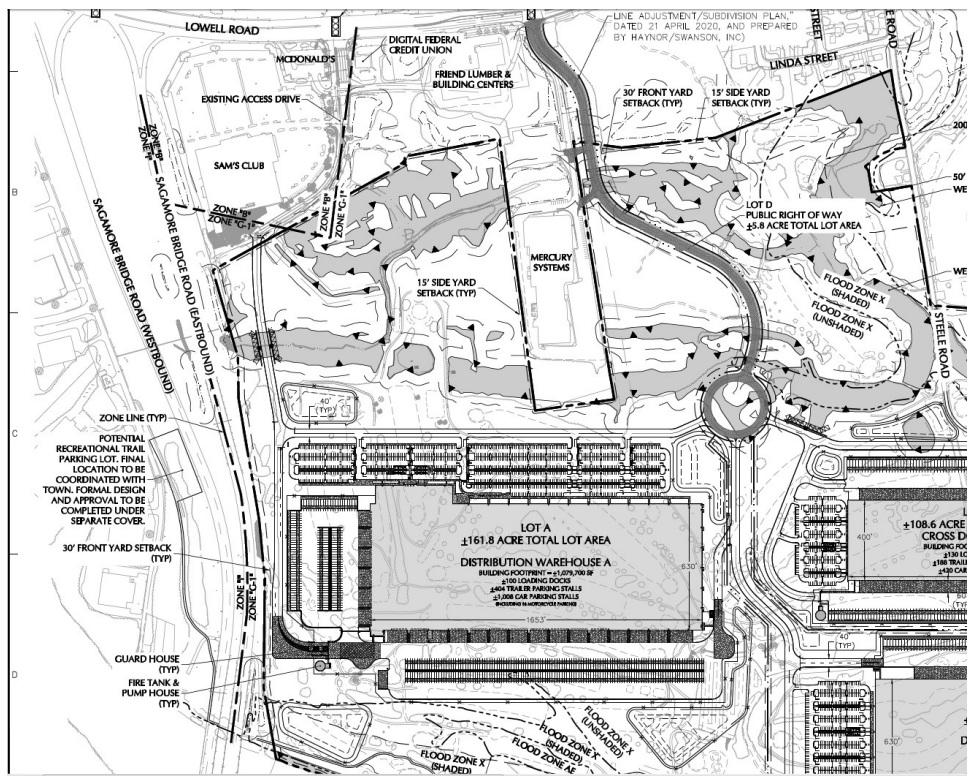
Now I'll talk about traffic. Hillwood states that it doesn't make sense for a distribution center to design roadway that would result in delay for shipment. Unfortunately, there have been many instances of towns complaining about Amazon fulfillment centers causing too much traffic congestion, one of which is Milford, MA. Even in the traffic study Hillwood provides, the traffic at the intersection of Rena Ave and Lowell Rd is much worse with the logistic center and its mitigation built. The peer review states that the applicant needs to provide clarity on if demand increases, would that increase the vehicle-trip estimate. Although Hillwood did provide a simple trip generation for peak seasons in September 2020, they never submitted a fully analyzed traffic study for the 60% seasonal increase or the maximum accordion the logistics center will eventually utilize. The number on slide 17 presented on Mar 10, 2021 for seasonal increase does not match the one on page 31 of their traffic study in September 2020. Moreover, the peer review consultant posted more questions about truck traffic estimation and "trap lanes" minimization that we still have no answer to. (Quote: "Additionally, the number of vehicle-trips including truck trips are anticipated to be distributed relatively evenly (with the exception of the commuter peak hours) throughout the 24 hour period. Does the user have control as to when trucks enter and exit the site? And if future demand increases, would the number of truck trips increase and/or move into the peak commuter hours?")

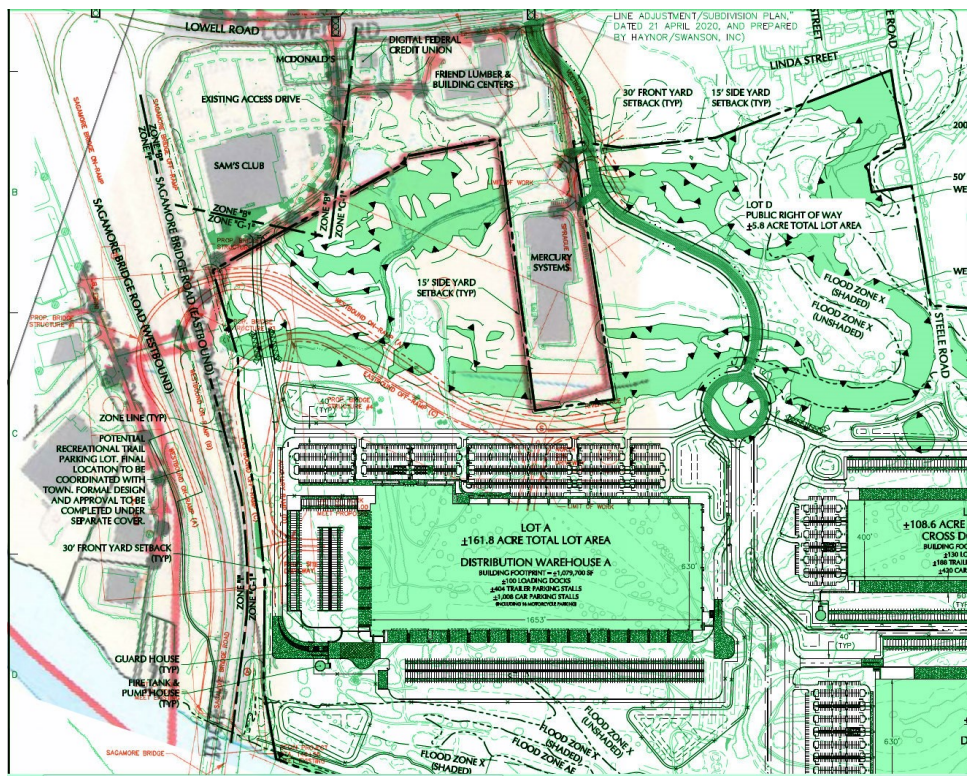
Now, I'll talk about noise. In the sound study, it states that the sound fence has to be made of steel or concrete with certain thickness to be effective, but in the February planning board meeting, Mr. Plante said that the sound fence will be made of wood. Then, does the reported result even apply?

With so many unanswered questions related to Hillwood's reports, it would be prudent that the planning board wait until all information is ready to vote on the application.

Lastly, Hudson's land use regulation 275-6(H) states that development is required to "eliminate undesirable and preventable elements of pollution... into the environment which might prove harmful to persons, structures or adjacent properties." What if after the Logistic Center is approved and built, Hillwood does not follow through with their mitigation promises, or the study reports have not accurately predicted the impact, and many of the abutting residents can't sleep at night because of the incessant and excessive noise and light pollution? Or the blasting Hillwood may have to perform but did not address in any of their report damages the foundation of the abutting houses? Is there any way to force Hillwood to remedy the situation and/or to cease to operate at all? If there's no enforcement, all the reports and reviews are meaningless.







Dubowik, Brooke

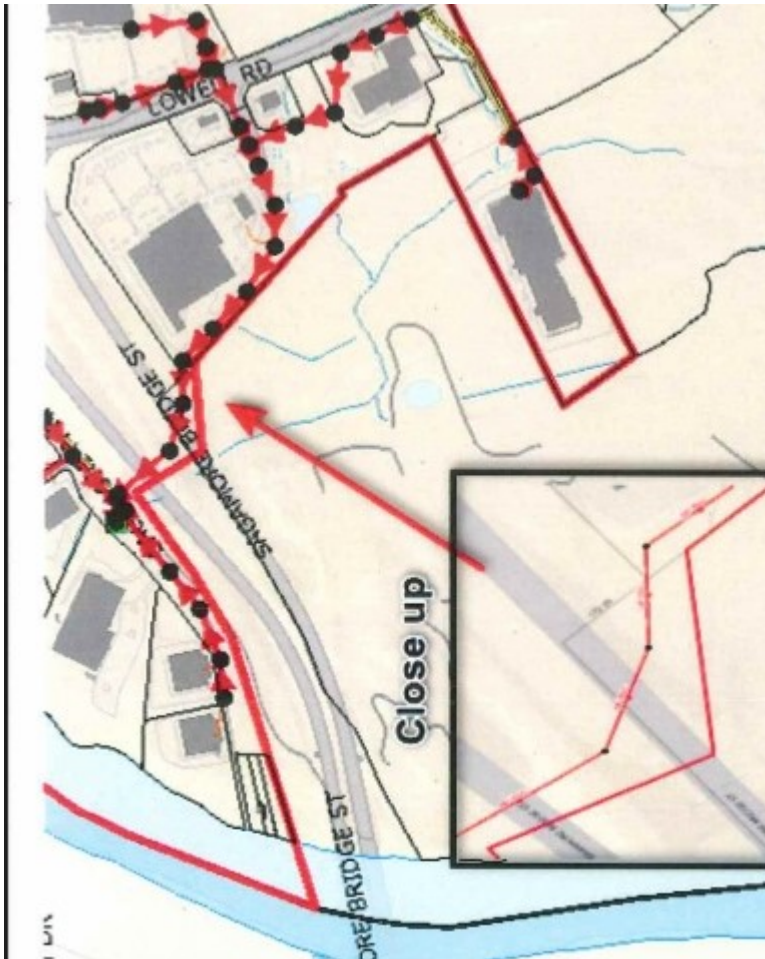
From: Rob C <rob613@gmail.com>
Sent: Wednesday, March 24, 2021 10:05 PM
To: Planning; Groth, Brian; Malley, Tim
Subject: Text of my public input
Attachments: NHDOT-RiverPlace-RTK20210202B.jpg; HLC-ForDOTOverlay.jpg; HLCOverlaySewer.jpg

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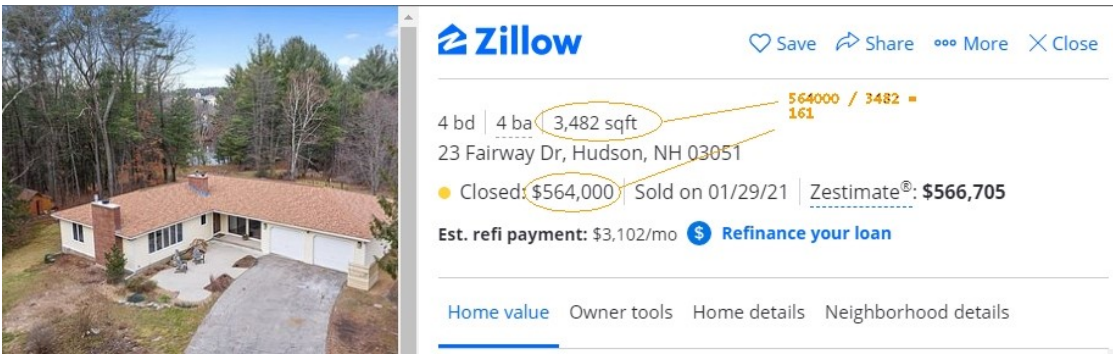
In case I was not clear enough for planning board members to hear and follow I offer this as an aid.

I got 1 sentence into point #3.

I hope that you will also read my point #4 and as a further visual aid, please consider the attached image which shows 3 maps overlaid as well as this subset of Mr. Leonard's image in his sewer allocation request:



I also wish to demonstrate by this marked-up Zillow image demonstrating another point that Hillwood through its real estate appraiser seems to have providing the boards with misleading information:



I would like to address 4 points.

1) I am concerned that Hillwood and their presenters have not been honest or accurate in their testimony before this Planning Board. I echo the concerns that their representation that they want to be good neighbors and communicate with abutters, and not only direct abutters, is shown suspect in truthfulness or reliability, given, as already noted, that they have a predilection to delete comments on social media, refuse to answer questions asked in social media or through these board meetings.

My own experiences attending the meetings I'll first note that what I understood from the very first meeting was that their warehouse must be of infinite size because the presenter described only items coming in, and never getting transported out, by his explanation of total truck traffic. Please when you review things before making any opinion on this plan put particular care

But the stronger point is Line of Sight, over the sound wall over the foundation of the berm we heard so much about.

At the initial presentation it was declared, and stated to me, that there would be no line of sight visibility of the warehouse buildings.

In response to my further input the Civil Engineer seems to have admitted that there IS line of sight, but it is a long distance away from my 2nd floor bedroom windows across a 50 foot street from a direct abutter.

Please pay particular attention to any point where Hillwood has attempted to mislead you or the public about anything in their plans and presentations.

And please look at the near total silence of no replies with actual answers, not just from Hillwood, but from the Hudson boards to written inquiries.

Please also recall that Hillwood violated town noise ordinances when conducting some initial testing perhaps 1 year ago very very early on

weekend mornings. The disrespect of the Town and Town residents is not consistent with being a good neighbor, as they try to portray themselves.

2) Police and Fire preparedness, and closed to public inquiry. Not allowing public input was a terrible choice. Please diligently reach out to any towns with Amazon or Hillwood warehouses of any type let in and in particular find out if their respective Fire and Police chiefs also anticipated little to know impact, and find out how well that worked out for them and their towns or cities. Please allow Hudson taxpayers opportunity for input after Planning Board members and Police and Fire chiefs obtain information and testimony in a public meeting to confirm how the actual traffic and emergency services impacts ended up compared to what was anticipated or represented by the developer.

And recent newsworthy fire of a small repair garage in the middle of town also causes me to question whether we have the capability to handle any fire emergencies at any of these huge warehouse buildings, particularly if there is any failure of fire suppression equipment such as in a newsworthy big fire. We apparently needed active help by other towns for just a small repair garage.

3) Square footage of some of the proposed buildings seem to have changed. Since we have been told that the NH DOT has approved the Hillwood method of estimating truck trip generation by square footage (surprisingly not by warehouse volume, or something called inventory turnover) with the change in square footage, doesn't this require a more up to date traffic study?

There are several other concerns with the traffic studies. Note: Hillwood took early notice of real estate sales as it suited their property value impact presentations. Their own standard is that any real estate sale after Hillwood announced their interest in this proposed project must have taken into account that the project will go forward. They seem to think they know how board members will vote or decide. But it also seems that other projects that were well proposed and even approved, both in Hudson and Nashua, should have been more properly factored in to the Hillwood traffic studies.

And I'll just note that the sewer allocation also seems to be tied to square feet of warehouses.

Regardless I think that we need to know what is the true maximum capacity of these proposed warehouses, even after Hillwood might be long gone, at whatever might be peak times for them and their commercial neighbors, which might well be above 100% of warehouse capacity if they choose to use caravans, or portable trailers, or simply tractor trailers parked on their large number of parking spots for trucks, as supplemental warehouse storage volume.

Please consider this project and its impact only in terms of the worst case scenario.

There are other precedents for evaluating property by potential usage, and it is most important to do so now for this case.

4) I am very confused by the result of overlaying several map images. It appears to me that there is a lot more to the story with respect to sewer pipe routes, possible pavement routes, and the intentions of having an easement for sewer maintenance, that appears, by the visual result, to have been geared toward an overall plan consistent with the dedicated exit and entrance ramps with the prior projects.

It also is not even clear that the sewer line even crosses into the golf course property, and if so, into golf course property that was earmarked for a continuation of Walmart Blvd to be Sagamore Bridge ramps for exits of entrances.

If the only objection to a dedicated entrance and exit ramp is proximity to the intersection of Sagamore Bridge Road with Lowell Road, please give consideration to what would things be like if the Circumferential Highway "overpass" over Lowell Road were ever built. Would it make sense to have Walmart Blvd extend to the Sagamore Bridge at the locations identified in the prior plans.

If so, please view the whole project as if things would be that way, and in the process, recognize that the sewer pipe will be underneath Walmart Blvd pavement, that will not be on the current golf course property.

--Robert Chesler
Fairway Drive

Dubowik, Brooke

From: Brian Clardy <brianclardy@gmail.com>
Sent: Thursday, March 25, 2021 4:34 PM
To: Dhima, Elvis; ~BoS; Groth, Brian; Planning; robert.scott@des.nh.gov; victoria.sheehan@dot.nh.gov; info@hudsonlogisticscenter.com
Subject: Re: I Hope You'll Support the Hudson Logistics Center

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I see from the meeting packet and board meeting for the other night that once more the objectors have found a way to delay the process: the ever-repeating call to hear from the same handful of residents voicing their never-ending opposition to this project. Let me weigh in for, hopefully, the last time.

I can understand the opposition and the desire to prevent a decision from being made. As I've said, I totally sympathize with the neighbors, but I also hope you all remember there are 24,000+ people in this town. Each one of us stands to benefit from the infrastructure improvements and tax incentives on offer. Are there risks? Of course. There is nothing certain in this life except for death and taxes (and the constant, never-ending opposition of a handful of residents, most of them neighbors, to anything other than a golf course at the Green Meadow site).

Based upon the most recent actions of the direct abutters and their overpaid attorney, all they have left are emotional, desperation throws. It's obvious they've run out of footing on which to build constructive, productive objections. They've run out of ways to object beyond pointing out questionable, poorly researched conflicts of interest (and conveniently ignoring other blatantly obvious conflicts of interest which suit them), old-fashioned mud-slinging, elementary name-calling, hysterical theatrics, and emotionally pleas like, "These type [of] facilities do not belong here."

I urge you to not be distracted by a few vocal residents who are quickly turning obstinate and rude as they realize their list of procedural hurdles is dwindling. After watching recent meetings, I can tell you that now is the time to end this. If Hillwood has committed to a binding proposal that addresses the zoning requirements, then there's no good reason -- nor any legal one -- to prevent the logistics center development.

I want to close by apologizing on behalf of our fellow residents, and their elitist counsel. They made it abundantly clear the other night that they have nothing new whatsoever to add to the discussion and none of you deserve the abuse that this process continues to elicit.

Thank you for your patience through this whole messy process. I trust you'll do what you feel is best for the town, but I do hope you'll support this logistics center.

Best,
Brian Clardy
Barbara Lane

On Tue, Mar 9, 2021 at 12:10 PM Brian Clardy <brianclardy@gmail.com> wrote:

One more time I'd like to reiterate my support for the Hudson Logistics Center. I won't continue to belabor the points made in earlier emails (which I've included below) though I do want to elaborate on a couple things.

First, I know that there are a few members of the planning board and the select board who are opposed to this project, some since the very beginning but certainly others as they've listened to the proposals and have been moved by the opposition, some of whom raise valid concerns. But, I'd like note that there were ways to address the future development of the golf course several years ago after the casino was nixed. Even if nothing else was successful, residents could've taken a warrant article to the town creating new zoning types to prevent the golf course from ever becoming anything else. (Now, I'm guessing those would've failed, but effort could've been made and simply wasn't.) Now? If Hillwood shows that they are going to comply with the law, and do so within a legally binding document, then there's nothing that can be done that won't open the town up to lawsuits – from Hillwood or the Friels or both. (It won't help that the town has already lost a lawsuit of this nature in the past.)

Second, it should be obvious that the primary objection to the logistics center has everything to do with its location – which incidentally is in a commercial/industrial area directly across the river from another commercial/industrial area. I genuinely and sincerely feel bad for the people directly abutting the land, but the residents would object to *anything* that isn't maintaining the status quo. Anything. If you believe otherwise, consider this: what if the proposed logistics center site and the current workforce housing site were switched? Would the Green Meadow neighborhood object to housing? Of course they would! It might not be a warehouse, but they'd still object because it's more about the land and what's currently there. These same residents were silent when it came to the housing development that's now across from ASAP. Do you honestly believe they'd be making this same uproar if the logistics center were going there and the golf course was staying as-is? Where are the citizens groups being formed in outrage over responsible development in the warehouse district running parallel to Lowell Road?

If the town was never going to allow the Friels to sell their land, then the town should've bought the land. Private property owners should not be prohibited from selling their land, especially when they're not changing the zoning. Yes, Hillwood is asking for some exemptions to the current zoning ordinances, but most (though not all) are reasonable given the commercial/industrial zoning of the land they're interested in. Private property is private property. It's not the town's business to tell private land owners what they can and cannot do with their land so long as the use complies with the zoning.

Finally, the logistics center offers much-needed tax revenue to a citizenry that refuses to raise property taxes. Is it going to be some windfall? No. There were surely be unforeseen expenses that will impact the town, but I'm fairly confident the town still comes out ahead. If Hudson uses the tax revenue to improve infrastructure, the overall appeal of the town will increase property values. No one wants to move to a town where schools are poorly maintained nor will people move to a town where the police or fire departments are hampered due to lacking proper facilities or tools. Will some property values be impacted? Of course. No matter what any real estate analyst says, it's ridiculous to think that the property values in the Green Meadow neighborhood won't be negatively impacted. To suggest otherwise is just intellectually dishonest. Yet asking a developer for some kind of value guarantee is equally laughable. As more and more developments go up in town -- workforce housing, 55+ communities, speedway improvements, police departments, etc. -- are we going to be asking those developers to guarantee the property values of abutting landowners? Of course not. It's a ridiculous request, yet somehow people still are suggesting it when it comes to the logistics center.

Thanks for your dedication to this matter and the time that each of you has invested. It is a divisive issue and your decision, regardless of whether you're for or against it, will make some percentage of the town angry. I do hope you'll support it, though, as it seems the reward is worth whatever risk may come along with accepting such a huge investment from a private business.

Sincerely,

Brian Clardy
Barbara Lane

On Tue, Feb 23, 2021 at 9:12 PM Brian Clardy <brianclardy@gmail.com> wrote:

Good afternoon again. I want to circle back around on this letter I sent a few weeks back about the Hudson Logistics Center proposal. After watching the selectmen meeting on Tuesday, January 26 and reading through the public comments in the planning board packet for the meeting on Wednesday, January 27, I felt compelled to expound a bit.

Hudson has spent almost the entirety of the fifteen years I've lived here avoiding substantial investment in infrastructure because of the cost to the taxpayers and the impact to the bottom line of many household budgets.

I understand that. Like everyone else, I don't want to see my taxes go up. I accept that this is a pretty substantial reason for why Lowell Road has never had its issues addressed (beyond a light at Pelham Road which adds to the congestion or a mysterious blue light that doesn't seem to have any real purpose at all). I also understand that's why the renovations to Alvirne or the police department have failed and will likely continue to do so.

All of these things cost money and people don't want to pay for any of them.

The real issue is that every other proposed buyer for the golf course has seen objections from some part the town. If the planning board, the selectmen, and the objectors have no interest in allowing the property to be anything except a golf course, then the town should just buy it. It's too late for that now, though. The lot is, at present, properly zoned for what the buyers want to do with it. In the end, it's simply unfair to object because some people don't like how the property is zoned. There was a proactive way to address that months (or even years) ago. To come up with procedural hurdles now amounts to spot zoning in all but name only.

A vocal number of residents vehemently oppose this project. (This includes at least two members of the select board who do little to hide their bias against the project and never conceal their total disdain.) There are valid reasons to oppose it, but every one of them seems to essentially be a reflexive "it's-something-other-than-a-golf-course!" The objectors focus on an easy and visible issue: traffic. But all these objectors were pretty darned quiet when it came to approving the workforce housing, the expansion of the assisted living center on Hampshire Drive, the senior development on Oblate Drive, the development of Nottingham Square, the ongoing expansion of the Subaru dealership, and countless other improvements along the length of Lowell Road. In fact, as near as I can tell, the only place traffic has ever been sort of addressed was with the lowering of impact fees for Flagstone Crossing in exchange for a bit of land near the Sagamore Bridge onramp. I think we can agree that lowering a fee for a scrap of land really isn't any different than just buying it. (Ironically, Flagstone Crossing's traffic flow is horrendous and poorly designed.) At some point hopefully something will be done with the scrap of land we bought, but at least there's still that worthless blue light!

Anyway, along comes a developer interested in more than installing blue lights and trading for scraps of land. They've expressed a tangible willingness to actually, demonstrably fix the traffic on Lowell Road. Now my understanding is that their proposal, once approved, becomes a legal document. If so, can't the town hold them to it? As I said before, it's in their best interests to do keep traffic moving so their tenants' vehicles don't get stuck in traffic. Even better, they're willing to pay for these improvements (which means that taxpayers wouldn't have to foot the bill).

Also, for those continually bemoaning Amazon's poor track record of paying taxes and abusing towns, remember this is a private company who will be leasing the facility. Amazon will be a tenant. A smaller, private business owner is someone who can be more easily held accountable by the town.

In short? A big increase in tax revenue from one source (big, private company) means a decrease in taxes from other sources (mostly us, the citizens). This also enables other potential infrastructure improvements --

schools and police departments and the inevitable next fire station -- that increase property values.

In the end, if Hillwood's proposal covers noise abatement, traffic, pollution, and conserves green space at no cost to the town (and even potentially wrapped up in a legally binding document), then why on earth would the planning board, or the town at large, turn away Lowell Road improvements and increased tax dollars?

I strongly encourage the board to support this.

Thanks again for your time.

Brian Clardy
92 Barbara Lane

On Tue, Jan 12, 2021 at 11:43 AM Brian Clardy <brianclardy@gmail.com> wrote:

Good morning, all.

It seems every few days there's a new polarizing issue that divides a group of people. Over the last few months we've seen it in politics (and it's exhausting). It stands to reason that Hudson would fare no differently, but I ask you to seriously consider whether the Hudson Logistics Center is bad or whether it's being turned into a pariah by people who simply don't want it in their backyard.

I'll be blunt. I am frustrated with the SaveHudsonNH group. It seems they're less interested in what's good for the town than what's good for themselves. A good chunk of the group are those who simply don't want a distribution center right in their backyard. I get it. I totally sympathize with their plight, but let's not forget that no one forced them to move into neighborhoods that were along Route 3A near two massive commercial/industrial properties or directly adjacent to the Pheasant Lane Mall (albeit with the Merrimack River as an open-air, sound-carrying divider). Sure, Route 3 has been there for sixty-ish years, but it's not like Route 3A wasn't a bustling road with its own traffic problems as people got off and headed towards Pelham or Dracut.

These homeowners knew where they were moving, yet now they seek to hold the town hostage because they don't like their potential new neighbor. It's as if you or I attempted to sell our home and had to worry about what the neighbors thought if the next owner decided to paint it fluorescent pink. In this case, though, Hudson's fortunate: the new owner seeks to go above and beyond the codes to ensure the majority of their neighbors' concerns are satisfied while also bringing the town millions in tax dollars per year. That's pretty good.

Of course, the direct abutters (and their neighbors and friends) are only part of the SaveHudsonNH group. The rest seem to primarily object over traffic concerns. If one considers this objection even just briefly, it quickly becomes specious. This new land is slated to become a *logistics* center -- a site with the explicit purpose to expedite the movement of material from Point A to Point B. If they increase the traffic and do nothing about it, then this company only increases the time it takes to move goods from A to B. If they do that, then they're not very good at logistics. Given that they have centers across the country, that seems unlikely.

We all know Lowell Road is a mess. I've commuted it for years and it sucks and I doubt you'll find anyone in town who disagrees with that assessment. It should've been widened years ago. There should be multiple lanes to turn and get onto the Sagamore Bridge. There are dozens of things that could be done, but nothing ever happens except people griping about the traffic. Oh, and the light that was put in at Pelham Road that has only exacerbated the problems. There's nothing quite like sitting, stuck in front of PMA and waiting for

the light at Fox Hollow or Pelham Road to turn green just for the privilege of watching the drivers in front of you inch forward while demonstrating how badly they failed "merging" in driver's education.

Anyway, one of the things that this developer said a while back really stuck with me. They basically said that a car can move across half of Manhattan in rush hour faster than you can move up Lowell Road. Yes, I'm sure there's some exaggeration in that statement, but even if it's just half true they're still willing to spend the money to sync the lights and ensure traffic moves smoothly from Dracut Road to Ferry Street. How is that bad? There were far fewer objections raised against that new housing complex between Lowell Road and Executive Drive and they're farther from the highway than the proposed logistics center. Everyone wins: the town gets expedited traffic away from Sagamore by glomming onto the logistics center's primary goal of aiding the movement of material from A to B.

So many things have been tried with the golf course and every single one is shot down by various factions of the town. This proposal seems to be exactly what the majority of the town is looking for: a tax-paying corporate citizen who will invest in the property and the town while not contributing to an already over-stretched school system which an aging population has shown little-to-no interest in supporting.

From what I've heard from the past planning board meetings, including last night's, it seems the developer is fully vested in conserving as much of the property as possible while also increasing the tree cover beyond what's there for a golf course. I mean, they spent time patiently answering questions about landscaping and what happens if a two year warranty on a tree expires. They're invested, because I surely wouldn't have had the patience for that kind of question. Also amusing to me were the concerns raised about the tax impact of having the town maintain the conservation land. Seriously? Where were these objections to increased costs when Benson's was being revamped for the town? I would argue that whatever costs are incurred (if any) would be more than offset by the increased tax revenues.

So that leaves us with significantly increased tax dollars and few additional expenses? Isn't that exactly what makes this project a perfect partner for the town? I urge the board to support this and hope that they won't turn down millions in tax revenues that such a project could bring.

Thank you for your time, and please let me know if you'd like me to further elaborate on any of this. I am happy to have the conversation.

Kindly,
Brian Clardy
92 Barbara Lane
Hudson NH
603-880-3624

March 24, 2021

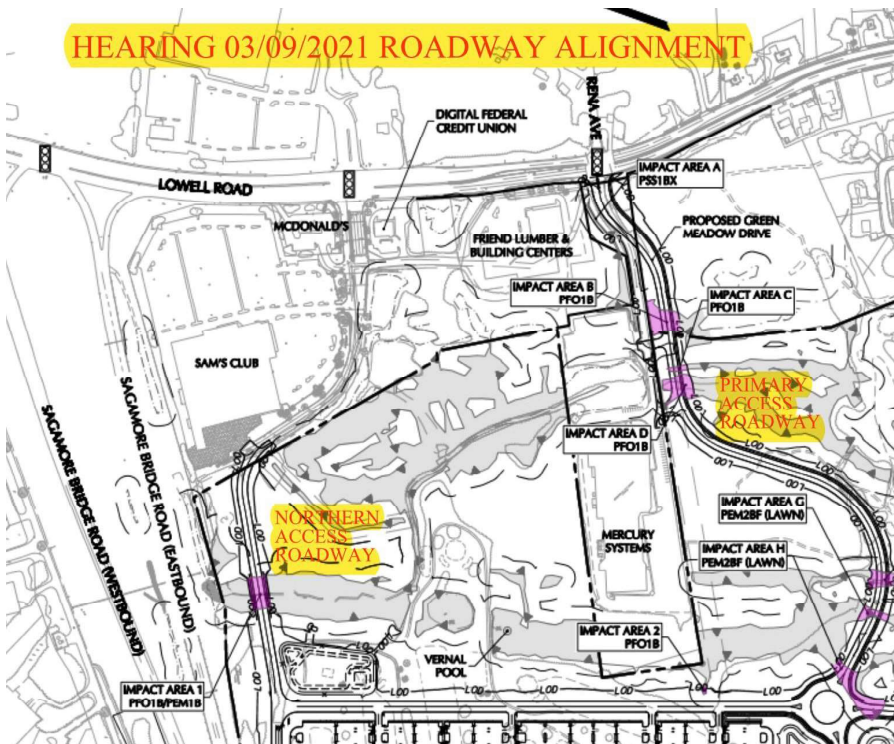
To: Planning Board (via handout at the 3/24/2021 meeting)

Re: The current HLC **Northern Secondary Access Roadway alignment** does not meet all Conditional Use Permit CU# 02-20 requirements

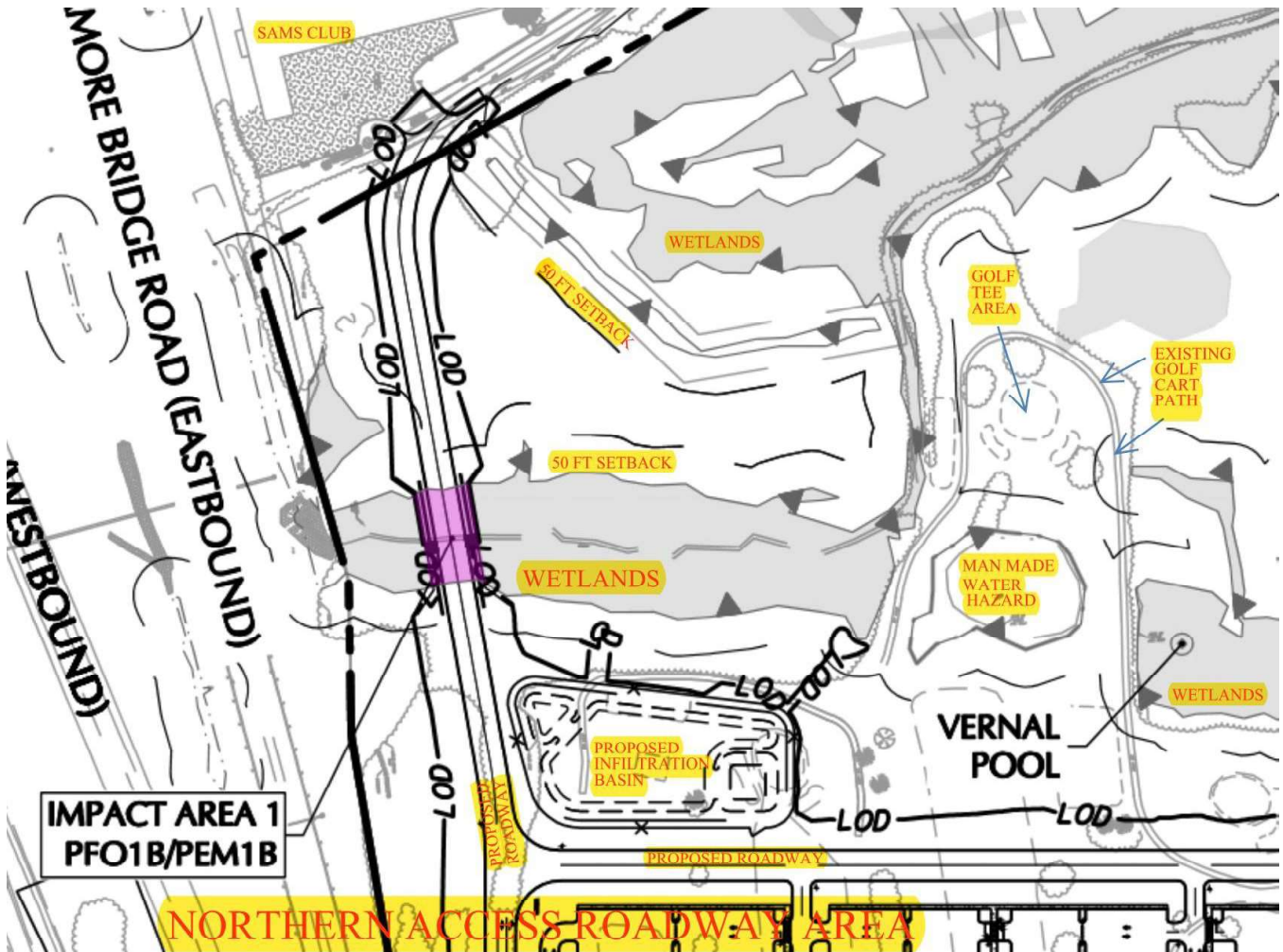
I have attended all the Conservation Commission and Planning Board meetings concerning the Conditional Use Permit CU# 02-20 for the Hudson Logistics Center project. The Green Meadow Golf Club Redevelopment has also been designated as a Major Impact Project by the NHDES Wetlands Board, file number 2020-00956.

In my January 29, 2021 letter to the Planning Board which was included in the February 10, 2021 Planning Board packet I explained how the Hudson Logistics Center private driveway **Primary Access Roadway alignment** did not meet Conditional Use Permit Requirements, HTC 334-36(C) (2), HTC 334-36(C) (4) regulations. The Planning Board should also be aware that it does not meet NHDES Wetlands Bureau regulations Env-Wt 311.07 (a) or Env-Wt 313.03 (b) (1) requirements for minimization of wetlands impacts. This was brought to the attention of the NHDES Wetlands Bureau in their March 9, 2021 Public Hearing.

After examining the currently proposed private driveway **Northern Secondary Access Roadway alignment** it becomes apparent that it also does not fully comply with wetland avoidance and minimization as required by HTC 334-36(C) (2), HTC 334-36(C) (4) and NHDES regulations Env-Wt 311.07 (a) or Env-Wt 313.03 (b) (1). See the following Snapshot taken from the Anticipated Wetland Disturbance plan submitted by the Applicant in Planning Board packet, Attachment C for the 2/10/2021 meeting the snapshot shows the current alignment of both the Primary Access Roadway and Northern Access Roadway alignments. I have added the **RED** annotation titles highlighted in **YELLOW** to the Anticipated Wetland Disturbance plan.

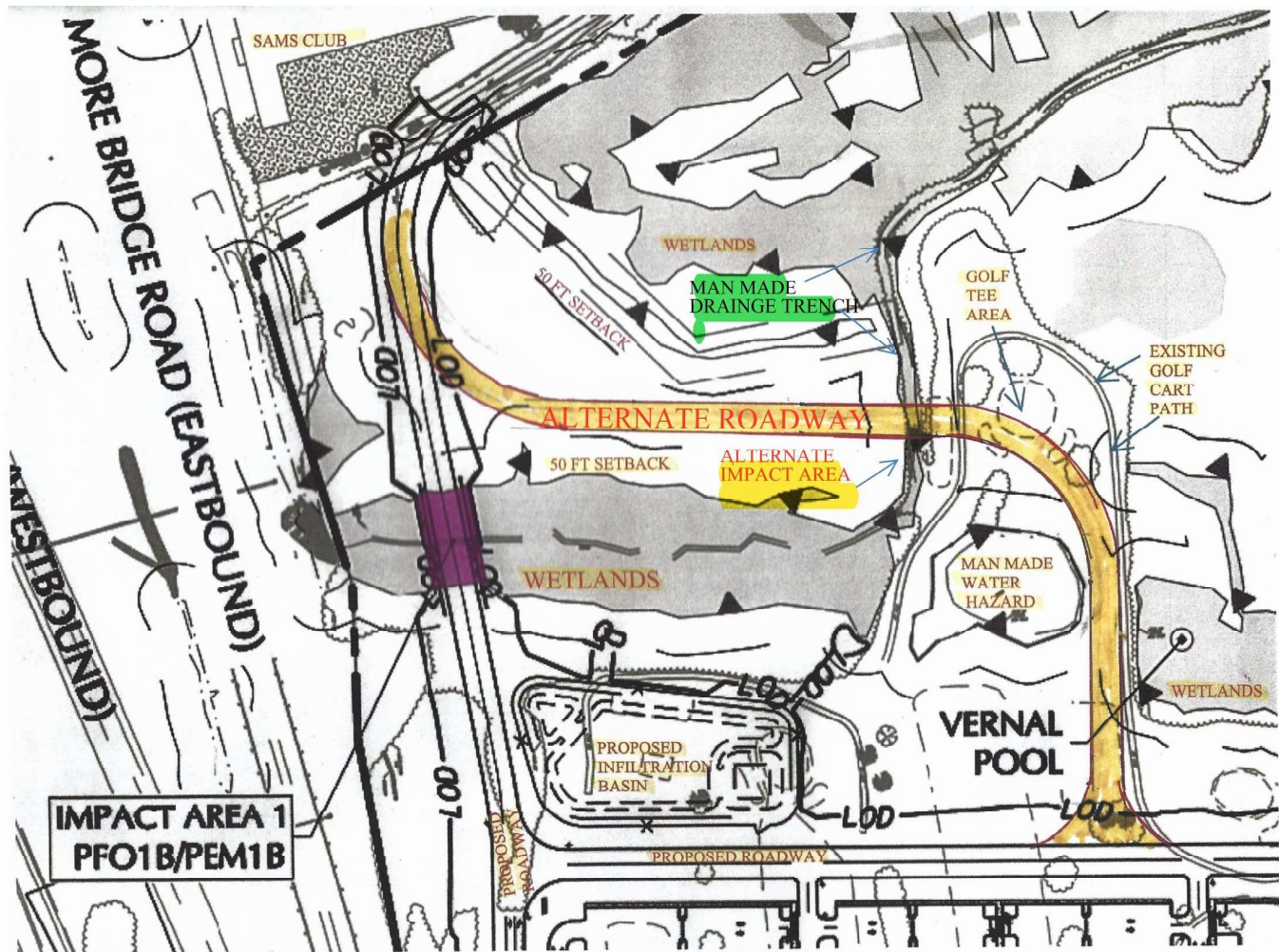


The next Snapshot I zoom in on the Applicants Northern Secondary Access Roadway alignment area that has been presented by the Applicant at previous Conservation Commission, Planning Board meetings and the NHDES Wetlands Bureau March 9, 2021 Public Hearing. I have added the RED annotation titles highlighted in YELLOW to the Anticipated Wetland Disturbance plan. Again it shows in larger detail how the Northern Secondary Access Roadway alignment does NOT fully comply with wetland avoidance and minimization as required by HTC 334-36(C) (2), HTC 334-36(C) (4) and NHDES regulations Env-Wt 311.07 (a) or Env-Wt 313.03 (b) (1).



On the next page is an ALTERNATE Northern Access Roadway alignment that can meet Hudson Conditional Use Permit requirements, Hudson Town Code and NHDES Wetlands Bureau regulations by avoiding excessive wetlands impact.

Below is an **ALTERNATE** Northern Access Roadway alignment that can meet Hudson Conditional Use Permit requirements, Hudson Town Code and NHDES Wetlands Bureau regulations by avoiding excessive wetlands impact. I have added the **RED** annotation titles highlighted in **YELLOW**.



Notice if the Northern Access Roadway alignment is reconfigured and routed primarily over exiting uplands with one small wetland crossing (**Manmade Drainage Trench**) it is now compliant with the true intent of Hudson Conditional Use Permit requirements, Hudson Town Code and NHDES Env-Wt 311.07 (a) and Env-Wt 313.03 (b) (1) for this project. The secondary private driveway route for traffic circulation is still maintained with minimal impact in wetland crossings.

ALTERNATE Northern Access Roadway notes

- The Alternate alignment crossing design has less impact on wetlands than what is currently being proposed by the Applicant for the Hudson Conditional Use Permit CU# 02-20 and NHDES Dredge and Fill Permit. The alternate wetlands impact crossing is an existing **Man made Drainage Trench** (see highlighting on the above image).
- The current Impact Area PFO1BPEM1B proposes an open bottom design crossing. This same design can be used at the **Man made Drainage Trench** "Alternate Impact Area" with even less disturbance to the wetlands.

- The Alternate alignment does not disrupt north to south wildlife migration any more than what exists on the golf course when taking into consideration the current golf tee and cart path arrangement.
- The Applicants wildlife technical expert at multiple Town meetings has maintained that the project will utilize light shielding and noise control measures to minimize impact on wildlife. The expert testimonies also stated that the wildlife would adapt to increases to light and noise pollution. Therefore implying it is not a major factor in alignment design considerations.
- The observed vernal pool area already functions adjacent to a designated well-traveled golf cart path. The Alternate Northern Roadway alignment is a secondary private driveway. The primary travel route is via the cul-de-sac intersection located near the center of the project. The Town of Hudson regulations do not have any additional setback requirements or accord a vernal pool special considerations in their wetland regulations. Remember the Applicant is only presenting their northern alignment as a secondary access route for mostly safety reasons. The main access / egress point for the project will be the private Green Meadow Drive alignment.
- An open bottom design crossing method could be added in upland area near the existing manmade water hazard to encourage amphibious migration to the north from the vernal pool wetlands area. This is currently suppressed by the golf cart paths and loss of protective cover growth from the operating fairway. The fairway area surrounding the proposed Alternate driveway alignment would be returned to wildlife habitat.
- The Alternate Northern Roadway alignment utilizes uplands outside wetlands buffer area as much as possible. Where the Alternate Northern Roadway alignment is in the wetlands buffer area it is on uplands that have already been highly disturbed by the existing golf course layout and operations.
- The Applicant has stated in multiple Conservation Committee and Planning Board meetings that a secondary Northern private driveway is necessary for safety reasons due to the large size of acreage in the project. The Alternate Northern Roadway alignment provides the necessary safety access.
- The Applicant is requesting a waiver from the Town of Hudson to allow two private driveways to the site. If the Applicant has to defend having a second access driveway to start with then full compliance with Conditional Use Permit requirements should not be waived by the Planning Board in any manner to minimize impacts to wetlands to the greatest extent possible.
- The Alternate access roadway alignment which is a private driveway will not be operating at highway speeds requiring significant sight distance lengths.
- Again the interior speeds are reduced plus there is ample upland area to incorporate any necessary vehicle turning radii.

Hudson Town Code Analysis of Alternate roadway alignment

- HTC 293 Driveways does not limit lengths of driveways and this design meets its requirements
- Additional impervious area and Green space. The Applicant has already calculated Green space to be over 60 percent in a 40 percent required area. The proposed Alternate driveway alignment will not violate Green space requirements. If impervious cover is a concern starting with reduction of 2.6 million square feet of building would be the better starting point.
- Wildlife migration. Use same design criteria as proposed Green Meadow driveway with cul-de-sac area.
- Vernal pool concerns. Town could require an open bottom corridor under driveway in currently highly disturbed upland area near existing manmade water hazard to encourage migration.
- Drainage - add an adjacent infiltration basin and stormwater drainage pipe.
 - Concern: lack of field investigation for infiltration design. NO Problem, Town Engineer approves adding note to Site Plans to not require field investigations until the construction phase.

- Concern: possible minimum pipe slope and velocity issues. NO Problem, Town Engineer approves adding note to Site Plans that this is a “private system” so these minimum standards can be waved.

I must say, if I was the lead design engineer on the Hudson Logistics Center project, I would: insist the Stormwater management system met required regulatory requirements for field testing of infiltration rates, SHWT separation and drainage conveyance standards before putting my professional engineering stamp on the plans. As an Applicant I would not request the Town of Hudson to lower their published regulatory standards used to review all projects so I could get this project approved. I should now qualify whom I am. I am a retired Professional Civil Engineer formerly licensed in NH and MA with over 25 years of experience in land use development regulations, site design and associated stormwater management system designs. It appears us retired professional engineers are in the minority for the higher design standards we would adhere to.

Site layout design minimizing impact to wetlands are achievable design issues if the Applicant had wanted to make a real effort to do so. Simply put how can the Applicant even suggest to the Town of Hudson and the NHDES Wetlands Bureau to overlook regulations for minimizing impact to wetlands for access road way when an easy to be designed VIABLE ALTERNATIVE IS AVAILABLE? See HTC 334-36 (C) (4). Why can the general public see this Alternate alignment and the Applicant cannot? It appears that unless they are out right forced to minimize like what is noted in my January 29, 2021 Conditional Use Permit roadway alignment Cul-de-Sac letter, they will not voluntarily comply with Minimization of Wetlands Impact requirements. Since the Applicant's final plans submitted for the March 10, 2021 Planning Board meeting and March 9, 2021 NHDES Public Hearing do not incorporate the ALTERNATE Northern Access Roadway alignment to minimize wetland impact area, the Condition Use Permit should be denied by the Planning Board.

Respectfully submitted

James Crowley
4 Fairway Drive
Hudson, NH 03051

Dubowik, Brooke

From: Linda Zarzatian <zarzatian@gmail.com>
Sent: Thursday, March 25, 2021 2:13 PM
To: Groth, Brian; ~BoS; Planning
Subject: Hillwood

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

I have a few comments to make regarding last night's planning board meeting. Of course, we all do appreciate the ability to speak at these meetings regarding our lives and our community.

However, to limit a residents time to speak to only three minutes is so troubling. Last night we had ten, ten, and more residents willing to give up their most precious time, to view their opinions, to Mr Crowley, who we believe has so much knowledge regarding many of the important issues facing all of us, with regards to this proposed project.

That being said, regarding the town's policies on public input, be it that it is limited to only three minutes per person, is absurd. If I am not mistaken it seems I read that it would be up to the board to allow extension of said three minutes to the public, if they so choose.

It was crystal clear that at least ten more residents wished to voice their opinions. Due to the fact that we all felt what Mr Crowley had to present was imperative, those ten residents willingly gave up their precious time. I think this is proof positive that the town's residents lost their opportunity. I can not believe that you, as a board for the residents, did not make any extenuating consideration to waive the three minute time limit. The fact that many residents that were present and many that were on the phone were cut short and unable to finish their statements is unacceptable. Hillwood can talk and present their proposal over and over and over again. They have endless time for presentation.

We have been completely respectable to all residents, board members, and Hillwood and all their team. Never have any residents raised their voice, become angry or insulting to anyone present or on the phone. All you have received from us is continued thankfulness and respect. We expect the same in return. We do not need Mr Coutu to tell us, "this is not going to go on for the next three years." Well it will go on till all the accurate facts have been disclosed and all the needs of all the board members have been met.

Also I would like to mention one more thing. Mr Coutu, at a meeting the other night, when Mr. Martin was looking to be appointed to the ZBA, spoke at great length to Mr. Martin. In that conversation he mentioned the fact that Mr. Martin called town residents, at a previous meeting, "the peanut gallery" He explained to Mr. Martin that everyone makes mistakes. He stated to Mr. Martin that he even makes mistakes and when he does he apologizes for said mistakes he made. He suggested to Mr. Martin that he believed he should apologize to the public for his mistake he made in calling them the "peanut gallery." Mr Martin very strongly said he would Not apologize at all, etc. etc. With this all being said, Mr. Coutu still voted to appoint Mr. Martin to the ZBA. That said a lot, you can behave inappropriately, deny any wrongdoing, contrary to most people's interpretation, not even apologize, and still be recommended to sit on a board and represent the residents of this town. Mr Coutu I am so disappointed in that vote of yours. That makes me wonder what Hillwood can do inappropriately, untruthfully, and still continue to build said proposed project. It is of most concern to me now.

Mr Coutu, you keep repeating yourself, telling the public that you do not know how you are going to vote. Why do you feel the need to tell everyone that? Of course, you should not know how to vote until the true facts are disclosed, the figures for all the traffic studies, noise studies, pollution studies and safety studies are completed with accurate figures, not the figures Hillwood continually tries to convince you of. Simple common sense, the figures do not project the truth.

Most past practices do not apply with this proposed project. This is a project beyond compare, we all know that. This Amazon facility will be one of global recognition. I truly believe that, because of this, we must make exceptions to allow full disclosure from all involved and all wishing to be involved.

I sincerely hope that all of you board members are thankful that such educated and knowledgeable residents have done beyond their due diligence to try and help you make the best decision for the entire town and the entire region. Every single email and every single resident that has spoken to all of you time and time again have been so well informed, done all kinds of research to back their findings and willingly are trying to help you to make a safe and good decision regarding this proposed project. My husband and I agree 100% with each and every resident who is opposed to this facility. We are so very thankful to every resident..

I, respectfully, request that you, as a board of residents of Hudson, please make an exception and invite at least the ten people, who gave up their time, to return and let their voices be heard. How would you like it if you were, as you state, in the audience, and were unable to have your thoughts be heard? How would you like it if you, as a resident, had to make a decision as to which is more helpful, for the good of all residents, and let the most knowledgeable resident make their presentation? I find that completely unacceptable.

How much time and harm would it have been to allow them to speak? Really, You all need all the help you can get and every single person there was there for that purpose. All the people working together for the betterment of the town and its residents.

You know, Mr Coutu's raised voice and angry demeanor was completely disheartening to me and my husband. Granted he was upset. If any, I repeat, any of our residents ever, ever spoke in such an angry tone and raised voice I can assure you it would not have been allowed. Yet, everyone just sat there and had to be subjected to, as he said, and I quote " very well prepared response" when it certainly was not warranted or deserved.

Can you imagine if every time Hillwood spoke their inaccurate calculations to all, we responded in a loud and angry way? Not one person was allowed to respond to their figures based on 40% usage or some facility 1/2 it's size. Everyone had to just sit there, unable to respond. It has never been and board members and Hillwood stated at more than one meeting, "this is not a question and answer meeting? Why not? Hillwood and all it's team is allowed just about whatever they want, yet our hands are tied to a certain extent. The extent to which they are tied is not conducive to our motto "Live free or Die"

After All this is American. After all this is New Hampshire "Live free or Die."

All we are trying to do is just that, Live free from hazardous air pollution, hazardous noise pollution, hazardous traffic conditions, Hazardous safety issues that will arise, such as fire, crime, drugs, robberies, trash everywhere and trucks and cars parked all along our roads, and much more.

You know, many towns, in many states, don't even allow McDonalds in their towns. They want their towns to remain free from the negative impacts such businesses bring. Not Hudson, anyone can move here, Walmart, Sams, Burger King, McDonalds, Car dealerships, Many gas stations, many muffler businesses, enough is enough. The town has had much of it's small town qualities removed already.. This monstrosity will be the last nail in our coffin and the town as we know it will be DEAD!!!

The project is not for the betterment of Hudson. It is not well suited for the property and is not for the safety and wellbeing of its residents. I am not stating the exact words of the bylaws of the town, but you know what I am talking about. It can not be approved simply for those reasons if not for the hundreds of other reasons.

I trust you want Hudson to remain a safe haven for all it's residents. Please do every single thing necessary to enable us to continue to be safe, as we now are. There are so many residents who are only an email or phone call away for any help and assistance in this matter. Please let us help. You do not have to do it alone. We are all willing to help.

Sleepless in Hudson

Dubowik, Brooke

From: ajmartino@gmail.com
Sent: Friday, March 26, 2021 6:25 PM
To: Planning
Subject: project Green Meadow

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

As one long time resident of Hudson I feel that the opportunity to develop the property that benefits all of Hudson. The current plans in place is a win win for Hudson. Who knows how many new families would move to Hudson.

Anthony Martino
ajmartino@gmail.com
603-404-3652

Dubowik, Brooke

From: Avetis Ioannisyman <avetis.ioannisyman@gmail.com>
Sent: Friday, March 26, 2021 9:46 PM
To: Planning; Groth, Brian; ~BoS; Dhima, Elvis; info@hudsonlogisticscenter.com
Subject: Fwd: Update from Wednesday's meeting

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

Good Day -

I'm a Hudson resident living at 26 Senter Farm.

Initially I was against the Amazon project - but having listened to both sides - the benefits (STEM and schools in particular) outweigh the risks.

I support this project.

Thank you
--Avetis

----- Forwarded message -----

From: Andy Leach <andysleach@gmail.com>
Date: Fri, Mar 26, 2021 at 4:23 PM
Subject: Update from Wednesday's meeting
To: Andy Leach <andysleach@gmail.com>

This past Wednesday's Planning Board meeting dedicated to public input was interesting to say the least.

Through it all, the members of the Planning Board conducted themselves in a professional and respectful manner and certainly deserve appreciation for all they do on behalf of the town.

An important takeaway from the meeting I wanted to share is the town is still accepting written comments until next Wednesday, March 31st (cut off for submissions is noon).

This will be the last opportunity for residents to share their support for this project before a decision is made. Please consider taking a moment to send a quick email of support to the town before they close all public input, your voice is critical in this process.

You can make your email short and sweet or as detailed as you like, the important thing is that they hear from you! To make sure your voice is heard, please send your email to the following addresses:

planning@hudsonnh.gov

bgroth@hudsonnh.gov

bos@hudsonnh.gov

edhima@hudsonnh.gov

info@hudsonlogisticscenter.com

There are many reasons to support this project and everyone has their own reason for doing so, but want to take a moment to recap some of the benefits of this project to make sure they haven't been lost through this process:

- \$5.1 Million in new, annual tax revenue to the town
- Thousands of good paying, local jobs with excellent employee benefits
 - This will generate over \$1.5 Million in weekly wages
- \$9.7 Million in additional town investments, which include:
 - \$2 Million one-time fee to the town
 - \$3 Million dedicated to the Hudson STEM Program (Science, Technology, Engineering, and Math education in Hudson schools)
 - \$1.5 Million for recreation & riverfront projects
 - \$1 Million for public safety
 - \$1.4 Million for a platform truck for the Hudson Fire Department
 - Over \$800,000 in other community investments
- Finally addressing the traffic issue on Lowell Road
- Environmental protections on the property, which include:
 - Creating a 250 foot wide protective buffer along the Merrimack River
 - Installing a state-of-the-art storm water management system
 - Preserving 2/3 of the location as greenspace
 - Creating a large naturally landscaped berm between the site and the existing neighborhood complete with trees, shrubbery, and other natural buffers.
 - Night-Sky compliant lighting and sound absorbing materials to minimize any visual or sound emanating from the site

I would like to add, as a Hudson native myself, I appreciate the concerns that have been raised about this project. The ability to express those concerns and ask questions is an important part of this process and in the end help to make the final product better for everyone.

I can honestly say Hillwood is listening and committed to being a good neighbor and making this project work for everyone for years to come.

From addressing traffic and environmental concerns to creating a wider and larger naturally landscaped buffer between the site and the abutting neighborhood, Hillwood has shown flexibility and a desire to work with the town to address the issues that have been raised.

At some point the golf course will eventually be sold and I believe this is a once in a lifetime opportunity for the town to develop this land while preserving greenspace (2/3 of the site) and bring in maximum tax dollars with minimal impact on town services.

I know you probably didn't expect to get so many emails from me when you shared your email address and I hope I've not been a burden to your inbox. As we enter the final stage of this process, I want to thank you for all your help and support!

As always feel free to reach out with any questions or concerns you may have.

Thank you!

Andy

Dubowik, Brooke

From: David Andrew Baur <david.baur@gmail.com>
Sent: Friday, March 26, 2021 4:37 PM
To: Planning
Subject: Hudson Logistics Center

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

As a Hudson, NH resident, I support the plans for the Hudson Logistics Center. The annual tax revenue and finally addressing the traffic issue on Lowell Road will be a benefit to all.

Thank you.

--

David Andrew Baur
37 Moose Hill Rd, Hudson, NH 03051

Dubowik, Brooke

From: Susan Kell <susan@kellswood.com>
Sent: Friday, March 26, 2021 7:19 PM
To: Planning
Subject: As you deliberate on the HLC

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

To the members of the Planning Board of Hudson NH:

I urge you to DENY the application to develop the golf course property into a logistics center.

A facility of this type and enormous size requires dedicated access to and from an interstate highway, and should only be built in non-residential and already industrialized areas. Allowing the HLC to be built will permanently destroy the character of Hudson and the surrounding areas. The traffic in the region is already bad, and the increase in vehicles entering and exiting the proposed HLC will make it intolerable; the described “mitigation” measures are inadequate to offset the impact. Paving and building on such a large area cannot help but negatively affect the wetlands; road dirt, salt, exhaust particulates, de-icing chemicals and storm run-off will flow into the Merrimack. Indigenous birds and animals will be displaced. Noise levels will be unacceptably high.

I am not a resident of Hudson NH, but several times each month I visit friends whose homes are in the neighborhood adjacent to the proposed site. I have been following the progress of this application since it was announced last May. I know that the quiet, wooded, attractive properties my friends currently enjoy will be forever destroyed if this project is approved. Their quality of life will be diminished, and their property values will decline – it’s a no-brainer that a home with a golf course view is more desirable than one which looks out on a giant berm or acoustic buffer wall! When the neighborhood was originally developed, the links were a major draw – even the streets are named with golfing terms. I realize the owners of the golf course want to sell their valuable property, but surely there are other ways to develop it which would not be so harmful to the environment and character of the town?

It concerns me that Hillwood’s plans, as presented, have frequently been contradictory and incomplete, and have changed over time. Reports from their hired experts have been based on best-case situations and estimates, rather than on likely values – let alone peak usage loads. The benefits to the town promised by the developers are not likely to cover the costs of ongoing support of such an enormous facility. And the promised jobs are not ones of interest to town residents, so will draw commuting employees from other towns in the region. It is my opinion that Hillwood has not provided answers to everything you should know before you can make an informed decision about their application – and if they can’t do so, then you must deny their application.

I respectfully ask you to say “NO” to Hillwood.

Sincerely,
Susan Kell
of Natick MA and Sunapee NH

Dubowik, Brooke

From: William Murphy <murphyofhudson@gmail.com>
Sent: Friday, March 26, 2021 6:16 PM
To: Planning
Subject: Logistic Center

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

Town town of Hudson needs to have the logistics center. It is a rare opportunity to pump millions of dollars into the town.

The fact that 50 people Can block the needs of 30,000 is ridiculous.

Bill Murphy
murphyofhudson@gmail.com

Dubowik, Brooke

From: bobpinsnh@gmail.com
Sent: Saturday, March 27, 2021 1:23 PM
To: Planning; Groth, Brian; ~BoS; Dhima, Elvis; info@hudsonlogisticscenter.com
Cc: deb.cossette@gmail.com; bob@rpouliot.com
Subject: Lowell Road Logistics Center

Importance: High

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

Dear Hudson planning board members,

I am writing to you today to voice and express categorically my positive support for the proposed Logistics Center project on Lowell Road.

As a local business owner, homeowner, and taxpayer in the town of Hudson, I view this as a unique and fortuitous opportunity for numerous long-term benefits to this community not the least of which would be tax base expansion, creation of employment opportunities, educational funding contributions, road and traffic improvements and overall economic stimulation for our town and all our residence.

I implore you to consider the aforementioned and other obvious benefits of this opportunity, as these would apply to the entire population of Hudson, when weighing your decision to approve this project.

As a fiscal conservative and independent rational thinker, I believe we should be students of history and learn from the mistakes of others, hence I would hate to see the planning board make a decision for our town with results similar to that of the recent Brooklyn vs Amazon debacle as cognitive dissonance will not be an acceptable or valid rationale.

Thank you for taking the time to read my email.

Respectfully,

Bob Pouliot
413 Elk Run Rd
Hudson, NH 03051

Dubowik, Brooke

From: joe gagliardi <joeg4m@gmail.com>
Sent: Saturday, March 27, 2021 10:16 AM
To: Planning
Subject: Hillwood project

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

I SUPPORT HILLWOOD PROJECT WHICH WILL PROVIDE MUCH NEEDED INCOME TO THE TOWN.

Joe Gagliardi, Hudson



Virus-free. www.avast.com

Dubowik, Brooke

From: Michael Ruby <mrrubymichael@gmail.com>
Sent: Saturday, March 27, 2021 9:30 PM
To: Planning; Groth, Brian; ~BoS; Dobens, James; Scott Wade; Mike Ruby
Subject: Hudson Logistics Center

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

Planning Board,

Thank you for the opportunity to speak Wednesday evening and for one last opportunity to add input on this proposal before you make this momentous decision. Hopefully by now you can see that the SaveHudsonNH group is not the enemy, but rather a group of concerned citizens who, like you, only want what is best for our town. You heard many thoughtful comments Wednesday and you can see that the opposition to this project comes from North Hudson as well as South Hudson and from neighboring communities as well. I would like to address several topics in this letter and I will try to be as concise as possible on each topic.

PROPERTY VALUES - I see no way that property values do not drop as a result of this project. 99 realtors out of 100 will tell you that abutting a golf course will increase property values over abutting a gigantic logistics center. The study done by Hillwood has to be flawed because there is nothing in the entire country, much less the state, that is comparable to this situation. I would be surprised if anyone could find an industrial project of this magnitude abutting a residential neighborhood like ours anywhere in the U.S.

EFFECTS ON CLIMATE CHANGE - As a retired Biology teacher I can tell you that climate change is real. One of the major contributors to climate change is covering up large areas of green space with buildings and parking lots. First, the sunlight that used to be absorbed by the plants will now be converted to heat and reflected back into the atmosphere by the building roofs and the asphalt and that heat will be absorbed by the carbon dioxide in the air. Second, there will be more carbon dioxide in the air due to the destruction of the plants in the area. Not only do trees undergo photosynthesis to convert carbon dioxide to oxygen, but grass plants do as well. In fact most of the photosynthesis that occurs on the earth is done in grasses. At this point in time it should be a crime to destroy green spaces. If Amazon truly cared about the environment as much as they profess, they would be looking for buildings that are already in existence and currently vacant to repurpose for use as logistic centers.

BUILDING C - Hillwood claims that building C is the lynchpin to the entire project yet they claim that they have no idea who will be the tenant or what it will be used for. That sounds very suspicious to me. If it is as important as they claim, they know who will be the occupants. Why are they keeping the public in the dark?

JOBS - How long will the jobs they create last? Amazon has let it be known that they wish to be fully automated as soon as possible. Those jobs will be gone. **How good are the jobs?** Amazon workers all over the country are trying to form unions so that they can improve pay and working safety conditions and Amazon is fighting them every step of the way. **Where will the workers come from?** Most workers will come from out of town, probably out of state. If people leave local jobs to work at the HLC those out of town (or out of state) workers will not come here to replace them. As a result, the HLC will be cannibalizing local businesses for workers and that will damage many local businesses.

TRAFFIC - Do we really believe that the number of tractor trailers and box trucks going in and out of this facility 24 hours a day/365 days a year is not going to affect the traffic patterns in South Hudson? Do we really

believe that the buildings will only be used at 40% capacity (except in occasional holiday periods} forever? How will the usage of Building C affect the traffic? There have been no traffic studies that take Building C into account because (supposedly) they don't know how Building C will be used. Do we not realize that adding extra lanes to the roads adjacent to the project will just cause greater problems later on "down the road" {no pun intended) when those extra lanes no longer exist? Do we really think that the EPA will suddenly approve the Circumferential Highway after rejecting it years ago?

TAX REVENUE - What will be Hudson's share of the tax revenue every year after the state and the county get their shares? How long before the taxes go down as the buildings are depreciated by the Hillwood accountants?

ENVIRONMENTAL POLLUTION - **Air pollution** will increase with the number of diesel powered trucks coming in and out of the area and the green plants that will have to be destroyed in order to build the project. The box trucks owned by Amazon may be electric soon, but it will be a long time before the tractor trailer trucks coming in and out are converted to electric. Remember that the projected usage of tractor trailers to box trucks is 5 to 1. **Water pollution** will increase as diesel particulates and rubber particulates from the tires of the trucks wash off the parking lot and into the Merrimack River. **Noise pollution** will increase as HVAC units are running 24/7/365 and diesel trucks are coming in and out 24/7/365. Does anyone really believe that a berm and a wall will contain the sound? **Wetlands** will be destroyed, Hillwood has already admitted that. The question is - How much of them will be destroyed and will there be enough left to do the job they are needed for? The **water table** will be affected by the replacement of green space with buildings and parking lots. Water that used to be absorbed by the green space to replenish the water table will now run directly into the river.

These questions and concerns are very important to me and to my neighbors and I hope that they are important to the Planning Board as well. I feel that they are just too numerous and there are way too many unknowns for this development to be allowed to go through. I haven't mentioned the CHARACTER of the town because you have to realize that a project of this magnitude at the southern entrance to our town will alter the character of Hudson forever.

Thank you for your time. I know that this is difficult for you and I know that you want the same thing that I want - the best Hudson that we can have.

Please include this letter in the packet for the April 7th Planning Board meeting.

Sincerely,

Michael Ruby
7 Eagle Dr.
Hudson, NH 03051

Dubowik, Brooke

From: Paul & Leslie Paquette <paul-les@comcast.net>
Sent: Saturday, March 27, 2021 7:43 AM
To: Planning
Subject: Hillwood Project

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

To whom it may concern

I along with my wife live in Hudson off Lowell Rd in Mission Pointe. Having lived in Hudson and pay our taxes for 15 years we support the development of the Green Meadow Golf Project. We feel this is the best way to utilize this land rather than develop it for housing. The benefits out way the alternatives.

Regards

Paul & Leslie Paquette
3 Coventry Ct
Hudson, NH 03951

Sent from Paul's iPhone

Dubowik, Brooke

From: Terrence Martin <termart461@aol.com>
Sent: Saturday, March 27, 2021 9:31 AM
To: Planning
Subject: Logistics Center

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

Ladies and Gentlemen,

I will make this short and sweet. It's about time for the Town Of Hudson to put itself on the map as a community that fends for itself. I arrived in our fair community in 1984, bought a house and settled in with my family to enjoy living in NH. Every year since we arrived, the taxes have been steadily climbing and the quality of life has been faltering. I believe we need that Logistics Center and it's location would be perfect for easy access to our major highway system. As Hudson has grown, the south end of town has seen fewer and fewer residential neighborhoods and more industry base buildup.

I would hate to think that the individuals who are against its establishment would be willing to put our community on the same level that Rep AOC did for New York and have us lose the opportunity to step smartly into the future.

Thank you

Terrence N. Martin
15A Lenny Lane
Hudson, NH 03051

Dubowik, Brooke

From: Gardiner, Joe <joe.gardiner@hpe.com>
Sent: Sunday, March 28, 2021 5:54 PM
To: Planning
Subject: Hudson Logistic Center proposal at Green Meadow - something to consider

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

I would like the Hudson Planning Board to consider something that I have not heard raised yet. It has to do with tax revenues.

I have watched all the replays of the Planning Board meetings on the Hudson Logistic Center proposal. There seems to be consensus that a large number of the people who would work at the Logistic Center would come from Mass. (given the close proximity to Hudson and the very low unemployment rate in NH). Since those employees would live in Mass. that means they would have to pay Mass. income taxes on their wages. In addition, they would have to pay property taxes to their Mass. city/town of residence if they are the property owner. If they are not the property owner of their residence, then the property owner would need to pay property taxes to the Mass. city/town. So Hudson and the state of NH would not gain any incremental tax revenue from these employees. The incremental tax revenue would all go to Mass. (income tax to the State of Mass. and property taxes to the Mass. city/town). Nice deal for Mass.

Let's say there are 500 employees who would reside in Mass. and their average yearly income was \$50K from working at the Hudson Logistic Center. That would translate into $500 \times \$50,000/\text{year} \times 5\% \text{ income tax rate} = \1.25M per year of income tax revenue for Mass.

For property taxes, I am going to estimate \$5,000/year per residence. $500 \times \$5,000 = \$2,500,000$ per year of property taxes collected outside of Hudson & NH.

So the tax revenues add up pretty nicely for Mass. But nothing for Hudson or NH.

I think the Hudson Planning Board needs to keep this in mind when weighing the benefits of Hudson Logistics Center. Who will really benefit (besides the Friel family, the developer and Amazon)? It is the state of Mass. and the cities/towns in Mass. where these employees call home.

A logistic center built in another part of NH (further away from the Mass.) would likely mean more of the employees would be NH residents. That would shift the benefit away from Mass. and more towards NH through property tax collections.

I also want to say the Planning Board has done an excellent job in evaluating the Logistic Center proposal. You have a big decision ahead of you. I have listened to all the input from the developer and the people opposed to the proposal. If you want my opinion, I don't believe this proposal is worthy of approval because of the tremendous negative impact (increased traffic, noise pollution, environmental changes, quality of life, etc.) it will have on the town of Hudson.

Thank you for giving the public the opportunity to be heard of this very important matter. I hope each of you has the opportunity to read my email.

Sincerely,

Dubowik, Brooke

From: Olson, Lisa <Lisa.Olson@fmr.com>
Sent: Sunday, March 28, 2021 8:57 PM
To: Planning; Groth, Brian; ~BoS; Dhima, Elvis; info@hudsonlogisticscenter.com
Subject: Support for the project - Hudson Logistics Center at the Green Meadow Golf Course

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

Hello,

I would like to voice my support for the Hudson Logistics Center proposal at the Green Meadow Golf Course. I was not able to be at the meeting last week, but wanted to make sure I sent my vote in acceptance of this proposal.

Please let me know if you have any questions.

Thank you for your time.

Sincerely,

Lisa Olson
18 Hickory Street
Hudson, NH
459-3983

Dubowik, Brooke

From: Richard Olson <rolson@eneofnh.com>
Sent: Sunday, March 28, 2021 2:04 PM
To: Planning
Subject: Hudson Logistics Center

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

To Whom it may concern,

I have lived in the town of Hudson for over twelve years and I wholeheartedly support the construction of the Logistic Center. Please vote to approve this project for the betterment of the entire town. Thank you.

Sincerely,

Richard Olson



ENE Systems of New Hampshire
155 River Rd
Bow, NH 03304
Tel: 603-856-0330
Fax: 603-856-0332

Dubowik, Brooke

From: Jim Ellis <jfe831@gmail.com>
Sent: Monday, March 29, 2021 8:29 PM
To: Planning; Groth, Brian; ~BoS; Dhima, Elvis; info@hudsonlogisticscenter.com
Subject: Amazon Project

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

Greetings All...

I would just like to reiterate my support for this project. I feel it is a good investment for the Town, and a good choice for the use of the property, that will not place additional burden on the Hudson school system or additional traffic from a large number of additional residents should housing be built on the property. The property will be sold either way, and I believe this is the better choice, no doubt.

Please support this project, and vote in favor of moving forward.

Thank-you,

Jim Ellis
37 Brody Lane
Hudson, NH 03051-4559

Dubowik, Brooke

From: Linda Zarzatian <zarzatian@gmail.com>
Sent: Monday, March 29, 2021 6:18 PM
To: Groth, Brian; ~BoS; Planning
Subject: hillwood

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

Good afternoon,

MITIGATE, This term has been used repeatedly throughout this entire process with Hillwood.

The definition of mitigate:

1. to cause to become less harsh or hostile: MOLLIFY/ aggressiveness may be mitigated or channeled
2. to make less severe or painful: ALLEVIATE/mitigate a patient's suffering.
3. EXTENUATE/ attempted to mitigate the offense

MITIGATE: to make something less harmful, unpleasant, or bad

MITIGATE:

1. to lessen in force or intensity, as wrath, grief, harshness, or pain: moderate
2. to make (a person, one's state of mind, disposition, etc.) milder or more gentle: mollify: appease.
3. to become milder, less in severity.

As you all are aware of the meaning of mitigate it brings me to the state of this proposed project. This proposed project states that it is attempting to mitigate all of the horrific issues it brings forth, with said project. That is not sufficient. The problems with this project need to be much more than mitigated. The problems need to be rectified.

Hillwood has stated at several meetings that they have done the best they can to mitigate the issues already. They have completed their methods to do such and the end result is what they have presented. And, that has been the end of those discussions.

Well, I believe the end of the discussion shall occur when the problems have been rectified, not mitigated.

That being said, I request, of you board members, working on the safety and well being of our town, to fully recognize that this town needs all the issues at hand, traffic, pollution, noise, wetlands, wildlife, human life, etc. to have complete solving of all these issues, not to have them mitigated.

We do not need the problems to be less severe, less painful, less intense, less harmful, less unpleasant, less bad, etc etc. We do not need these problems to exist in our town at all.

The fact that Hillwood is continually stating that they are trying to mitigate all these issues is PROOF POSITIVE, that even Hillwood, in its entirety, believes that there are serious issues that this proposed project brings to our town and our lives.

Please DO NOT MITIGATE, do correct, fix, rectify all the problems and issues this project brings to us. If they can not be corrected the project can not proceed.

Simple common sense.

Sleepless in Hudson

Dubowik, Brooke

From: ronald LeClair <ronl70@outlook.com>
Sent: Monday, March 29, 2021 7:10 PM
To: Planning
Subject: Logistics Center

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

Dear Members:

I am sending you this e-mail in support of the proposed Hudson Logistics Center. I understand that this is a big change for the town and is difficult for some citizens to accept. However, I believe that this is the best deal that we will get. I also believe that it effectively addresses the concerns of the neighbors and the traffic.

I am a lifelong Hudson resident, raised in south Hudson. I still miss the farms and will miss the golf course as well but our location has made our development inevitable. The owners have a right to sell their very valuable land and this is a much better choice than the original idea of a casino! If this fails then we will all need to worry about what the next proposal will bring!

Sincerely,
Ronald LeClair

Dubowik, Brooke

From: Scott Wade <sjwade7422@gmail.com>
Sent: Monday, March 29, 2021 6:02 PM
To: Planning
Cc: Groth, Brian; Dubowik, Brooke
Subject: Comments for the Hudson Logistics Center

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

Good afternoon,
Please include my comments below with the packet for April 7, 2021, Planning Board Meeting.

For nearly a year, we have had this project hanging over our heads much like the sword of Damocles. Many people, thousands actually, think this project is a bad idea for Hudson. It's too big, will cause too much noise and traffic, and will ruin the character of Hudson. While others believe this project will rain down riches from the heavens and all will be good for the town. Some believe their property values will be destroyed and others believe their property taxes will be going down. I believe this will not be good for the town nor property values. I believe my property value, as I abut the golf course, will drop a lot as these buildings become a reality. No one has ever said, I want to live next to an industrial park. I can assure you, I do not.

Property Values

Mr. Reeks report is laughable. A home abutting a golf course versus an industrial park is not comparable. Not even close. Even sadder is that the town hasn't had a report completed to either agree with what he said or to counter it. Why wasn't one last report completed? The applicant is paying for these peer review reports so money shouldn't have been the issue. Did the consultant refuse to do another? Was he not contracted to complete the job? It doesn't seem right that the file doesn't contain another report from him and it seems as though the town is relying upon just Mr. Reeks.

Recently, I went looking for a new home in the craziest real estate market I've seen. I looked at a home in Windham which eventually sold for \$80,000 OVER list price. To me, that's insane. But it also proves that with such limited real estate inventory, prices are being bid up. Homes on my street have sold for prices unheard of just two years ago. They haven't been affected by the proposed HLC because it doesn't exist yet and people are just snapping up homes in a matter of days of going on the market. Like everything else, real estate goes in cycles and this too will change. I can't imagine someone driving down Muldoon towards Fairway and seeing those buildings lurking out in the distance and think this is a great place to live.

As of March 29, 2021, according to Zillow, my home is valued at \$538,399. A "significant" drop in value could be as little as 5%. You (the planning board) have the obligation to make sure a significant property value drop doesn't happen as a result of this project. I'll be paying close attention to what happens to the value of my home if these buildings are built.

Traffic

A line from a very famous movie sums up any traffic mitigation: If you build it, they will come. Route 3 needed to be widened. It was and traffic is still bad. A great example of that problem will play out here in Hudson. The highway was expanded up to just beyond Exit 8 heading north. It goes from three lanes down to two. Every rush hour, the traffic builds and comes to a standstill from the reduction of lanes.

Just because they will make Lowell Road in front of Walmart into an eight-lane roadway, doesn't solve Hudson's traffic problems on that road. The traffic will still be there. Employees coming from who knows where will clog the roads. And contrary to what Hillwood's consultants and lawyers say, trucks will head further north on Lowell Road (beyond getting on the highway) or south on River Road. Just the other day, an XPO Logistics tractor-trailer was behind me heading south on River Road (you can see Pete's Gun & Tackle in the upper right, behind the school bus). As I turned onto Chalifoux, it kept heading south.



Can you imagine having three left-turning lanes going onto the Sagamore Bridge road from one direction and then have two more lanes from the other direction all supposedly merging nicely together? If you believe that, then you haven't driven on that road very much. Often, it's a race. People cutting each other off. This five-lane merge is poorly planned, not well thought out, and frankly sounds dangerous.

The reality is that everywhere Amazon goes, the traffic explodes. We will have the same traffic jams we had before but now we are adding tractor-trailers, box trucks, and thousands of employees to the mix. The accidents will increase and could very well be more severe because of the sheer size of the vehicles involved.

Noise

As an abutter, I enjoy a very peaceful existence. Truly, all I want is to have a peaceful and nice place to live. I've enjoyed not having anything but a golf course in my backyard for decades. Now I'm to believe that this oversized development isn't going to be that loud compared to what I've enjoyed for so long? An earthen berm with a sound wall and plantings that are going to take 20 years to grow are going to keep the noise down? I'm not convinced. Frankly, the reports show they will violate the Hudson noise ordinances. They did it willingly last summer while drilling test holes. The fine for these violations is meaningless to company's as big as Hillwood or Amazon. If they are going to willingly violate the noise ordinances, then the fines need to have teeth. Such as removing their occupancy permit until they can fix and prove they have fixed the noise issue.

Hillwood's consultant was wrong when he said to the board that abutters wouldn't see the buildings. He later admitted that yes, you would see them from your second-floor windows and from homes across the street. Frankly, that's not good enough. Why should the abutters bear the burden of this development? Keep in mind, if you can see the buildings, you'll likely be able to hear them. The sound over here travels. We can hear the Spartan Drum and Bugle Corp practicing at the Pheasant Lane Mall. Why wouldn't we be able to hear the HVAC, the trucks, and cars coming from the HLC?

Hillwood as a "good neighbor"

Like Mr. Reeks report, this phrase is laughable. They have insulted us in the press. They have removed legitimate questions from their social media pages and then blocked that person from ever commenting on anything they post. I should know because it happened to me. I asked a question about the jobs they claim they were going to create and the wages that go with them. They removed my comment. I asked why did they remove my comment and they removed that comment and then blocked me from being able to ask them anything on Facebook. What does that tell me when a real problem comes along in the future? They will just "cancel" me and others and ignore real issues. This is a good neighbor? Hardly.

Other issues

Air pollution. Electric tractor-trailers are many years away. Even then, these trucks are owned by independent drivers. They would need to be willing to upgrade to an electric vehicle. The technology for such a large vehicle hasn't been proven yet.

Jobs. Let's be honest. The majority of the jobs they are offering are not "good" paying jobs. The wages being offered are not enough for someone to buy a home in Hudson. Rent would be a stretch. And the population in Hudson isn't enough to fill these jobs. The employees will come from outside of Hudson. If electric trucks are a solution to air pollution, then robots would be a solution to fill jobs that people are unwilling to take.

Building D. What's that, you ask? They don't even have a tenant for Building C (so they claim) and yet Building C is the lynchpin to the entire project. They said so to the Conservation Committee. But Building D hasn't been talked about so, what am I talking about? The Friel's own the property where the Golf & Ski Warehouse is located along with the driving range. They seem to be in a selling mood and I believe that land has also been named as some prime land for development by the NRPC. What else could the Friel's be dreaming up to go there? Another building for the HLC? Workforce housing? Fueling station for the HLC? How much more traffic are we going to allow to flood this end of Hudson?

Conclusion

I have no doubt this project will be bad for Hudson and the region. People are too enamored with the dollars that are being thrown around. None of it is worth the destruction of our town. Once you allow this to go forward, there is no way you are going to control its growth and without question, this will outgrow what is being proposed and you will all be wondering how that happened.

The right thing to do is to reject this proposal. The applicant has not done enough to warrant approval and any approval will wreak havoc on this town.

I appreciate the time and effort you have put into this and I don't envy you for the decision that lays in front of you.

Sincerely,

Scott

--

Scott J. Wade
1 Fairway Drive

Dubowik, Brooke

From: Groth, Brian
Sent: Wednesday, March 31, 2021 12:26 PM
To: Dubowik, Brooke
Subject: Fwd: Form submission from: Requests or Concerns

Begin forwarded message:

From: "Laffin, Jill" <jlaffin@hudsonnh.gov>
Date: March 31, 2021 at 8:36:00 AM EDT
To: ~BoS <BOS@hudsonnh.gov>, Timothy Malley <tmalley@tjmalleyelectric.net>, "Groth, Brian" <bgroth@hudsonnh.gov>, "Dubowik, Brooke" <bdubowik@hudsonnh.gov>
Cc: "Malizia, Steve" <smalizia@hudsonnh.gov>
Subject: FW: Form submission from: Requests or Concerns

Good Morning All,

The message below was submitted through the Town website. Sharing with all for your files.

Have a great day,

Jill

Jill Laffin
Executive Assistant to the Board of Selectmen
Town of Hudson
12 School Street
Hudson, NH 03051
(603) 816-1222

From: Hudson New Hampshire <noreply@hudsonnh.gov>
Sent: Tuesday, March 30, 2021 5:36 PM
To: Laffin, Jill <jlaffin@hudsonnh.gov>
Subject: Form submission from: Requests or Concerns

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

Submitted on Tuesday, March 30, 2021 - 5:35pm

Submitted by anonymous user: 76.28.47.131

Submitted values are:

First Name David

Last Name Phelps

Email davep1950@msn.com

Question/Comment

I urge the Planning Board to REJECT the proposed plan to build a HUGE logistics center on the Green Meadow Golf course.

Such a development is not appropriate for a small town like Hudson. It is far more appropriate in an industrial area of a larger city, with close access to a major highway. I think there is little doubt that the constant truck traffic to and from the site, 24/7 — will change the southern end of Hudson beyond recognition. Such a project will likely bring more development to the area to the point that it will look much like the DW Highway South on the other side of the river. Does Hudson want THAT?

I am certain the proposed logistics center would bring some benefits to the town, such as a boost of revenue to the tax base, and would also provide a good many jobs. Although from everything I hear about working at Amazon; few people last very long, so it is unlikely to be a source of long-term employment. I know that the governor favors this project, and I can well understand why. I don't doubt it would be very good for the state, but I am just as sure it would BE VERY BAD for Hudson.

If this project is built, I do not doubt traffic will backup on Lowell Road during peak hours, and I suspect it will seriously impact travel throughout the town as well.

Aside from the environmental concerns that have already been covered by others, I would also like to point out the fire danger of such a mammoth installation. Back in 2019, a fire broke out at a similar facility in the Los Angeles area. Neither the L.A. Fire Department nor those of surrounding cities and towns could cope with it.

Here is a link to the story: <https://www.dailymail.co.uk/news/article-8393533/Massive-fire-tears-Amazon-distribution-center-collapses-40-workers-scramble-safety.html>

I urge the Planning Board to think of the town they know and love and of the quality of life enjoyed by the citizens of Hudson — and to vote to preserve Hudson.

Vote NO on this project.

Sincerely,

David Phelps

The results of this submission may be viewed at:

<https://www.hudsonnh.gov/node/7/submission/19291>

Dubowik, Brooke

From: Dutile87@aol.com
Sent: Tuesday, March 30, 2021 10:45 PM
To: Planning
Subject: Hillwood

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

I do not feel that Hillwood has yet provided adequate solutions to traffic and environmental impacts and therefore am asking that you deny this project.

Denise Dutile
Hudson Resident

Sent from my iPhone

Dubowik, Brooke

From: Denise Sweeney <dutile87@icloud.com>
Sent: Tuesday, March 30, 2021 10:43 PM
To: Planning
Subject: Hillwood

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

I do not feel that Hillwood has yet provided adequate solutions to traffic and environmental impacts and therefore am asking that you deny this project.

Denise Dutile
Hudson Resident

Sent from my iPhone

Dubowik, Brooke

From: dishiam <dishiam@protonmail.com>
Sent: Tuesday, March 30, 2021 7:06 PM
To: Planning
Subject: Stop the monstrosity of Amazon

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

Hudson must deny this monstrosity takeover by Amazon!! Do the right thing Hudson. You know it's wrong to allow this ugliness to come to our beautiful green patch.

The health of wildlife impacts our health

“How we treat wildlife impacts both their health and ours” (Humane Society Wildlife Land Trust: – wildlifelandtrust.org)

Protecting wetlands is important, of course, but so is protecting dry land. You can't have an ugly warehouse, then a little wetland, then an ugly warehouse, then a little wetland ... and on and on like a bar graph. You can't have wetlands without dry lands. We've surrounded many ponds by hapless buildings – the ponds are essentially dead. Not much thrives there. And the animals that live on dry land and that require those wetlands will be gone. Various animals dwell in forested habitat near wetlands. Their dens might be on banks of streams, rivers, lakes; they line their dwellings with dried grass and leaves from the dry lands. Are you willing to destroy that? Why? Hudson, you should be ashamed. Prevent the destruction; keep the trees to conserve the majesty of God's creation and the natural beauty of our world

Wealthiest man enriching himself at our expense; his blight is a cost to society

Why is Hudson even contemplating the obliteration of our beautiful green area by the wealthiest person on Earth? Hudson already has an industrial park. Let that be the place where we insist Amazon go. Why break up a beautiful paradise and stick three big warehouses there? Hudson, stop destroying our beautiful green spaces. Get the blight out of our town! Wealthiest man on Earth is enriching himself at our expense through despoiling and defacing our environment. He advantages himself at cost of society.

Responsibility and forward thinking

HUDSON, get it together and become an environmentally responsible forward-thinking town. Don't use the excuse that this will help our taxes. Most people who want this monstrosity don't even live here (the governor, for example --let this destruction occur in his town and see how he reacts). STOP allowing BIG MONEY BIG TECH to take advantage of our little piece of Eden. We can raise money and convert this gem of land into a sanctuary or maybe a small community gardens. Hudson, become a model town, not a town that cowers to BIG MONEY BIG TECH. If other towns can have this foresight and environmental planning, so can Hudson.

Sacrifice

Humans ended sacrifice years ago. We're supposed to honor that tradition. We do not take an innocent being (animal or human) and desecrate it because we're afraid to stand up to the evil bully monopolistic oligarch, so

that we can seem like good people by telling residents “our taxes will be lower.” We do not shun those innocent beings and then send them off into the wilderness (if there is any wilderness remaining).

Evil – we must not enable the corporatocracy’s greed and destruction

Does supporting this monstrosity while knowing the harm it’ll cause to environment and habitat make one evil? Does being timid and going along with this corporate oligarch in defacing our land and habitat make one evil? Does refusing to face these facts – that this pollution and destruction by this corporatocracy is wrong – make one evil? Let’s work hard to prevent this takeover of our gem of green space paradise by the powerful corporate oligarch. What is righteous about letting this monopolistic corporatocracy take over? Nothing is righteous about it.

Allowing this evil destruction is a pretense of goodness. You will know forever in your hearts and minds that this destruction is absolutely wrong. Why would you allow it then? It is a crime against life, done with reckless abandon. Please don’t be timid in saying NO to the monster.

Land is not infinitely available; once it’s gone, it’s gone

And, who is the backwards thinker that believes land is infinitely available and we don’t have to protect those innocent beings? Is it you? Is keeping up appearances in the face of the corporate greedy industrialist pack Hudson’s goal? The pack doesn’t care about doing good for the world. *Please don’t be fooled by the corporatocracy. They want us to believe they are experts but they are on the side of ruination of our beautiful God-created open spaces.* Time to be virtuous and take a stand against this evil. *We must not enable their greed, destruction.*

Localism – we must deny the globalist takeover of our land

The enemy of globalism (which is what Amazon is part of) is localism. We must push back against this ruination and control. Largest transfer of wealth. The lockdowns closed small businesses, many for good. Many small businesses existed for decades and generations. They are now closed permanently. Who benefited (and maybe who helped steer this)? Amazon. Amazon put out small enterprises. Is it an orchestrated authoritarian consolidation where even the big box stores will be crushed? And this is the kind of company Hudson is inviting in to destroy our paradise? *You know it’s not right. Shame on Hudson if this is allowed.*

Sincerely,
dishiam, Hudson resident.

Sent with [ProtonMail](#) Secure Email.

March 30, 2021

To: Planning Board (for 4/07/2021 meeting packet)

Re: Possible necessary counters to Applicants rebuttal to my 03/24/2021 presentation on Conditional Use Permit, Stormwater, and HTC 275-6 sections.

I believe Hillwood's Representatives have figured out it is impossible to respond in any meaningful manner if you only have a limited period of time to do so. The usual Planning Board meeting procedure was the Applicants team presented for several hours packet information and even new project information that has not been previously viewed by the Planning Board or public before. Even with 5 minutes allowed in the 03/24/2021 meeting instead of 3 given the public, they had to regroup and wanted to supply written rebuttals in the 04/07/2021 Planning Board packet. I appreciate the Planning Board for not agreeing with multiple requests from Applicants team to suppress all future public input to the Planning Board concerning the Hudson Logistic Center project. Public written input in the 04/07/2021 Planning Board packet is still allowed. However, further public presentations on various issues does not appear to be still open. Time will tell if that is so.

I am unsure what the Applicants team will use in writing to counter my extended allowed 03/24/2021 presentation and other public presentations. So here are some of my thoughts on what might be used and what I consider the facts even though the Applicants team may argue that some of them are taken out of context etc. for what I presented:

CONDITIONAL USE PERMIT CU# 02-20

On March 24, 2021 I gave a presentation on this subject to the Planning Board and a 5 page handout Re: The current HLC **Northern Secondary Access Roadway alignment** does not meet all Conditional Use Permit CU# 02-20 requirements. I have submitted an electronic copy of that handout to be included in the 04/07/2021 Planning Board packet. I imagine the Applicant will argue against the alternate northern access roadway alignment. If they use vehicle maneuvers as a point remember several things; 334-36 (C) (2) only cares about MINIMIZING direct wetlands impacts and 334-36 (C) (4) applies when NO alternatives are available. The northern access requires a waiver to start with and is more a safety consideration. The main entrance/egress is the central private Green Meadow driveway with cul-de-sac.

For additional information on the CUP and alternative alignment please read my 03/24/2021 letter in your 04/07/2021 packet.

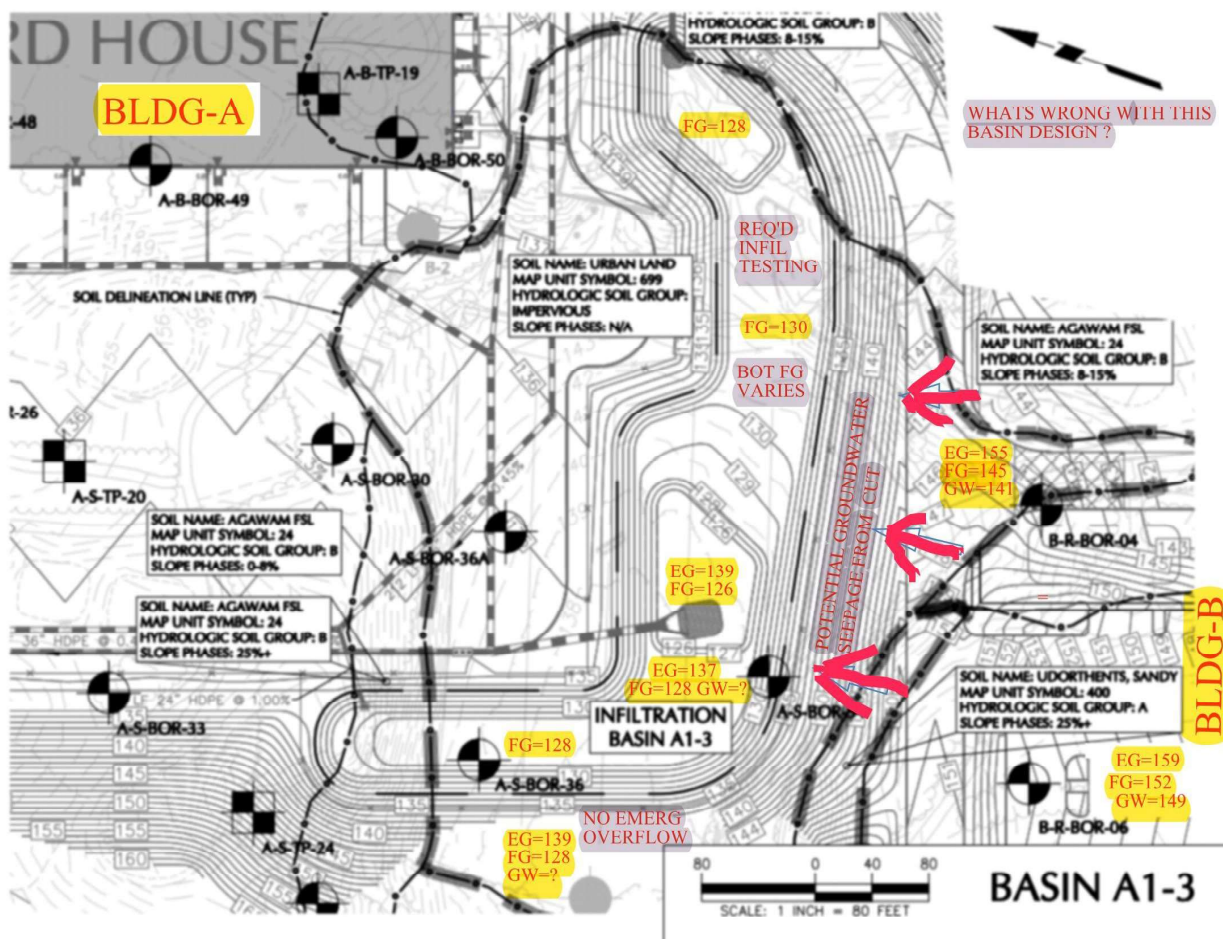
In my January 29, 2021 letter to the Planning Board which was included in the February 10, 2021 Planning Board packet I explained how the Hudson Logistics Center private driveway **Primary Access Roadway alignment with cul-de-sac** did not meet Conditional Use Permit Requirements, HTC 334-36(C) (2), HTC 334-36(C) (4) regulations. The letter even shows how there is an Alternative alignment available to the Applicant in that area. The Planning Board should also be aware that it does not meet NHDES Wetlands Bureau regulations Env-Wt 311.07 (a) or Env-Wt 313.03 (b) (1) requirements for minimization of wetlands impacts. This was brought to the attention of the NHDES Wetlands Bureau in their March 9, 2021 Public Hearing.

So again simply put how can the Applicant even suggest to the Town of Hudson to overlook regulations for minimizing impact to wetlands for access road way when an easy to be designed VIABLE ALTERNATIVE(s) are AVAILABLE? Why can the general public see these Alternate alignments and the Applicant cannot? It appears that unless they are out right forced to, they will not voluntarily comply with Minimization of Wetlands Impact requirements. Since the Applicant's **final plans** submitted for the March 10, 2021 Planning Board meeting and March 9, 2021 NHDES Public Hearing do not incorporate the ALTERNATE Northern Access Roadway alignment and **Primary Access Roadway alignment with cul-de-sac** revisions wetland impact area is not minimized. **The Condition Use Permit should be denied by the Planning Board.**

Stormwater

I have inserted the poster I used for my analysis of Infiltration basin A1-3. The design issues with it are listed next with the applicable unfulfilled Hudson Town Code (HTC) and NHDES regulation:

- Lack of field Infiltration testing: Applicable NHDES regulation Env-Wq 1504.13 (c). HTC 290-5 A (4) requires “All groundwater recharge systems shall require on-site test pit and percolation test data to be submitted as part of the review.” See letter dated 0/28/2021 concerning Flawed Field Data from Crowley to Planning Board in 02/10/2021 packet. Also proposed Site plan note would circumvent regulation if testing is allowed after plan approval. See letter dated 02/27/2021 concerning Stormwater notes from Crowley to Planning Board in 03/10/2021 packet.
- No emergency overflow weir: Applicable NHDES regulation Env-Wq 1508.06 (I) (5) and Env-Wq 1507.02(d). Overflow weir missing - what happens to the Merrimack River if the dam breaks so to speak. An overflow is used to reduce likely hood of a catastrophic failure.
- Basin bottom not level: Applicable NHDES regulation Env-Wq 1508.06 (I) (3); design should not over load one area, want maximum infiltrative surface area during total storm event duration.
- Mid basin forebay is not a good design. Forebays are used to reduce inlet velocities and capture sedimentation. Depression in the middle of Infiltration basin defeats level basin bottom NHDES regulation Env-Wq 1508.06 (I) (3). Additionally, sedimentation would reduce design infiltration rate in that section of infiltration basin bottom.



I would think Langan engineers would be most upset with my concern about the quality of the groundwater calculations (plugged constant flow rate values used in Stormwater Management Report Table 6 “Additional Flow Due to Sub-Grade Drainage System” on page 35 of 38) and possible side wall seepage. Does it make sense that building B parking area that requires a sub-drain groundwater collection system is near and 20 higher than basin bottom? The Applicants engineer will probably argue they have completed an extensive groundwater modeling study in Appendix K of their February 2021

Stormwater Management Report. Appendix K uses a USGS MODFLOW computer modeling program for groundwater to obtain plug values used in the surface stormwater modeling calculations with multiple arbitrary 100 acre watersheds. They may even argue slope wise the groundwater will not carry over horizontally and seep into basin A1-3 side wall. However, where is their field testing to prove there are no restrictive layers or layers of low Ksat values in the underlining soil to cause addition horizontal groundwater migration towards the basin from the Building B parking area? Basin A1-3 is in a cut area.

I have written past letters to the NHDES Alteration of Terrain Bureau concerning how the Applicants engineers were incorrectly calculating Water Quality Volume(s) (WQV). Then the NHDES AoT notified the Applicants engineers and these corrections were made to the WQV calculations and infiltration basin designs. The WQV calculation for an infiltration basin is very dependent on the contributing water collection area. Now that the former problem is resolved the Applicants engineers have added sub-grade drainage to the project plans and constant groundwater flow rates. The plugged values used in the modeling calculations which are summarized in Table 6 “Additional Flow Due to Sub-Grade Drainage System” on page 35 of 38 of the February 2021 Stormwater Management Report did not include any contributing water collection area input into the WQV value. They do use though 6 arbitrary 100 acre watershed areas to justify the constant groundwater flow rates in a surface stormwater modeling program. An additional problem is there is a 72 hour draw down requirement by the NHDES of the WQV in infiltration basins. How can this be accomplished if you have a continuous constant groundwater flow rates going into an infiltration basin.

So if things are so bad with stormwater Mr. Crowley why haven't the towns peer review engineers commented on these issues in their final report? Partly because the Town Engineer is in favor to add plan notes to allow field testing during construction and “private system” exclusions. Again refer to letter dated 02/27/2021 concerning Stormwater notes from Crowley to Planning Board in 03/10/2021 packet. This is very complex project in the allotted time and volume of materials to review Fuss & O'Neill had to pretty much limit themselves to determining if the basic required information was submitted. The quality of the 2 inch stormwater management design report and calculations are not straight forward Hudson Town Code check the box, its done items. However, if you are a retired experienced Civil Engineer you spend the time to investigate the real quality because you will have to live next door to the Hudson Logistics Center. Read my other multiple letters to the Planning Board and you will know more about why **this project HTC 290 Stormwater design wise should be denied.**

Please keep reminding yourself per the Applicant this is a state-of-the-art stormwater management system. This is also a mega millions of dollars project. The Town of Hudson should get a real state-of-the-art stormwater design to go with it.

Site Plan 275-6 presentation issues at 03/24/2021 Planning Board meeting - Traffic.

Traffic is a major issue for this project: This issue will be countered by the Applicants Lawyers and engineers that due to the numerous studies/plans presented by the Applicant 275-6(B) criteria is met. They also state; “peer review and other traffic engineering professionals **have unanimously confirmed the adequacy of the traffic analysis on-site, as well as off-site, including propose mitigation.**” The 275-6(B) criteria has **NOT** been confirmed as met. The Applicants representatives essentially maintain that with all these reviews and methodology used in the Traffic Impact Study (TIS), all agree that the proposed roadway improvements will mitigate and improve existing traffic conditions in the area. This ignores other unresolved traffic issues such as:

- NHDOT has only approved Traffic trip generation numbers based on the information provided so far to them by the Applicant. There have been numerous technical letters, public testimony and news articles presented to the Planning Board concerning the validity of the trip generation numbers used in the Traffic Impact Study (TIS). Additionally, Building C has an unknown trip generator tenant who could skew the total trip generation count significantly higher. Continuous and ever growing amount of news articles about Amazon traffic problems in Milford, MA should be of concern to the Planning Board.

- The proposed traffic mitigation plans are only **CONCEPTUAL**. They lack accepted design and standards for lane tapering, stormwater management, necessary snow storage width of shoulders, necessary land taking to list only a few items.
- No real mitigation of the accident volume problem is being proposed at the south bound Lowell Road left turn into Walmart. The Police Chief has noted this to be the most prominent accident area on Lowell Road. The Applicant wants to add an addition travel lane in this area which will add to the problem.
- West bound Sagamore Bridge Road will have 5 lanes within a short distance that have to be tapered back down to three. This will require an extraordinary amount of ramp merge, lane weaving, and tapering design in one location. A presentation at the 12/30/2020 Planning Board meeting and email of the presentation notes to the Planning Board explains in detail the 5 lane design problem.
- The Level of Service (LOS) calculation based on standard Highway Traffic Manual (HTM) methods indicates Lowell Road Sagamore Bridge Road intersection will be in failure. However, the Applicants traffic engineer used a Visual Simulation (VISSIM) software program that assumes highly intelligent drivers to get a modified semi-acceptable LOS. The technical reference used in the TIS for the VISSIM modeling program states that it only models passenger cars not heavy tractor-trailer trucks. This puts the VISSIM calculation for LOS determination into even more doubt because of the amount of heavy tractor-trailer vehicles to exit the HLC site to pass through this intersection. I would imagine the Applicants engineers will try to convince you they have made some special type of adjustments to the program to compensate. I am only reporting what I have read in the supplied technical VISSIM documentation in the TIS documents. A presentation at the 12/30/2020 Planning Board meeting and email of the presentation notes explains in detail the problems with the VISSIM LOS calculations. These concerns were also noted in NHDOT review of the project. Check Planning Board packet with NHDOT review documents.
- A major concern is if the Planning Board approves the HLC Site Plan application while knowing these current conceptual traffic corridor design problems exist, then undo leverage will be transferred to the Applicant to get NHDOT to reluctantly approve a less than desirable corridor design. The time to resolve these obvious conceptual corridor design problems is before onsite construction starts. Onsite construction will lock everyone into known conceptual corridor design problems. Does not Site Plan regulations require the Planning Board to protect offsite public health and safety as

CONCLUSION: The Applicants Lawyers, Experts and Engineers will try to put many Site Plan and Stormwater design issues in a favorable light. However, there are additional problems that exist than what is presented by them in their summaries and rebuttals to 03/24/2021 public presentations. I request the Planning Board members to please do not ignore the publics opposing statements to any of the Applicants Lawyers and Experts one sided conclusions in any of your decisions. I find that the Applicants position that plans and documents at the March 10, 2021 Planning Board meeting are in a final state and ready for approval to be incorrect.

The Applicant considers all project related issues have been addressed and resolved. From public rebuttals to that assumption you can see they are not. **This project should not be approved for construction in its current state, it does not meet all Hudson Land Use regulations, Engineering Technical Guidelines and Town ordinances.**

I do not envy the Planning Board members you have a tough decision ahead of you.

Respectfully submitted

James Crowley
4 Fairway Drive
Hudson, NH 03051

Planning Board,

It has been a long process and a momentous decision is coming. I pray that everyone balances the impact of such a facility here and common sense prevails. The good news is that this proposal woke up the spirit of many in town to pay attention and get involved.

We value our town's character and want to defend it. A facility like this does not fit our character and will forever change it. It just does not belong in Hudson.

I have been called an "activist" and my home was "red bulls eyed" by Friel's attorney, a "cohort" and "small bunch of abutters" by the Governor, "Mobs rule" & "the opposition" by Hillwood's attorney, "Peanut Gallery" by a town official who refuses to apologize, a "Nimby" by some who simply do not know all the facts and do not choose to know them, and even had someone go to my employer "out of context" to silence me. This developer and their PR group do not understand boundaries and will go to great lengths to get what they want and not what is right for our town and neighborhoods. That is why we stand up. You cannot dismiss the truth when it is spoken.

The decision should be made on common sense but "rule of law" and all impacts need to be resolved and simply not mitigated or it should be denied. Let me offer up the simple fact that Hillwood has failed in every single metric and I hope the planning board is seeking out all those truths:

Traffic. **This was not addressed.** Do you really believe the numbers they provided? They have failed to provide 100% capacity #s and continue to call out the "accordion" example. This facility will be at 100% capacity within a couple of years. There is no accurate study for Building "C" until they define what it is going to be. Their claim to fix the traffic is so deceptive. They are simply focused on moving their trucks and cars in and out of that facility. Adding this type traffic cannot be fixed nor can it be mitigated. Adjusting the timing of lights or adding a lane is not a solution but makes the situation worse. Imagine two major intersections coming in and out of that facility, a ¼ mile from each other, and what those intersections will be like. All roads from there boil down to one lane. The NHDOT will approve this addition to traffic simply because their boss said he wanted it. The Hudson Boulevard is not a solution and will simply make things worse over time. We will go from "F" rated to complete grid lock in areas.

Property Values. **This was not addressed.** I have never seen such a preposterous review. I have talked to many real estate people and they were amazed at the comments. Simply put, a home on a golf course will not lose value when an industrial warehouse goes up next to it. Astounding! This will make the entire town less desirable.

Pollution Impact. **This was not addressed.** This facility will be adding to air, water, noise and light pollution. There is NO denying that. You can mitigate but that is just a bunch of attempts to make less severe. Effective monitoring stations will need to be put in to protect the health

and wellbeing of your town's residents. I did not see them offer that up. Instead they talked about "meeting industry and state standards".

Noise & Light. **This was not addressed.** Do you honestly believe that a berm will eliminate the Noise and Light this facility will cause. The sheer size and tractor trailer traffic and its sounds will carry. Light will rise up and brighten the night sky like a stadium 24/7/365. There isn't anything that will reduce the sound of brakes and the incessant beepbeepbeep of backing up. This will get amplified during the fall and winter months. The HVAC units will be running 24/7/365 and that noise will carry. I do not see any way that this facility can be within tolerance of noise levels. As one resident pointed out, the noise study was flawed in many ways. And, I never saw a light impact study.

Wetlands & Watershed. **This was not addressed.** They are eliminating wetlands and will impact the Merrimack river watershed and the groundwater beneath us. You do not put in that much "building" and "pavement" without the pollutants getting into our wetlands, river or underground water. The water table will be altered. There will be hundreds of millions of gallons of runoff. Again, they will mitigate which is not an answer.

Building "C". **This was not addressed.** They will not remove it because it is vital to the success of this project. Well who is the tenant? You are not going to build it without knowing the revenue stream if this is so vital. Why is this such a mystery? They need to be called out on this one.

Financials. **This is the only area they like to tout but it has not been fully addressed.** Sure, this will generate tax revenue but it only represents 5% of the towns budgets today, will be quickly absorbed, and we will be right back on the tax increase train a year later. Their impact will be significant to our Emergency services and our overall infrastructure forever.

Jobs. **This was not addressed.** The employees will not be coming from Hudson. We simply do not have the # of unemployed people to fill all the \$15/hr jobs. These jobs will be filled by others outside our town. Plus these type facilities have been all over the news for their working conditions and issues. Why would we even think this was good for Hudson. Turnover rates are +70% in their facilities based on what I have read and higher in others with injury rates well above industry average. Their own workers call it out and they are trying to organize. Amazons solution is "automation". Remember that word when they start to automate all those jobs.

Infrastructure. **This was not addressed.** They simply decided to write a check that can be used over a 5 or 10 year period. The impact in other communities is well documented and many regret the decision. There is no talk about the additional personnel the Fire and Police departments will need nor the damage that will occur to our backroads or town. Accident

rates will rise and additional stress will be added by the sheer size of this facility every time an emergency call is made. I provided the Fall River yearly review and it is staggering and yet just half the size.

Quality of Life. This was not addressed. Everybody has ignored this one and not talked about it. They only talked about the “supposed” Financial impact and not the “Human” & “Town” impact. Hudson has a great quality of life and has become a destination to call home. This facility will forever change that. To think that it will not is naïve.

The developer has focused on a campaign of misinformation, deceptions, and half-truths. They have ripped the fabric of this community, caused distrust with Town & State officials, and forced residents to rise-up to defend our quality of life. How can they possibly claim to “making communities work better?” It is one of the most hypocritical & deceptive campaigns I have ever witnessed that caused this. Not once have they ever reached out to sit down and talk. They simply prepared to jam this through.

I ask that the planning board review in detail everything and again I hope common sense and “rule of law” rises-up as they have not met requirements and **this project is denied**. It will be then that as a town we should seek a solution for that property that is responsible and fits our town’s character. Many quality people will step up and help. **What is being proposed is irresponsible.**

Jim Dobens
4 Eagle Drive

Dubowik, Brooke

From: Kathleen Crowley <crazykathy7@gmail.com>
Sent: Tuesday, March 30, 2021 7:40 PM
To: Planning
Subject: Fwd: HLC

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

----- Forwarded message -----

From: Kathleen Crowley <crazykathy7@gmail.com>
Date: Tue, Mar 30, 2021 at 7:38 PM
Subject: HLC
To: <bos@hudsonnh.gov>

At the public input on 3/24 I'm sure you were overwhelmed with all of the sincere concerns that were expressed. I'm sending this with my major concerns that I hope you will have clarified by Hillwood & discuss thoroughly before making any decision. Hillwood has been deceptive and/or out right lied to us on many issues. Let me begin with we will be good neighbors. Of great concern are the following are these: this is in the wrong place & doesn't fit our "rural" feel that has been ascribed to our town. TRAFFIC, their "fix" is anything but, it will create a quagmire of traffic. They NEED to do a traffic study @ 100% & it should be done when they tell you what is going to be in Bldg. C. We know it is a cross/dock & will likely increase traffic to double what they say, please do not approve this project without knowing what will be in Bldg. C. PARKING, their request to decrease lot size from 10X20 to 9X18 could well cause frequent safety issues at the site, number of spaces does not seem to be adequate. Will semi's be parked & idling for hours on end, quite possible, who has control over this ? Mr. Smolak has asked for many waivers frequently stating that "strict reinforcements" pose unnecessary hardship. He has asked for waivers for 2 driveways, parking spaces & parking space size. Conditional use permit for wetlands protection has not been met.. Also of concern is the 24/7 use which means noise all night despite denial on their part. Neither Sam's Club nor Walmart run semi's 24/7. It has been established that blasting of bedrock will be required, I request that Hillwood should be required to have inspections of home foundations & pools be done at the expense of the applicant on all homes on Fairway Dr. & Eagle Dr. prior to ANY blasting. Noise issues have not been addressed adequately. Air pollution from diesel fumes has been determined to be carcinogenic & a cause of asthma & many other respiratory diseases. Given the close proximity that HLC would be this is very concerning !!!

Dubowik, Brooke

From: Linda Zarzatian <zarzatian@gmail.com>
Sent: Tuesday, March 30, 2021 7:35 PM
To: Groth, Brian; ~BoS; Planning
Subject: Hillwood

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

I would like to bring to your attention an article in the MetroWest Daily News. Please look up this article "Milford slams Amazon, requests meeting." I feel it is imperative that you are knowledgeable about this article and all it entails. Milford Selectman William Buckley has quite a bit of very troubling information to share with all who are interested in knowing some of the truths about their experiences with Amazon in their town.

The Milford Board of Selectmen chastised online Amazon on public television this week. Selectman Buckley stated and I quote " Frankly, it feels like Milford has become a dump site for Amazon."

The article states that Milford officials and the police department have heard a steady stream of complaints about Amazon drivers clogging roads and intersections, flouting traffic laws and being rude

They state that they all have had issues with the huge number of vans in certain neighborhoods and certain streets trying to get out of their warehousing locations. Selectmen say they've heard complaints about and witnessed themselves vans pulled to the side of Rte 109, creating hazardous obstacles for drivers to pass. Tractors and trailers are bringing traffic to standstills at key intersections. Groups of vehicles overwhelming gas stations. Allegations of illegal parking terminals.

Selectman Buckley states and I quote " They're adding to public safety concerns and impacting the quality of life of our residents,"

Selectman Michael Walsh said that he does not think they have open lines of communication with Amazon.

Selectmen are also trying to determine if Amazon is paying appropriate excise taxes on all the vans and trucks.

Nine businesses near Amazon's Industrial Drive warehouse In Milford signed a joint complaint to the planning board, citing dangerous driving habits from vehicles delivering amazon packages. Amazon has told the selectmen, in the past, that the vans and tractor-trailers are driven by contractors, and not their legal responsibility.

Above is some of the information you will find if you read this very telling and important article regarding their true life experience with Amazon, not some artificial figures on traffic and trucks and so forth. Actual living experience with Amazon in their town. The facility is much much smaller than the project proposed for Hudson.

Everything they are experiencing is exactly what we will be experiencing and much much more. It will be dangerous for everyone here.

I have a question, why is this project having the name HUDSON logistics center? Why Hudson? it is not our town's logistics center, it is Hillwoods, or Amazons, not the town of Hudson. I feel that they are naming it to

suggest that it is the town's center, when in fact, it is anything but that. It will be the town's demise to say the least.

Hillwood is 100% aware of how this facility will ruin our town and they look forward to doing so, just as they have in many other communities. The proof is in the pudding, just make sure you try the pudding and you will see. Do all the homework to get the facts from all the towns with these facilities, although they are not half the size of this proposal.

Whether they have crossed their T's or dotted their I's, whether they have met the requirements of the rules and regulations of the town, they are again, not a suitable business for the safety and well being of our town and its residents. That is the bottom line.

Just read this article and you will see they approved the Amazon center in Milford because they believed they met the requirements necessary, when in fact, and in life experience, they did not. They did not give the proper information with regards to their traffic issues, etc. and now the town is paying the price, the safety and wellbeing of their residents and their town. Please do not let this happen to our Hudson.

Sleepless in Hudson

Dear Planning Board Members,

Here, I will make my best estimate of predicted noise levels at the HLC, making use of the data in the sound studies, but making up for their deficiencies where possible.

Continuous sound level estimate at limit for residences

First, let's scale up the vehicle noise to match the expected level of operation. The December sound study uses 27 trucks in operation. As a possible, worst case scenario, I'll consider the 5-6am hour, using the predicted activity in [Appendix C of the September Traffic Impact Study](#), which includes 22 truck trips from buildings A and B, 40 box truck trips, and 201 car trips. To this, we must add building C, which is expected to have 870 average daily trips (ADT) compared to building A's 1631. I will thus scale the trips from building A according to this ratio and round to add an additional 10 truck trips and 57 car trips. Seasonal increase, based on [a memo from Langan](#), predicts car trips to increase by 60%, while truck trips hold steady. (Note, this estimate is generous to the applicant, not factoring in 100% trip capacity as explained by Amazon.) This yields a total of 413 car trips, 32 truck trips, and 40 box truck trips. Based on a [pamphlet from the Illinois Department of Transportation](#), 28 cars produce the same noise level as 1 truck, so 413 cars are roughly equivalent to 15 trucks. I did not find a simple comparison to box trucks, but based on the same pamphlet and a [report of tests published by the US Department of Commerce](#), I use an estimate that 4 box trucks are equivalent to 1 tractor trailer (equivalently, box trucks are 6dB quieter). This brings a total of 57 truck trip equivalents. Assuming that the methodology in the February sound study update is valid (in a previous letter I noted reasons why it may not be valid), then we should scale the predicted 37dBA of truck noise based on the ratio of 57 expected truck trip equivalents to the 27 trucks used in the sound study converted to decibels, which is $10 \times \log_{10}(57/27) = 3\text{dB}$. This means that we expect 40dBA of vehicle noise (Leq).

Note: to be complete, I could subtract out the HVAC noise from the truck noise, however, at least for location B', this amounts to a decrease of less than 0.3dB, and is negligible for the purposes of this analysis.

If I then take this 40dBA of truck noise and add it to the noise of HVAC plus generators, which can be as high as 46dBA (see Figure 4 in the December sound study), we get a total of 47dBA of noise from the site. As I showed in my previous letter, due to existing noise levels reported in the December sound study (ranging from 43-51dBA), the limit on high noise-level areas in §249-4F means that noise from the site must be at or below 47dBA to comply with the town code. This indicates that while generators are running, we'd expect HLC to be at the limit set by the noise ordinance. Thus, my previous objections notwithstanding, the minimum response would be a requirement that while the generators are active all truck activity cease in order to limit noise levels in the surrounding areas.

Continuous sound level estimate above limit for business

The December sound study predicts the maximum sound level at point G, near Mercury Systems, is 71dBA. Following the February update, the average equivalent noise would be

14dB lower, or 57dBA. This is before accounting for the 3dB increase from full vehicle activity or the existing sound levels.

Impulsive sound limit above limit for residences

Next, let's consider the impulse sound limit in §249-4C. Here, the sound study predicts the noise from the site to be 62dBC, exactly equal to the noise limit in the Hudson noise code. There are two issues here. First, it does not account for the 3dB increase when considering full vehicle activity. Second, it does not account for existing sound levels. It's unclear what the existing sound levels are in dBC, as the applicant did not provide measurements related to this. However, if the same dBA to dBC scaling is maintained, then existing noise would be at 61dBC at times. Combining these effects means that the total impulsive noise level would be 66dBC, 4dB above the limit in the Hudson noise ordinance. Even a much smaller amount of existing noise or activity would cause the limit to be violated. I think this type of noise is more likely to awake neighbors in the early morning, which would be particularly disruptive.

Comments on conditions

If the Planning Board is unconvinced by this and other letters that the Hudson Logistics Center does not meet the standard for approval, strong protections must be put in place to protect Hudson residents from possible negative outcomes. These should be specific and quantitative in a way to require that the applicant keep to all predictions made about the project. But they should also consider nonquantitative concerns as well. For example, §249-4A prohibits noise pollution, which is defined to include such things as "nuisance", "[i]nterference with the comfortable and reasonable enjoyment of life and property", as well as "[e]xceeding the limits or restrictions established herein" (see §249-2 Noise Pollution).

However, the February sound study updates says:

"We logically assume that compliance with all sections of the Noise Code will result in compliance with Noise Limit 1."

I fear that the applicant is ignoring the more subjective and qualitative nature of this limit to catch scenarios not covered by the other more quantitative limits. What if HLC is built and it meets all the numerical noise limits, but none of the neighbors can sleep at night?

My concern in bringing this up is that there are scenarios where the applicant could be convicted of violation of the Hudson noise ordinance, but no remedy provided. If approved, conditions should be included which require the applicant to abide by all sections of the Hudson Code in order to continue operations.

Sincerely,
Tim Monk
13 Fairway Dr.

Dubowik, Brooke

From: Groth, Brian
Sent: Tuesday, March 30, 2021 2:23 PM
To: Dubowik, Brooke
Subject: FW: HLC Sound Peer Reviewer Contact
Attachments: HLC_sound_level_estimate_Monk.pdf

From: Tim Monk <tamonk@ucdavis.edu>
Sent: Tuesday, March 30, 2021 9:41 AM
To: Groth, Brian <bgroth@hudsonnh.gov>
Subject: Re: HLC Sound Peer Reviewer Contact

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Brian,

Thanks for the response, sorry for not getting back to you sooner.

I agree that for the continuous sound limit at nearby residences they have some margin (3dB) to the limit from the numbers that they present, however, this is completely consumed if accounting for the discrepancy in vehicle activity between the sound study and the traffic impact study. I had to make a couple assumptions about box truck noise and building C, but they seem reasonable to me.

Their numbers show to me that the noise level near Mercury Systems will violate the continuous noise limit, though perhaps nobody cares.

The impulsive noise limit is more concerning to me, as the sound study predicts it being exactly at the limit for nearby residences. When I adjust for activity level and include almost any level of existing noise this exceeds the limit. I think this type of noise is more likely to awake neighbors in the early morning, which would be particularly disruptive.

I've attached a letter, addressed to the Planning Board, which goes through my calculations. Please include it in the packet for the next meeting. If the peer review consultant sees something wrong in how I'm looking at it, I'd appreciate it being pointed out to me.

Thanks,
Tim

On Fri, Mar 26, 2021 at 1:30 PM Groth, Brian <bgroth@hudsonnh.gov> wrote:

Hi Tim,

Thank you for your patience. Yes, I did discuss this with the Town's peer review consultant. He noted that what you put forth was a discrepancy in methodology (average versus simulation), but the methodology used by the studies is the correct one. He also noted that if there were 2x as many sound events the resulting dB level would rise by 3, still under the maximum. Even at 3x sound events the dB level would fall below the maximum permitted. If you would like additional information I am certainly willing to ask our peer review consultant.

Brian

From: Tim Monk <tamonk@ucdavis.edu>
Sent: Friday, March 26, 2021 8:22 AM
To: Groth, Brian <bgroth@hudsonnh.gov>
Subject: Re: HLC Sound Peer Reviewer Contact

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Brian,

Just wondering if you have or expect to hear anything back on this?

Thanks,

Tim

On Tue, Mar 2, 2021, 12:19 PM Tim Monk <tamonk@ucdavis.edu> wrote:

Brian,

Thank you. I've attached two letters, the first for just the Planning Board focused on property values (and referencing the second letter), the second directed at Mr. Bajdek, but also for inclusion in the next packet for the Planning Board.

Regards,

Tim

On Tue, Mar 2, 2021 at 9:13 AM Groth, Brian <bgroth@hudsonnh.gov> wrote:

Hi Tim,

You can pass your comments/questions on to me/Planning Board and I will pass them on to our peer review consultant.

Thank you,

Brian

From: Tim Monk <tamonk@ucdavis.edu>
Sent: Saturday, February 27, 2021 7:44 PM
To: Groth, Brian <bgroth@hudsonnh.gov>
Subject: HLC Sound Peer Reviewer Contact

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Brian,

I have a number of concerns about OAA's sound study for the HLC proposal that I'd like to raise with the town's peer reviewer, Christopher Bajdek at HMMH. Do you know a way that I can contact him?

Thanks,

Tim

Dubowik, Brooke

From: Aletta Stone <alettaanns@gmail.com>
Sent: Wednesday, March 31, 2021 9:50 AM
To: Planning
Subject: Hillwood/Amazon

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Have you considered noise pollution, i already can hear the Lowell Rd traffic from my bed every night, i do not need more. I would like to have town water and sewer, but you evidently think Amazon is more important than a tax paying citizen, I have loved living in this town, but there is no doubt I will leave it if Amazon comes to my neighborhood. I am 80 yrs old and my husband has passed on, and this project is more than i want to deal with. Please remove the dollar signs from your eyes and think of the "little" people who have been here for years and know and love this town. I have many friends in this development, and no one is in favor of it! It will change the face of this town forever, and it will not be favorable!

Please do your duty to the citizens of this town! Thank you.

Bonnie J. Boutselis
6 Jacqueline Street
Hudson, NH 03051

Hudson Planning Board
c/o Tim Malley, Planning Board Chair
12 School Street
Hudson, NH 03051

To Whom It May Concern,

I would like to voice my formal opposition to the proposed Hudson Logistics Center on the land currently occupied by the Green Meadow Golf Course.

Approximately 42 years ago my late husband and I moved to Hudson from Massachusetts to get away from the city lifestyle and enjoy the nature of southern New Hampshire. In the last few decades, however, the character of the town we love has slowly transformed from a quaint suburban oasis to a home for small and large industrial businesses.

In the area around the Sagamore Bridge, in particular, recent development has permanently altered the landscape. I can remember a time when farmland filled the area where Sam's Club now stands and private homes were situated on the land that now houses Wal-Mart. Similarly, a historic building was razed from the ground to make room for Friend Lumber. The approximately 400 acres of the Green Meadow Golf Course are all that remain of untouched beauty and a sanctuary for local wildlife. Replacing all of that beauty with such large sections of 'impervious surfaces' is hard to bear and difficult to fathom. Such a move could be something our town forever regrets.

Two years ago the Hudson Economic Development Assessment said that the Green Meadow site "offers perhaps the greatest opportunity for both commercial and industrial development in Hudson." This is undeniably true, but the cost associated with altering the property for three large distribution centers comes with a cost that cannot be measured in potential tax revenue.

Many years back the Raytheon Corporation (now Raytheon Technologies) built a warehouse along River Road right behind my home. This development was considerably smaller than the one proposed by Hillwood and only operated from 7:00am to 7:00pm. However, when a new tenant moved in my neighbors and I experienced loud sounds and an increase in operational hours and truck traffic that exceeded the original parameters. This forced residents to band together and hire legal counsel to rectify the problem. With this understanding I feel even more concerned for the residents of Fairway Drive and Eagle Drive who will be forced to live next to three buildings with a combined square-footage of 2.5 million, 363 loading docks, approximately 840 trailer parking stalls and 1,840 parking spaces for cars – all with the potential to operate 24 hours a day, 7 days per week.

While I support job creation I fear that this site is not properly suited for such a large commercial project. The roads surrounding the property – specifically Route 3A – cannot support a torrent of tractor trailers and employees heading to and from that destination. While Route 3A has expanded in recent years that expansion only goes so far and quickly moves back to a one-lane road in each direction near Presentation of Mary Academy (heading north) and Pete’s Gun and Tackle (heading south). If you combine this traffic bottleneck with the negative effects of increased air pollution you would instantly find a recipe for disaster.

Perhaps most importantly, however, is the quality of life for our fellow citizens. Such a development as the one proposed would forever change their neighborhood and could negatively impact home values well into the future.

The Friel family has an undeniable right to sell the property if they choose not to operate the golf course going forward, but the Town of Hudson has a legal obligation to ensure that any new development meets all air/water/zoning requirements and a moral obligation to encourage and attract businesses that support the direction we want our town to move toward.

I strongly urge the Planning Board to hear our residents’ concerns and cautiously consider development that preserves the beautiful fabric of our town so many have come to love.

Regards,

Bonnie J. Boutselis

Dubowik, Brooke

From: Bonnie Yoda <yodaboutselsis@hotmail.com>
Sent: Wednesday, March 31, 2021 1:53 PM
To: Planning; ~BoS
Cc: Bonnie Yoda
Subject: Fwd: Opposition to Hudson Logistics Proposal.docx
Attachments: Opposition to Hudson Logistics Proposal.docx

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Dear Planning Board Members,

Firstly, Thank You for ALL that you do for our town. I can only imagine the amount of time & data you have had to read, comprehend, & understand to the best of your ability, regarding this massive proposal.

I have been a resident of Hudson for 43 years. I'm not an abutter to the proposed site, however, I do live in the southern part of Hudson only a mile or two away. I have recorded & watched all of the meetings pertaining to this proposal because I am so, so concerned that this is NOT a good idea NOR a good fit for the Town of Hudson.

Last August I had submitted a letter to you stating my opposition to this proposal. I have attached it if you wish to read it again. One of the subjects in that letter was that my neighbors and I had a horrible thing happen to us when an abutting building tenant went beyond the parameters of noise, truck traffic, etc. We had to spend our personal money to seek legal counsel in order to rectify the problem. Therefore, I especially feel for all of the abutters and surrounding residents to the proposed site. I don't know how they sleep at night worrying if this proposal gets passed.

If passed, this proposal will cause more traffic (tractor trailers, box trucks, employees' vehicles, service trucks, etc), noise & pollution, 24/7, 365. It's actually mind boggling! I hate tractor trailers...I quickly pass them on the highways to stay a safe distance from them...they're scary. I am also very deeply concerned & passionate about the displacement of wildlife & wetlands. To replace 400 acres of prime, green space with concrete & asphalt would be so, so sad & heartbreaking. When I was talking about this proposal to a friend, I got all emotional & teary-eyed just talking about the possibility that if passed, this would forever change the character of our beautiful town.

I wasn't impressed with receiving Hillwood's expensive & fancy postcard, flyer, & letter either. It's all big talk from a wealthy, big corporation to our quiet, suburban town.

Lastly, to reiterate in my letter, the Town of Hudson has a legal obligation to ensure that any new development meets all air/water/zoning requirements & a moral obligation to encourage & attract businesses that support the direction we want our town to move toward.

I strongly urge the Planning Board to hear our residents' concerns & cautiously consider development that preserves the beautiful fabric of our town so many have come to love. This massive proposal, the biggest in the State of NH, is NOT good for Hudson.

Sincerely,

Bonnie Boutselis
6 Jacqueline Street
Hudson, NH

A few things I wanted to raise prior to the close of public input.

The expert report provided by Hillwood relative to home values was worthless as the expert that was hired and paid by Hillwood made a conclusion based on comparisons of dissimilar neighborhoods. He compared Hudson neighborhoods to those in Manchester that are close to the airport suggesting that the homes in Manchester did not lose value after warehouses were built near them. These homes were already dealing with noise issues prior to the warehouses being built. These homes also did not abut a golf course which the homes in Hudson do. As you have heard from others, and as I would assume everyone understands, location in real estate is everything. The Real Estate Manual clearly indicates that homes located near golf courses have a higher value and are more desirable than those located near an Industrial complex. Additionally, Hillwood's expert did not mention in his report that what is really controlling prices currently is the lack of inventory of homes for sale. The New Hampshire Housing Authority issued a report stating there is currently 67% less homes on the market than 3 years ago. They indicate this is the reason that home values in southern New Hampshire are where they are. Mr. Reeks jumps to his conclusion that homes in surrounding neighborhoods will not lose value because they have currently continued to sell at a fair market price despite the potential development. This is flawed as he fails to consider the lack of inventory that currently exists and he further fails to consider the impact on pricing once inventory increases. I would ask that the Town please have Mr. Reeks' report reviewed by your expert as I'm sure it will be found that his assumptions are incorrect and flawed.

Site line photos provided by Hillwood were extremely misleading based on the lense or aperature that was used when taking the photos. Photos and sight lines should be provided using a lense or depiction that provides a naked eye view of what will be seen. The pictures used reminded me of looking through my rear view mirror and should have had the same warning... Objects are closer than they appear.

Site lines are using a 50 foot height but are the air handling systems and solar panels included in that 50 feet? If not, my concern then becomes the noise generated from these systems goes uninhibited over the berm and into all surrounding neighborhoods.

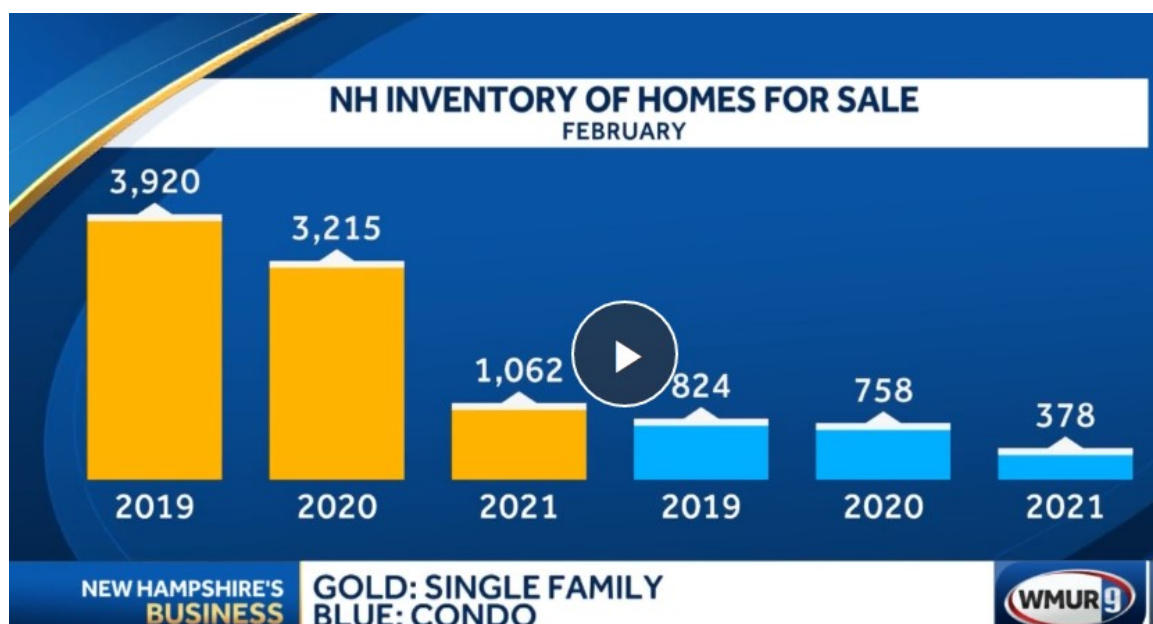
What is the sound fence made out of and since it is a major component for blocking light and sound from entering the abutting residential neighborhood, will the town hold the owner responsible for the maintenance and repair of the fence when it is needed? Will there be a formal written requirement for this and potential fines levied if this is not adhered to. I would also ask that Hillwood be required to maintain both sides of the berm on a regular basis in order to control the growth and aesthetics.

“People have the right to and should be ensured an environment free from excessive sound and vibration capable of jeopardizing their health, safety, and welfare or of degrading their quality of life”. The above is taken directly from the Town Code. Many residents have already raised concerns with the sound study that Hillwood submitted as well as their proposed mitigation. The modeling that was used within that sound study is suspect and questionable. The sample noise measurements were limited in scope and do

not provide a full picture of the impacts that will be realized by nearby residents. This will be a 24 hour, 365 day industrial trucking operation directly next to several residential neighborhoods and will absolutely impact their quality of life as well as impact their health, safety and welfare. To think that it will not is being ignorant.

Part of the stormwater management plan proposes a depression on the south side of the berm area right near my property. The stormwater flows into this depression and can collect up to 2 feet of water before then running towards the proposed swale which will then carry the water westward. 2 feet of water is a significant amount of water to introduce to any water table but especially the water table in the abutting neighborhood. I have never had any water issues in my basement in the almost 30 years I've lived here but I know some neighbors have. My fear is that adding this additional water to the water table has significant potential of causing addition property and basement flooding. Will there be any pre-construction surveys, including blast surveys done to the homes in surrounding neighborhoods to document conditions prior to and post construction activity.

Finally traffic. All of the traffic plans that have been discussed appear to me to be insufficient. There is talk of adding lanes, updating signals, and using tapered lanes. I do not see any of this resolving current traffic issues let alone mitigating additional traffic that will be generated by this site. All you have to do is ask yourself did the addition of lanes and lights resolve the traffic at the intersections between Walmart and Dunkin Donuts. How about the tapered lane at Presentation of Mary, I would say that is a complete failure. If the additional turning lanes and tapered lanes are approved for Wason Rd and Dracut Rd the residents living on any side roads will never get out of their neighborhoods. Drive down Wason or Dracut Rds in the morning or afternoon now and it is terrible, add additional traffic and see what happens.



Dubowik, Brooke

From: cowen67@comcast.net
Sent: Wednesday, March 31, 2021 9:40 AM
To: ~BoS; Planning
Subject: Hudson Logistics Center

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Good Morning,

As a resident of Hudson since 1987, I am writing to express my concern about the potential approval of the Hillwood proposal to develop the Green Meadow Golf Club. Converting the golf course into the three huge warehouse Hudson Logistics Center will forever change the town of Hudson and the southern part of New Hampshire.

In May 2020, Hillwood made public their plans to develop this huge parcel of land into a distribution center, and to begin construction within four months. The extremely brief time for the public and most especially the residents of the south end of Hudson indicated an arrogance and disrespect for the rights of concerned citizens including abutters to measure the effects on their safety, property values, lifestyle and quality of life. There was presupposition that this was a "done deal" and that public opinion and consideration of current factors were not really important to Hillwood. The early presentations by Hillwood reflected lack of concern for and appreciation of the rights and values of Hudson residents and adjacent communities.

In the last ten months those whose safety and quality of life will be most severely impacted have presented their case respectfully to slow the investigative process until all concerns are addressed and resolved. Once the construction begins, the decision has been made. The golf course has had a busy opening of the season. Let's allow at least six months to get all the answers researched and concerns resolved.

You have been elected or appointed to protect the interests of the residents of Hudson. Please don't let this high pressure situation distract you from living up to your oath of office.

Respectfully submitted,

Connie (Anne C.) Owen 3 Bruce Street Hudson, NH 03051

PS. Also note the results of similar distribution centers in other cities.

March 31, 2021

To: Planning Board and Town Planner Brian Groth

Re: Proposed Hudson Logistical Center – Hillwood’s Unsatisfactory Performance before Hudson’s Planning Board

Over the last eight months, I have been to or reviewed every Planning Board Meeting related to Hillwood’s proposal to develop Green Meadow’s Golf Club. We have heard Hillwood go through a series of “check the box” presentations and explanations of why this project should be approved. We heard Mr. Passay tell the Planning Board how to vote and why Hillwood met the “minimum standards”, and why the minimum is good enough.

In my opinion Hillwood has not come near meeting the minimum standards nor the “neighborly” standard of maintain the character of the town. While the process was lengthy, and exhausting to the applicant, that should not be confused with quality. Ironically, the process was probably not long enough given the sheer magnitude and implications of the proposed project; however, it was certainly a far cry from the applicant’s naïve expectation of only lasting a few months... During this process we observed lots of theater by Hillwood’s lawyers and experts, but Hillwood consistently missed the mark on virtually every category. I am assuming it’s not because Hillwood is incompetent, but rather that they were under tight deadlines imposed by Amazon or this proposed project is simply too large and unsuitable for the property. As the idiom goes, their eyes (or their greed) were bigger than their stomach (or what a residential community could handle) ...

They missed the mark in a number of categories, thus falling short of town’s code. For example, to name a few areas:

- **Diminution of Property Value-** Mr Reek’s could not satisfy the simplest of requirements to demonstrate that neighboring residential properties. He simply stretched common sense, as was addressed during peer review, by coming up with non-comparable comparables. His analysis never addressed common sense logic like how could neighboring properties that looks at a golf course retain their value when they look at the behemoth facilities and lighting structures.
- **Screening and Berming-** did not even fulfil basic requirements:
 - Mr Passay declared the minimum standard for screening was simply to provide a "reasonable effort". I had the opportunity to see a “reasonable effort”, it was proposed lifestyle center, whereby the applicant met with every abutter and brought in professional landscape architects who drafted lot-specific plans to screen light, sound and sight. Hillwood to the contrary, could not mask views directly from heights greater than 6 feet (e.g. my first floor windows are above this), looking 30-40 degrees towards the river where the ground slopes, or for non-abutter neighbors across the street on Fairway and Eagle drive.
 - Hillwood did not take this seriously; they simply plugged a few underwhelming iPhone pictures from a few houses into software to create cartoonish and distortive renderings. And although they said they would, they did not submit a plan that masked direct sight views (which seems to be the bare minimum of decency and still below a threshold of reasonable). They failed so miserably, because the buildings are too big for the berming structure that they designed. And shrinking the building was not a course of action they chose to pursue... Hence the applicant is left with an unacceptable solution.
 - Again the failure to pass this requirement also directly reflects negatively on Property Values.
- **Traffic-**
 - Trip Methodology is not sufficient in this new world of e-commerce warehousing. Reference Boston globe article (3/16).

- Traffic is simply pushed up the road beyond the couple of stops lights they think they are solving for. Essentially they tried convincing the board that they saved one mile of a 5-10 mile problem (along Lowell road). One only needs to look at how widening the road near Fox Hollow, did not solve the overall traffic problem. It simply moved the problem down the road.
 - Their proposal to restripe lanes and add computerized lights would not miraculously solve Hudson's existing traffic problems. It is disingenuous, once again defying common sense and patronizing to residents. To hear the Governor repeat Hillwood's claim is further insulting to Hudson's Boards and Residents.
- **Lighting-**
 - The ambient light will be significant and the "snow globe" effect in the valley will affect lots of Hudson and will be directly seen by Nashua, as no mitigation even addresses their line of site.

After hours of presenting, the applicant did not say much. They spent more time with slogans or "commitments" than really demonstrating an understanding of the topics. There was too much marketing, not enough specificity around the plans or articulating the usage of the properties... Hours of meetings should not be equated with successful alleviation of problems. Mitigation is an attempt (that may not work) to solve problems that this project is creating.

The applicants proposed plan would fundamentally change the **character of the town**, harshly transitioning and cascading the town from Rural and Residential towards hard-core Industrial. While the \$9.7mm "gift" appears to be a nice inducement, Hillwood would not offer it unless they were masking broader problems and had a steep road to travel in winning public support. Also concerning is how the applicant approached the process with a sense of entitlement, that approval was a forgone conclusion, as clearly evidenced in their initial proclamation that they would be through the process and breaking ground in 4 months. Beyond creating incitement in the town, and casting public doubt on the objectivity of the process, the applicant's sense of entitlement will only become greater if this the projects were approved.

From my vantage point, despite the voluminous amount of material that was prepared and endless hours of presentations, the applicant failed to meet the most basic and reasonable thresholds for acceptance of this project. Once again, I would like to thank the planning board for its perseverance through this lengthy process.

Sincerely,
 S. Dean Sakati
 11 Fairway Drive

Dubowik, Brooke

From: Xfinitycomcast <cdmudson@comcast.net>
Sent: Wednesday, March 31, 2021 11:00 AM
To: Planning; Groth, Brian
Subject: March 31,2021

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March 31,2021

Planning Board Members,

As an abutter there was one more point I would like you to consider when looking at the HLC. I would respectfully request any berm and area between properties be a maintained area as opposed to the "naturalization" proposed by the applicant. Even when asked by Chairman Malley about maintaining their side of the property abutting the conservation land they're donating, he never received a clear answer, just the run around from Hillwood. " They have a 2 year warranty on all landscaping\trees\plants" Let's be clear, they have a 2 yr warranty from the people THEY will contract to do the initial work, and that's all they're willing to do. We all know invasive species will overrun unkept areas. I have been extremely diligent removing bitter sweet from my property for the past 6-8 years and still have a problem in areas. If left unmonitored and not maintained this is one plant that I know for sure will become worrisome. I'm also concerned if left to grow wild the berm area will become a breeding ground for unwanted animals and eventually animals that may come from the 3rd refrigerated warehouse. We all know food brings, rats. That is far down the road, but we need to put in place all the proper procedures now to ensure a positive outcome in the future should this project proceed. Please take this under consideration if this plan passes, and make it a requirement to maintain both sides of the berm. Hillwood would like nothing more than to put up a wall and forget about the other side of it, that's really not a good neighbor.

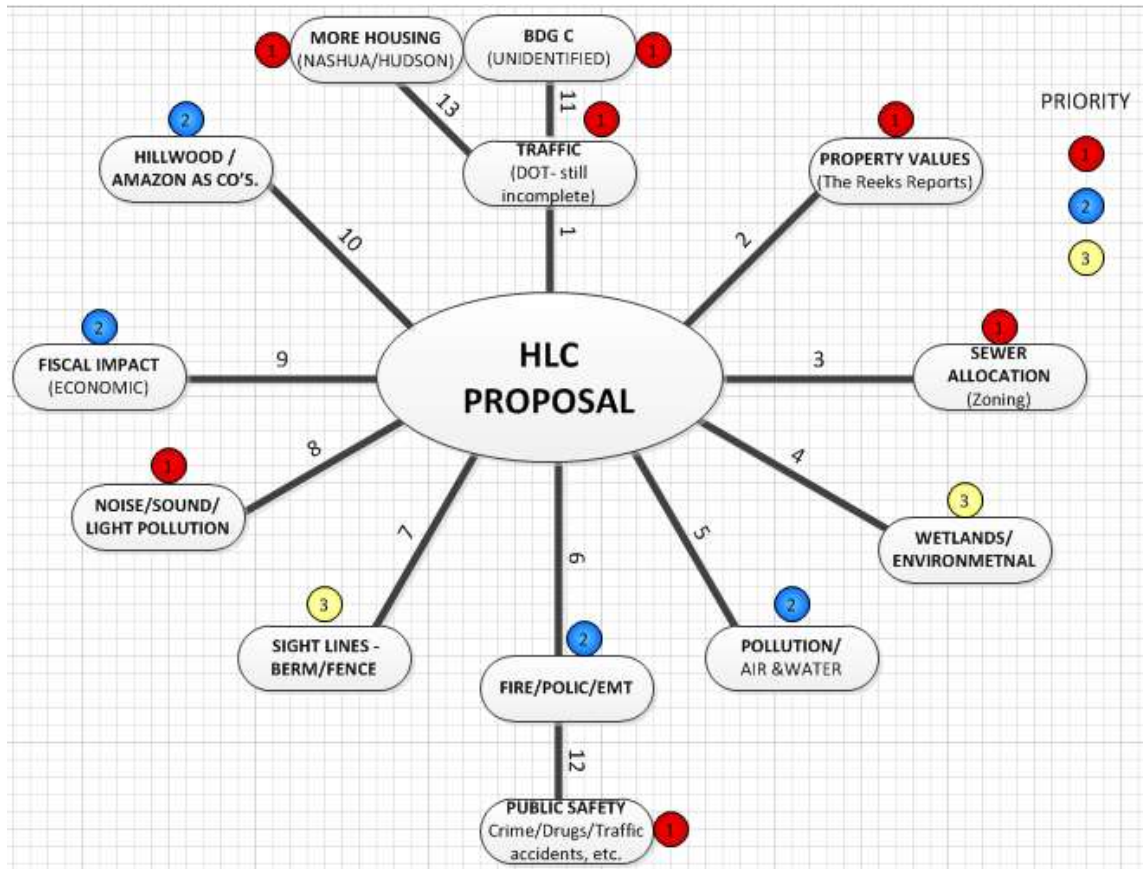
Thank you for your time,
Diane Mulligan
5 Fairway Dr

Sent from my iPad

Good Morning,

Please enter my comments below into the packet for the upcoming Hudson Planning Board meeting on April 07, 2021.

After nearly a year, I've attended every meeting regarding the Hudson Logistics Center. During that time I've watched closely as Hillwood/Amazon and their consultants have attempted to address concerns most of us have had since the proposal was first submitted. These concerns are rated in the chart below in the priority of how I saw them during the review process. I'm afraid Hillwood fell short in several of these areas, as they relate to town codes. I would like to call attention to a few in particular with high priority, which I'm sure you're already aware:



1. **Property Values** - Both of Mr. Reeks' Reports I thought were absurd. The conclusions that were made were ridiculous and should have been tossed-out immediately. Plus, not only did Russ Thibeault from ARC not return to review to challenge the second report, I would think you would want to hear the peer review after the second Reeks Report, not doing this creates the presumption that the Mr. Reeks was correct in his assumptions, that simply defied "Common Sense" or reality.
2. **Traffic** – The traffic impact study (TIS) that was performed should be considered null and void. Why?
 - a. The figures used were associated with 40% operating capacity.
 - b. Hillwood increased the gross floor area of Building A from 1,079,660 ft² to 1,330,825 ft² due to a mezzanine as described by Planner Mr. Groth's on the CAP Fee Worksheet. This addition was made after the TIS was performed by Langan and reviewed by NHDOT.

Note: At the 09/16/20 PB meeting during the proposal review of the warehouse at 36 Executive Drive, at 54:14 into the meeting, Mr. Collins asks "When the traffic report was generated, was that based on 22 docks, fully utilized, with trucks coming and going? I can't lay any credence to the traffic report with only 3 new trips/day if the building is expandable to 22 docks. **I think you'd have to kinda assume maximum use, and that way we'd have a better idea of what we're going to see coming down Lowell Rd.**"

The board was then told by the traffic engineer that performed the study, they use the ITE Trip Generation Manual, Land Use Code 150/155 which uses Gross Floor Area as the independent variable used in estimating traffic counts.

I agree with Mr. Collins, the “maximum use” should be used. It absolutely should also be used when doing these calculations with the HLC as well.

The members of the PB and the public deserve to know what the “real” traffic impact will be. The calculations should be performed again using 100% operating capacity over peak season of 8-12 weeks with the correct gross floor area for trip counts. No excuses. It's not that difficult, they just don't want to scare you.

- Unrealized Traffic (near the Taylor Falls Bridge)** – If you’ve been following the papers, you know that Nashua is arraying their forces, I mean housing, at the border near the bridge. This is looking like over 1300 condo units (workforce and luxury) which have been built or are being built. Add that to the Friar's Court 81 units. This traffic could have a huge impact on Hudson! Please tell me it was considered. If not please include it in a new TIS. What about the Friel owned Golf and Ski Warehouse? Could this be another workforce housing project, say 2-300 units? We deserve to know what the plan is by the owner given its impact potential.

Unrealized Traffic in TIS?			
<i>Nashua, NH - near Taylor Falls Bridge</i>			
<u>Year</u>	<u>Address</u>	<u>Units *</u>	<u>Description</u>
2016	50 Bridge St.	159	Phase I of Renaissance Downtowns' Bridge Street Revitalization Project
2018	11 Bancroft St.	76	Riverfront Landing
2019	Corner of East Hollis and Marsha	152	Workforce housing
2021	41 Central St.	48	Brownstein site – Low income housing (replacement)
TBA	41 Central St.	150	Brownstein site – Low income housing (replacement)
New	School St.	144	Workforce housing - approved
New	40 Bridge St.	177	Phase II of Renaissance Downtowns' Bridge Street Revitalization Project
		906	
TBA	Bridge St	414	Balance of the proposed 750 apartments for the massive Bridge St. project
		1320	
<i>Hudson, NH</i>			
2021	Friar's Court	47	Phase I - Workforce Housing
2021	Friar's Court	34	Phase II - Workforce Housing
		1401	
	HLC Building D?	400	Workplace Housing at existing Golf & Ski Warehouse?
		1801	
			* Mix 1, 2 or 3 BR apartments

4. **Building C** – This building has been described as a cross dock facility by Hillwood. They have also stated that the tenant has not been identified yet. I think this is bogus. I think they know exactly who it is (Amazon). Recall that Hillwood didn't identify who was in Buildings A and B for months as well. Look I'm not impressed with the deceptive behavior this developer is having towards my planning board. I may have been born at night, but I wasn't born last night!

Please follow my logic here.

- Building C has already been defined as a cross dock facility by Hillwood.
 - Hillwood has continued to state that the tenant has not been defined yet. I honestly think they're lying.
 - Why would a developer build a 522,000 SF facility on spec only to have to refit at big costs to the tenant's wishes later?
 - I doubt Amazon would allow another ecommerce company to be positioned in Bdg C on what would be their Hudson campus. Don't let Hillwood fool you. Folks it's earmarked for Amazon. No doubt in my mind.
 - The idea is to get these first two buildings approved and started. Meanwhile apply for the high trip gen fulfillment center or Amazon Fresh at Bdg C. They would already be entrenched into the community with money starting to flow into the town coffers with impact fees. The PB would be thinking they're doing what's "right" for the town fiscally and be compelled to approve. End of story. End of town.
5. **Get the information** - Please take a moment to understand the magnitude of what these facilities do to towns, just read several of these so you can get a feel. Hillwood's inability to satisfy the requirements of this process are the result of the fact that this facility is far too large, and experimental, for residential Hudson.

<https://sites.google.com/view/distributioncenters/home>

Even Detroit doesn't want them....yes Detroit! <https://www.fox2detroit.com/news/detroit-city-council-approves-sale-of-state-fairgrounds-for-amazon-distribution-center>

Hillwood has shown disdain for town residents and have been deceptive throughout this process. Many doubts were cast about unprofessionalism even from the beginning as the board was presented with the aggressive four month project review timeline plan. Many questions still remain unanswered.

I think the planning board should deny the Hillwood proposal and you have the authority to do just that. They have not been able to meet all that is required to meet the town codes especially with regard to traffic impact (but also nearly every other area). I urge you to deny this application. Obviously, it does not fit in with the town Master Plan.

Thank you for your time and dedication on the review process and for serving and protecting our town.

Sincerely,

Edward R. Thompson
22 Burns Hill Rd.
Hudson, NH

--

encl.

Dubowik, Brooke

From: heidi <heidi@healingbaskets.com>
Sent: Wednesday, March 31, 2021 11:31 AM
To: Planning
Cc: mjakoby65
Subject: Hudson Logistics Center / Hillwood Application

Importance: High

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

Dear Members of the Planning Board,

We have lived in Hudson, NH since 1994 and have loved living here. When we moved here the town had an eye to the master plan and a clear vision for the character and development of Hudson. Over the years there has been a clear change in how the boards have voted regarding preservation or our quiet, environmentally conscious, limited building town that it was. As all people have a right to sell their property, we entrust our town official to ensure that all development is in the best interest of all the citizens of Hudson and takes the public input and the master plan into consideration. Additionally, our town officials are required to scrutinize and question all applicants and to ensure waivers are not granted when there is a way to develop the land within the guidelines of the town. Hillwood is not asking for one waiver, but several, why? This project needs to be denied because they have made no effort to promote their idea for this land with out needing a waiver. I am appalled at such a large developer coming in and asking us, Hudson NH to grant several waivers so they can develop the land as they wish and disregarding what is best for Hudson and our community!

We urge you to deny all waivers Hillwood has requested! To be honest if there was one waiver or two small waivers, we would feel differently but no, they ask for waiver and exception after exception and to top it off they offer money for some projects in town, small amounts of money with no guarantee of when or if all the money may come. This is not neighborly it is conniving and distasteful.

We want to also address the major issues and reasons why we also believe you need to vote no on this application:

Property Values: Let me be clear, property next to a golf course is more valuable than property next to a berm/ warehouse! Property values are largely influenced by location. On this point alone the application needs to be denied.

Traffic: The traffic analysis the applicant did is woefully inadequate and that will be proven as they try and implement the plan and the State DOT must deny specific requests as they do not meet the requirement. Remember the NHDOT approved the methodology not the actual traffic items. Also, there was no consideration of the increased traffic on Dracut Road and the impact this facility will have on the intersection of Dracut, Sanders, and Pine roads. This intersection is a nightmare now, and many tractor trailer trucks come down this way.

Character of the Area: As we stated earlier the town of Hudson is not now nor does it endeavor to be an industrial trucking hub. Looking at the Hudson master plan this facility does not do anything to enhance our community or town. Moreover, Hillwood says it wants to be a good neighbor it has shown little respect and has literally shut down conversation and dialog with the community on all their social media outlets. Hillwood has promoted on many occasions and in many locations that the HLC is a done deal and they have been recruiting and sending our false news on all social media platforms as well as news agencies. Dialog is the only way to create relationships and to be a "good neighbor".

Water: Let us be clear relocating wetlands and animals does not work, that is why our rules state that any development should minimize this impact and as James Crowley showed the applicant had not taken any action to minimize this impact. Hillwood wants what Hillwood wants and has not shown any care for our waterways. In the beginning Hillwood completely ignored the smaller tributaries, and in the beginning did not consider wildlife movement. It was not until the citizens of Hudson raised these issues, did Hillwood do a redesign. We implore you to do a little research and check into the survival rate of relocated

wetland animals, the statistics are extremely poor. The Merrimack River is beautiful, cleaner than it has been, and this facility will have a negative impact on the river as does every industrial building on the river.

As the applicant had to pay, I believe a \$250,000.00 application fee, we had hoped this money would be going toward independent peer review for the board to get an objective perspective on this project. Overall peer review has been minimal. We hope you are each doing your own independent research on the issues surrounding this application.

Just because the applicant says it is true does not mean it is. Remember there are many aspects to this project and clearly, they have not met the requirements of Hudson, NH and this application must be denied.

The town of Hudson is on very solid ground as this project does not meet the most important requirement, that of the Master Plan and the future of Hudson, NH.

We strongly agree with Attorney Manzelli's assessment that. "Hillwood has not provided the Planning Board with sufficient, credible evidence upon which the Planning Board could defensibly base any approval, and therefore, the Planning Board should deny the Applications."

Finally, thank you to the board for the respect that was shown at the last Planning Board meeting, it was great to see the board listening to the public. To be clear the lack of questions from the board and the disrespect of public input, has been disappointing. One of the most disturbing actions of the board at the March 24th meeting was cutting off the attorney representing several residents of Hudson. This was not the only time you have cut off the attorney, but it has been a repeated action by the board. You have allowed the applicant to talk for hours, then change their data, then talk some more and again change drawings and data, but when an Attorney representing over 50 households in Hudson you disrespect the Attorney and all those residents. It is the chairs responsibility to allow comment, the chair can allow 90 seconds more to anyone without any input from the board. It was just unbelievable to see the total disrespect for someone who asked for 90 sections not 10 minutes. We believe that the board has lost sight of the most important people and views in this situation, which to be clear is the voice of the citizens, not the voice of the applicant.

We believe you must deny this application and all requested waivers.

Sincerely,

Mr. and Mrs. Michael Jakoby
94 Gowing Road Hudson, NH

Dubowik, Brooke

From: Jerome Bento <jeromejbento@gmail.com>
Sent: Wednesday, March 31, 2021 9:50 AM
To: Planning
Subject: Planning Board - April 7, 2021

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Please include in the packet for the April 7, 2021 meeting.

Mr. Chairman and members of the board.

I would like to address the following items and I ask that you take them in consideration as you deliberate the Conditional Use Permit for the Hudson Logistics Center.

- 1) Fire Department - current / future capacity
 - a. How many times per day are there currently multiple call occurring at the same time?
 - b. I understand the Industry (NFPA) standard is for 15 firefighters to respond to a reported fire? With only 11 firefighters per shift in Hudson, how many times per year is mutual aid called to supplement staff for a reported fire?
 - c. What are the current response statistics to each section of town?
 - d. Are the current response statistics within national standards?
 - e. Should additional staff be added to keep us within national standards?

- 2) Traffic – I ask that you delay any deliberations on traffic until the FINAL plan from NHDOT has been received. As the Governor stated, this is a home rule state and we must ensure that neither the State of New Hampshire nor the applicant inflicts their will upon us.
 - a. Personally, 3 northbound lanes turning onto Sagamore Bridge concerns me as it can already be a challenge with only 2 lanes, plus adding additional cars and trucks will only increase the challenges.
 - b. How will bicycle or pedestrian traffic be safely maintained in the proposed updated corridor?
 - c. Will the south end become an island where the only safe mode of transportation will be the car?
 - d. When I think of additional traffic lanes at the Lowell Road / River Road / Dracut Road my head spins as that is already a dangerous intersection
 - e. Amazon and Hillwood have presented traffic numbers for both car and truck traffic. I urge you to request another traffic study using the numbers representing 100% of capacity
 - f. While Amazon and Hillwood present that they have control of the truck traffic, recent reports from the Milford, MA area indicate differently. Amazon has told the Milford MA Select Board that the vans and tractor-trailers are driven by contractors, and not their legal responsibility!
See link: <https://www.milforddailynews.com/news/20191220/milford-slams-amazon-requests-meeting>

3) Diesel Fumes – What is the effect of adding additional traffic between Rena and the Sagamore Bridge? Will there be a continual exhaust cloud in the area?

a) Researchers at Harvard's Medical School **and** School of Public Health, together with researchers from The University of California at Berkeley, have reaffirmed that occupational exposure to **diesel exhaust causes** and an increased risk of **Chronic Obstructive Pulmonary Disease, or COPD**.

b) The American Cancer Society reports that lung cancer is the major cancer thought to be linked to diesel exhaust. Several studies of workers exposed to diesel exhaust have shown small but significant increases in risk of lung cancer. Men with the heaviest and most prolonged exposures, such as railroad workers, heavy equipment operators, miners, and truck drivers, have been found to have higher lung cancer death rates than unexposed workers. Based on the number of people exposed at work, diesel exhaust may pose a substantial health risk.

c) Will we need to wear a mask riding through the Rena / Sagamore Bridge corridor?

4) Home Values – I ask that you commission additional studies on home values. The study presented focused on current values and assumed those values would remain constant, or go up, in the future. THE OFFICIAL NEW HAMPSHIRE ASSESSING REFERENCE MANUAL states: 'There are value influences that affect entire neighborhoods. These may be as obvious as a location on or near a body of water, ski area, or golf course.' The factors affecting home values will change once the warehouses are constructed. This project will have a negative impact on home values in the South end of Hudson and thus should not be approved. Please see link to view the NH Assessing Manual. <https://www.revenue.nh.gov/mun-prop/property/documents/asb-manual.pdf>

As a cancer survivor, as are many people in Hudson, I worry about the long-term effects of these buildings and all the associated traffic will have on my health and the health of my fellow citizens of Hudson.

Thank you for your time.
Jerome J. Bento
7 Muldoon Dr
Hudson, NH 03051

Dubowik, Brooke

From: Joanne Walsh <jemgal1@hotmail.com>
Sent: Wednesday, March 31, 2021 11:13 AM
To: Planning
Subject: HLC

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PB members,

There are still a lot of unanswered questions related to this project that the public has wished answered and they have not been forthcoming.

- Right to know, information that has been asked for has not been specific with things only partially answered. You have the list of requests.

- Sewer issues, since this was outside the sewer district, why was the vote reversed when the town planners/engineers specifically said it did NOT qualify and the n reversed decision??? Come on, what is happening here, kowtowing to conglomerates that promise everything and then may renege?

- And on that note, not a lot of happy campers in Milford, Ma. who opened them with open arms and now regretting their decision due to issues and complaints relating to traffic and drivers. How do we know who these people will be? Some most likely upstanding citizens, some maybe not, which will cause a lot of issues for town employees from various departments. Do you think this is going to be good for the town? I DO NOT. There will be a large, constant turnover as people generally don't want to work for what seems to be a very difficult environment as portrayed by the media.

Please this is a nice town. Not opposed to the Friel's selling their property but at least something compatible to the surroundings. Neither the Friel's, anyone on the BOS, PB or any of the proponents of or employees of Hillwood or Amazon would want such a large project in their back yard for many years to come. At least with some of the other past proposed projects the intended buyers had dialog with abutters, not so this time. understanding COVID it may be an excuse but with technology today reach out not there except thru PB meetings, not neighborly in my books!

Thank you for allowing this input for consideration. Hopefully the board checks out the issues from other communities near and far before a decision is made.

Respectfully,
Joanne Walsh

Good Morning,

Please include my comments below with the packet for the April 7, 2021 Hudson NH Planning Board Meeting.

This Hillwood/Amazon project has been in the works since early 2020. Even during all of the restrictions with the COVID19 Pandemic, the Town of Hudson held in person meetings to work the details of this project and many residents attended these meetings not knowing the risk that they were taking. It was important to attend these meeting in person to ensure we knew what was being proposed and to be involved in the process as residents of Hudson.

After all of the work that has been presented by Hillwood, their plans still have many issues that require you to deny their application. I will cover some points below.

Sound:

The Sound Study that was performed by Ostergaard Acoustical Associates was incomplete and missing required information per Hudson Ordinance 249-3 Guidelines for Determining sound levels:

- The Sound Study does not specify the Microphone used with the NTi XL2 to show compliance with ANSI S1-4—1983 for Type 1 precision and Type 2 general purpose sound meters
- The Sound Study provided NO Calibration Certificates for calibrations before and after sound testing as required by Town Ordinance.
- Calibration Certificates provided show one meter overdue for calibration
- The Sound Study do not indicate that a Windscreen was utilized which is a manufacturer requirement for outdoor sound testing
- The Sound Study DOES NOT indicate that impulsive noise was measured with the fast C-weighting response as required by the Hudson NH Town Sound Ordinance
 - o The report states on Page 20: C. Noise Limit 3: Impulsive sound-level limits will be well below permitted limits. This report has taken a more conservative approach by applying maximum site sound to Noise Limit 4 **using the A-weighted metric.**
- The Sound Study DID NOT model any sound that will be travelling over the Merrimack River impacting Nashua residents and Hudson Residents along the River
 - o Additionally, the Building Generators will be facing the river and will generate 114 dB(A) according to the OAA Sound Study. There is little buffer between the generators and the Merrimack River.

The incomplete information in the Sound Study requires the Planning Board to deny this application.

Berm\Sound Wall:

Hillwood presented a Site Line Study to the Planning Board on January 27, 2021, misleading the Planning Board and the residents that the building would not be visible to the abutting residents.

When the State Of New Hampshire Highway Department designs and builds a sound wall they work with the impacted receptors when they are designing it to ensure it will satisfy their needs. It is not only Fairway Drive and Eagle Drive that will be impacted Muldoon Street, River Road, Steele Road, Rene Ave and Rita Ave. The sound will also be travelling along the river and impacting our neighbors across the River and also up and down the river which the sound study never took into consideration when they did the study.

- I provided a presentation to the Planning Board based on Hillwood's Sight Line drawings proving that the Hillwood Building WILL BE visible to the residents over the Berm
- Hillwood has made statements that the Berm\Sound Wall is reasonable, A large contingent of residents have spoken and written to the Planning Board against this statement by Hillwood and the poorly designed Berm\Sound Wall
- A developer (Hillwood) does NOT interpret Town Ordinance on what "Reasonable" means. The Planning Board makes this determination with input from all residents both directly and indirectly impacted by the development.
- This Berm\Sound Wall fails to protect the abutters from sound and visual nuisances from the proposed development, Neighbors must have the ability to enjoy their residents without any interference from new developments, this Berm\Sound Wall was never designed to protect the neighbors from enjoying their homes.
- The Developer has failed to meet with the "Directly Impacted Receptors", the abutters, to address their concerns with the Berm\Sound Wall, this lack of outreach has been evident throughout this Planning Board process and shows to me that Hillwood will not be a good neighbor to Hudson.

The Berm\Sound Wall issues that I have pointed out require the Planning Board to deny this application.

Property Values:

The first property impact study had many problems with it when reviewed by Russell Thibeault.

On August 6, 2020 Russell Thibeault from Applied Economic Research provided a peer review on the Trimont Real Estate Analysis and Mr. Thibeault starts by stating" The impact of a proposed facility on abutting properties is site-specific. I find this analysis to be overly generic."

Mr. Thibeault then goes on to state:

- There is little analysis of the selected comparable sites and how they compare to the Hudson setting
- The Logistics developer is proposing berms and sound barriers to mitigate the impact of the facility on some of the abutting residential properties. There is no indication if such measures were warranted or undertaken in the comparable settings or whether such measures are adequate or necessary to mitigate the potential negative impact on abutting properties in Hudson.
- The study also references a second analysis prepared by Jonathon Wiley, PhD in 2015, apparently addressing residential price trends in response to commercial development in

the Atlanta region. One of the Wiley excerpts quoted in the Trimont analysis notes: *“Sites targeted for new industrial development exist in neighborhoods where values are relatively lower and already experiencing a downward trend in advance of the project completion.”*

Such a characteristic and trend are not evident in the Hudson Logistics neighborhood. In fact, quite to the contrary, neighborhood residential values are not “relatively lower” and they have been rising.

- The abutting and neighborhood properties in Hudson are facing a pronounced land use change, from an innocuous open space amenity use (golf course), to what is arguably the largest single approval nonresidential development proposal in the State’s history. There are site-specific aspects and impacts that are not addressed in this analysis.

Why have we not provided a second peer review on the updated information. The latest Property Value study from Mr. Wesley Reeks is also flawed in quite a few aspects:

- First, this study has NOT been peer reviewed. This first Property Value Study had numerous issues that were pointed out through the Peer Review process and this second study HAS NOT been Peer Reviewed to ensure accuracy of the information
- Mr. Reeks has written and presented to the Planning Board that property located beside a Golf Course will not lose value when the Golf Course is torn up and replaced by a 2.5 Million Square Foot Industrial facility and we all know that this is not true
- I have spoken to numerous Hudson NH Real Estate Agents and a Certified Town Assessor and they have all stated that this information is incorrect
- Common sense tells you that this information from Mr. Reeks is not correct and a Peer Review is REQUIRED to ensure no substantial property value loss occurs if this development is approved

The issues stated with the Property Values Study require the Planning Board to deny this application

Sewer Reconsideration:

The Board of Selectmen listened to the calls from residents to re-addresses the Sewer Vote that incorrectly provided Sewer Access to Hillwood for this project. Multiple issues existed with the reconsideration and second vote that reversed the original vote denying Sewer access to this project.

Both the administrative assistant in the Sewer Department and the Town Engineer Elvis Dhima stated that this property is NOT in the Sewer District of Hudson which will assist the Board of Selectmen with their latest reconsideration.

Until the Board of Selectmen makes a final determination on Sewer Access for this development, the Planning Board should take no vote on the application

Environmental Impact:

There are numerous issues with this project regarding the environmental impacts it will have on Hudson and neighboring communities. I had taken part in the NHDES web meeting, listening to the developer and residents and also providing feedback. My concerns are listed below:

Hillwood HAS NOT completed all necessary work that is required for the application to be approved.

- All necessary Infiltration Testing that is required to be completed according to NHDES AoT Rules and the NH DES Stormwater Manual HAS NPOT been completed. Hillwood has requested to complete testing during the construction phase which is both unacceptable for a permit and against what the Town Engineer Elvis Dhima stated when providing feedback to the Town Planner Brian Groth:
 - o The Town of Hudson Engineer Elvis Dhima stated "Applicant **shall** comply with the Engineering rules and construction requirements for road, sewer, water and drainage construction, subject to approval by Engineering and Public Works Department"
 - o The Town of Hudson Engineer Elvis Dhima stated "**SHALL** " in his email. There is no ambiguity in the statement of "SHALL" (according to Oxford Dictionary "expressing a strong assertion or intention"). How is waiting until construction begins complying with this statement from the Town Engineer. The developer is required to submit completed plans with all of the proper engineering work completed before this should ever be approved. They had time to perform this before the winter snows arrived and can wait until the thaw hits to complete the required work.
- Wildlife Relocation
 - o Hillwood stated that they were going to relocate all of the Wildlife that resides in the wetlands that they are destroying. The Wildlife Engineer specifically spoke about relocating Turtles and I will address this first.
 - o The Wildlife Center of Virginia states, "Do NOT relocate a turtle to a "better place". Turtles have small home territories and should be left where they are found. Their survivability depends on it! <https://www.wildlifecenter.org/tips-helping-turtles#:~:text=Do%20NOT%20relocate%20a%20turtle,wild%20turtle%20as%20a%20pet.>
 - o The Orianne Society states, "one study showed that relocated Painted Turtles greater than four years of age had a very difficult time learning where to forage and overwinter and had much lower survival rates, suggesting that turtle brains become hardwired to their native home ranges and cannot easily learn how to survive elsewhere" <https://www.oriannesociety.org/faces-of-the-forest/why-turtles-cross-roads-and-how-to-help/>

- Commonwealth of Massachusetts states, “Turtles have strong homing instincts, so if you move one to "better" habitat, it is very likely to try to return home and in the process cross many roads.” <https://www.mass.gov/guides/turtles-of-massachusetts>
- This development will potentially increase the deaths of Turtles as they attempt to cross an enormous Industrial Complex with Tractor Trailers, Cars, Box Trucks, Pedestrians that will pick up the Turtles as they attempt to “Go Home”, a home that was destroyed for the profit of this developer.

Engineering Design:

I believe that many of the issues that we are seeing are due to the process that Hillwood used when designing this project. During the NHDES meeting, the Hillwood environmental engineer stated that they design was to use the maximum amount of upland area for the buildings.

The desire of Hillwood to place the largest buildings that they could on the upland area placed the roads in wetlands, forces the relocation of wildlife and designs a less than reasonable wall to be built in the remaining area.

- Hillwood’s design team should have reached out to the neighbors to design a Proper Berm\Sound Wall before any building was ever placed on the design sheet
- Hillwood’s design team should have placed the roadway and roundabouts “Outside of” instead of “IN” the wetlands before any building was placed on the design sheet
- Building C has no known tenant which makes it difficult to justify that it is critical to the success of this project
 - What would happen if the project was approved and Building C was never approved, would Amazon pick up and move to “Another Dot” in New Hampshire?

The damage to Wildlife, the damage to Wetlands, the poorly designed Berm\Sound Wall, an unknown Building C Tenant with associated unknown impacts require the Planning Board to deny this application

Hudson NH Planning Board Land Use Regulations:

The Hudson NH Planning Board Land Use Regulations clearly spell out specific criteria that this project must be denied for:

- A. The safe and attractive DEVELOPMENT of the site and to guard against such conditions as would involve danger or injury to health or safety, and no significant diminution in value of surrounding properties would be suffered.**
 - **Without a peer review of the current Property Value Study, Hudson cannot be 100% sure that his will not occur**

C. Pedestrian and bicycle safety and access

- The proposed changes to Lowell Road (Rt 3A) have three (3) locations with a proposed 2 Foot Shoulder and ALL other locations are proposing a 4-Foot-wide shoulder. The NH DOT stated in an email to me that they require a 4 – 5 Foot shoulder for any changes.
 - WHY is Hillwood proposing 2- and 4-Foot shoulder when a 5 Foot Shoulder would provide greater safety for bikers and walkers?

F. Stormwater drainage and groundwater recharge.

- Hillwood has not completed all required Infiltration Testing required by NHDES, Hudson Town Ordinance, Planning Board Land Use Regulations and Town Engineer Elvis Dhima requirements

Thank you for taking the time to read this information that I have provided to you regarding Sound, the Berm\Sound Wall, Sewer Reconsideration, Property Values, and Hudson's Land Use Regulations. There are problems that need to be resolved in all of these areas and until they have been resolved you need to do the right thing and deny this application. I hope that it will allow you to make that right decision.

I want to thank you all for the incredible job that you do for Hudson and all the residents. I can't begin to know what a difficult decision that you have in front of you but I would ask that you take all of the public input that you have been provided into consideration before you take this important vote.

Thank you again,

John Dubuc
11 Eagle Drive

March 30, 2021

Dear Board of Selectman, Planning Board, Brian Groth and Steve Malizia,

Please all do your due diligence and go online and read how Amazon has affected other towns and cities all over the United States. To name a few look at the following hyperlinks:

[Amazon and impact to communities](#)

[Amazon Traffic Issues](#)

[Amazon in Milford, MA](#)

[Amazon complaints in Milford, MA](#)

[Amazon poor working conditions](#)

[Amazon Disposable Workers](#)

[Amazon issues in the work place](#)

[Amazon Labor Unions](#)

[Amazon worker turnover rate](#)

The list goes on and on.

You will find it is not pretty and these towns and cities wished that they would have never approved having Amazon in their towns/cities.

Sewer -

After Board of Selectman meeting on March 23rd there are several questions that come up as to why the due diligence is different for the sewer approval North Hudson

(specifically 2 lots on Greely Street out of sewer district) than the Hillwood project in South Hudson. It was clear last night that this is the case. If you would like to hear for yourself go the recording of the BOS meeting on March 23rd fast forward to 36 min and specifically 49 min. to 56 min. and hear Elvis Dhima's responses to the sewer questioning. The board asked a number of questions for the Greely Street request and however the board had very few questions for the Hillwood Property sewer request. When Elvis was asked why this was the case his response was "I have no idea". Interesting the Greely Street (a small project) was scrutinized and Hillwood (a massive project) received very little attention.

Traffic/Noise -

The Race way in North Hudson asked that they be allowed longer operating hours and they were denied by the Board due to the noise level and traffic for the residents in North Hudson. Can you explain what the difference is for the residents in North Hudson and the residents in the South Hudson? The Hillwood project is going to be far worse than the Race Way for traffic and noise and it will be 24-7 365 days a year.

Why are you treating North Hudson residents differently than South Hudson residents? How can you have different rules that you follow for different parts of the town? It

clearly appears that those rules change based on what is being voted on and what part of town and mostly WHO the request is coming from. Traffic and noise in North Hudson are not approved and in South Hudson it is approved. What?

It is time for all of you to reflect on how your vote will impact our town and our lives as we know it.

Traffic Monitoring – How is the town planning on monitoring the traffic that Hillwood is stating it will be? What will the penalties be for exceeding the limits that we have all been told? The 240 tractor trailer trucks, 40 box trucks and 2000+ passenger vehicles times 2 (what goes in must come out) and the passenger vehicles will be from employees that are coming from our neighboring state of Massachusetts not New Hampshire – since our unemployment rate is so low anyone that wants to work is already working). This data is way-off and we are going to be dealing with a ton of traffic.

Medical Emergency:

If there is a medical emergency for a resident of Hudson, anyone in Hudson shopping at Sam's, Wal-Mart or maybe due to a traffic accident in South Hudson **there is only one way to get to a Nashua hospital quickly and that is across the Sagamore Bridge**. Can you imagine an ambulance or the Nashua Fire Department trying to get

across the bridge in rush hour traffic? That is going to be a nightmare with all the Amazon tractor trailer trucks, box trucks and Amazon employee passenger vehicles causing a traffic jam backup. Now think if a life is lost due to not getting to the hospital in time because of this. This makes me upset and very sad to think that this is a real-life possibility. But it is. How would this make you feel if this happened to your spouse or one of your nieces or nephews, sons or daughters because of your decision.

Taxes:

Town of Hudson taxpayers be prepared that your taxes are going up. The taxes Hillwood will be paying will not offset the increase in cost to our town. This project will cause a great change in our town. Hudson clearly will not make the list to be one of the desirable places to live and purchase your home.

Being a good Neighbor:

Hillwood has been promoting that they will be a good neighbor. Would a good neighbor **NOT** allow reasonable questions and comment to their social media sites? Hillwood is quick to remove, block and delete comments from concerned citizens not only from Hudson but surrounding communities. You tell me, does this sound like a good neighbor?

Just recently Hillwood also proposed a mitigation impact of \$9.7 million dollars. Could this be considered a Hillwood incentive to the Town of Hudson to approve this project?

Health and Well-being:

Your families are important to you, you want the best for your families and to live in a safe haven free from having to deal with living near or next to a massive project (equivalent of 3+ Gillette Stadiums, 24-7 operation) and the resulting impacts such as: traffic from construction and later operations; noise levels, air quality and looking out the windows of your home and seeing massive buildings on a daily basis, to name just a few. Well guess what, we the residents in the small town of Hudson, NH want to live in a safe haven and is the reason we purchased our homes in Hudson, NH and not next to a large concrete logistics center. If this is what we wanted we would not be living where we live now and would have bought a lot cheaper for it.

Can any of you honestly say that you and your families would want this proposed logistics center in your neighborhood, at your backdoor or in your town or city? There are a number of other reasons that this project should not be approved such as horrible line-of sight and pollution (light and air) just to name a few.

Hudson Town officials are here to make sound informed decisions in the best interest of the residents of our town. Hudson "A great place to call home".

Below is a partial list of some un-resolved Hillwood issues:

Final Site Plan – when will this be presented to the town

Traffic Study - using true and honest data

Noise Study - using honest assessment

Environmental Impact – wildlife, wetlands, pollution
(air/water)

Fiscal Impact Study – town-wide / not limited to simply
property values

Community Impact (social/cultural/emotional) – quality
of life disruption(s)

Berm / Noise abatement – design and timeline

Fuel & Maintenance – onsite repair and service facility
and hazmat issues

Police Impact Study – predictable increase in crimes

DPW Impact Study

Fire Impact Study – Water effort study, fire
suppression/water availability, communications
assessment, equipment analysis, public safety study /
hazmat plan

Construction plan / timeline – construction permitting
process/procedures, funding private

Please, please do not approve this project. IT IS NOT
RIGHT FOR OUR TOWN HUDSON.

Thank you for your time and consideration,

Karen Nevin
3 Eagle Drive
AKA Green Meadow Estates
Hudson, NH 03051

Planning Board;

A few ongoing concerns;

Has the Army Corps of Engineers studied the site and given their approval?

Has necessary land been purchased to widen the roads? Even so, it will mostly benefit HLC.

ALL ROADS FROM THE HLC FUNNEL DOWN TO 1 LANE IN ALL DIRECTIONS!!!
Will neighbors in Nashua, Londonderry, Litchfield, Pelham, Windham, Dracut, & Tyngsborough be prepared to handle the traffic? Remember Mr. Plante told Tyngsborough that not 1 truck would go there!

This is a Regional Impact yet residents from surrounding towns were restricted on the Public Input Meeting March 24. They are rightfully concerned too. I was disappointed to see concerned citizens standing in the back of the hall while Hillwood's entourage sucked up 1/4 of the seats. They have had their reserved seats during this whole process while residents were criticized for waiting by the entrance door so we could get a seat. Meeting after meeting the public sat through hours of Hillwood's vagueness, deception, and "We'll get back to you." It seems with their entourage someone should have been able to correctly answer certain questions! We were typically granted 3-5 minutes to rebut when we had experts who possessed lots of credible knowledge to share, PLUS a personal stake in the town which Hillwood's only goal was financial gains.

Where were all of HLC's supposed supporters on March 24? I have seen 3 or 4 in all the meetings I attended. It was their opportunity to be heard but only 1 gentleman showed up!

The HUMAN SIDE of this battle reflects how important it is for residents to maintain our quality of life. While we researched, wrote letters, attended and listened to meetings, ETC, ETC... we were also dealing with Covid, home schooling, working from home, job loss, medical issues such as knee replacements, an organ transplant, several terminal cancers, and 2 births that I am aware of. Our lives went on. We did not get paid for our participation like Hillwood's team. Our motivation was our quality of life and saving our town. This was an EXTREMELY STRESSFUL year filled with sleepless nights, lots of tears, prayers, and the anxiety of what will happen to life as we know it.

Looking back at Hillwood's "experts" it is felt that they totally ignored many issues. One that bothers me is wildlife, which we know exists because we see them. Their expert envisioned wildlife relocating near Lowell Road, and the main entrance for tractor trailers and workers slices through their new habitat! If Lowell Road doesn't kill them, the entrance may!

Another failure of Hillwood's experts was their RIDICULOUS PROPERTY VALUE ANALYSIS! TWICE!!

After repeatedly asking for a comparable logistic site, Hillwood failed and suggested the Fall River one which is half the size! HUDSON DOES NOT WANT TO BE HILLWOOD'S GUINEA PIG!!!

This proposal should simply be denied due to the:

TRACTOR TRAILERS and the myriad of negative issues they bring, AIR, WATER, NOISE, and LIGHT POLLUTION and its DECIMATION of the ENVIRONMENT, TRAFFIC CONGESTION which only adds to present "F " levels.

HUDSON DESERVES BETTER THAN BEING ASSOCIATED AS "TRACTOR TRAILER TOWN"!!!

Thanks for your time on this momentous matter.

Marie Dobens
Hudson, NH

Dubowik, Brooke

From: Mary Palmer <fized@msn.com>
Sent: Wednesday, March 31, 2021 11:37 AM
To: Planning
Subject: Hillwood Application

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

Dear Planning Board:

First of all thank you all so much for your tireless efforts on behalf of the welfare of our town. Just reading the mounds of letters and studies related to this issue, I know is immensely time consuming and I thank you!

Since public speaking was limited by timekeeper the other evening, I wanted to bring up a few more points.

I spoke last Wednesday to the fact that I am now cancer free and would like to stay that way and not have unnecessary pollutants introduced into our neighborhood and surrounding areas by this Hillwood project.

Today, I'd like to address 4 more issues that have gone for the most part unaddressed.

1. Hazard safety in the complexes of other Amazon facilities. You only need to Google "Amazon fire or explosion" to be directed to a site around the country that has experienced a horrendous inferno. The contents of these warehouses serve as good kindling for catastrophic events for Hudson and the surrounding homes. Our Hudson FD is small and I don't think they truly understand what could happen here. With the river bordering one whole side of the property, there would be only one way in to tend to a fire or explosive event. Even if we called in help from surrounding towns... only 1 way in! Very very unsafe situation.

2. Safety on the roads. Right now between the hours of 8:00-10:00 am and especially 3:00-7:00 pm there is bumper to bumper traffic on Lowell Rd and the Sagamore Bridge leading to Rte 3, BEFORE this gigantic facility has even begun to build. Summer and Christmas times are even worse!

If there was ever an accident, and there will be, involving life threatening injuries, an ambulance could never get through and quickly take any victims to either of the 2 local hospitals efficiently. There may be precious time wasted because of the volume of traffic that Hillwood/ Amazon have admittedly will be there. And nothing is going to stop them from having even more traffic (more than 40%) pour onto the roads than they are admitting to. An extremely unsafe situation!

3. People are under the impression that we'll get tons of revenue from Hillwood. Is this going to be in writing, and will they adhere to the payment schedule? Remember it took them months to pay their application fee, always asking for extensions? And the amount of money is not what the town's citizens think it will be. It's a set amount given over time (if they honor it) and the major bulk of the highway project will fall on Hudson residents in higher taxes. So the one fiscally positive reason to have this is not really a positive at all!

4. Nobody, to my knowledge has addressed the fact that all the traffic studies have taken place during a worldwide pandemic! Covid19 traffic is a fraction of non Covid19 traffic! New Hampshire, unlike much of the rest of the country has abided by "Stay at home" and "Work from home" policies. When we come out of this, the traffic is going to be far worse than anyone ever imagined. This whole thing should never have even been proposed during the pandemic. People felt they could not safely appear to even speak about it.

In light of these severe and very serious safety issues, I feel that you have no choice but to deny Hillwood 's application.

You also have grounds for denying the application on their very flawed studies:

Wetlands, environmental, noise, property values and the fact that this proposed project does not and will not better Hudson in any way. They've repeatedly asked for extensions, changes and exceptions to the town's codes. Our town's codes are there for a reason, to protect the integrity of Hudson. Something that I believe you as a Planning Board will do.

Please vote no in their application approval.

Thank you very much.

Respectfully submitted,

Mary Palmer
26 Chalifoux Rd.
Hudson, NH

Dubowik, Brooke

From: Paige Schaller <pschaller@comcast.net>
Sent: Wednesday, March 31, 2021 11:59 AM
To: Planning
Cc: Groth, Brian; ~BoS
Subject: Public Input HLC

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

Dear Chairman Malley,

This project should not be approved until all permits, land acquisition, EPA, DES, DOT approvals, and full funding for the Hudson Boulevard aka Circumferential Highway have been secured. Hudson Boulevard has been included due to the fact that our own Town Engineer stated in an email to the Governor's office that Hillwood's proposed small mitigation will not work and we would need the Hudson Boulevard to achieve proper mitigation. Please see below email from Town Engineer Dhima.

Additionally, as we all know, the traffic on Lowell Rd. and in Hudson is awful. Lowell Rd. particularly has received an F rating from NHDOT. To add additional traffic and road construction to this road would be irresponsible. It is my hope that should the HLC be approved, construction of HLC should not begin until all construction to Dracut Rd, Lowell Rd, Wason Rd., and Hudson Boulevard are completed.

During the lot line reallocation and condo division there was Lowell Rd. frontage added. Why is that frontage needed, are they going to add fueling stations? I would also like to take this time to reiterate how concerned I am that once Amazon is in our town, it is going to continue to grow and take up other unused land/buildings.

It is not only the traffic, noise pollution, sound pollution, and loss of green space and wetlands that will forever change the face of Hudson, it is the sight. Imagine if you are looking to buy a home in Hudson and you come across Sagamore bridge and see those three enormous buildings with all the trucks would you continue into Hudson or make a U-turn at the light and go back to Nashua? I am sure we all know the answer is, go back to Nashua. If it isn't, you are not being honest with yourself. The property values for all of Hudson, not just the three abutting neighborhoods are going to suffer.

Thank you for your time and your consideration to my comments/concerns. You all have had a tremendous burden on you this past year not only with the pandemic but with evaluating/processing the largest new development to date in New Hampshire. I hope you take your time to weigh what is truly in the best interest of the residents and town of Hudson. I have mentioned this before, this is an enormous project with a multitude of ramifications, there is no need to rush the process. Please take the time to go over all reports, testimony, and speak with other municipalities around the country (not just Hillwood projects). Once a decision on this is made, there is no turning back. This is not a Flagstone Plaza or a Teledyne Technologies, this is a decision that will have irreparable consequences to the landscape, wildlife, ecosystem, air, and sound pollution of not only the Green Meadow property, but to all of Hudson (and regionally).

Respectfully,
Paige Schaller
Fox Hollow Dr.

From: Dhima, Elvis
Sent: Thursday, August 13, 2020 9:41 AM
To: Crepeau, Adam <Adam.Crepeau@nh.gov>
Subject: RE: Hudson NH - Hudson Logistic Center Items

Adam

2

The project is currently struggling with the traffic portion because of the existing issues in Hudson

We believe that by providing the bypass, it will provide relief along Lowell Road and other networks in Town and make room for the proposed additional traffic

Basically, we can either waste time with small traffic mitigations that won't work or deal with the elephant in the room and look at the real solution.

If the traffic doesn't work, no support from the state plus not a real commitment from the applicant to make traffic work, Planning Board could possibly not approve it as is at this time

Hudson will have the same issue with the next developer, if this project doesn't happen

Let me know if you have any questions or if the above makes sense

Thanks for all your help

E

Elvis Dhima, P.E.
Town Engineer

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



From: Crepeau, Adam [mailto:Adam.Crepeau@nh.gov]
Sent: Thursday, August 13, 2020 9:10 AM
To: Dhima, Elvis <edhima@hudsonnh.gov>
Subject: RE: Hudson NH - Hudson Logistic Center Items

Hi Elvis,

Thank you for sending these materials. I have sent these to NH DOT as well for their review.

I'm interested to know how #2 is directly/indirectly related to the Hudson Logistics Center and how the town intends to come up with the funding for the project.

Best,

Adam

From: Dhima, Elvis <edhima@hudsonnh.gov>
Sent: Wednesday, August 12, 2020 4:57 PM
To: Crepeau, Adam <Adam.Crepeau@nh.gov>
Subject: Hudson NH - Hudson Logistic Center Items

3

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Adam

It was a pleasure speaking with you earlier

Below are the two items Hudson needs assistance with at this time

1. Is NHDOT willing to have an agreement with the Town regarding day to day operations on 4 intersections along Lowell Road, please see attachment A.
2. NHDOT is the current owner of the Right of Way of the old Circumferential Highways (Lowell Road to Route 111). Is NHDOT still willing to allow a two lane road, please see attachment B, if we come up with the funding?

Thank you

Elvis

*Elvis Dhima, P.E.
Town Engineer*

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



March 31, 2021

Mr. Brian Groth, Town Planner

Hudson Planning Board Members Timothy Malley, Ed Van der Veen,
William Collins, Elliot Veloso, Dillon Dumont, Jordon Ulery, Leo Fauvel, Victor Oates
Select Board Liaison Roger E Coutu and Alternate Marily McGrath
12 School Street
Hudson, NH 03051

Mr. Groth, Hudson Planning Board Members, and Select Board Liaisons:

I'm writing to submit my comment on the Hudson Logistics Center Proposal after observing the March 24th-2021 Hudson Planning Board Public Comment Meeting over WebEx. I'd like to respond to comments by various Hudson and regional residents who spoke at the meeting:

MR. JAMES CROWLEY

I concur with the statements made by Mr. James Crowley, a retired Civil Engineer who worked for over 25 years in land development and stormwater system design. He made several points that I believe cannot be ignored because of violations of NHDES regulations and Town Codes:

- **Stormwater Management** – Contrary to statements the Developer has made, Hillwood's plan does NOT contain a state-of-the-art stormwater management system. It does not "collect, treat, and manage pollutants and protect the Merrimack River," as stated in Hillwood's proposal. Some basins lack field infiltration testing required to show the basins will function properly, some lack emergency overflow management that could lead to breach of the dam/release of sediment into the Merrimack River. Mr. Crowley covered issues surrounding basins collecting sediment not being level, also a requirement. He detailed how the design flaws call into question all of the stormwater management calculations regarding groundwater flow rate values, brownwater flow, brownwater sidewall seepage, and the management of the excess water to avoid overflowing the infiltration basin. The plans do NOT meet the NHDES or town requirements, outlined in Town Codes Mr. Crowley cited, 235-6f or Code 290. The plan discharges treated stormwater runoff to the Merrimack River, Limit Brook, and wetlands areas. Out of ten infiltration basins, eight lack required field testing to show they will function as required. **Good reasons to deny this proposal.**
- **Wetlands Impact of Access Road/Conditional Use Permit** – Hillwood's planned access roadway does not minimize wetlands impact from access roads, as it should to be in compliance with Town Codes and NHDES requirements. Mr. Crowley suggested an alternative road design that could minimize the impact on wetlands in the NorthWest corner of the site. The existing plan violates Hudson Town Code requirements for wetlands avoidance, wildlife access, and vernal pool protections. None of these requirements have been met. **More good reasons to deny this proposal.**
- **Real Estate** – Hudson Code 275-6a indicates that no project proposed should produce a significant diminution on Hudson Real Estate values. A New Hampshire official assessor's manual states that positive value influencers for real estate include location on or near water, a ski area, or a golf course. Negative value influencers for real estate are proximity to industrial/commercial uses and

heavy traffic counts. Clearly the HLC is an industrial/commercial use that everyone agrees would increase traffic. Thus, it is clear that the HLC would diminish values of nearby properties. **A solid reason to deny this proposal.**

- **Traffic** – Hudson Code 275-6b indicates that no project proposed should have a negative impact on traffic. Hillwood’s proposal of adding lanes and lights to Lowell Road and lanes to Sagamore Bridge Road was modeled using software that is designed to estimate traffic management of passenger cars, not trucks, and definitely not tractor trailers. The traffic study is clearly a farce. **Another good reason to deny this proposal.**
- **Development Agreement** – Pages 146-148 of March 24th packet lists some stipulations that the Planning Board should consider. I agree that these stipulations should be considered.

MR. JIM DOBBENS

I also concur with comments of Mr. Jim Dobens, who questioned incongruous statements of Hillwood that stretch incredulity:

- The Traffic study was based on 40% capacity; it never addressed the consequences of 100% capacity. And the facility will never get to 100% capacity? Seriously?
- Hillwood will fix our roads? Really?
- No trucks will drive into Tyngsboro or Litchfield or use our backroads? Really?
- Noise will be 24/7 on 365 days—air breaks, beep-beep-beeping, idling, HVAC noise, and loud speaker systems. All this will become White noise over time?
- The Property Values review said that the value of homes near a golf course would remain the same when they are suddenly next to a distribution center. This conclusion violates every principal of real estates’ location, location, location mantra.
- Water/wetlands. The HLC will make our water cleaner? Really? By using reverse osmosis? And not impacting our groundwater, Limit Brook, or Merrimack River? Really?
- Emergency services. The HLC will have NO effect on DPW, Fire, or Police? Amazing! Where is the research? Has anyone asked other towns with Amazon distribution centers about their experience?
- Diesel will be emitted from a large number of trucks. Diesel is a carcinogen. Dying of cancer—not exactly something to look forward to.
- Light pollution reflecting off buildings and off snow—enough to light up South Hudson.
- Money Hillwood will pay to the town. The donated truck was a \$8,000 contribution, but the Planning Board seems to have forgotten the cost to pay the new hires – 4 to 5 firefighters to use the truck. Will Hillwood pay for them, too?

Mr. Dobens provides plenty of food for thought.

MY ADDITIONAL COMMENT: Are there other unforeseen costs that the residents of Hudson will be expected to cover? I’m guessing there will be many. **Good reasons to deny this project.**

Ms. ABIGAIL SAKATI

Ms. Abigail Sakati represents young people in Hudson against the HLC. After all, it is the youth of Hudson and their children who would be harmed the most by the environmental effects of this project. Ms. Sakati spoke to the “unintended consequences” of the Hillwood proposal coming to fruition, saying that “every action has an opposite reaction.” I agree with her points on the several issues:

- **ENVIRONMENT:** Paving over acres and constructing 2.6 million square feet of warehouses means stripping hundreds of acres of land, removing acres of dirt, and not only destroying the ecosystem of the golf course itself, but negatively impacting surrounding ecosystems as well: What will happen to the water table? Will downstream towns experience flooding due to rapid runoff that no longer seeps into the soil? What will happen to the animals whose habitats will be destroyed? What will happen to the quality of the water?
- **JOBS:** Most jobs created would go to Mass. residents. Can Hillwood guarantee that jobs would go to Hudson residents first? Are our schools and housing systems ready for the influx of workers? Will labor still be available for our local businesses? Wouldn't it be wiser to invest in jobs that won't be replaced by automation? Jobs that will give Alvirne trade graduates work experience, and college-bound students a reason to stay in Hudson and not move out of state?
- **TRAFFIC:** What happens when four lanes collapse down to two lanes, then one lane? We are already seeing a bottleneck at Presentation of Mary. The HLC will make traffic much worse.
- **DIRECTED TO THE PLANNING BOARD:** The Planning Board needs to ask for a chart that analyzes additional truck loads required for demand increases over time and during high seasons.

NOISE ISSUE COMMENTS FROM Ms. KAREN BILL, Mr. OWEN SULLIVAN, & Mr. TIM MONK

Noise issues loom large in the HLC project proposal. The noise studies do seem to overlook the concerns of Ms. Bill, Mr. Sullivan, and Mr. Monk.

Ms. KAREN BILL

The input from Ms. Karen Bill from Parnell Place in Nashua was enlightening:

Ms. Bill brought up the noise created by the use of the Jake brake, a method of slowing down a truck while not using the traditional braking system. Sounds like a machine gun. When it was first developed in 1961, creators suggested that use of the Jake brake not be allowed in populated areas. The Jake brake will create a lot of noise pollution in areas up and down the highway as well as in the neighborhood of the HLC and a wide radius around it. Sound travels. **A good reason to deny the HLC application.**

Mr. OWEN SULLIVAN

Mr. Sullivan explained the Regen processes of trucks that will be going to/from the HLC. A light turns on as the truck is being driven that indicates it must do a regeneration. Regen is when a filter in the exhaust fills and has to clean itself. When the truck must do a regen at the HLC, it will not just sit at an idle, but will run at an increased number of RPMs and make lots of noise.

Jake brakes are 80 to 83 decibels, and an additional 13 to 16 decibels for trucks with straight stacks, rather than properly muffled exhaust systems.

Truck drivers will run generators to keep warm in the winter/cool in the summer. Generators burn between ½ gal and a gallon of fuel in an hour. Trucks sitting at the HLC for 4 hours would burn 8 gallons per day of diesel fuel, producing considerable pollution by just sitting there. Sitting longer means burning more.

Regens, Jake breaks, and gasoline generators are **three good reasons to deny the HLC application.**

MR. TIM MONK

Mr. Tim Monk pointed out that the Planning Board must vote based on whether the plan meets the legal requirements of the state and town; regardless of whether the board members think the project is a good idea, they must still vote objectively based on the merits of the project, or “in this case the lack thereof.” **I agree that this project lacks merit and that is a good reason to deny this proposal.**

An important point Mr. Monk makes is that Hillwood has submitted input that violates the Hudson Town Code 249 Noise Ordinance. Mr. Monk’s concern about the noise rule is that to meet this code, noise from the site must be added to the sound that is already present, but the study did not include existing noise. The study should have addressed both daytime and nighttime sound limits, but did not. These errors are part of a pattern of Hillwood not supplying adequate or correct information, setting an ominous tone for our future relationship with the developer. Why would we want that relationship to be an on-going concern? **The noise rule violations and the tendency of the developer to not provide correct information are good reasons to deny this proposal.**

MR. MIKE RUBY

Formerly of St Louis, Mr. Ruby stated that after his son and wife moved to Bedford, Mass., four years ago Mr. Ruby and his wife chose a house on Eagle Drive to retire to because of the proximity to the golf course. He said they would never have bought the house if the HLC were there instead—they would have not only lost interest in Eagle Drive, but they would have crossed Hudson off their list entirely, because who wants to live in a town that would allow such a development right next to a residential area? [That speaks to the real estate values question!] He also spoke about the history of 40 years of overdevelopment experienced in St. Louis, at the confluence of the Mississippi and Missouri Rivers. The developers all assured people they were taking care of the wetlands. Well, in last 10 years, St. Louis has experienced four separate 100-year floods as a consequence of developers NOT protecting the wetlands. Could the same happen in Hudson? At a Conservation Commission meeting, Hillwood representatives said that if they have to build over the wetlands, they’ll pay the fine and Hudson can use the money to build a park. But Mr. Ruby’s experience in St. Louis has made this clear: “You can’t treat wetlands like a commodity. Once they are gone, they are gone, and you will wish they weren’t.” **A cautionary tale, indeed. Significant damage to wetlands is a good reason not to approve this project.**

MR. GEORGE VILLEMAIRE

I respectfully disagree with Mr. George Villemaire, who stated that he is in favor of the HLC. He said that if we turn down the HLC, the state would put in affordable housing. Is that a scare tactic? Personally, I’d rather see affordable housing than the HLC! It would NOT bring undue pollution, noise, and traffic. Instead, it would bring us some more compatible neighbors, and the town could ask the developer to donate/reforest some of the land (which the town could designate Town Forest), put in a park, and donate a portion of the golf course to the town to be run as a local recreation facility that could, if

properly managed, bring a couple of million dollars a year of profits into the town. Hudson can do better than the HLC. **A good reason to deny this proposal and look at other alternatives for the golf course land.**

MR. ERIC WINKLER

Another resident who was in favor of this HLC indicated that those of us against the HLC are not up to date—because all of the trucks would be electric within 10 years... If that were only true right now! A switch to electric trucks would reduce air pollution, though it would have less effect on noise pollution and no effect on stormwater or traffic issues.

Those of us in our retirement hope to live to see the day when cleaner vehicles travel our roads! But we won't live 10 years if diesel pollution of the magnitude expected comes to town in the near future because of Hillwood and Amazon. In my opinion Mr. Winkler is talking about a fantasy, and he is the one not facing facts. Not only is there no place for an electric truck to be charged in Hudson, there are no charging stations planned for the HLC parking area, and there are no establishments in the New Hampshire selling or supporting electric trucks. Since Amazon utilizes independent contractors, even if it wanted to force drivers to use electric trucks, it would not have the authority to do so.

And even trucks that are electric pose dangers. Their loads can become unbalanced, causing them to be unstable, especially if driven over the speed limit. And do you really think the trucks will all be driven within the speed limit as they take the curves on Exit 2?

So, I have to respectfully disagree with Mr. Winkler. I'm afraid the HLC would ruin Hudson before an infrastructure for electric trucks is in place. **More solid reasons to deny the Hillwood HLC application.**

CONCLUSION

Hillwood's vision is one of mostly destruction that Hudson is better off not going along with. Although local residents with civil engineering experience have shown that Hillwood's plans violate NHDES and local codes, Hillwood has shown no predilection to modify their plans to work with us. As it stands, the entire Hillwood proposal would be a misuse of a beautiful peace of land. Hudson can do better.

My request to the Planning Board is not to trust Hillwood, but to vote to deny this project as long as the plans do not meet state/town requirements. Alternative options for the golf course should be explored—alternatives that would better protect our quality of life and avoid the environmental destruction Hillwood is proposing.

Ruth Sessions
68 Schaefer Circle

Dear Planning Board Members,

Given the large amount of material that you have received related to the proposed Hudson Logistics Center, I thought it would be helpful for me to link to my previous submissions that I feel are still relevant. If you use the electronic version of this document you can click links to the pages inside existing Planning Board packets.

Traffic:

- Bicycle safety concerns in roadway design. [Packet for October 21 page 91](#)

Property Values:

- Studies showing golf courses significantly raise property values. [Packet for August 26 page 6](#)
- Comments on limits of updated study [Packet for March 10 page 109.](#)

Noise:

- Deficiencies in sound study. [Packet for March 10 page 110.](#)
- Estimate of noise levels (earlier in this packet)

Also below you can see a draft of my comments given at the last meeting:

At the last meeting the applicant emphasized that the legal requirements should be the determining factor in whether the Planning Board approves this project. I agree, whether you like or dislike the project, or even think it is good or bad for the town overall is irrelevant. You should judge the project based on the merits, or rather the lack thereof.

Unfortunately, the errors in the applicant's submissions indicate a pattern such that you cannot rely on their reports.

For example, as recently as August 4, 2020, hudsonlogisticscenter.com "anticipates beginning construction in Fall of 2020" (retrieved from the internet archive's wayback machine). That obviously did not happen. And if you look at [slide 21 of Hillwood's presentation at the January 27th Planning Board meeting](#), they predict a Q1 2021 start to construction of stormwater control features. Today there's about a week left in the quarter and no approval of the project.

You might be thinking, why does it matter that Hillwood is overly optimistic? I fear that when the next "dot on the map" facility is being planned, it also takes longer than expected and HLC operates in excess of the 40% of capacity, violating a key assumption of their proposal, and we're stuck with the resulting traffic.

Next, in Mr. Reeks' first property value study, he omitted several home sales, as pointed out by Selectman Coutu and members of the public. While this error has been corrected, it still does not even mention the failure of 5 Par Ln to sell due to this project.

In the first sight line study pictures in the [May 27th meeting, slides 13, 14, and 16](#) contain views with either mislabeled locations or view angles.

Contrary to what the applicant indicated on their [slides on August 12th](#), Amazon [no longer offers Restricted Stock Units to warehouse employees](#).

Perhaps most egregiously, the latest noise study misrepresents the Hudson noise ordinance in multiple places. The clearest example is where it states that §249-4B "[limits continuous sound from a site...](#)" when it actually limits "[...the continuous sound level...](#)". The difference is that the continuous sound level includes both sound from the site as well as all other sources already present, a difference of up to 3dB, which could be the difference between meeting and exceeding the limit. As I previously wrote in, it also states that section [249-4F \(limit in high noise-level areas\)](#) does not apply, in contradiction to their own measurements.

After the noisy boring that awoke many abutters last summer, this is not the first time the applicant has demonstrated a lack of understanding of the Hudson noise ordinance.

In conclusion, these errors, while perhaps excusable or correctable individually, constitute a pattern of providing incorrect information, while this is not necessarily deliberate, it indicates that the applicant is using unreliable methods and that there could be other errors present that we don't know about, ones that may be nigh impossible for a third party to identify, even a peer reviewer. Thus, the Planning Board cannot rely on what the applicant has provided to the Board. With only unreliable submissions, the applicant has not met the burden to show compliance with site plan regulations.

Since the applicant could not even faithfully report the standard that they must meet to operate in Hudson, how can they accurately say that they've met all the approval criteria? Simply put: they cannot.

Therefore, I urge the Board to deny the applications related to this project.

Sincerely,
Tim Monk
13 Fairway Dr.

Dubowik, Brooke

From: WILLIAM <WRMARKS@msn.com>
Sent: Wednesday, March 31, 2021 11:00 AM
To: Planning
Subject: Hudson Logistics Center

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

Good morning:

There are so many facets of this project that are problematic and questionable, but I'll focus on just two of them.

Number one is traffic. The proper functioning of a distribution center such as the one being proposed relies on easy access to a highway or interstate to facilitate efficient distribution of products. The problem with the proposed Green Meadow site is that it's on the wrong side of the Merrimack River from the ONLY highway in the area. It would have access to that highway via only ONE nearby bridge (Sagamore) utilizing nearby roads that we all know are already overburdened and undersized. No amount of "mitigation" will provide a desirable solution to this problem. More lanes, more traffic lights, more merging traffic, etc. will NOT improve our quality of life. Let Hillwood find a more suitable location elsewhere.

Number two is diminution of property values. This has already been discussed ad nauseam and the answer is crystal clear. Many people would love to live near a golf course, just as many desire waterfront locations while no one wants to live next to a warehouse industrial complex and property values would surely be negatively affected. The State of New Hampshire's assessor's office actually provides guidelines to that effect. This would violate Hudson's town code 275-6.A. regarding "diminution in value of surrounding properties".

I have been resident of Hudson for 43 years and I recall when Lowell Road/River Road was a two lane road and there was only one traffic light in south Hudson, at the Sagamore Bridge. Since then, much has changed, not always for the better. Please don't turn our town into the equivalent of one very large industrial park. The HLC would forever negatively alter the character of the town we call home.

Thank you all for your attention and hard work. And may God grant you the wisdom to make the right decision.

William Marks
6 Leonard Avenue

Dubowik, Brooke

From: Xenophon Vurgaropoulos <xen.vurgaropoulos@gmail.com>
Sent: Wednesday, March 31, 2021 12:27 AM
To: Planning
Subject: HLC Questions for Planning Board

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Good evening,

My name is Xenophon Vurgaropoulos of 5 Muldoon Drive, Hudson, NH.

I spoke at the last planning board meeting and asked these question at that meeting, I am hoping they will be addressed and answered during the public Meeting on **APRIL 7, 2021**

I have many concerns about this project, but I would like to bring up a few concerning communications that I came across.

- **Email: Hudson NH - Hudson Logistics Center Items:** August 12, 2020, between the Town Engineer and Governor Sununu's Policy Advisor asking for a meeting with DOT / BEA.

Town Engineer - Elvis Dhima
Governor Sununu's Policy Advisor - Adam Crepeau

The Town Engineer makes the following statements.

"The project is currently struggling with the traffic portion because of existing issues in Hudson."

"We can waste time with small traffic mitigations that won't work or deal with the elephant in the room and look at the real solution."

(Referencing the Hudson Boulevard)

The Hudson Boulevard is proposed as a must-build for the HCL to succeed, but the town has no funding.

The Hudson Boulevard cost proposal shows a BUILD Grant Request:

BUILD Grant Funding -	\$25,000,000
<u>Town/Local Funding -</u>	<u>\$20,000,000</u>
	\$45,000,000

The 2020 Budget shows the Hudson Boulevard as Warrant Article K and shows it needing a vote of (3/5); I cannot find where the board voted passing this to secure the funding for the project. The Hudson 2021 Budget doesn't speak about any funding request for the Hudson Boulevard project.

Question: Where will Hudson get this \$20,000,000 to fund this project?

Question: If the Hudson Boulevard is critical to the HLC project's success, why has it not been a focus of conversation for the planning board?

- **Email: BOS voted 4-0 to remove Cole:** November 5, 2020, between Hillwood, Senior VP / Marketing Leader, and The Department of Resources and Economic Development.

“We feel vindicated that Board of Selectman took action tonight. So much for mob rule. Please share with Governor Sununu. Thanks”

Statement: This sounds like they were attempting to intimidate Mr. Cole off of the Planning Board?

Question: Why does the Governor need this information, is it appropriate for an outside company like Hillwood to communicate directly with the Governor on local issues?

Mob Rule: Control of a political situation by those outside the conventional or lawful realm, typically involving violence and intimidation.

Hillwood, Senior VP - Gary Fredrick

Michael Bergeron - DRED (Department of Resources and Economic Development)

- **Email: Governor’s Office to the Chairman of the BOS:** September 9, 2020, The Governor appears to be applying inappropriate pressure to the Board of Selectman to pressure the Planning Board to pass the HLC Project.

“It is clear that the town is struggling to obtain additional funding and is looking for assistance to fund the Hudson Boulevard project.”

“Pending approval of the HLC proposal by the planning board, the state is committed to the immediately begin development of the preliminary design and engineering phase of the Hudson Boulevard project. It is important to note that given our current strained economic conditions, the timeframe in which the funding is available is limited and requires immediate approval by the town.”

“In these difficult economic times, it would be irresponsible to turn away such a prosperous economic opportunity for the Hudson community.”

“I look forward to working with the Town of Hudson over the next few weeks to secure this amazing opportunity for Southern New Hampshire.”

Chairman of BOS – David Morin

Governor’s Office – Chris Sununu

Question: Is it appropriate communication, why does it appear that the Governor is applying political pressure to pass the project?

Question: Why does it appear that a \$45,000,000 project is being worked on behind the scenes of the HLC project?

I hope that you will answer these questions at the next meeting.

Thank you for your time.