

# **3 NATHANIEL DRIVE GARAGE ADDITION**

CU# 03-22

## **STAFF REPORT**

April 13, 2022

**SITE:** 3 Nathaniel Drive; Map 242 Lot 028-000

**ZONING:** R-2 (Residential-Two)

**PURPOSE OF PLAN:** To show proposed addition and driveway in relation to wetland and buffer zone.

### **PLANS UNDER REVIEW:**

Proposed Plot Plan, Tax Map 242 / Lot 028; prepared by: M. J. Grainger Engineering, Inc., 220 Derry Road, Hudson, NH 03051; prepared for: Christopher Michailides, 3 Nathaniel Drive, Hudson, NH 03051; consisting of a single sheet without notes; dated January 6, 2022.

### **ATTACHMENTS:**

A. Department Comments

### **APPLICATION TRACKING:**

- March 14, 2022 – Application received.
- April 7, 2022 – Site walk scheduled with Conservation Commission
- April 11, 2022 – Public meeting scheduled with the Conservation Commission
- April 13, 2022 – Public hearing scheduled by the Planning Board.

### **COMMENTS & RECOMMENDATIONS:**

#### **BACKGROUND**

The lot currently has a single-family house with an attached garage and a rear deck, and two sheds in the woods just beyond the backyard lawn area. There is some open lawn but much of the backyard is densely wooded, including delineated wetlands. The Applicant is proposing a garage expansion to the east side of the existing garage and a gravel driveway that partially intrudes into the wetland buffer and, thus, requires a Conditional Use Permit. The area proposed to be developed is currently lawn.

In the application package, a letter from Wetland Scientist Marc Jacobs details the site conditions and wetland characteristics.

#### **STAFF COMMENTS**

1. The Applicant is seeking a Conditional Use Permit to allow a 672-sf garage expansion to partially take place within the 50' wetland buffer, which will impact 900 sf of the buffer

permanently and 1,300 sf temporarily. It is currently under review by the Conservation Commission.

2. It appears that the wetland is partially naturally occurring and partially man-made. Section 334-35.C states that the “Wetland Conservation Overlay District shall not include those wetlands which have developed as a result of the construction of stormwater treatment and/or detention facilities.” It is unclear the extent to which the wetland is man-made.
3. There is a 30’x30’ drainage easement overlapping the corner of the eastern corner of the front of the lot. It appears this was established as part of the subdivision plan that created this neighborhood by Maynard & Pacquette, Inc in 1992. The easement is not shown on the applicant’s plan. Any work proposed by this application would likely need to ensure there is no encroachment on the easement area. Staff was unable to find an easement document, only the Maynard & Pacquette subdivision plans from 1992. See image from Town GIS below, dotted line area showing easement location.



4. Conditional Use Permits applications are typically in conjunction with a site plan or subdivision application, both of which have plan requirements. If applying these standards, the submittal meets most of the requirements. It does not show a locus plan, buildings within 50-feet or location of roadways, driveways, etc within 200-feet of the tract, topography from a reliable plan sources for the remainder of the tract. Proposed grading is expected to be provided in the near future. Acceptance, or invoking jurisdiction, means that sufficient information is included to allow the Board to proceed with consideration and decision.

#### DEPARTMENT COMMENTS

See **Attachment A** for comments from town departments.

1. Engineering: Request for drainage easement details, proposed grading, and color rendering for the impact areas. The Applicant shall revise the wetland buffer impact if necessary. At the time of this report, these items have not been received. A response is anticipated prior to the meeting.

**DRAFT MOTIONS**

**ACCEPT the condition use permit application:**

I move to accept the condition use permit application for the garage expansion at 3 Nathaniel Drive; Map 242 Lot 028-000.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

*If the Board finds that additional information is required to proceed with consideration and to make an informed decision, it may defer acceptance so that additional information can be provided.*

**DEFER acceptance of the application to a date certain:**

I move to defer the condition use permit application for the garage expansion at 3 Nathaniel Drive; Map 242 Lot 028-000, \_\_\_\_\_, 2022.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

*If the Board accepts the application but needs more time for consideration, it may continue the hearing to date certain.*

**CONTINUE the public hearing to a date certain:**

I move to continue the condition use permit application for the garage expansion at 3 Nathaniel Drive; Map 242 Lot 028-000, to date certain, \_\_\_\_\_, 2022.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

*(DRAFT MOTION TO APPROVE ON FOLLOWING PAGE)*

**APPROVE the condition use permit application:**

I move to approve the conditional use permit for Proposed Plot Plan, Tax Map 242 / Lot 028; prepared by: M. J. Grainger Engineering, Inc., 220 Derry Road, Hudson, NH 03051; prepared for: Christopher Michailides, 3 Nathaniel Drive, Hudson, NH 03051; consisting of a single sheet without notes; dated January 6, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD, together with the Plan.
2. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
3. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_



**From:** Dhima, Elvis  
**Sent:** Monday, March 14, 2022 5:04 PM  
**To:** Dubowik, Brooke; Groth, Brian  
**Cc:** Kirkland, Donald  
**Subject:** RE: Dept Sign Off - CUP# 03-22 Nathaniel Dr. Garage Addition

Brooke

Please see below

1. Applicant shall add the drainage easement to the plan
2. Applicant shall provide proposed grading
3. Applicant shall provide color rendering for the permanent impact and temporary impact
4. Applicant shall revise the permanent and temporary wetland buffer impact, if necessary

E

***Elvis Dhima, P.E.***  
***Town Engineer***

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





*Town of Hudson  
12 School Street  
Hudson, NH 03501*

**CONDITIONAL USE PERMIT APPLICATION:**  
**WETLAND CONSERVATION OVERLAY DISTRICT**

Revised August 30, 2021

Applications must be received at least 21 days prior to the Planning Board and Conservation Commission meetings at which the application will be heard. ***The following information must be filed to each board.***

**CONSERVATION COMMISSION:**

1. Ten (10) copies of the completed application, including the project narrative that demonstrates that the proposal meets the conditions of Article IX of the Zoning Ordinance.
2. Ten (10) reduced size plan sets (sheet size: 11" X 17"). Plans require the stamp of a licensed land surveyor and a certified wetlands scientist. At a minimum, plans must show topography and any wetland within fifty (50) feet of the proposed project.

**\*Complete Applications should be delivered to the Engineering Department (603)886-6008.**

**PLANNING BOARD:**

1. Fifteen (15) copies of the completed application, including the project narrative that demonstrates that the proposal meets the conditions of Article IX of the Zoning Ordinance.
2. Three (3) full size folded plan sets (sheet size: 22" x 34") and fifteen (15) reduced size plan sets (sheet size: 11" X 17"). Plans require the stamp of a licensed land surveyor and a certified wetlands scientist. At a minimum, plans must show topography and any wetland within fifty (50) feet of the proposed project.
3. A list of direct abutters and indirect abutters, and two (2) sets of mailing labels for abutter notifications.
4. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.
5. Check should be made payable to the Town of Hudson, and submitted to the Planning Department.

**\*Complete Application & check should be delivered to the Planning Department (603)886-6008.**

Revised plans and other application materials must be filed with the Planning Department ***no later than 10:00A.M., Tuesday ONE WEEK prior to the scheduled meeting, as applicable. The purpose of these materials is hardcopy distribution to Planning Board members, not review. Any plan revisions that require staff review must be submitted no later than 10:00A.M., Tuesday TWO WEEKS prior to the scheduled Planning meeting. Depending on the complexity of changes, more time may be required for review. Please contact the Town Planner if you have any questions on this matter.***

**PLEASE NOTE:**

1. To prevent submission of redundant information, submission of a complete Subdivision or Site Plan Application may be used to satisfy some of the requirements for the Conditional Use Permit Application, where applicable.
2. No postage fees or mailing labels are required when submitting with a subdivision or site plan application.
3. Prior to filing an application, it is recommended to schedule an appointment with the Town Planner and Town Engineer.

**CONDITIONAL USE PERMIT APPLICATION**

Date of Application: 2-21-22 Tax Map #: 2412 Lot #: 28

Site Address: 3 Nathaniel Dr

Name of Project: Garage addition

Zoning District: R2 General CUP#: \_\_\_\_\_  
(For Town Use Only)

Z.B.A. Action: \_\_\_\_\_

**PROPERTY OWNER:**

**DEVELOPER:**

Name: Chris + Saphera Michailides

Address: 3 Nathaniel Dr

Address: Hudson, NH 03051

Telephone # 603-454-4912

Email: Cmichailides23@yqhooc.com

**PROJECT ENGINEER or SURVEYOR:**

**CERTIFIED WETLANDS SCIENTIST:**

Name: Mike Grainger

Marc Jacobs

Address: 202 Derry Rd

609 Portsmouth Ave - P.O. Box 417

Address: Hudson, NH 03051

Greenland, NH 03840

Telephone # 603-882-4359

603-686-5097

Email: M5Graingcreng@gmail.com

Jacobs2wetsoil2001@yahoo.com

**PURPOSE OF PLAN:**

To show proposed addition and driveway in relation to wetland and Buffer zone

(For Town Use Only)

Routing Date: \_\_\_\_\_ Deadline Date: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

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

\_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_  
(Initials)

Department: \_\_\_\_\_

Zoning: \_\_\_ Engineering: \_\_\_ Assessor: \_\_\_ Police: \_\_\_ Fire: \_\_\_ DPW: \_\_\_ Consultant: \_\_\_

**SITE DATA SHEET**

PLAN NAME: Garage Addition

PLAN TYPE: (Site Plan, Subdivision, or other) \_\_\_\_\_

LEGAL DESCRIPTION: MAP 242 LOT 28

DATE: 3-2-22

Location by Street: 3 Nathaniel Drive

Zoning: R2

Proposed Land Use: Residential

Existing Use: Residential

Total Site Area: S.F.: 54,803.2 Acres: 1.120

Total Wetland Area (SF): 20,000 (10k my property The rest on Abutter)

Permanent Wetland Impact Area (SF): 0

Permanent Wetland Buffer Impact Area (SF): 900 approx

Temporary Wetland Impact Area (SF): 0

Temporary Wetland Buffer Impact Area (SF): ~~0~~ 1300 approx

Flood Zone Reference: \_\_\_\_\_

Proposed Mitigation:

Silt fence and soxx and straw bales as necessary

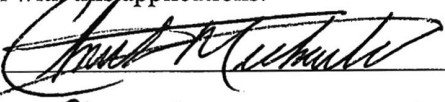
(For Town Use Only)

Data Sheets Checked By: \_\_\_\_\_ Date: \_\_\_\_\_

**CONDITIONAL USE PERMIT APPLICATION AUTHORIZATION**

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

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

Signature of Owner:  Date: 3-12-22  
Print Name of Owner: Christopher Michalides

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

Signature of Developer: \_\_\_\_\_ Date: \_\_\_\_\_  
Print Name of Developer: \_\_\_\_\_

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

**Chris Michailides  
3 Nathaniel Drive,  
Hudson, NH 03051**

### **GARAGE ADDITION**

#### **Project Narrative:**

A proposed 2 car attached garage addition and driveway extension.

The proposed building will be a 24'x28' garage attached to existing 24'x24' garage. The proposed driveway and driveway extension will be the same size as the building 24' wide, plus a 10' extension along the right side of the proposed garage. This extension is to allow access for any future utility repairs that may be needed. This project also involves the relocation of the current liquid propane tank (LPG) tank, which is currently located along the right side of the existing driveway. This LPG tank will be moved directly adjacent to its current location, alongside the proposed driveway.

## WETLAND CONDITIONAL USE PERMIT CHECKLIST

Yes	No	NA	QUESTIONS/INFORMATION NEEDED	HCC Comments
<b>NARRATIVE REPORT</b>				
<b>Existing Conditions</b>				
<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	Has a DES Dredge and Fill Permit been issued for any part of this site? If yes, provide number, date, and description.	
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Is there evidence of altered wetlands or surface waters on site?	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	All prime and other wetlands in the vicinity, plus any wetlands/watersheds past the immediate vicinity affected by this project	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	• Description of each wetland and associated values	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Wetland mapping results – Including the flagging date and technique plus the name, company and qualifications of the wetland scientist	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Was property surveyed? If yes, the date of survey. (Please attach the survey plan)	
<b>National Wetland Inventory</b>				
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	• Vegetative cover types	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	• Existence of vernal pools and associated habitat	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• Unique geological and cultural features	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• NH Natural Heritage inventory – For list of rare and endangered species, contact the NH Division of Forests and Lands (603)271-3623	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• Wildlife and fauna species, including estimated number and locations (large projects)	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	• Public or private wells located within the vicinity	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• Monitoring well(s) located on site	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	• Current land use and zoning district	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Photos of existing area (please use color photos)	
<b>Proposed Project Description</b>				
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Entire project and associated activities	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Time table of project and anticipated phasing	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Land use	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Grading plan	
<b>Impact to Wetlands and/or Buffers</b>				
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• Depending on size and proposed impacts, a report from a biologist may be appropriate	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Removing, filling, dredging, or altering (Area square ft. and locations)	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Intercepting or diverging of ground or surface water (Locations and size)	
<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	• Change in run-off characteristics	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Delineation of drainage area contributing to each discharge point	

Yes	No	NA	Questions/Information Needed	HCC COMMENTS
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Estimated water quality characteristics of runoff at each point of discharge for both pre- and post-development	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Erosion control practices	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> <li>If using rip-rap, attach documentation explaining why other erosion control methods are not feasible</li> </ul>	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> <li>How storm water runoff will be handled</li> </ul>	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	If backyards or lots include a buffer area, buffer restriction wording shall be included in each deed (A physical marker may be requested to designate buffer boundaries at site)	

**Mitigation**

<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Square footage of mitigation – wetland and upland areas	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Wetland or upland plants identified to replace any losses	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> <li>Restoration plan for planting and vegetation</li> </ul>	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Conservation easements, including location and aesthetic, wildlife and vegetative values	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<ul style="list-style-type: none"> <li>If easement is on or added to the site(s), a copy of the legal document shall be given to the HCC (HCC conservation easement markers may also be required along the easement)</li> </ul>	

**CONCEPTUAL SITE PLAN/DRAWING**

<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Locus map depicting project site and vicinity within approximately ½ mile and also on a larger scale	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	All prime and other wetlands in the vicinity	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Wetland(s) impacted (identified as prime or other) and the wetland boundaries with 50' buffer areas highlighted in color	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Assessor's sheet(s), lot(s), and property account number(s)	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Existing and proposed structures	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Square footage listed for temporary and permanent impact	
<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Erosion control plan (Suggested: Biodegradable silt fences so area won't be disturbed again and no hay to avoid invasive species)	
<input checked="" type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Topographical map with contours	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Storm water treatment swales and basins highlighted in color if in buffer area	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Conservation and utility easements	
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Grading plan	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Culvert, arch, bridge - sizes, material, etc.	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Vegetative cover types	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Vernal pools	
<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	Existing and proposed stone walls, tree lines, and unusually large, rare or beautiful trees, and other notable site features	



## QUESTIONS TO CONSIDER BEFORE SUBMITTING

- Will the increased discharge cause erosion and channelization?
- Is there potential for off-site flooding?
- Does the decreased infiltration in the drainage area cause vegetation stress due to reduced or increased ground water or surface water discharge into wetland?
- Will the nutrients in the runoff increase eutrophication potential in downstream water bodies?
- Do you own any adjacent parcels or easements for roadways across adjacent parcels which could be used for access to avoid a wetland crossing
- Does a wetland crossing occur where it will result in the least amount of alteration to a wetland?
- Is preservation of upland areas adjacent to the impacted wetland a priority?
- Can using an alternative crossing design such as a bridge, retaining wall, etc. decrease the width or area of wetland alteration?
- Does a proposed road crossing of a wetland exceed the minimum width acceptable to the Planning Board and can this be negotiated downwards?
- Have you established that no reasonable alternative access from a public way to an upland is possible?
- Can the parking lot spaces be decreased?
- Is the roadway designed in such a way that does not restrict the flow of water?
- Is additional information needed to assess water quality impacts due to runoff?
- Is there an increase in other pollutants (e.g., heavy metals, turbidity, coli form) from streets and parking lots?
- Is there a need to restrict or prohibit the use of pesticides and fertilizers?
- Is there a need to restrict the use of roadway salting?

**SCHEDULE OF FEES**

(Fee covers both Conservation Commission & Planning Board)

**A. REVIEW FEES:**

1. Conditional Use Permit  
\$100 Flat Fee \$ 100.00

**LEGAL FEE:**

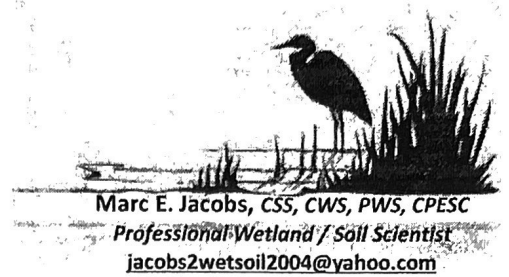
The applicant shall be charged attorney costs billed to the Town for the Town's attorney review of any application plan set documents.

**B. POSTAGE:**

6 Direct Abutters @\$4.33 (or Current Certified Mail Rate) \$ 25.98  
1 Indirect Abutters (property owners within 200 feet) \$ .58  
@\$0.58 (or Current First Class Rate)

**TOTAL** \$ ~~100~~ 126.56

<b>(For Town Use)</b>	
AMOUNT RECEIVED: \$ _____	DATE RECEIVED: _____
RECEIPT NO.: _____	RECEIVED BY: _____



Via email to [mjgraingereng@gmail.com](mailto:mjgraingereng@gmail.com)

March 2, 2022

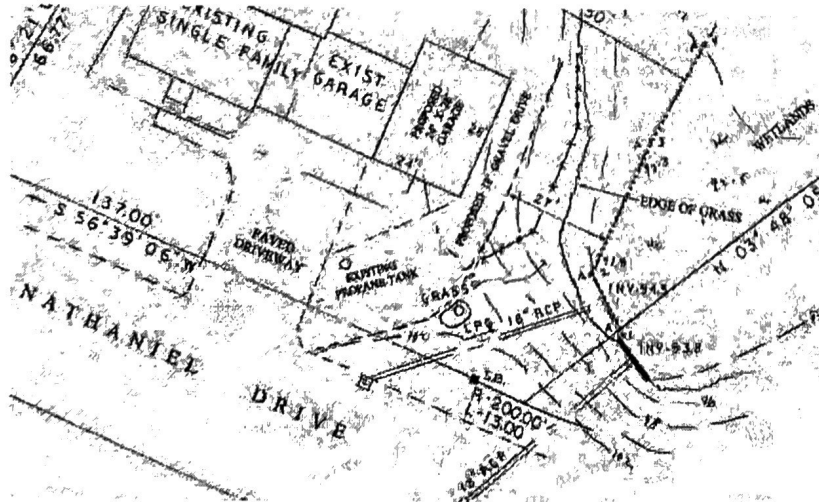
Mr. Michael J. Grainger, P.E.  
M.J. Grainger Engineering, Inc.  
220 Derry Road  
Hudson, NH 03051

Re: 3 Nathaniel Drive  
Hudson, NH

Dear Mr. Grainger:

The following remarks summarize our preliminary observations made during the delineation of jurisdictional wetlands at the above-referenced location. A site inspection was conducted on January 6, 2022 to identify and delineate wetlands within the area-of-interest (AOI) according to the New Hampshire Department of Environmental Services (NHDES) – NH Code of Administrative Rules – Section Env-Wt 100 – 900 and Article IX, §334-33 of the Hudson Zoning Ordinance. The AOI is generally depicted on Figure 1 below and is further described as those wetland areas which would likely impose a local 50-foot buffer on uplands between the existing dwelling and the wetland.

FIGURE 1



609 Portsmouth Avenue  
PO Box 417  
Greenland, NH 03840-0417

Phone (603) 686-5097  
Fax (603) 686-5142  
Mobile (603) 534-SOIL (7645)

## Introduction and General Site Description

The AOI involves land adjacent to an existing single-family residential dwelling and Nathaniel Drive. Some wetland-upland boundaries appear to be man-made by filling. Whereas the site is previously developed, accepted criteria for altered soils, vegetation and hydrology was applied as well as best professional judgment as necessary to delineate wetland-upland boundaries. Snow cover was absent. No areas that appear to represent potential vernal pools according to the NH Code of Administrative Rules – Env-Wt 103.64, Env-Wt 104.15 and Env-Wt 104.44 were observed.

Jurisdictional wetlands or other applicable resources adjacent to the existing dwelling were identified and wetland-upland boundaries within the AOI were delineated and marked in the field with solid pink color survey flags. Each flag bears a letter and number to assist in subsequent field location by instrument survey and for precisely determining field location during subsequent field visits. The flag sequence used is as follows: A1-A4. These flags were subsequently surveyed and the flag locations have been plotted on a site plan prepared by your office, a snippet of which is included as Figure 1 above. A brief description of the wetland area identified by the flag series used in the field is provided below. The description includes the general classification of the dominant wetland type according to the National Wetland Inventory and Cowardin system.

### **Flag Series A**

Flag series ‘A’ generally identifies the edge of a swamp having a substrate of poorly drained hydric soils. We did not observe any wetlands having a substrate of very poorly drained soils nearby. The dominant vegetation community within the wetland involves a dense canopy dominated by red maple (*Acer rubrum*) trees and saplings. Other commonly observed vegetation includes glossy buckthorn (*Frangula alnus*) and spicebush (*Lindera benzoin*) shrubs as well as emergent herbaceous vegetation such as sensitive fern (*Onoclea sensibilis*). Buckthorn is an aggressive invasive plant species. Portions of the upland buffer to this wetland have been cleared of trees and shrubs and converted to lawn. The wetlands classify as palustrine forested (PFO). Red maple dominated forested wetlands are common to the region.

Hydrology for this wetland is generally provided by shallow groundwater which is perched on a mineral restrictive layer in the soil, commonly referred to as ‘hardpan’. Hardpans are slowly permeable and restrict the infiltration of precipitation and runoff, resulting in shallow seasonal water tables in surrounding uplands and, where potential wetlands may be involved, periodic saturation. If the saturation is of sufficient frequency and duration, it can promote the development of hydric soils and /or wetlands. Wetlands sustained by hydric soils which are the result of hardpans are frequently not saturated for 2-3 months in the late summer in most years of normal rainfall. The sloping landscape position of this wetland generally prevents ponding or flooding. Indeed, these wetlands could be considered headwater wetlands; situated at the top of the watershed.

Flag number 1 is located at the edge of a poured concrete headwall that encases an 18-inch diameter reinforced concrete pipe (RCP). This pipe appears to represent an ‘equalizer’ culvert beneath Nathaniel Drive and does not appear to convey significant flow, which is not surprising given the dominant soil conditions in the area and the fact that this is a headwater wetland. Another nearby 18-inch diameter RCP that conveys stormwater from Nathaniel Drive was observed. There is a significant plume of sandy sediment at the toe-of-slope where stormwater runoff intermittently discharges from this culvert. (The sediment plume suggests that the sump in the nearby catch basin needs maintenance.) The stormwater provided by this culvert artificially supplements the natural groundwater hydrology described above.

A straight line drawn between flags 1 and 2 generally identifies a man-made wetland-upland boundary created by filling. The fill adjacent to flag number 1 is generally associated with the placement of fill for the construction of Nathaniel Drive. The fill adjacent to flag number 2 is generally associated with ongoing deposition from stormwater runoff resulting in the sediment plume described above. The wetland-upland boundary between flags 2 and 4 involves natural soils, although the vegetation community between flags 2 and 3 has been altered as described above. The vegetation community between flags 3 and 4 is generally indicative of natural conditions.

### Local Zoning

Article IX, §334-33 of the Hudson Zoning Ordinance creates the Wetlands Conservation Overlay District (WCOD) which regulates all proposed development, removal of vegetation and alteration of the land surface. The WCOD includes surface waters, wetlands of any size and a 50-foot wide buffer. Wetlands are defined and delineated similar to the NHDES. The WCOD does not include wetlands which developed as a result of the construction of stormwater management facilities, agricultural use, waste treatment, or other manmade facilities. In the case of beaver activity, the reference line (wetland-upland boundary) is determined by those areas which fall under the jurisdiction of the NHDES. Permitted uses within the WCOD include forest management, agriculture, passive recreation, wildlife, water supply and rehabilitation, repair or replacement of stormwater management facilities that lawfully existed prior to March 11, 2020. Prohibited uses within the WCOD include structures and impervious surfaces (except as provided by Conditional Use in §334-36C.), salt storage, automobile junkyards, hazardous waste facilities, bulk storage of hazardous materials, sand and gravel excavations or processing, soil compaction or underground tanks. Those uses not identified as permitted are presumed to impair wetland functions but uses such as accessory structures, construction of roads, streets and other accessways, water impoundments and or others may be permitted by Conditional Use subject to certain criteria which include, among others, demonstrating avoidance and minimization or providing compensatory mitigation.

### State Jurisdiction

All wetlands, surface waters and their banks are jurisdictional under NH RSA 482:A and the NH Code of Administrative Rules – Chapter Env-Wt 100-900. The NHDES does not require a buffer to freshwater wetlands, and work in uplands adjacent to wetlands is not jurisdictional to the extent that the work or any associated earth-disturbing activity does not cause indirect impacts such as sedimentation or a corresponding diminution in water quality to areas under NHDES jurisdiction.

### Priority Resource Areas

Priority resource areas (PRA) are jurisdictional areas that also have documented occurrences of protected species or habitat, are bogs, floodplain adjacent to a tier 3 or higher watercourse, designated prime wetland or duly-established 100-foot buffer to a designated prime wetland, sand dune, tidal wetland, tidal water or undeveloped tidal buffer zone. With the possible exception of sensitive plant or animal species, remote sensing indicates that there are no PRA's within or immediately adjacent to the wetlands found within the AOI.

To our knowledge you are proposing work within the local wetland buffer but are not proposing direct impacts to site wetlands so we have not contacted the Natural Heritage Bureau (NHB) for information regarding possible rare, threatened or endangered plant or animal species. An inquiry to the NHB that results in a report which identifies any rare, threatened or endangered species would also involve a PRA. Other remote sensing indicates that the AOI is not considered Highest Ranked Habitat in NH according to the 2020 NH Fish and Game – Wildlife Action Plan so it is unlikely that an inquiry to the NHB would indicate any sensitive species.

Prime Wetlands

The NHDES applies applicable rules and law to all municipally designated prime wetlands (and in certain municipalities all land within 100-feet of municipally designated prime wetlands). Prime wetlands are those wetlands with higher functions and values that receive additional protection under the law. The town of Hudson does not have municipally designated prime wetlands recognized by NHDES. We have not performed a formal analysis of wetland functions, values or services, however, based upon our observations to date, it is unlikely that the wetlands which are the subject of this report would meet the minimum technical criteria or provide the other characteristics customarily attributed to wetlands as needed to qualify as prime.

The above represents a brief summary of the applicable local zoning and state law and regulations. We recommend that you consult this office, the Hudson Planning Department or the NHDES for further guidance before proceeding with any design, permitting or construction at this location.

Certification Note

The following certification note shall be inserted into any drawings that reflect the delineated wetland-upland boundary:

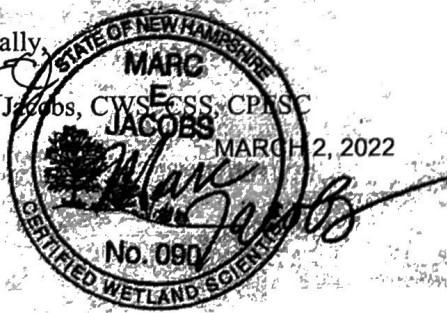
Man-made and natural jurisdictional wetland boundaries were delineated by Marc Jacobs, Certified Wetland Scientist number 090, in January 2022 according to the standards of the US Army Corps of Engineers – 1987 Wetlands Delineation Manual; the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region; the Code of Administrative Rules, NH Department of Environmental Services - Wetlands Bureau – Env Wt 100-900 and Article IX – §334-33 – Wetland Conservation Overlay District of the Hudson Zoning Ordinance. Predominant hydric soils were identified utilizing the Field Indicators for Identifying Hydric Soils in New England, Version 4, June 2020 and the Field Indicators of Hydric Soils in the United States, Version 8, 2016. The status of vegetation as hydrophytic was determined according to the U.S. Army Corps of Engineers - Northcentral and Northeast 2020 Regional Wetland Plant List. Copies of site plans depicting the wetland delineation which have been reviewed by the wetland scientist are individually stamped, signed and dated. This note has been customized for this project.

Please contact the undersigned with any questions regarding the above-referenced information.

Cordially,

Marc Jacobs, CWS, ECSS, CPASC

MARCH 2, 2022



**Abutters List**  
**3 Nathaniel Drive, Garage Addition**  
**Owner/Applicant**  
**Chris Michailides**  
**Map/Lot - 242-28**  
3 Nathaniel Drive  
Hudson, NH 03051

**Direct Abutters**

**Map/Lot**  
**242-029**

**Owner**  
**Keith D & Mariebeth T Ayotte**  
1 Nathaniel Drive  
Hudson, NH 03051

**Map/Lot**  
**242-027**

**Owner**  
**Steven E & Laura M Bisson**  
7 Nathaniel Drive  
Hudson, NH 03051

**Map/Lot**  
**242-026**

**Owner**  
**John A & Marie T Hey**  
3 Pulpit Circle  
Hudson, NH 03051

**Map/Lot**  
**242-025**

**Owner**  
**Kenneth P & Leanne M Grove**  
5 Pulpit Circle  
Hudson, NH 03051

**Map/Lot**  
**242-032**

**Owner**  
**Frank G Jr. & Jill F Rosier**  
6 Little Hales Lane  
Hudson, NH 03051

**Map/Lot**  
**242-030**

**Owner**  
**Sangam Barnes**  
4 Little Hales Lane  
Hudson, NH

**Indirect Abutters**

**Map/Lot**  
**242-008**

**Owner**  
**Dennis Pagones & Maria Campo**  
2 Nathaniel Drive  
Hudson, NH 03051



TAX MAP 242 / LOT 026  
JOHN A. HEY  
3 PULPIT CIRCLE  
HUDSON, NH 03051

TAX MAP 242 / LOT 025  
KENNETH F. GROVE  
5 PULPIT CIRCLE  
HUDSON, NH 03051

TAX MAP 242 / LOT 032  
FRANK G. ROSIER, JR.  
6 LITTLE HALES LANE  
HUDSON, NH 03051

OWNER OF RECORD: CHRISTOPHER MICHALIDES  
3 NATHANIEL DRIVE  
HUDSON, NH 03051

DEED REFERENCE: BOOK 9014 PAGE 0001

PRESENT USE: RESIDENTIAL

PRESENT ZONING: R2 - RESIDENTIAL

MINIMUM SETBACKS: FRONT - 30 FEET  
SIDE - 15 FEET  
REAR - 15 FEET  
WETLANDS - 50 FEET

TAX MAP 242 / LOT 030  
BANGAM BARNES  
4 LITTLE HALES LANE  
HUDSON, NH 03051

TAX MAP 242 / LOT 027  
STEVEN E. BISSON  
7 NATHANIEL DRIVE  
HUDSON, NH 03051

TAX MAP 242 / LOT 028  
48,666 SF / 1.117 ACRES

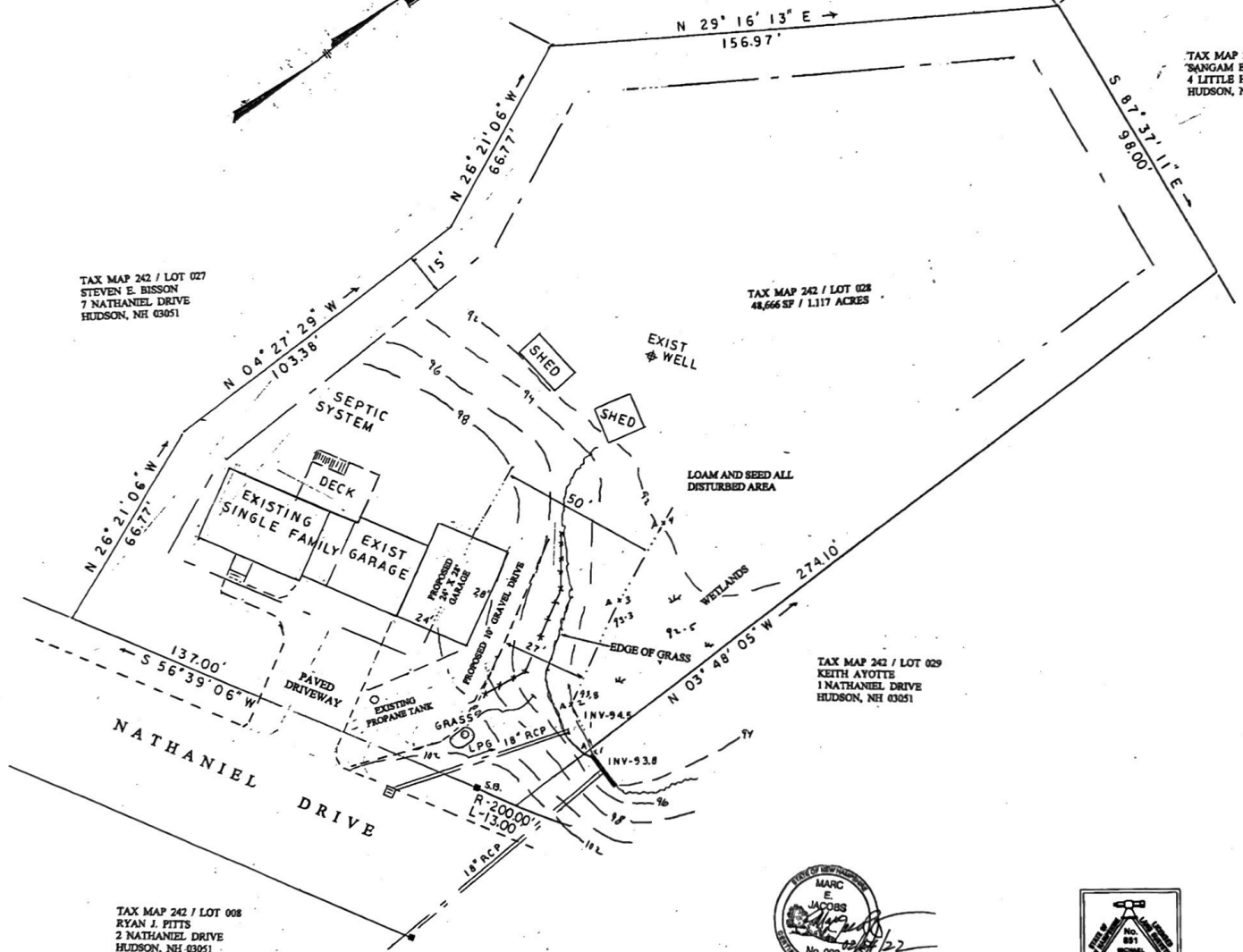
TAX MAP 242 / LOT 029  
KEITH AVOTTE  
1 NATHANIEL DRIVE  
HUDSON, NH 03051

TAX MAP 242 / LOT 008  
RYAN J. FITTS  
2 NATHANIEL DRIVE  
HUDSON, NH 03051

- LEGEND**
- - - - - STONE BOUND
  - - - - - EDGE OF PAVEMENT
  - - - - - EDGE OF WETLANDS
  - - - - - EDGE OF GRASS/LAWN
  - - - - - 50' BUFFER TO WETLANDS
  - WETLAND FLAGGING
  - PROPOSED SILT FENCE
  - GRAVEL DRIVE
  - PROPOSED PROPANE TANK



REVISIONS				
NO.	DATE	DESCRIPTION	BY	APP.



**PROPOSED PLOT PLAN**

TAX MAP 242 / LOT 028

**CERTIFIED PLOT PLAN**  
NATHANIEL DRIVE  
HUDSON, NH 03051

PREPARED FOR: CHRISTOPHER MICHALIDES  
3 NATHANIEL DRIVE  
HUDSON, NH 03051

JANUARY 6, 2022

SCALE: 1" = 20'

**M. J. GRAINGER ENGINEERING, INC.**  
PROFESSIONAL ENGINEERS - SURVEYORS - PLANNERS  
220 DERRY ROAD HUDSON, NH 03051 (603) 882-4359  
J.N. 21-117

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

**APPROVED BY THE HUDSON, NH PLANNING BOARD**  
DATE OF MEETING: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

SITE PLANS ARE VALID FOR TWO YEARS FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL. FINAL APPROVAL COMMENCES AT THE PLANNING BOARD MEETING DATE AT WHICH THE PLAN RECEIVES FINAL APPROVAL.

Man-made and natural jurisdictional wetland boundaries were delineated by Marc Jacobs, Certified Wetland Scientist number 090, in January 2022 according to the standards of the US Army Corps of Engineers - 1987 Wetlands Delineation Manual; the 2012 Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Northeastern and Northwest Regions; the Code of Administrative Rules, NH Department of Environmental Services - Wetlands Bureau - Env Wt: 100-900 and Article IX - 334-33 - Wetland Conservation Overlay District of the Hudson Zoning Ordinance. Predominant hydric soils were identified utilizing the Field Indicators for Identifying Hydric Soils in New England, Version 4, June 2020 and the Field Indicators of Hydric Soils in the United States, Version 8, 2016. The status of vegetation as hydrophytic was determined according to the U.S. Army Corps of Engineers - Northeast and Northeast 2020 Regional Wetland Plant List. Copies of site plans depicting the wetland delineation which have been reviewed by the wetland scientist are individually stamped, signed and dated. This note has been summarized for the project.



I CERTIFY THAT THIS PLAN WAS PREPARED FROM THE BOUNDARY INFORMATION REFERENCED ABOVE AND A FIELD SURVEY MADE ON THE GROUND DURING AUGUST, DECEMBER 2021 AND JANUARY 2022, HAVING A MAXIMUM ERROR OF 1 IN 10,000, IN ACCORDANCE WITH THE TOWN OF HUDSON REGULATIONS.





Pulpit Cr

Nathaniel Dr

Wetland Area

Proposed Building

Proposed Driveway

NOT TO SCALE

Musquash Rd





**Photo 1:** Front View- Standing on Nathaniel Drive, facing the proposed garage, looking north.





**Photo 2:** Side View- Standing on Nathaniel Drive, facing proposed garage, looking west.





**Photo 3:** Rear View – Standing in rear of property facing the proposed garage, looking east/southeast towards Nathaniel Drive.