

# **MIARA TRANSPORTATION**

SP# 05-22

## **STAFF REPORT**

May 25, 2022

**SITE:** 12 Bockes Road; Map 136 Lot 1

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

**PURPOSE OF PLAN:** This project proposes to construct a 6,320 sf “hoop” structure in the rear of the existing property. The proposed structure will be used for trailer storage to keep snow and weather away from trailers and equipment.

### **PLANS UNDER REVIEW:**

Master Plan / Non-residential Site Plan, Miara Transportation, Map 136 Lot 1, 12 Bockes Road, Hudson, New Hampshire, Hillsborough County; prepared by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: Joseph A. Miara Jr. Trustee, Granite Realty Trust, 12 Bockes Road, Hudson, NH 03051; consisting of 2 sheets and general notes 1-22 on Sheet 1; dated April 27, 2022.

### **ATTACHMENTS**

1. ZBA Notice of Decision, Variance Granted Case #136-001, March 24, 2022.

### **APPLICATION TRACKING:**

- March 24, 2022 – Variance to expand a nonconforming use granted by ZBA.
- May 3, 2022 – Application received.
- May 25, 2022 – Public hearing scheduled.

### **COMMENTS & RECOMMENDATIONS:**

#### **BACKGROUND**

The site is an existing non-confirming industrial use in the R-2 zone. In 2017, the Planning Board approved a site plan that included a 2,430 sf building (Phase 2) and the extension of gravel area with associated impacts to the wetlands and wetland buffer (Phase 1). These impacts were approved by Special Exception (Since replaced with Conditional Use Permit) from the Zoning Board of Adjustment and NH DES. Since then, the Phase 1 gravel area has been completed while Phase 2 has not yet commenced.

The current application amends the previously approved plan to add a 79’ by 80’ hoop structure for the purpose of keeping snow off of their shipping trailers. The hoop is to be anchored by a ocean containers. Since the site is a nonconforming use, this expansion requires a variance, which was granted by the ZBA on March 24, 2022 with two conditions:

1. That the canvas/vinyl tarp roof material be earth tone color, not white, and be extended to cover the outside of the storage container anchors; and
2. That the ZBA input/comments be forwarded to the Planning Board.

**STAFF COMMENTS**

The Zoning Administrator provided a copy of the Variance Decision, but otherwise, Town Departments had no comment on this application. Staff notes that the manner in which the structure is built and secured is a matter for Inspectional Services during their building permit review.

**DRAFT MOTIONS**

**ACCEPT the site plan application:**

I move to accept the site plan application for the Master Plan / Non-residential Site Plan, Miara Transportation, 12 Bockes Road, Map 136 Lot 1.

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

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

I move to continue the site plan application for the Master Plan / Non-residential Site Plan, Miara Transportation, 12 Bockes Road, Map 136 Lot 1, to date certain, \_\_\_\_\_, 2022.

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

*[Draft Motions continue on the following page]*

**APPROVE the site plan application:**

I move to approve the site plan application entitled: Master Plan / Non-residential Site Plan, Miara Transportation, Map 136 Lot 1, 12 Bockes Road, Hudson, New Hampshire, Hillsborough County; prepared by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: Joseph A. Miara Jr. Trustee, Granite Realty Trust, 12 Bockes Road, Hudson, NH 03051; consisting of 2 sheets and general notes 1-22 on Sheet 1; dated April 27, 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 Hillsborough County Registry of Deeds (HCRD), together with the Plan.
2. The roof material shall be earth tone color, not white, and shall be extended to cover the outside of the storage container anchors.
3. Notwithstanding the amendment proposed in this application, the site remains subject to the site plan approval of January, 11, 2017 and the development agreement recorded on February 24, 2017 at the HCRD, Document Number 7008707, Book 8946 Page 2774.
4. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with Inspectional Services.
5. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.

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

Send recorded copy to:

TOWN OF HUDSON  
ZONING BOARD OF ADJUSTMENT  
12 School Street, Hudson, New Hampshire 03051

**NOTICE OF DECISION**

**Map 136, Lot 001-000, Zone R-2 (Residential-Two), Case # 136-001**

**ZBA Decision 03/24/2022**

**Variance -- GRANTED with 2 stipulations**

Property Owner: Joseph A. Miara Jr., Trustee, Granite Realty Trust  
12 Bockes Road, Hudson, NH 03051

Agent/Representative: Anthony M. Basso, LLS. Keach-Nordstrom Associates, Inc.  
10 Commerce Park North, Suite 3, Bedford, NH 03110

Legal Representative: J. Bradford Westgate, Esquire, Winer and Bennett, LLP  
111 Concord Street, Nashua, NH 03064

Property Location: 12 Bockes Road, Hudson, NH 03051

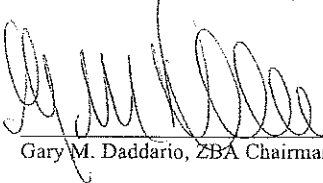
Action sought: Variance to erect a 80 ft. x ~79 ft. x 34 ft. high 'hoop' structure attached by 4 (four) 40 ft. ocean containers used as a base with a proposed location in the rear of the property

Zoning Ordinance Article: VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of nonconforming uses

Action granted: After consideration of the testimony, review of the proposed site plan and aerial views of the site and surrounding areas; and with recognition that when site was developed it was a permitted use but became a non-conforming use when the zone changed to residential; and after review of the criteria for the granting of a Variance and determining that the criteria have been satisfied, motion made, seconded and voted 5:0 to grant the Variance with two (2) stipulations:

- (1) that the canvas/vinyl tarp roof material be earth tone color, not white, and be extended to cover the outside of the storage container anchors; and
- (2) that the ZBA input/comments be forwarded to the Planning Board.

NOTE: All representations of fact or intention made by the applicant and agent during testimony before the Zoning Board of Adjustment relative to the obtaining of this relief shall be considered conditions of this approval, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion. For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.



Gary M. Daddario, ZBA Chairman

4/8/22

Date



Bruce Buttrick, Zoning Administrator

4-7-22

Date



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

## **SITE PLAN APPLICATION**

Revised August 30, 2021

The following information must be filed with the Planning Department *at the time of filing a site plan application*:

1. One (1) original completed application with original signatures, and one (1) copy.
2. Three (3) full plan sets (sheet size: 22" x 34").
3. One (1) original copy of the project narrative, and one (1) copy.
4. A list of direct abutters and a list of indirect abutters, and two (2) sets of mailing labels for abutter notifications.
5. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.
6. All plans shall be folded and all pertinent data shall be attached to the plans with an elastic band or other enclosure.

The following information is required to be filed with the Planning Department *no later than 10:00 A.M., Tuesday ONE WEEK prior to the scheduled Planning meeting. 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.*

1. Submission of fifteen (15) 11" X 17" plan sets, revised if applicable.
2. Submission of two (2) full plan sets (sheet size: 22" x 34"), if revised.
3. All of the above application materials, including plans, shall also be submitted in electronic form as a PDF.

*Note: Prior to filing an application, it is recommended to schedule an appointment with the Town Planner.*

**SITE PLAN APPLICATION**

Date of Application: 4/26/2022 Tax Map #: 136 Lot #: 1

Site Address: 12 Bockes Road

Name of Project: Miara Transportation

Zoning District: R-2 General SP#: \_\_\_\_\_  
(For Town Use Only)

Z.B.A. Action: Approved variance from section 334-29, to allow expansion of non-conforming use

**PROPERTY OWNER:**

**DEVELOPER:**

Name: Granite Realty Trust, c/o Joseph Miara Jr. same as owner

Address: 12 Bockes Road

Address: Hudson, NH 03051

Telephone # [REDACTED]

Email: [REDACTED]

**PROJECT ENGINEER:**

**SURVEYOR:**

Name: Keach Nordstrom Assoc., Allison Lewis

Keach Nordstrom Assoc., Chris Hickey

Address: 10 Commerce Park North, Suite 3

10 Commerce Park North, Suite 3

Address: Bedford, NH 03110

Bedford, NH 03110

Telephone # 603-627-2881

603-627-2881

Email: alewis@keachnordstrom.com

chickey@keachnordstrom.com

**PURPOSE OF PLAN:**

This project proposes to construct a 6,320 sf "hoop" structure in the rear of the existing property.  
The proposed structure will be used for trailer storage to keep snow and weather away from  
trailers and equipment.

(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: Miara Transportation

PLAN TYPE: SITE PLAN

LEGAL DESCRIPTION: MAP 136 LOT 1

DATE: 4/26/2022

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Location by Street: 12 Bockes Road

Zoning: R-2

Proposed Land Use: Transportation Company

Existing Use: Transportation Company

Surrounding Land Use(s): Multi-family, VFW, residential, warehouse

Number of Lots Occupied: 1

Existing Area Covered by Building: 25,618.1 sf

Existing Buildings to be removed: 0

Proposed Area Covered by Building: 34,368.1 sf (2,430 sf previously approved, but not yet built)

Open Space Proposed: 220,365 sf

Open Space Required: N/A

Total Area: S.F.: 401,449 Acres: 9.21

Area in Wetland: 61,666.3 sf Area Steep Slopes: 0 sf

Required Lot Size: 60,000 sf

Existing Frontage: 569.85 ft

Required Frontage: 120 ft

Building Setbacks:	<u>Required*</u>	<u>Proposed</u>
Front:	<u>50 ft</u>	<u>27.6 ft (existing)</u>
Side:	<u>15 ft</u>	<u>20.8 ft (existing)</u>
Rear:	<u>15 ft</u>	<u>94.9 ft</u>

**SITE DATA SHEET**  
(Continued)

Flood Zone Reference: 300920536D

Width of Driveways: 31.5 ft (existing)

Number of Curb Cuts: 0

Proposed Parking Spaces: 0 (32 spaces existing)

Required Parking Spaces: 57 spaces

Basis of Required Parking (Use): Industrial

Dates/Case #/Description/Stipulations  
of ZBA, Conservation Commission,  
NH Wetlands Board Actions: 9/29/16, Case # 136-001 Wetlands Special Exception Permit  
(Attach stipulations on separate sheet) 9/29/16, Case # 136-001 Variance for expansion of non-conforming use.

Waiver Requests 7/11/16, Con Com recommends Wetland Special Exception approval.

<i>Town Code Reference:</i>	<i>Regulation Description:</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

<b>(For Town Use Only)</b>
Data Sheets Checked By: _____ Date: _____



**SITE PLAN APPLICATION AUTHORIZATION**

I hereby apply for *Site Plan* Review and acknowledge I will comply with all of the Ordinances of the Town of Hudson, New Hampshire State Laws, as well as any stipulations of the Planning Board, in development and construction of this project. I understand that if any of the items listed under the *Site Plan* 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 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: Joseph A Miara jr Date: 4/29/22  
Print Name of Owner: Joseph A Miara jr

- ❖ 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.

**WAIVER REQUEST FORM**

Name of Subdivision/Site Plan: \_\_\_\_\_

Street Address: \_\_\_\_\_

I \_\_\_\_\_ hereby request that the Planning Board waive the requirements of item \_\_\_\_\_ of the Hudson Land Use Regulations in reference to a plan presented by \_\_\_\_\_ (name of surveyor and engineer) dated \_\_\_\_\_ for property tax map(s) \_\_\_\_\_ and lot(s) \_\_\_\_\_ in the Town of Hudson, NH.

As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Land Use Regulations.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations: (if additional space is needed please attach the appropriate documentation hereto):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed:

\_\_\_\_\_  
Applicant or Authorized Agent

**SCHEDULE OF FEES**

**A. REVIEW FEES:**

<b><u>1. Site Plan Use</u></b>	<b><u>Project Size/Fee</u></b>	<b><u>\$</u></b> _____
Multi-Family	\$105.00/unit for 3-50 units \$78.50/unit for each additional unit over 50	\$ _____
Commercial/Semi Public/Civic or Recreational	\$157.00/1,000 sq. ft. for first 100,000 sq.ft. (bldg. area): \$78.50/1,000 sq.ft. thereafter.	\$ _____
Industrial 6,320 sf	\$150.00/1,000 sq.ft for first 100,000 sq.ft. (bldg. area); \$78.50/1,000 sq.ft thereafter.	\$ <b>\$948</b> _____
No Buildings	\$30.00 per 1,000 sq.ft. of proposed developed area	\$ _____

**CONSULTANT REVIEW FEE: (Separate Check)**

Total 9.21 acres @ \$600.00 per acre, or \$1,250.00, whichever is greater. \$ \_\_\_\_\_

*This is an estimate for cost of consultant review. The fee is expected to cover the amount. A complex project may require additional funds. A simple project may result in a refund.*

**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.

*(continued on next page)*

**SCHEDULE OF FEES**  
(Continued)

**B. POSTAGE:**

<u>9</u> Direct Abutters @\$4.33 (or Current Certified Mail Rate)	\$ <u>38.97</u>
<u>5</u> Indirect Abutters (property owners within 200 feet) @\$0.58 (or Current First Class Rate)	\$ <u>2.90</u>

**C. ON SITE SIGNAGE:** \$ 15.00

**E. TAX MAP UPDATING FEE: (FLAT FEE)** \$ 275.00

**TOTAL** \$ 1,279.87

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

*NOTE: fees below apply only upon plan approval, not collected at time of application.*

**F. RECORDING FEES:**

**The applicant shall pay the costs of recording the final site plan layout prior to final site plan approval, in accordance with fees established by the County. Recording fees must be paid prior to recording.**

Recording of Plan @ \$24.00/sheet + \$2.00/surcharge plan  
 Land & Community Heritage Investment Program (LCHIP) fee @ \$25.00  
 Easements/Agreements @\$10.00/first sheet, \$4.00/each sheet thereafter +  
 \$2.00/surcharge/doc. + First Class return postage rate

**G. COST ALLOCATION PROCEDURE AMOUNT CONTRIBUTION AND OTHER IMPACT FEE PAYMENTS:**

To be determined by the Planning Board at time of plan approval and shall be paid by the applicant at the time of submittal of the Certificate of Occupancy Permit requests.

**\*\*\*The applicant shall be responsible for all fees incurred by the town for processing and review of the applicant's application, plan and related materials.\*\*\***



# TOWN OF HUDSON

## Conservation Commission



Ken Dickinson, Chairman      Pat Nichols, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-816-1291

### Motion to Recommend a Wetlands Special Exception

**Date:** July 11, 2016

**Case:** Miara Transportation  
12 Bockes Road  
Hudson, New Hampshire  
Map 136, Lot 1 Zone R2

**Description of work to be performed:** The project proposes a vehicle and storage expansion area of approximately 56,000-sf in the rear of the property. The project also entails expanding an existing maintenance building by 2,430-sf along with improvements to the existing storm-water management, lighting and landscaping.

Members Present: Ken Dickinson, James Battis, Michael Tranfaglia, Raimundo Matos, William Collins, Jeff Beland and Randy Brownrigg

Conservation Members Stepping Down: None

Alternates Seated: None

**Motion is to recommend approval of the Wetlands Special Exception Application filed by Joseph A. Miara Jr., Trustee Granite Realty Trust. This approval is for the permanent wetlands buffer impact of approximately 31,700 square feet and permanent wetland impact of approximately 5,500 square feet as shown on the Wetland & Wetland Buffer Impact Plan, Miara Transportation Map 136 lot 1, 12 Bockes Road, Hudson, New Hampshire Hillsborough County. Project No: 16-0233-1 sheet 3 of 6 dated June 2, 2016 and revised June 23, 2016 with the following stipulations.**

1. Construction and restoration shall comply with: BEST MANAGEMENT PRACTICES TO CONTROL NON-POINT SOURCE POLLUTION: A GUIDE FOR CITIZENS AND TOWN OFFICIALS (NH Department of Environmental Services-Current Issue.)
2. During construction and restoration erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.
3. Install approved "Do not cut/Do not disturb" Town conservation markers along the conservation district boundaries.

**(“Miara Transportation Wetlands Special Exception” motion stipulations continued from page 1)**

4. All notes found on the Construction Detail sheets 4 through 6 that pertain to alteration of terrain and storm-water runoff and management will be strictly adhered to during all phases of construction.

**Motion By:** J. Battis

**Second By:** R. Brownrigg

**Vote:** Favorable: 7 Unfavorable: 0 Abstaining: 0

**Dissent Reason(s):** None

**Approved,**

A handwritten signature in cursive script that reads "Ken Dickinson".

Ken Dickinson, Chairman

Hudson Town Hall  
Hudson Zoning Board  
12 School Street  
Hudson, NH 03051

A43

FEES:	14.47
SURCHARGE:	2.00
CASH:	—

Town of Hudson

Zoning Board of Adjustment

## Decision to Grant a Wetlands Special Exception Permit

On **9/29/16**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case# 136-001**, pertaining to a request by **Joseph A. Miara Jr., 12 Bockes Road, Hudson, NH** to allow for a Wetland Special Exception from Article IX, Section 334-35, **to allow the proposed storage expansion area of approximately 56,000 sq-ft, to impact a wetland & buffer area of 37,250 sq-ft in order to provide access and maneuverability for trucks and other company vehicles through the site. [Map 136, Lot 001, Zoned R-2; HZO Article VII §334-35, Uses within Wetland Conservation District.]**

Following the hearing of testimony by the applicant, a majority of the members of this Zoning Board voted that this Wetlands Special Exception should be granted, with the following stipulations:

1. With stipulation to carry out all requirements or stipulations of the Conservation Commission as follows:
  - a. Construction and restoration shall comply with BEST MANAGEMENT PRACTICES TO CONTROL NON-POINT SOURCE POLLUTION: A GUIDE FOR CITIZENS AND TOWN OFFICIALS (NH Dept of Environmental Services – Current Issue).
  - b. During construction and restoration, erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.

Hudson Town Hall  
Hudson Zoning Board  
12 School Street  
Hudson, NH 03051

*A43*

FILED	14-47
SURCHARGE	2-
CASH	-

Town of Hudson

Zoning Board of Adjustment

## Decision to Grant a Variance

On **9/29/16**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case# 136-001**, pertaining to a request by **Joseph A. Miara Jr., 12 Bockes Road, Hudson, NH** for a Variance **to allow expansion of the existing non-conforming use to expand the parking area (storage), loading area, and construction of 2,430 sq-ft maintenance building addition.** [Map 136, Lot 001, Zoned R-2; HZO Article VIII §334-29, Extension or enlargement of nonconforming uses.]

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted that the variance should be granted.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.



In the event that the requested use subsequently is found by the Hudson Zoning Administrator to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and corrective action(s) will be enforced under N.H. R.S.A. 676:17, Fines and Penalties, which allows a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue, as well as recovery of costs and reasonable attorney's fees.

Signed:

Maryellen Davis  
Maryellen Davis  
Chairman, Hudson Zoning Board of Adjustment

Date: 07-Oct-16

Signed:

Bruce Buttrick  
Bruce Buttrick  
Zoning Administrator

Date: 10-6-16



# TOWN OF HUDSON

## Zoning Board of Adjustment



Maryellen Davis, Chairman

Thaddeus Luszey, Selectmen Liaison

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

### HUDSON ZONING BOARD OF ADJUSTMENT MEETING MINUTES September 29, 2016

#### I. CALL TO ORDER

Chairman Davis called this meeting of the Hudson Zoning Board of Adjustment to order at 7:30 PM on Thursday, September 29, 2016, in the Paul Buxton Meeting Room in the Town Hall basement. Chairman Davis then requested Mr. Houle to call the roll. Representatives of the Hudson Zoning Board of Adjustment were as follows:

**Members Present:** Maryellen Davis, Donna Shuman, Charles Brackett, Normand Martin, Jim Pacocha

**Alternates Present:** Gerald Dearborn, Maurice Nolin, Kevin Houle

**Staff Present:** Bruce Buttrick, Zoning Administrator

**Excused:** Selectmen Liaison Ted Luszey

**Recorder:** Mary-Ellen Marcouillier

#### II. SEATING OF ALTERNATES AND ANNOUNCEMENTS

For the benefit of all attendees Chairman Davis noted that copies of the agenda for the meeting, as well as an outline of the rules and regulations governing hearing before the Zoning Board of Adjustment were available at the door of the meeting room. She noted the outline includes the procedures that should be followed by anyone who wished to request a rehearing in the event the Board's final decision was not felt to be acceptable.

The curfew for the meeting is 11 PM. Chairman Davis does not anticipate this to be a problem for this session. In the event that a case is not heard by 11 PM, it will be postponed until the next meeting. If a case is in process, it will be heard until midnight then continued at the next meeting.

#### III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD

1. **Case 136-001 (9-29-16):** Joseph A. Miara Jr., Trustee, 12 Bockes Road, Hudson, NH, requests the following:

- a. **A Variance to allow the existing non-conforming use to expand the parking area (storage), loading area and construction of 2,430 sq. ft. maintenance building addition.**

**[Map 136, Lot 001, Zoned R-2, HZO Article VIII §334-29, Extension or Enlargement of Non-Conforming Uses.]**

- b. A Wetland Special Exception to allow the proposed storage expansion area of approximately 56,000 sq. ft. to impact a wetland and buffer area of 37,250 sq. ft. in order to provide access and maneuverability for trucks and other company vehicles through the site. [Map 136, Lot 001, Zoned R-2; HZO Article IX §334-35B, Uses within Wetland Conservation District.]**

Chairman Davis asked the Board their preference in hearing the case. Did they want to hear (a) and (b) together or hear each one individually. The Board requested to hear each one individually.

**a. Attorney Brad Westgate testified on behalf of Joseph Miara:**

It is in the public interest to permit reasonable expansion of existing business properties in the Town to demonstrate vitality among the town's businesses and prevent stagnation and deterioration of business properties if constrained to existing conditions.

The spirit of the ordinance is partially derived from the purposes of the ordinance. If the Variance is granted, it will permit a reasonable improvement to the Applicant's property and Miara Transportation's operations encouraging the most appropriate use of land by allowing natural expansion of the parking (storage) and loading area in the most isolated portion of the property and allowing improvements and expansion of the maintenance building, consistent with the general purposes of the Zoning Ordinance.

Substantial justice is done by granting the Variance since it permits the possibility that the project can go forward (provided the other necessary approvals are obtained) which would allow an upgrade to the facility and, demonstrate vitality of the business.

Permitting a modest addition to the maintenance building in the center of the property several hundred feet from Bockes Road, together with an expansion of the parking (storage) and loading area to the rear of the property, adjacent to undeveloped land, will not diminish the value of surrounding properties.

The property is located in close proximity to a main thoroughfare NH Route 111 – Central Street. This permits the vehicles leaving the facility to access Route 111 without the need to go through residential neighborhoods and be on local roads for only a brief period of time. The property is located across the street from the G-1 zoning district which permits a wide variety of uses, including numerous commercial and industrial uses (including warehouse and a transportation of freight terminal). It is a logical location for Miara Transportation's operation and for the proposed expansion to enhance those operations. Miara Transportation is, in effect, a specialty transporter and warehouse. The expansion will accommodate business needs and potential expansion, including the ability to park a greater number and variety of specialty flatbed trailers and box trailers. It is only because of the change in the zoning district, after the original site plan application was first filed (in 1984) that this Variance is required.

Chairman Davis asked if anyone in the audience wished to speak in favor of the application, no one came forward. Chairman Davis then asked if anyone in the audience wish to speak neutrally or in opposition of the application, no one came forward.

Chairman Davis asked if any Board Members had any questions. Mr. Dearborn asked Mr. Chisholm if there was a high water table on the property. Mr. Chisholm replied that there was a monitoring well that

would be relocated. The planning design will incorporate the relocation. Mr. Dearborn asked the distance between the closest houses to the property. Mr. Chisholm measured 200 feet to the property line. Mr. Chisholm further stated that there would be a landscape buffer.

Mr. Brackett asked Mr. Chisholm if the current gravel area would stay gravel. Mr. Chisholm stated that they would keep it gravel. Mr. Brackett asked where the trailers were being stored presently. Mr. Chisholm responded that the trailers are either on the road, parked here or stored in Wilmington, MA. He also stated that the trailers presently stored here are specialty trailers and would be stored for months at time.

Mr. Martin asked if they were boxed trailers. Chris Cleaver, Operating Manager at Hudson Facility stated that most were flat beds. Chairman Davis asked if they had any refrigerators that would require the trailers running all night. Mr. Cleaver answered no. The only movement would be the cabs of the trucks going in and out.

Mr. Cleaver testified that their hours of operation were Monday – Friday, 8:00 AM to 4:30 PM and typically they tried their best to stay within those hours.

Chairman Davis declared the matter before the Board.

Mr. Martin made a motion to Grant, seconded by Mr. Brackett.

Chairman Davis asked the clerk to poll the Board.

Normand Martin	Grant
Charles Brackett	Grant
Jim Pacocha	Grant
Donna Shuman	Grant
Maryellen Davis	Grant

Vote: 5-0                      Grant Variance

Before hearing case (b), Mr. Brackett disclosed that he did vote on the Planning Board side. Chairman Davis asked the Applicant if there was any issue with Mr. Brackett hearing the case. Attorney Westgate replied that there was no issue.

**b. Paul Chisholm, Project Engineer testified:**

In order to access the upland areas, the finger wetland must be impacted. The trailers require a larger area than most commercial sites require for maneuvering into or out of the proposed storage areas, which are located outside of the wetland area. Michael Grenier, CWS, determined that the finger wetland area has a low function and value with insignificant wildlife habitat. The proposed onsite storm water features will provide adequate storm water treatment, detention and discharge controls. The proposed conveyance swale will recreate the function of the existing finger wetland, which was identified as its only function.

The project's design, permitting, construction and maintenance methods will be designed by a Licensed Professional Engineer and LEED accredited professional with specialty in neighborhood development. General construction sequencing and erosion control practices have been implemented according to the State of New Hampshire, Department of Environmental Services (NHDES) Best Management Practices as described in the manual for Storm Water Management and Erosion and Sediment Control Handbook for

Urban and Developing Areas in New Hampshire. The expansion is simply proposed in the only area onsite with enough space to accommodate it.

Chairman Davis asked if anyone in the audience wished to speak in favor of the application, on one came forward. Chairman Davis then asked if anyone in the audience wish to speak neutrally or in opposition of the application, no one came forward.

Chairman Davis asked if any Board Members had any questions. Mr. Brackett asked if the cabs were on all the trailers. Mr. Chisholm stated that they were only parking trailers and specialty trailers.

Chairman Davis declared the matter before the Board.

Mr. Pacocha made a motion to Grant with stipulation from Conservation Commission, seconded by Mr. Martin.

Chairman Davis asked the clerk to poll the Board.

Jim Pacocha	Grant with stipulation
Normand Martin	Grant with stipulation
Charles Brackett	Grant with stipulation
Donna Shuman	Grant with stipulation
Maryellen Davis	Grant with stipulation

Vote: 5-0                      Grant Wetland Special Exception with Stipulation

#### **IV. REVIEW OF MINUTES**

July 28, 2016 minutes were reviewed. Motion made by Mr. Martin to approve as amended and seconded by Ms. Shuman. All in favor. Vote: 5-0.

August 25, 2016 minutes were reviewed. Motion made by Ms. Shuman to approve as amended and seconded by Mr. Pacocha. All in favor. Vote: 4-0-1. Mr. Martin abstained from voting because he wasn't present at the meeting.

#### **V. ADJOURNMENT**

Mr. Martin made a motion to adjourn and Ms. Shuman seconded the motion. All in favor, the motion passed unanimously. Chairman Davis declared the meeting adjourned at 8:50 PM.

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Maryellen Davis, Chairman



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

December 6, 2016

Joseph A. Miara Trustee  
Granite Realty Trust  
12 Bockes Rd  
Hudson, NH 03051

RE: NH DES Wetlands Bureau File 2016-02751, 12 Bockes Rd, Hudson Tax Map 136 Lot 1

Dear Mr. Miara:

Attached please find Wetlands Permit 2016-02751 to impact 5,550 square feet of forested wetland for the expansion of the existing gravel surface for additional trailer and specialty trailer storage and construction of a 2,430 square foot commercial building.

The decision to approve this application was based on the following findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The impacts are necessary to provide access to two buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) Memo NHB16-1737 identifying five (5) vertebrate species in the vicinity of the project.
6. In response to these species, NH Fish and Game Nongame and Endangered Wildlife Program finds, "We do not expect impacts to the American Eel as there will be no impacts to Beaver Brook. We do not expect impacts to the Blanding's, spotted, or wood turtle as long as impacts to wetlands are minimized, no sumps will be placed in catch basins or other stormwater structures to entrap turtles, and the use of welded plastic or 'biodegradable plastic' erosion control netting is avoided."
7. NH DHR found "No Historic Properties Affected."

Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council. Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975. Your permit must be signed, and a copy must be posted in a prominent location on site during construction. If you have any questions, please contact me at (603) 559-1515 or via email at [eben.lewis@des.nh.gov](mailto:eben.lewis@des.nh.gov).

Sincerely,

Eben M. Lewis  
Wetlands Inspector, Southeast Region Supervisor  
DES Wetlands Bureau

enclosures

cc: Paul D. Chisholm, Keach-Nordstrom Assoc. Inc.  
Hudson Conservation Commission



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



Thomas S. Burack, Commissioner

**WETLANDS AND NON-SITE SPECIFIC PERMIT 2016-02751 PAGE 1 OF 2**

**Permittee:** Granite Realty Trust, Joseph A. Miara Trustee  
12 Bockes Rd  
Hudson, NH 03051  
**Project Location:** 12 Bockes Road, Hudson  
Hudson Tax Map 136 Lot 1  
**Waterbody:** Unnamed Wetland

**NOTE --  
CONDITIONS**

**APPROVAL DATE:** 12/06/2016

**EXPIRATION DATE:** 12/06/2021

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

**PERMIT DESCRIPTION:** Impact 5,550 square feet of forested wetland for the expansion of the existing gravel surface for additional trailer and specialty trailer storage and construction of a 2,430 square foot commercial building.

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:**

1. All work shall be in accordance with the 'Wetland & Buffer Impact Plan' (Sheet 3 of 6) by Keach-Nordstrom, Inc. dated June 2, 2016 and revised through 06/23/16 as received by the NH Department of Environmental Services (DES) on September 23, 2016.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
3. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A .
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
6. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
7. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
8. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. No sumps shall be placed in catch basins or other stormwater structures to entrap turtles.
11. The use of welded plastic or 'biodegradable plastic' erosion control netting shall be avoided.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

**GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:**

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: \_\_\_\_\_

Eben M. Lewis  
DES Wetlands Bureau

=====

**BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**

\_\_\_\_\_  
OWNER'S SIGNATURE (required)

\_\_\_\_\_  
CONTRACTOR'S SIGNATURE (required)



#546  
Hudson Planning

FEES:	30.67
SURCHARGE:	2.00
CASH:	0

### SITE PLAN DEVELOPMENT AGREEMENT

This Agreement is entered into this <sup>24<sup>th</sup></sup> day of ~~FEB~~ 2017, between Granite Realty Trust, owner, Joseph A. Miara, Jr., Trustee, 12 Bockes Road, Map 136; Lot 001, Hudson, NH 03051 and the **Town of Hudson**, a municipal corporation, at 12 School Street, Hudson, New Hampshire. It represents the understanding of the parties regarding the granting by the Hudson Planning Board of site plan approval in accordance with the ordinances of the Town of Hudson, and to contain improvements pursuant to the plans and conditions referenced below.

WHEREAS, the Hudson Planning Board has been duly authorized to regulate the subdivision of land and to approve and disapprove site plans for multifamily dwelling units and nonresidential developments pursuant to RSA 674 et seq.

WHEREAS, Applicant has applied for approval for the above described project in compliance with Town zoning ordinances and the rules and regulations of Hudson Planning Board.

WHEREAS, site plan approval is conditioned upon the execution of a Development Agreement.

In consideration for the Hudson Planning Board granting site plan approval, the parties hereby agree as follows:

Final site plan approval is granted for the Site Plan entitled: Non-Residential Site Plan Miara Transportation, Map 136 Lot 1, 12 Bockes Road, Hudson, New Hampshire, prepared by Keach-Nordstrom Associates, Inc. dated 3 OCT 2016, revision date 18 JAN 2017,

consisting of Sheets 1 – 11, together with Notes 1 – 34 on Sheet 1 of 11, in accordance with the following terms and conditions:

- 1) All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Site Plan-of-Record (hereinafter referred to as the Plan).
- 2) Prior to the Planning Board endorsement of the Plan, the Development Agreement shall be favorably reviewed and recommended on by Town Counsel.
- 3) All improvements shown on the Plan, including Notes 1-34, shall be completed in their entirety and at the expense of the Applicant or his assigns.
- 4) After the issuance of the foundation permit and prior to the issuance of the framing permit, the applicant shall submit to the Hudson Community Development Department a foundation "As-Built" plan on a transparency and to the same scale as the approved site plan. The foundation "As-Built" plan shall include all structural dimensions and lot line setback measurements to the foundation and be stamped by a licensed land surveyor. Any discrepancy between the approved site plan and foundation "As-Built" plans shall be documented by the applicant and be part of the foundation "As-Built" submission.
- 5) Prior to the issuance of a final certificate of occupancy, a L.L.S. certified "As Built" site plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms with the Planning Board approved Plan.
- 6) Onsite landscaping shall be provided for in accordance with the plant and tree species specified on Sheet 6 of the Plan.
- 7) Construction activities on the site shall be limited to between 7:00 A.M. and 7:00 P.M. Monday through Saturday. No construction activities shall occur on Sunday.
- 8) This approval shall be subject to final engineering review.
- 9) The calculated CAP fee of \$2,940.30, prepared in accordance with the 2016 CAP Fee Matrix for Zone One, shall be submitted to the Town prior to the issuance of the Certificate of Occupancy. Said CAP fee amount shall be inscribed on the Site Plan-of-Record prior to Planning Board endorsement.
- 10) All pertinent notes are inscribed on the Master Sheet of the Plan.

All conditions contained in the notes of the plan are incorporated herein by reference as approved by the Planning Board. Furthermore, all representations of fact or intention made by the applicant or any of applicant's representatives during testimony before the Planning Board relative to the obtaining of approval of this plan, shall be considered conditions of this approval regardless of the fact that such fact or intentions were not specifically stated as part of the motion to grant.

## II

Applicant shall comply with all subdivision, site review and zoning regulations which have been promulgated by the Town and which are in effect as of the date of this Agreement. If this Agreement contains terms, including but not limited to variance and special exception stipulations granted by the Hudson Zoning Board of Adjustment, which are stricter or impose higher standards than the above-mentioned regulations, the stricter or higher standards shall control. All improvements shall meet the standards of workmanship as required by the Town, as required by the New Hampshire Water Supply and Pollution Control Commission, as required by the New Hampshire Department of Transportation, and as required by the New Hampshire Wetlands Board.

## III

Applicant shall obtain all necessary local, state and federal permits prior to commencing work and shall comply fully with their terms.

## IV

Applicant shall comply with the plan as submitted to, reviewed by and approved by the Planning Board, including but not limited to, notations set forth on the plan. Deviation from or amendments to the plan may only be made with the written approval of the Planning Board, or the Town Engineer, as appropriate.

## V

Applicant acknowledges that it will have sole responsibility for ensuring the quality of the construction and that Applicant will not hold the Town, building inspector or other officers, employees, agents or assigns of the Town responsible for any claims, damages, fees or costs alleged to be incurred on account of the Town's negligent inspection of the improvements to be constructed. Similarly, Applicant agrees to hold harmless and indemnify the Town for any claims, damages, fees or costs sought or asserted by third parties against the Town on the grounds of negligent or improper inspection of the construction of the improvements called for herein.

## VI

Applicant shall provide and install erosion and sedimentation control measures as required by the plan, by RSA 149-M, and as deemed necessary by the Town Engineer or his designated agent.

## VII

The Applicant shall be responsible for any off-site problems, which arise from this construction. This includes, but is not limited to, erosion, runoff, sedimentation, drainage, and property damage by construction equipment, including damage to existing streets, sewers and drainage systems. Upon notification by the Town in writing, the developer must submit a plan within one week to remedy the problem. The Town Engineer division shall then set a construction schedule in consultation with the developer so that the problem can be corrected as soon as practical.

## VIII

It is the intent of the signatories to the Agreement that only they can sue to enforce the Agreement's terms. The Agreement confers no rights on third parties.

## IX

The Applicant's promise to perform improvements incorporated herein is an obligation independent from any alleged breach by the Town, once the Planning Board has given the developer site plan/subdivision approval and work on the site has begun.

## X

Applicant shall notify the Town Engineer at least sixty (60) days prior to anticipated construction. A pre-construction meeting shall be held at least thirty (30) days prior to commencement of construction. A three-party inspection agreement and any other pertinent documents shall be finalized prior to the pre-construction meeting.

## XI

The Agreement to complete bonded or otherwise secured improvements is not contingent upon the commencement of work on the site or on the sale of any of the lots or property contained in the approved plan.

## XII

At the time of plan recording, Applicant shall also execute and deliver to the Town easements for sewer, drainage, water, utilities as may be specified by the Hudson Planning Board, or otherwise specified on the plan.

## XIII

The Applicant shall remove all waste from the particular site prior to the issuance of any Certificate of Completion or occupancy permit. All waste will be removed in compliance with applicable Town, State and Federal regulations.

#### XIV

Prior to commencing construction, Applicant agrees to pay all fees as required by all ordinances and regulations of the Town in effect at the time of this Agreement, as well as any other fees imposed by the Hudson Planning Board, upon application for a building permit, unless phased payments are provided for. Applicant shall have an affirmative obligation to supplement this fee schedule, as information about the number of dwelling units per lot becomes available.

#### XV

Applicant agrees that if in the future the Town determines that Applicant has committed a material breach of this Agreement or has violated any Town zoning, subdivision, site plan or any State land use or environmental law or regulation or building code, and said material breach or violation is decided against Applicant by a court of competent jurisdiction in a legal action by the Town against Applicant, Applicant agrees to pay, on demand, all reasonable attorney fees, court costs, sheriff charges and related costs incurred by the Town in connection with the breach or violation to the extent that said fees, costs and charges would not have been incurred had the breach or violation not occurred.

#### XVI

A note shall be added to the recorded plan. This note shall state the existence of this Development Agreement, and that a copy of it is on file with the Planning Department or other designated Town department. This Agreement shall be recorded with the plan.

#### XVII

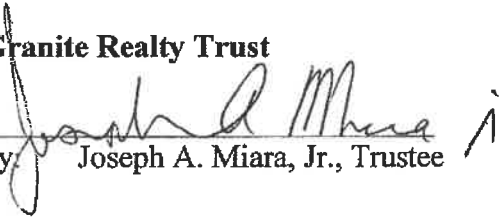
This agreement shall run with the land and shall be binding on any subsequent purchaser of the proposed development on applicant's heirs and assigns, and on any successor entity.

#### XVIII


Severability: If any section, clause, provision, article or portion of this contract shall be invalidated by any court of competent jurisdiction, such holding shall not invalidate any other section of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first written above.

  
\_\_\_\_\_  
Witness

**Granite Realty Trust**  
  
by: Joseph A. Miara, Jr., Trustee

**TOWN OF HUDSON, NH**

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
by: Glenn Della-Monica, Chairman  
Hudson Planning Board

April 27, 2022

**Subject: Miara Transportation – Non-Residential Site Plan  
Map 136; Lot 1  
12 Bockes Road, Hudson NH  
KNA Project No. 16-0223-1**

### **PROJECT NARRATIVE**

Joseph A. Miara, Jr., Trustee of Granite Realty Trust (the “Applicant”), is the owner of 12 Bockes Road. The property is located on the northwesterly side of Bockes Road, across from the VFW facility. The property is within Hudson’s Residential-2 Zoning District and approximately 9.216 acres in overall area, housing the existing Miara Transportation facility.

The property currently contains one 23,188 sf industrial building. In February of 2017 the Hudson Planning Board Approved a two-phase expansion on the property. The expansion included a 2,430 Sf building, pavement expansion in the rear of the existing building, and a large expansion of the gravel area. The gravel area expansion included a wetland impact to the existing wetlands in the rear of the site. This impact was approved through the Hudson Zoning Board, Hudson Conservation Commission, and a Wetland and Non-Site Specific permit was approved by the State of New Hampshire. Phase one of this expansion was the wetland impact and gravel expansion. Phase two is the proposed building and the newly paved area. Phase one of this project has been started; the gravel area has been expanded. Phase two of this project has not yet commenced.

This project proposes a 79’ by 80’ hoop structure that would be used congruently with the current use of the property. The hoop structure is proposed in in the rear of the property sitting atop the gravel and outside out of all setbacks. The hoop structure will be used as trailer storage for the company to prevent snow from piling up on the trailers and making them unsafe for roadway travel. Miara Transportation transports a variety of items that come in all shapes and sizes. This assortment makes completely clearing snow from the loaded trailers difficult. This hoop structure would mitigate any impacts with snow or other types of weather on the loaded trailers.

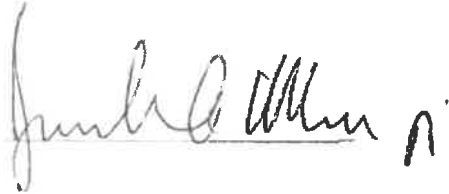
## Owner Affidavit

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I, Joseph A. Miara Jr., authorized representative of Granite Realty Trust, and owner of the property referenced on Tax Map 136 as Lot 1, located at 12 Bockes Road, Hudson, New Hampshire, hereby verify that I have authorized Keach-Nordstrom Associates, Inc. to submit on my behalf, any and all applicable State and local permit applications as they pertain to improvements on said property.

Additionally, I authorize Keach-Nordstrom Associates, Inc. to aid in the representation of these applications throughout the approval process.

Signature of Owner:



Printed Name of Owner:

Joseph A Miara jr

Address of Owner:

12 Bockes Road

Hudson, NH 03051

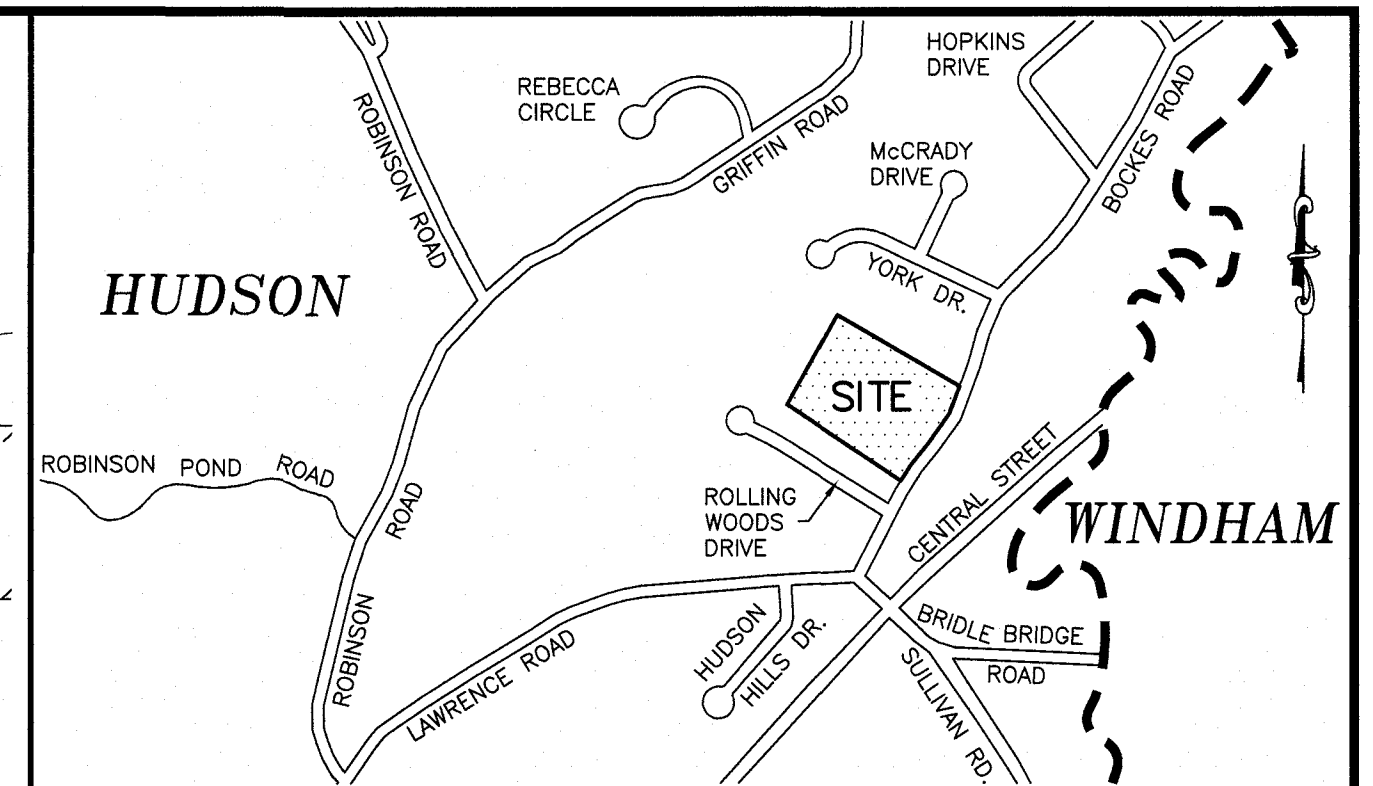
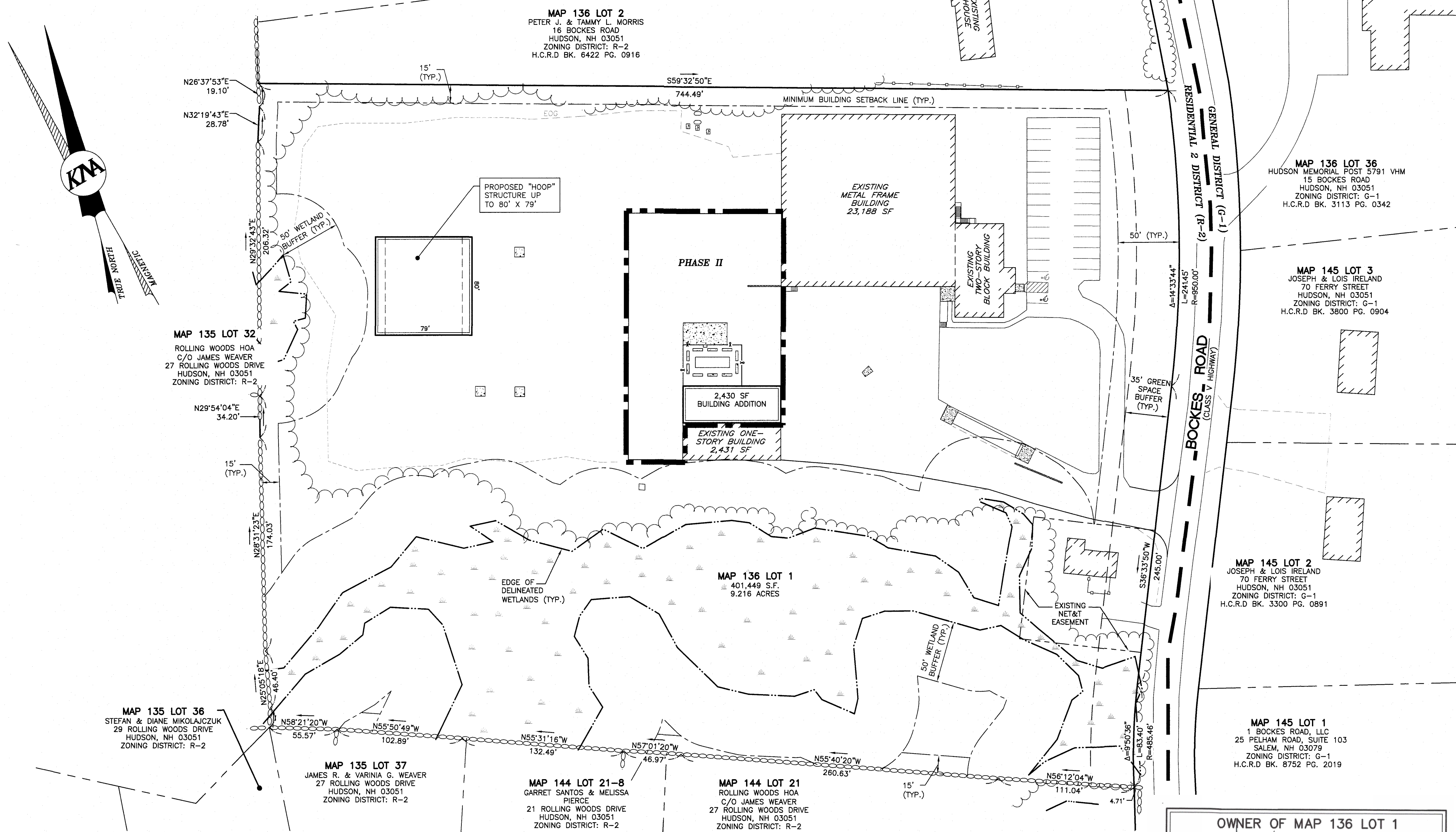
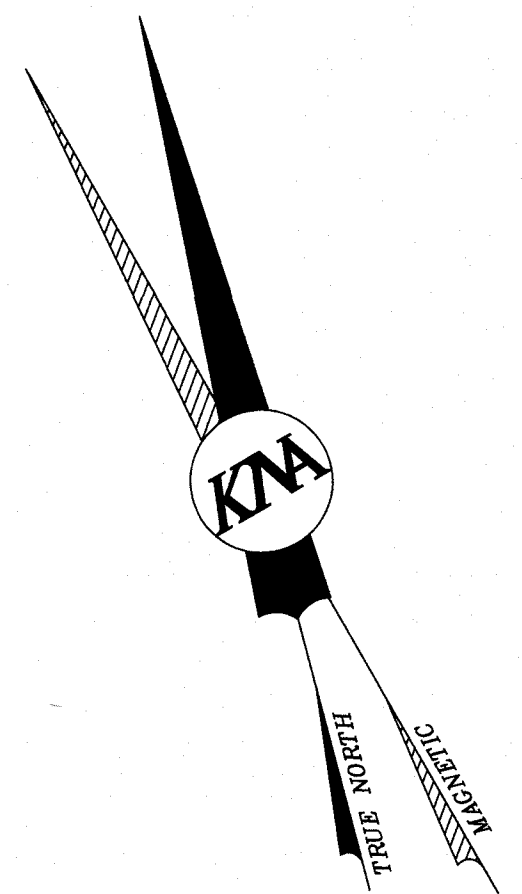
Date:

2/16/22



**LEGEND**

⊙ IPIN-F	IRON PIN FOUND	---	ABUTTER LINE
⊙ DH-F	DRILL HOLE FOUND	---	PROPERTY LINE
⊙	UTILITY POLE	---	WETLAND
+	SIGN	---	STOCKADE FENCE
⊙*	LIGHT	---	EDGE OF PAVEMENT
⊙	WELL	---	EDGE OF GRAVEL
⊙	SEWER MANHOLE	---	STONEWALL
⊙	DRAINAGE MANHOLE	---	BUILDING SETBACK
⊙	CATCH BASIN	---	GREEN SPACE BUFFER
---	OVERHEAD UTILITIES	---	EASEMENT
---	TREELINE	---	ZONE LINE
---	RETAINING WALL	---	

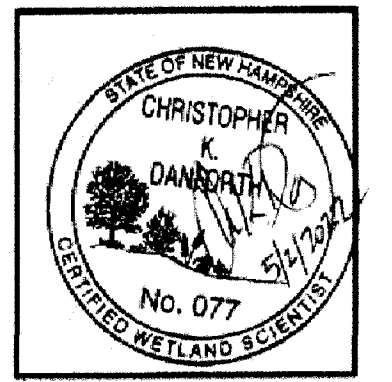


**LOCUS PLAN**  
**REFERENCE PLANS:** SCALE: 1"=1,000'  
 1. "SUBDIVISION PLAN OF LAND, PREPARED FOR BERTHA A. MOONEY, HUDSON, NH," SCALE: 1"=50', DATED: MAY 29, 1984, PREPARED BY RONALD R. BURD, INC. H.C.R.D. PLAN NO. 19106.  
 2. "BOUNDARY PLAN OF MAP 36 LOT 27 & 28, LOCATED ON: BOCKES ROAD, HUDSON, N.H.," SCALE: 1"=100', DATED: NOV. 16, 1987, PREPARED BY GEORGE F. KELLER INC. H.C.R.D. PLAN NO. 21586.  
 3. "AS-BUILT SITE PLAN: TAX MAP 36 LOT 29-2, ABC MOVING AND STORAGE CO., c/o FRANK FISHER, BOCKES ROAD, HUDSON, N.H.," SCALE: 1"=50', DATED: JANUARY 15, 1990, WITH REVISIONS THROUGH 11/12/90, PREPARED BY GEORGE F. KELLER INC.  
 4. "NON-RESIDENTIAL SITE PLAN, MARIA TRANSPORTATION, TAX MAP 136 LOT 1, 12 BOCKES ROAD, HUDSON, NEW HAMPSHIRE, DATED OCTOBER 3, 2016, WITH REVISIONS THROUGH JANUARY 18, 2017, PREPARED BY KEACH-NORDSTROM ASSOCIATES, INC."

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED TRAILER STORAGE "HOOP" STRUCTURE, ON TAX MAP 136 LOT 1.
  - TOTAL LOT AREA = 401,449 SF, OR 9.216 ACRES.
  - MAP 136 LOT 1 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBERS.
  - OWNER OF RECORD:  
JOSEPH A. MIARA JR., TRUSTEE  
GRANITE REALTY TRUST  
12 BOCKES ROAD  
HUDSON, NH 03051  
H.C.R.D. BK. 8410 PG. 2473
  - THE SUBJECT PARCEL IS LOCATED WITHIN THE RESIDENTIAL 2 DISTRICT (R-2). DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS FOR LOTS NOT SERVED WITH MUNICIPAL SEWER AND WATER:  

REQUIREMENTS:	EXISTING:	PROPOSED:
- MINIMUM LOT AREA	60,000 SF	401,449 SF
- MINIMUM LOT FRONTAGE	120 FT	569.85 FT
- MINIMUM BUILDING SETBACKS:		
- FRONT	50 FT	27.6 FT
- SIDE	15 FT	20.8 FT
- REAR	15 FT	427.1 FT
  - TOPOGRAPHIC AND BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON REFERENCE PLAN #1 AND AN ACTUAL FIELD SURVEY PERFORMED BY THIS OFFICE DURING MARCH OF 2016.
  - HORIZONTAL DATUM IS NAD 83. VERTICAL DATUM IS NAVD 29.
  - WETLAND MAPPING WAS PERFORMED BY CHRIS DANFORTH, CERTIFIED WETLAND SCIENTIST #077, IN JANUARY OF 2022.
  - SITE IS SERVED BY PRIVATE ON-SITE WELL AND SEPTIC SYSTEM.
  - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF THE UTILITIES SHOWN. UTILITIES SHOWN HEREON ARE ONLY THOSE FOUND WITHIN THE AREA OF KNA FIELD SURVEY AND ARE SOLELY BASED UPON VISIBLE SURFACE EVIDENCE. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 811.
  - EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON MAP NUMBER 3300920536D, PANEL 536 OF 701, EFFECTIVE DATE: SEPTEMBER 25, 2009 INDICATES THAT NO PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
  - CURRENT OPEN SPACE = 58.1%  
PROPOSED OPEN SPACE = 58.1%
  - NO NEW SITE LIGHTING IS PROPOSED.
  - EXTERIOR CONSTRUCTION ACTIVITIES ON THE SITE SHALL BE LIMITED TO BETWEEN 7:00 AM AND 5:00 PM MONDAY THROUGH SATURDAY. NO CONSTRUCTION ACTIVITIES SHALL OCCUR ON SUNDAYS.
  - WAIVERS GRANTED ON JANUARY 11, 2017:  
HTC 276.11.(B)(12)(C) - 100' BUFFER
  - PERMITS REQUIRED:  
NHDES WETLANDS ADJUSTED APPROVED 2016-02751
  - THE TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT GRANTED A VARIANCE ON SEPTEMBER 29, 2016 TO ALLOW THE EXPANSION OF AN EXISTING, NON-CONFORMING USE (CASE #136-001).
  - A WETLAND SPECIAL EXCEPTION FROM ARTICLE IX, SECTION 334-35, TO ALLOW THE PROPOSED STORAGE EXPANSION AREA OF APPROXIMATELY 56,000 SF, TO IMPACT A WETLAND AND BUFFER AREA WAS APPROVED BY THE HUDSON ZONING BOARD ON SEPTEMBER 26, 2016 (CASE #136-001).
  - ON JANUARY 11TH, 2017 FINAL SITE PLAN APPROVAL WAS GRANTED FOR TRAILER STORAGE EXPANSION, 2,430 SF MAINTENANCE BUILDING, AND ALL OTHER ASSOCIATED SITE IMPROVEMENTS SHOWN ON REFERENCE PLAN 4.
  - HOURS FOR REFUSE REMOVAL AND DELIVERIES OF SUPPLIES SHALL BE NO EARLIER THAN 7:00 AM AND NO LATER THAN 7:00 PM, MONDAY THROUGH FRIDAY ONLY.
  - HOURS OF OPERATION: 7:00 AM TO 6:00 PM, MONDAY THROUGH SATURDAY.
  - ALL EXISTING AND PROPOSED BUILDING HEIGHTS ARE UNDER 38'.

**WETLAND CERTIFICATION**  
 JURISDICTIONAL WETLANDS SHOWN ON THIS PLAN WERE DELINEATED IN JANUARY OF 2022 BY CHRISTOPHER K. DANFORTH CWS #077. THE WETLANDS WERE DELINEATED ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (1987) AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2, JANUARY 2012. DOMINANT HYDRIC SOILS WITHIN THE WETLAND(S) WERE IDENTIFIED USING "FIELD INDICATORS OF HYDRIC SOILS OF THE UNITED STATES" A GUIDE FOR IDENTIFYING AND DELINEATING HYDRIC SOILS, NRCS, VERSION 8.1, 2017. DOMINANCE OF HYDROPHYTIC VEGETATION WAS DETERMINED USING THE USACE 2020 NATIONAL WETLAND PLANT LIST, NWPL 2020 VERSION 3.5 HTTP://WETLAND-PLANTS.USACE.ARMY.MIL.

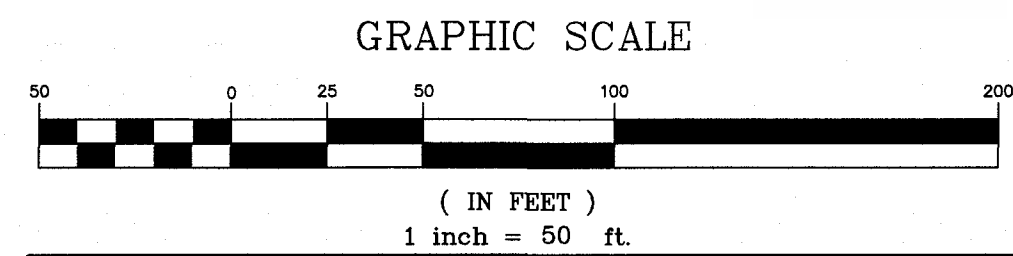


PURSUANT TO THE SITE REVIEW REGULATIONS OF THE HUDSON PLANNING BOARD, THE SITE PLAN APPROVAL GRANTED HEREIN EXPIRES ONE YEAR FROM DATE OF APPROVAL.

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

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

OWNER OF MAP 136 LOT 1  
 SIGNATURE: \_\_\_\_\_  
 DATE: 5/2/22



**CERTIFICATION:**  
 I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE BY THIS OFFICE DURING MARCH OF 2016. SAID SURVEY HAS A RELATIVE ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) OR BETTER.

\_\_\_\_\_  
 LICENSED LAND SURVEYOR DATE: 5/2/22

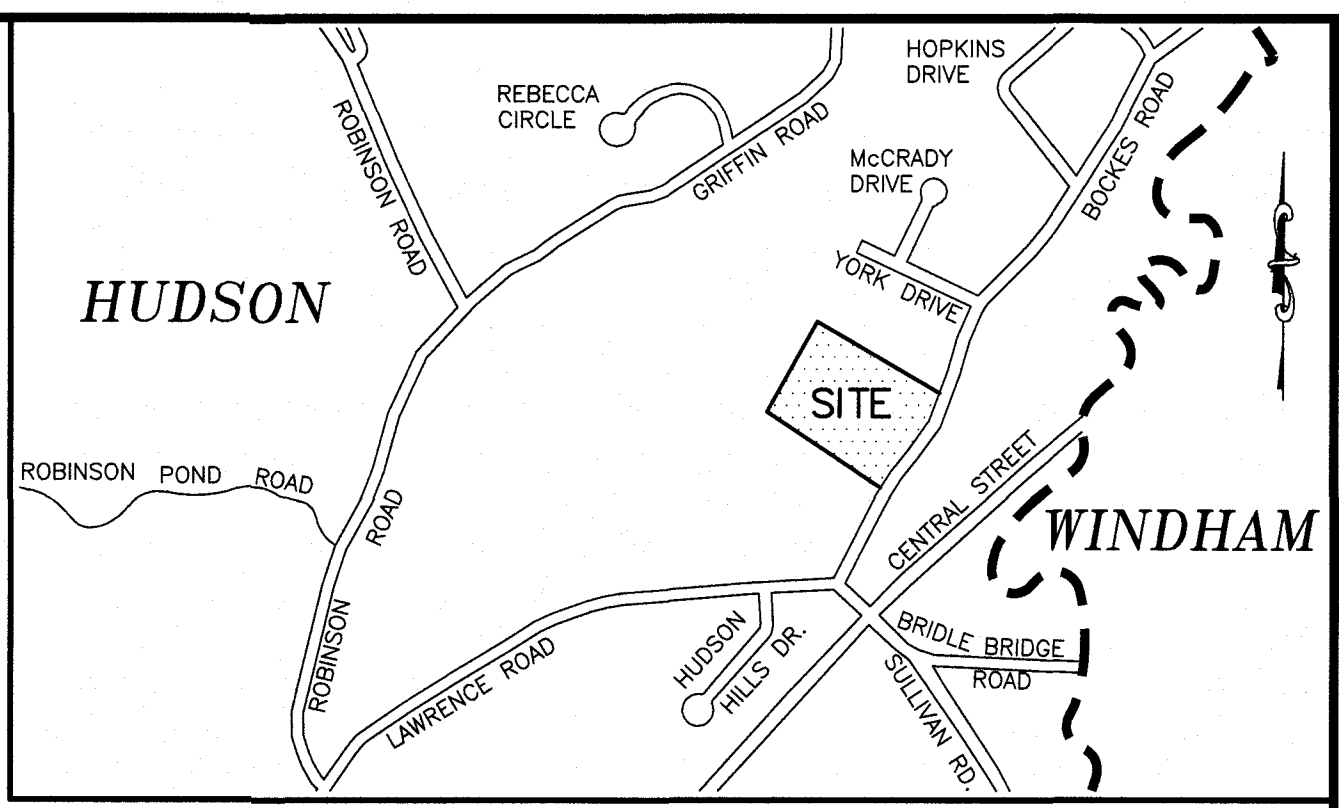
**MASTER PLAN**  
**MIARA TRANSPORTATION**  
 MAP 136 LOT 1  
 12 BOCKES ROAD  
 HUDSON, NEW HAMPSHIRE  
 HILLSBOROUGH COUNTY

<b>OWNER OF RECORD:</b> JOSEPH A. MIARA JR., TRUSTEE GRANITE REALTY TRUST 12 BOCKES ROAD HUDSON, NH 03051 H.C.R.D. BK. 8410 PG. 2473	<b>APPLICANT:</b> JOSEPH A. MIARA JR., TRUSTEE GRANITE REALTY TRUST 12 BOCKES ROAD HUDSON, NH 03051
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**KNA** KEACH-NORDSTROM ASSOCIATES, INC.  
 Civil Engineering Land Surveying Landscape Architecture  
 10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2881

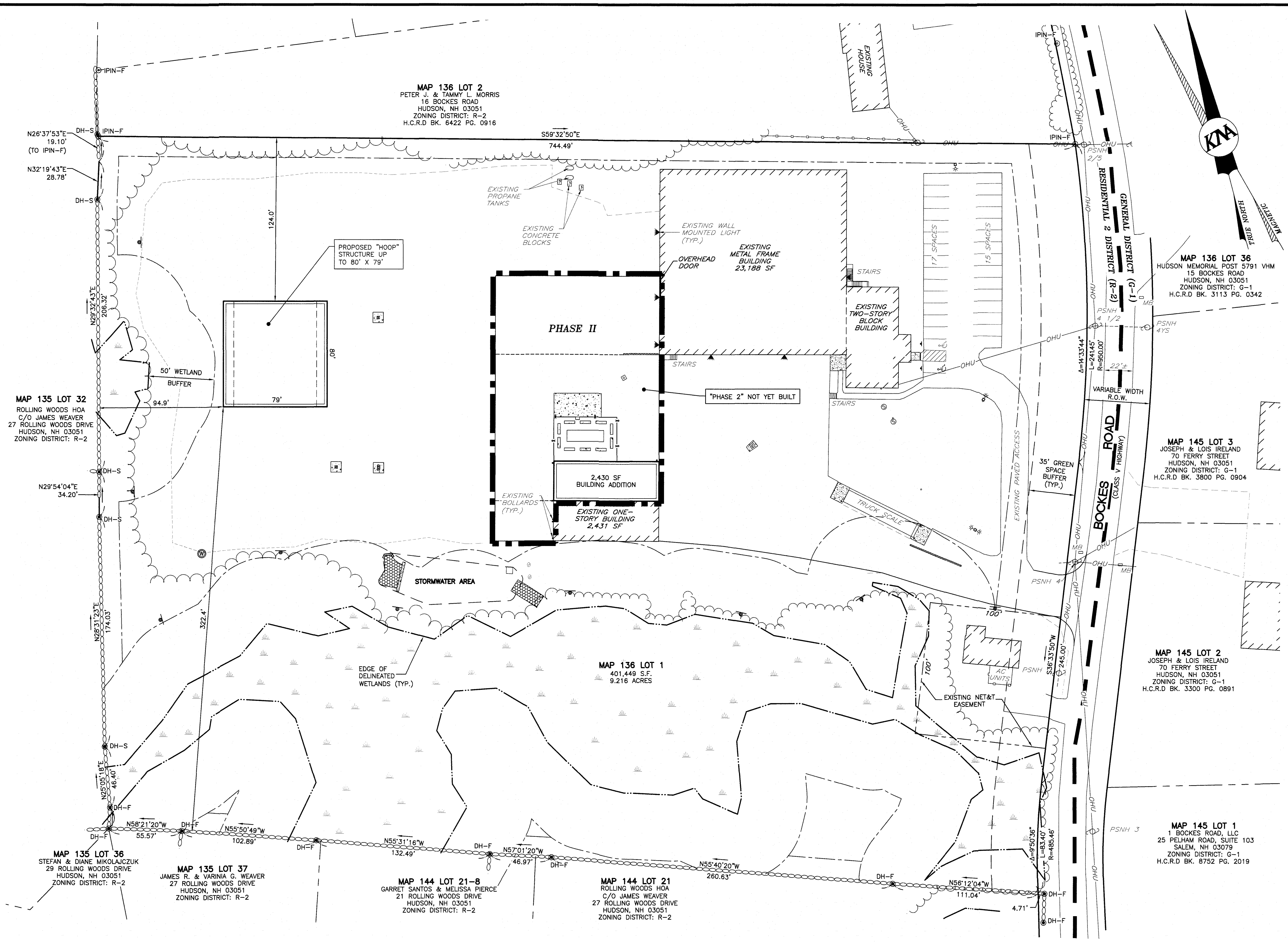
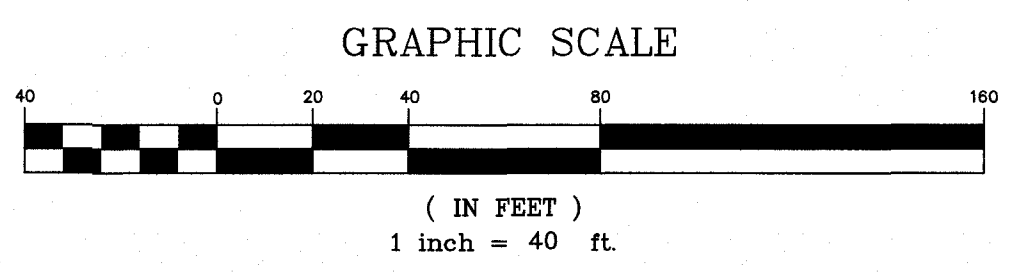
REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: APRIL 27, 2022 SCALE: 1" = 50'  
 PROJECT NO: 16-0223-1 SHEET 1 OF 2



**LOCUS PLAN**  
SCALE: 1"=1,000'

- LEGEND**
- IPIN-F IRON PIN FOUND
  - ⊙ DH-F DRILL HOLE FOUND
  - UTILITY POLE
  - ⊕ SIGN
  - ⊙ LIGHT
  - ⊙ WELL
  - ⊙ SEWER MANHOLE
  - ⊙ DRAINAGE MANHOLE
  - ⊙ CATCH BASIN
  - ⊙ OVERHEAD UTILITIES
  - ⊙ TREELINE
  - ⊙ RETAINING WALL
  - ⊙ ABUTTER LINE
  - ⊙ PROPERTY LINE
  - ⊙ WETLAND
  - ⊙ STOCKADE FENCE
  - ⊙ EDGE OF PAVEMENT
  - ⊙ EDGE OF GRAVEL
  - ⊙ STONEWALL
  - ⊙ BUILDING SETBACK
  - ⊙ GREEN SPACE BUFFER
  - ⊙ EASEMENT
  - ⊙ ZONE LINE
  - ⊙ PROPOSED EDGE OF GRAVEL
  - ⊙ PROPOSED STOCKADE FENCE
  - ⊙ PHASE 2 OF PREVIOUSLY APPROVED SITE PLAN



**NON-RESIDENTIAL SITE PLAN**  
**MIARA TRANSPORTATION**  
MAP 136 LOT 1  
12 BOCKES ROAD  
HUDSON, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

<b>OWNER OF RECORD:</b> JOSEPH A. MIARA JR., TRUSTEE GRANITE REALTY TRUST 12 BOCKES ROAD HUDSON, NH 03051 H.C.R.D. BK. 8410 PG. 2473	<b>APPLICANT:</b> JOSEPH A. MIARA JR., TRUSTEE GRANITE REALTY TRUST 12 BOCKES ROAD HUDSON, NH 03051
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PURSUANT TO THE SITE REVIEW REGULATIONS OF THE HUDSON PLANNING BOARD, THE SITE PLAN APPROVAL GRANTED HEREIN EXPIRES ONE YEAR FROM DATE OF APPROVAL.

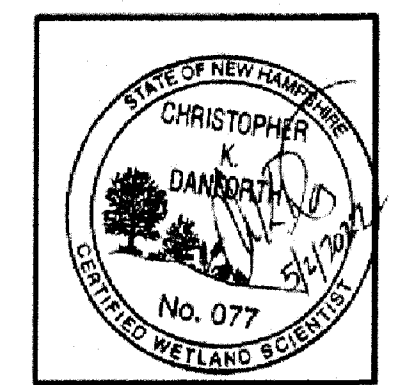
**APPROVED BY THE HUDSON, NH PLANNING BOARD**  
DATE OF MEETING: \_\_\_\_\_

SIGNATURE _____	SIGNATURE DATE _____
SIGNATURE _____	SIGNATURE DATE _____

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



**WETLAND CERTIFICATION**  
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REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: APRIL 27, 2022      SCALE: 1" = 40'  
PROJECT NO: 16-0223-1      SHEET 2 OF 2