

# **326 DERRY ROAD SITE PLAN**

SP# 02-24

## **STAFF REPORT**

April 10, 2024

**SITE:** 326 Derry Road, Map 105 / Lot 004

**ZONING:** Industrial (I)

**PURPOSE OF PLAN:** To seek approval for the uses of E-1, E-15, E-7, D-9, and D-10 on Map/Lot 105-004.

### **PLAN UNDER REVIEW:**

Non-Residential Site Plan SP# 02-24, Map 105 Lot 004, 326 Derry Road, Hudson, NH; prepared by: Allen & Major Associates, Inc. 10 Commerce Park North, Suite 3, Bedford, NH 03110; prepared for: ZJBV Properties, LLC, 400 Harvey Road, Manchester NH, 03103; consisting of 3 sheets and general notes 1-18 on Sheet 1; January 30, 2024; last revised March 29, 2024.

### **ATTACHMENTS:**

- 1) Application with associated waiver request, dated March 12, 2024 – Attachment “A”.
- 2) Department Comments – Attachment “B”.
- 3) Peer Review prepared by Fuss and O’Neill, dated February 29, 2024 – Attachment “C”.
- 4) Response to Peer Review Comments prepared by Allen & Major Associates, Inc., dated March 22, 2024 – Attachment “D”.
- 5) Response to Town Comments prepared by Allen & Major Associates, Inc., dated April 1 2024 – Attachment “E”.
- 6) Aerials of the site, dated September 9, 2023 – Attachment “F”

### **APPLICATION TRACKING:**

- January 30, 2024 – Site plan application received.
- March 29, 2024 – Peer Review received.
- April 1, 2024 – Revised plans received.
- April 10, 2024 – Public hearing scheduled.

### **COMMENTS & RECOMMENDATIONS:**

#### **BACKGROUND**

The site is approximately 33.41 acres and is located in the Industrial zone. Both addresses 326 and 324 Derry Road are tied to the lot, denoting the different buildings on site. The proposed site was previously home to a gravel pit and processing operation that was discontinued approximately 30-40 years ago, with only some equipment pieces and buildings remaining. For a short time period logs were being stored on the site, which were removed due to not being approved. After it was purchased in 2022, the site has rapidly filled with construction equipment, 53-foot trailers, vehicles, and shipping containers.

The site is not served by Town water or sewer. A large section on the southern end of the site is within the “A” or 100-year flood zone and within the wetland buffer on the southwestern portion of the property. There is a wetland on the western edge of the site, along Maps 100-003-000 and 109-001-000. A large electrical easement spans north to south through the middle of the property. The easement language can be found in **Attachment “A”**. The site is accessed by two existing curb cuts on West Road and Derry Road, neither of which is proposed to be changed.

#### **DEPARTMENT COMMENTS**

This has been reviewed twice now by department heads, once before and once after revisions were made. The following comments remain outstanding.

**Engineering** provided the following comments which remain outstanding:

1. *Applicant shall mark the 50 foot wetland buffer with Town of Hudson Conservation Tags, which are available at Engineering Department. They shall be installed every 50 feet along the wetland buffer area on a U metal channel bar, no less than 48” from the surface. This will eliminate any current or future impacts within the sensitive area.*

Staff Notes that this requirement has been changed to a 75’ buffer as of 2024 Town meeting.

2. *Applicant shall provide erosion control measures along the 50 foot wetland buffer, through the site, to minimize wetland buffer impact from site runoff.*
3. *Plan currently shows gravel storage within the flood lines. Applicant shall elaborate if proper permit to do so was obtained or if they plan to remove the storage material to the original ground elevation.*

**Fire** provided the following comments which remain outstanding:

1. *The proposed site plan needs to show the Fire Department Access road entrance or entrances, and the site access road with dimensions length and width, road surface details conforming to NFPA 1, 2018 edition, Chapter 18 for fire department access and water supply. The proposed plan submitted has no details. Submit a revised site plan drawing with details.*
2. *The revised site plan needs to show fire hydrant locations with distances throughout the site.*

**Zoning** provided the following comments which remain outstanding:

1. *Is Eversource ok with parking in the easement- Is there a letter from them confirming this?*
2. *§ 334-13 Junkyards prohibited; outdoor storage.*
  - A. *The operation of a junkyard is not permitted in any district.*Staff notes that the site appears to meet the definition of a Junkyard.
3. *Are all vehicles Registered and roadworthy?*
4. *Any use that has not been in operation for 12 months a considered no longer permitted without an approved site plan.*
5. *Are there clients coming to the site? Where is the parking?*

6. *No vehicles or structures in the setbacks.*

Full Comments can be found in **Attachment “B”**, with applicant responses in **Attachment “E”**.

**PEER REVIEW COMMENTS**

Fuss and O’Neill has completed a peer review, submitted to the Town on February 29, 2024 (**Attachment “C”**). The applicant provided a response letter on March 22, 2024 (**Attachment “D”**).

Staff notes that in their response letter, the applicant states in reply to Comment #2 (top of page 2 within the letter) that “The applicant is not proposing new disturbances and so there is no proposed topography. Existing topography is shown on the Existing Conditions plan”. The applicant has been observed to have been actively grading and altering the terrain within the past year.

**WAIVERS REQUESTED**

As noted above, the Applicant is seeking one waiver:

1. Waiver for Site Plan Scale, **§276-11.1.B(2)**, to allow for a map scale greater than 1”=50’. The Applicant states that due to the size of the parcel notating a map in smaller scale than the 1”=80’ would require the parcel to be broken out into multiple sheets due to size constraints, and that the current plans are still legible and easy to read.

**STAFF COMMENTS**

This application has several outstanding problems, which need to be resolved prior to consideration of acceptance or approval:

1. **Easement:** The applicant has provided a copy of the easement running through the middle of the property but has not provided any sort of letter from the utility company granting them permission for any sort of temporary storage. This was noted in Comment #1 from the Zoning Department, to which A&M responded: *“There is nothing stipulated within the recorded easements, which would preclude the parking of vehicles within said easement.”* Staff notes that the easement states that *“This conveyance shall include (1) the right to cut, trim, and remove all trees and underbrush, and to remove all structure or obstructions, which are now or may hereafter be found within the limits of the above described right of way strip....”*. The parking and storage of multiple vehicles, trailers, and container boxes would most certainly constitute an obstruction.
2. **Wetland Buffer:** With the approval of article 33 at the 2024 Town Meeting wetland buffers on the site have expanded to be 75’. At least two pad sites and multiple vehicles and trailers currently encroach into the buffer area.
3. **Pre-existing uses:** In General Note #2 on sheet C-101, the applicant lists four different uses as “pre-existing” on the site. Of these, the only one that was previously approved was use E-1: Removal of loam, sand, or gravel. This operation, was discontinued approximately 30 years ago when the gravel pit business closed in the 90’s. The other uses on the site such as storage of vehicles and construction equipment have not received

any approvals and must therefore be viewed as new uses. It is also noteworthy that aerials reveal that most of the vehicles, equipment and trailers on the site have been added since 2022-current. Additional information related to this can be found in the Zoning Administrator's comments and responses.

4. **New Uses:** In addition to the "pre-existing" uses listed in General note #2, General Note #3 on sheet C-101 seeks approval for uses D-9: Motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental, and D-10: Motor vehicle light service; motor vehicle general and body repair. The applicant has not provided any site details for these uses, and in essence is requesting a blanket approval for those uses with no plan details in place for them.

See **Attachment "F"** for aerials taken in September 2023 that show a more up to date state of the site currently. Of concern is the large amount of storage containers and trailers currently within the utility easement, and the proximity of trailers stored on the southwestern edge of the property to the wetland buffer. As is, the trailers already are located within the prior 50' buffer, and entirely out of compliance with the 75' buffer. Additionally, storage from the site seems to have spilled onto Map/Lot 109-001-000, as the 2023 aerial shows several large objects straddle or cross over the property line.

#### **RECOMMENDATIONS**

Staff does **NOT** recommend acceptance of the application and holding a public hearing as the proposed uses may include prohibited uses as identified by the Zoning Administrator, the site does not comply with the required 75-foot wetlands buffer requirements and the applicant has failed to provide a complete application with sufficient information for the Board to make an informed decision including information on internal site circulation and emergency vehicle access, hydrant locations, parking, topography, stormwater management and erosion control. Staff recommends that the board not accept the application at this time and that the applicant be advised to amend the application to comply with Zoning Ordinance and that provide sufficient information to address the concerns and deficiencies noted above.

#### **DRAFT MOTIONS:**

##### **MOTION NOT TO ACCEPT:**

I move not to accept the site plan application Non-Residential Site Plan SP# 02-24, Map 105 Lot 004, 326 Derry Road, Hudson on the grounds that the application includes elements that do not comply with requirements of the Zoning Ordinance and the applicant has failed to provide sufficient information for the board to make an informed decision.

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

##### **MOTION TO ACCEPT:**

I move to accept the site plan application Non-Residential Site Plan SP# 02-24, Map 105 Lot 004, 326 Derry Road, Hudson.



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

**MOTION TO CONTINUE:**

I move to continue the site plan application for Non-Residential Site Plan SP# 02-24, Map 105 Lot 004, 326 Derry Road, Hudson, to date certain, \_\_\_\_\_, 2024.

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

**MOTION TO APPROVE:**

I move to approve the site plan application for Non-Residential Site Plan SP# 02-24, Map 105 Lot 004, 326 Derry Road, Hudson, NH; prepared by: Allen & Major Associates, Inc. 10 Commerce Park North, Suite 3, Bedford, NH 03110; prepared for: ZJBV Properties, LLC, 400 Harvey Road, Manchester NH, 03103; consisting of 3 sheets and general notes 1-18 on Sheet 1; January 30, 2024; last revised March 29, 2024 and:

That the Planning Board finds that this application complies with the Zoning Ordinances, and with the Land Use Regulations with consideration of the waivers granted; and for the reasons set forth in the written submissions, together with the testimony and factual representations made by the applicant during the public hearing;

Subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Development Agreement, which shall be recorded at the HCRD, together with the Plan.
2. Prior to the issuance of a final certificate of occupancy, an L.L.S. Certified "As-Built" site plan shall be provided to the Town of Hudson Land Use Department, confirming that the site conforms to the Planning Board approved Site Plan.
3. Prior to the Planning Board endorsement of the Plan, it shall be subject to final administrative review by Town Planner and Town Engineer.
4. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with the Town Engineer.
5. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall be allowed on Sundays.
6. Hours of refuse removal shall be exclusive to the hours between 7:00 A.M. and 7:00 P.M., Monday through Friday only.

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



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

## **SITE PLAN APPLICATION**

Revised July 24, 2023

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 10:00 A.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: 01-30-24 Tax Map #: 105 Lot #: 004Site Address: 326 Derry RoadName of Project: Site Plan AmendmentZoning District: Industrial General SP#: \_\_\_\_\_  
(For Town Use Only)Z.B.A. Action: None**PROPERTY OWNER:**Name: ZJBV Properties, LLCAddress: 300 Gay StreetAddress: Manchester, NH 03103

Telephone # \_\_\_\_\_

Email: \_\_\_\_\_

**DEVELOPER:**Same as Owner**PROJECT ENGINEER:**Name: Allen & Major Associates, Inc.Address: 400 Harvey RoadAddress: Manchester, NHTelephone # 603-627-5500Email: mmalynowski@allenmajor.com**SURVEYOR:**Same as Engineer**PURPOSE OF PLAN:**The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:

- 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)
- 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair No new construction is proposed.

**(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: Site Plan AmendmentPLAN TYPE: SITE PLANLEGAL DESCRIPTION: MAP 105 LOT 004DATE: 11-14-2023-----  
Location by Street: 326 Derry RoadZoning: IndustrialProposed Land Use: IndustrialExisting Use: IndustrialSurrounding Land Use(s): IndustrialNumber of Lots Occupied: 1Existing Area Covered by Building: 3,253 sfExisting Buildings to be removed: NoneProposed Area Covered by Building: Same as ExistingOpen Space Proposed: 431,488 sf (existing)Open Space Required: 431,488 sf (existing)Total Area: S.F.: 1,450,004 Acres: 33.28Area in Wetland: 110,884.4 Area Steep Slopes: 116,086.0Required Lot Size: 43,560Existing Frontage: 2121.7 ftRequired Frontage: 150 ft

Building Setbacks:	<u>Required*</u>	<u>Proposed</u>
Front:	<u>50 ft</u>	<u>&lt;50 ft</u>
Side:	<u>15 ft</u>	<u>&lt; 15 ft</u>
Rear:	<u>15 ft</u>	<u>&lt; 15 ft</u>

**SITE DATA SHEET**  
(Continued)

Flood Zone Reference:	<u>33011C0658D, effective 9/25/2009</u>
Width of Driveways:	<u>43.7 ft and 64.2 ft (existing to remain)</u>
Number of Curb Cuts:	<u>2 (existing to remain)</u>
Proposed Parking Spaces:	<u>N/A</u>
Required Parking Spaces:	<u>N/A</u>
Basis of Required Parking (Use):	<u>N/A</u>
Dates/Case #/Description/Stipulations of ZBA, Conservation Commission, NH Wetlands Board Actions: (Attach stipulations on separate sheet)	<u>N/A</u>  <u> </u> <u> </u>

Waiver Requests

<i>Town Code Reference:</i>	<i>Regulation Description:</i>
<u>§ 276-11.1.B.(2): To allow a plan scale greater than 1"=50'</u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

(For Town Use Only)	
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: \_\_\_\_\_

Date: 2/7/24Print Name of Owner: Brian J. Thibeault

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

Signature of Developer: \_\_\_\_\_

Date: 2/7/24Print Name of Developer: Brian J. Thibeault

- ❖ 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: Site Plan Amendment - 326 Derry Road

Street Address: 326 Derry Road

I Michael Malynowski from Allen & Major Associates, Inc. hereby request that the Planning Board waive the requirements of item § 276-11.1.B.(2) & of the Hudson Land Use Regulations in reference to a plan presented by Allen & Major Associates, Inc.

(name of surveyor and engineer) dated November 21, 2023 for property tax map(s) 105 and lot(s) 004 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.

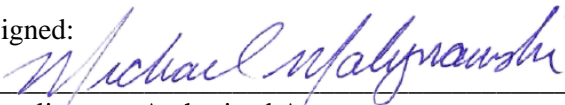
Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):

§ 276-11.1.B.(2): To allow a plan scale greater than 1"=50' for the existing conditions plan and site plan due to the size of the overall parcel size, this would required multiple sheets. Due to the lack of features on both the existing conditions plan and site plan, the increased scale is still legible and easy to read.

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):

Granting of waiver to § 276-11.1.B.(2) is not contrary to the spirit and intent of the Land Use Regulations because both plans at an increased scale are still legible and easy to read.

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>	
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	\$150.00/1,000 sq.ft for first 100,000 sq.ft. (bldg. area); \$78.50/1,000 sq.ft thereafter.	\$_____
No Buildings	\$30.00 per 1,000 sq.ft. of proposed developed area <b>(28,900 sf)</b>	\$ <b>867.00</b>

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

Total 33.28 acres @ \$600.00 per acre, or \$1,250.00, whichever is greater. \$ **1250.00**

*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.

**B. POSTAGE:**

6 Direct Abutters Applicant, Professionals, etc. as required by RSA 676:4.1.d @\$5.01 **(or Current Certified Mail Rate)** \$ **30.06**

15 Indirect Abutters (property owners within 200 feet) @\$0.66 **(or Current First Class Rate)** \$ **9.90**

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

**TOTAL** \$ **2156.96**



**SCHEDULE OF FEES**

(Continued)

(For Town Use)

AMOUNT RECEIVED: \$ _____	DATE RECEIVED: _____
RECEIPT NO.: _____	RECEIVED BY: _____

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

**D. RECORDING:**

**\*\*\*The applicant shall be responsible for the recording of the approved plan, and all documents as required by an approval, at the Hillsborough County Registry of Deeds (HCRD), located at 19 Temple Street, Nashua, NH 03061. Additional fees associated with recording can be found at HCRD.\*\*\***

**E. 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.\*\*\***

January 30, 2024

**To:** Timothy Malley  
Chairman, Hudson Planning Board  
12 School Street  
Hudson, NH 03051

**A&M Project #:** 2596-06  
**Re:** Project Narrative  
326 Derry Road  
Hudson, NH 03051  
Map 105, Lot 004

**Copy:**

Dear Mr. Malley:

On behalf of our client, ZJBV Properties, LLC, Allen & Major Associates (A&M) is pleased to provide this Project Narrative letter in support of the Minor Site Plan application for the existing industrial site located at 326 Derry Road. The property is approximately 33.28 acres in size and situated on the northern side of Derry Road at the intersection of West Road. The parcel is zoned Industrial with a portion of the subject premises is located in a flood zone according to Flood Insurance Rate Map (FIRM) for the town of Hudson, NH community panel #33011C0508D having an effective date of September 25, 2009.

The existing parcel has historically been utilized as a sand and gravel processing facility with much of the equipment still remaining. Historic aerial imagery also suggests that a firewood processing operation once occupied a portion of the site adjacent to West Road.

The following uses have historically been present at the property and will continue to operate at the site

- 334 Attachment 1, Use E-1: removal of loam, sand or gravel (rock crushing)
- 334 Attachment 1, Use E-15: contractor's yard or landscaping business
- 334 Attachment 2, Accessory Use: garaging or parking of heavy commercial vehicles and equipment
- 334 Attachment 1, Use E-7: retail sale of products manufactured on the premises (fire wood processing)

The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:

- 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)
- 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair

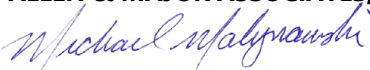
Due to the historic industrial operations at the site, the vast majority of the non-wooded area are compacted gravel with only scrub vegetation evident. This site plan amendment proposes no new disturbances to the property nor the installation of any buildings nor pavement.

The project is requesting two waivers, with the first being from Section § 276-11.1.B.(2) to allow a plan scale greater than 1"=50' and the second is from Section §276-12.F(1) to not record this site plan amendment at the registry of deeds as no construction is being proposed at the site and that the amendment is to memorialize the allowed or permissible uses on the property.

Thank you for your consideration and we look forward to discussing these waivers with you at the February 28<sup>th</sup> Planning Board meeting.

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**



Michael A. Malynowski, PE - Senior Project Manager

January 30, 2024

**To:** Timothy Malley  
Chairman, Hudson Planning Board  
12 School Street  
Hudson, NH 03051

**A&M Project #:** 2596-06  
**Re:** Waiver Request  
326 Derry Road  
Hudson, NH 03051  
Map 105, Lot 004

**Copy:**

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Dear Mr. Malley:

On behalf of our client, ZJBV Properties, LLC, Allen & Major Associates (A&M) is pleased to provide this Waiver Request letter in support of the Site Plan application for the existing industrial site located at 326 Derry Road.

**Waiver 1**

Section § 276-11.1.B.(2): To allow a plan scale greater than 1"=50' for the existing conditions plan and site plan due to the size of the overall parcel size, this would require multiple sheets. Due to the lack of features on both the existing conditions plan and site plan, even at the increased scale, the plans are still legible and easy to read.

Granting of waiver to § 276-11.1.B.(2) is not contrary to the spirit and intent of the Land Use Regulations because both plans at an increased scale are still legible and easy to read.

Thank you for your consideration and we look forward to discussing these waivers with you at the February 28<sup>th</sup> Planning Board meeting.

Very Truly Yours,  
**ALLEN & MAJOR ASSOCIATES, INC.**



Michael A. Malynowski, PE  
Senior Project Manager

The State of New Hampshire

Isaac Sargent

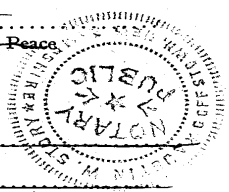
HILLSBOROUGH SS.

Feb. 24 1949

personally appeared and acknowledged the foregoing instrument to be voluntary act and deed.

Before me

Justice of the Peace  
Notary Public



SS.

19.

personally appeared and acknowledged the foregoing instrument to be voluntary act and deed.

Before me

Justice of the Peace  
Notary Public



HILLSBOROUGH SS: Received and recorded 8-00 A. M., April 9, 1949

Examined by *Donald Garrison* Register

## KNOW ALL MEN BY THESE PRESENTS

That I. Walter Jatkevich

of Hudson County of Hillsborough

in the State of New Hampshire (hereinafter called the grantor) in consideration of one dollar and other valuable considerations paid by the Public Service Company of New Hampshire, a corporation having a principal place of business at Manchester, in the County of Hillsborough, and the State of New Hampshire (hereinafter called the grantee), the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the grantee, its successors and assigns, the right to erect, repair, maintain, rebuild, operate and patrol electric transmission and distribution lines, consisting of suitable and sufficient poles and towers, with suitable foundations, together with wires strung upon and extending between the same, for the transmission of electric current, together with all necessary cross-arms, braces, anchors, wires and guys, over and across a strip of land .150 feet in width being a part of the lands owned by the grantor in the town of Hudson and county of Hillsborough, bounded and described as follows:

A certain tract or parcel of land situated in Hudson, in said County and State, it being the Buckhide lot so-called, bounded and described as follows:

Beginning at the highway near the house formerly of Benjamin K. Jones; thence

(1) Northerly and easterly by land formerly of Moses A. S. Putnam, and land formerly of Jonathan Hill; to land now or formerly of Michael O'Connell; thence

(2) Southerly and westerly by land of said O'Connell to the westerly side of the Senter road, so-called, thence

(3) Southerly by said road to land formerly of Thomas Senter; thence

(4) Westerly by land of said Senter and of J. B. Marshall, to the place of beginning.

Containing forty (40) acres, more or less.

380

Being a part of the same premises described in deed of Grover C. & Ella M. Tibbets...  
to Walter Jatkevich dated November 14, 1931 and recorded in  
the Hillsborough County Registry of Deeds, Book 910...  
Page 43...

Said 150 foot strip of land across the above described premises shall extend  
75 feet Easterly and 75 feet  
Westerly of a line bounded and described as follows:

Beginning at a point in the northerly boundary of above described premises  
at land of Lena Cross, said point being 26 feet Southwesterly along said boundary  
line from the southeasterly corner of said Cross land, thence South 6° 45' West  
1944 feet to the southerly boundary line at land of Sargent, containing approximately  
6 7/10 Acres.

Meaning and intending to include and only to include all that part of the  
above described premises that lies 75 feet Easterly and 75 feet Westerly of said  
line or said line extended.

This conveyance shall include (1) the right to cut, trim and remove all trees and underbrush, and to  
remove all structures or obstructions, which are now or may hereafter be found within the limits of the  
above described right of way strip and (2) the right to remove from the premises of the grantor above  
described such trees as in the judgment of the grantee may interfere with or endanger said lines or their  
operation.

In consideration aforesaid, the grantor, on behalf of the grantor and the heirs, legatees, devisees,  
administrators, executors, successors and assigns of the grantor, agrees that all timber and wood on the  
above described strip cut by the grantee shall become the property of the grantee.

And the parties hereto, by delivering and accepting this deed, agree that all agreements, understand-  
ings and negotiations, written or verbal, heretofore made or entered into by the parties hereto or their  
representatives with respect to this conveyance are hereby waived and cancelled, and that there are no  
agreements, promises, representations or understandings with respect to this conveyance not herein mentioned.

To have and to hold to the grantee, its successors and assigns forever.

The grantor covenants and agrees that he has full right, title and authority to convey the  
foregoing rights and privileges and will defend same to said grantee against the lawful claims or demands  
of all persons.

And I, Stella Jatkevich wife of said Walter Jatkevich hereby release  
all my rights of dower in the foregoing premises so far as affected by this conveyance.

~~And I, husband of said~~ ~~Stella Jatkevich~~ ~~hereby release~~  
~~all my rights of dower in the foregoing premises so far as affected by this conveyance.~~

WITNESS. Our hands and seals this 1 day of Feb, 1949

In the presence of

Charles D. Gray  
for both  
.....  
.....  
.....  
.....  
.....  
.....

Walter Jatkevich  
Stella Jatkevich  
.....  
.....  
.....  
.....  
.....  
.....

The State of New Hampshire

HILLSBOROUGH SS.

Feb. 1 1949

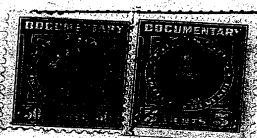
.....  
Walter Jatkevich Stella Jatkevich

personally appeared and acknowledged the foregoing instrument  
to be their voluntary act and deed.

Before me, Charles D. Gray  
Justice of the Peace  
Notary Public



.....  
SS.



.....  
personally appeared and acknowledged the foregoing instrument  
to be their voluntary act and deed  
Before me

Justice of the Peace  
Notary Public

HILLSBOROUGH SS: Received and recorded 8-00 A. M., April 9, 1949

Examined by Donald Corriveau Register

## Dubowik, Brooke

---

**From:** Dhima, Elvis  
**Sent:** Monday, February 12, 2024 5:47 PM  
**To:** Dubowik, Brooke; Gradert Benjamin; Hebert, David; Kirkland, Donald; McElhinney, Steven; Michaud, Jim; Sullivan, Christopher; Malley, Tim; Twardosky, Jason  
**Subject:** RE: Dept Sign-Off SP# 02-24 - 326 Derry Rd Site Plan

Please see below

1. Applicant shall mark the 50 foot wetland buffer with Town of Hudson Conservation Tags, which are available at Engineering Department. They shall be installed every 50 feet along the wetland buffer area on a U metal channel bar, no less than 48" from the surface. This will eliminate an current or future impacts within the sensitive area.
2. Applicant shall provide erosion control measures along the 50 foot wetland buffer, through the site, to minimize wetland buffer impact from site runoff.
3. Applicant shall revise note 5 currently stating "*any anticipated storage of hazardous waste shall require a permit with the Town*". Hazardous Permitting would be required through NHDES via Env-HW-304 and EPA through Title 40 of the Code of Federal Regulations (CFR), Part 270.
4. Plan currently shows gravel storage within the flood lines. Applicant shall elaborate if proper permit to do so was obtained or if they plan to remove the storage material to the original ground elevation.

E

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

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



## Dubowik, Brooke

---

**From:** Dhima, Elvis  
**Sent:** Monday, April 1, 2024 2:13 PM  
**To:** Dubowik, Brooke; Sullivan, Christopher; Hebert, David  
**Cc:** Jay Minkarah; Gradert Benjamin  
**Subject:** RE: 326 Derry Road

Brooke

Please see below

1. We find the response inadequate and not resolved at this time. Wetland conservation tags shall be installed at 75 foot buffer, based on the most recent zoning amendment approved March 2024.
2. We find the response inadequate and not resolved at this time.
3. No further comment
4. The applicant has not answered the question regarding having a permit or not regarding storage within the flood zone.

E

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

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



**SITE PLAN APPLICATION**

Date of Application: 01-30-24 Tax Map #: 105 Lot #: 004

Site Address: 326 Derry Road

Name of Project: Site Plan Amendment

Zoning District: Industrial General SP#: 02-24  
(For Town Use Only)

Z.B.A. Action: None

**PROPERTY OWNER:**

Name: ZJBV Properties, LLC

Address: 300 Gay Street

Address: Manchester, NH 03103

Telephone #

Email:

**DEVELOPER:**

Same as Owner

**PROJECT ENGINEER:**

Name: Allen & Major Associates, Inc.

Address: 400 Harvey Road

Address: Manchester, NH

Telephone # 603-627-5500

Email: mmalynowski@allenmajor.com

**SURVEYOR:**

Same as Engineer

**PURPOSE OF PLAN:**

The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:  
• 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)  
• 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair No new construction is proposed.

**(For Town Use Only)**

Routing Date: 2/12/24 Deadline Date: 2/19/24 Meeting Date: TBD

I have no comments ✓ I have comments (attach to form)

DRH Title: Fire Marshal Date: 2/14/24  
(Initials)

Department:

Zoning:  Engineering:  Assessor:  Police:  Fire: ✓ DPW:  Consultant:





# TOWN OF HUDSON

FIRE DEPARTMENT

INSPECTIONAL SERVICES DIVISION



---

12 SCHOOL STREET, HUDSON, NEW HAMPSHIRE 03051

Emergency 911  
Business 603-886-6005  
Fax 603-594-1142

Scott Tice  
Chief of Department

TO: Acting Town Planner

FR: David Hebert  
Fire Marshal

DT: February 14, 2024

RE: 326 Derry Rd

The proposed site plan needs to show the Fire Department Access road entrance or entrances, and the site access road with dimensions length and width, road surface details conforming to NFPA 1, 2018 edition, Chapter 18 for fire department access and water supply. The proposed plan submitted has no details. Submit a revised site plan drawing with details.

The site plan use narrative is too vague to provide all comments needed. Different occupancies classifications require different comments to assure conformance with the State Adopted Fire and Building Codes. Some occupancy classifications require fire separations. What is proposed to be in the storage containers? Are they proposing to store hazardous materials or explosives? What type and or quantities of materials?

The revised site plan needs to show fire hydrant locations with distances throughout the site.

The Town property card has the parcel address listed as 324 Derry Rd. The applicant package submittal has the address listed as 326 Derry Rd.

David Hebert  
Fire Marshal

## Dubowik, Brooke

---

**From:** Hebert, David  
**Sent:** Monday, April 1, 2024 2:30 PM  
**To:** Dubowik, Brooke; Dhima, Elvis; Sullivan, Christopher  
**Cc:** Jay Minkarah; Gradert Benjamin  
**Subject:** RE: 326 Derry Road

The revised submittal doesn't address my concerns.

I requested the plan show the Fire Department access road to both entrances and throughout the site to be shown at the minimum 20' wide and I requested a detail of the road to ensure the road will support fire apparatus. No details shown, the access road is not shown other than the first plan being resent with inconsistent width and no profile details. Existing gravel doesn't qualify.

I requested a fire hydrant layout with dimensions. Plan shows two existing hydrants, one on Derry Rd and one on West Rd. I understand no structures are proposed to be built however there are combustibles throughout the site. If the hydrant distances to the furthest storage point exceed the Town requirements then hydrants will need to be added.



**Dave Hebert**  
Fire Marshal  
Hudson Fire Department  
Inspectional Services Division

Town of Hudson | 12 School Street | Hudson, NH 03051  
603-886-6005 (Main) | 603-816-1271 (Direct)

**SITE PLAN APPLICATION**Date of Application: 01-30-24 Tax Map #: 105 Lot #: 004Site Address: 326 Derry RoadName of Project: Site Plan AmendmentZoning District: Industrial General SP#: 02-24

(For Town Use Only)

Z.B.A. Action: None**PROPERTY OWNER:**Name: ZJBV Properties, LLCAddress: 300 Gay StreetAddress: Manchester, NH 03103Telephone # Email: **DEVELOPER:**Same as Owner**PROJECT ENGINEER:**Name: Allen & Major Associates, Inc.Address: 400 Harvey RoadAddress: Manchester, NHTelephone # 603-627-5500Email: mmalynowski@allenmajor.com**SURVEYOR:**Same as Engineer**PURPOSE OF PLAN:**The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:

- 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)
- 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair No new construction is proposed.

**(For Town Use Only)**Routing Date: 2/12/24 Deadline Date: 2/19/24 Meeting Date: TBDX I have no comments  I have comments (attach to form)SCM Title: Captain Steven McElhinney Date: 02/12/24

(Initials)

Department:

Zoning:  Engineering:  Assessor:  Police: X Fire:  DPW:  Consultant:

Received 1/31/24

\*Revised 2/12/24\*

### SITE PLAN APPLICATION

Date of Application: 01-30-24 Tax Map #: 105 Lot #: 004

Site Address: 326 Derry Road

Name of Project: Site Plan Amendment

Zoning District: Industrial General SP#: 02-24  
(For Town Use Only)

Z.B.A. Action: None

PROPERTY OWNER:

Name: ZJBV Properties, LLC

Address: 300 Gay Street

Address: Manchester, NH 03103

Telephone #

Email:

DEVELOPER:

Same as Owner

PROJECT ENGINEER:

Name: Allen & Major Associates, Inc.

Address: 400 Harvey Road

Address: Manchester, NH

Telephone # 603-627-5500

Email: mmalynowski@allenmajor.com

SURVEYOR:

Same as Engineer

PURPOSE OF PLAN:

The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:

• 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)

• 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair No new construction is proposed.

(For Town Use Only)

Routing Date: 2/12/24 Deadline Date: 2/19/24 Meeting Date: TBD

I have no comments X I have comments (attach to form)

CJS Title: ZONING ADMIN STRATUM Date: 2-13-24  
(Initials)

Department:

Zoning: X Engineering:  Assessor:  Police:  Fire:  DPW:  Consultant:

## Zoning Comments – 326 Derry Rd - 2-13-24

Is Eversource ok with parking in the easement- Is there a letter from them confirming this?

Is there a spill-prevention plan in place?

Are all vehicles Registered and roadworthy?

Any use that has not been in operation for 12 months a considered no longer permitted without an approved site plan.

### **§ 334-13 Junkyards prohibited; outdoor storage.**

A. The operation of a junkyard is not permitted in any district.

B. The outdoor storage of any of the following are not permitted in any district:

(1) More than one unregistered vehicle.

(2) Any quantity of waste, refuse, junk or ashes.

(3) Bulk storage of oil or gasoline, other than in standard or approved containers or containment facilities.

Are there clients coming to the site? Where is the parking?

Any fuel storage on-site?

No vehicles or structures in the setbacks.

What type of equipment is going at each pad site?

What is the existing equipment parking outside the edge of the gravel?

Will there be someone on-site at all times and what are the hours?

## **Zoning Comments**

*Is Eversource ok with parking in the easement- Is there a letter from them confirming this?*

**A&M Response:** There is nothing stipulated within the recorded easements, which would preclude the parking of vehicles within said easement.

**The applicant has not provided a letter that Eversource is ok with the parking of vehicles and conex box in their easement**

**A&M Response:** The vehicles are roadworthy and are set for auction. The vehicles are not currently.

*§ 334-13 Junkyards prohibited; outdoor storage.*

*A. The operation of a junkyard is not permitted in any district.*

**A&M Response:** The requested uses do not include a junkyard.

**No proof that all the vehicles are in working order and are registered.**

*Any use that has not been in operation for 12 months is considered no longer permitted without an approved site plan.*

**This is not the lot used as a junkyard this is any use on the property that has not happened in 12 months has to have new approvals and is not considered historical they are considered new uses.**

*Are there clients coming to the site? Where is the parking?*

**A&M Response:** It is anticipated that a limited number of clients may come to the site. Due to the nature of the clients coming to the site to inspect the pieces of equipment, they would park next to or close proximity to the equipment of desire. As such, there is not a designated parking area, nor the need for one.

**If you plan to run the Vehicle Repair garage on site you will need parking for employees and customers**

*No vehicles or structures in the setbacks.*

**A&M Response:** Understood, no structures nor vehicles will be within the setbacks.

**They are now**

Received 1/31/24

\*Revised 2/12/24\*

### SITE PLAN APPLICATION

Date of Application: 01-30-24 Tax Map #: 105 Lot #: 004

Site Address: 326 Derry Road

Name of Project: Site Plan Amendment

Zoning District: Industrial General SP#: 02-24  
(For Town Use Only)

Z.B.A. Action: None

#### PROPERTY OWNER:

Name: ZJBV Properties, LLC

Address: 300 Gay Street

Address: Manchester, NH 03103

Telephone #

Email:

#### DEVELOPER:

Same as Owner

#### PROJECT ENGINEER:

Name: Allen & Major Associates, Inc.

Address: 400 Harvey Road

Address: Manchester, NH

Telephone # 603-627-5500

Email: mmalynowski@allenmajor.com

#### SURVEYOR:

Same as Engineer

#### PURPOSE OF PLAN:

The purpose of this site plan amendment is seek approval for several allowed or permissible uses on the property. The following uses are anticipated to be active on the property in accordance with zoning ordinance section 334-20 and 334-21:  
• 334 Attachment 1, Use D-9: motor vehicle, motorcycle, trailer, snowmobile, or boat sales and rental (sale of transport trailers and storage containers)  
• 334 Attachment 1, Use D-10: motor vehicle light service; motor vehicle general and body repair No new construction is proposed.

#### (For Town Use Only)

Routing Date: 2/12/24 Deadline Date: 2/19/24 Meeting Date: TBD

CM I have no comments I have comments (attach to form)  
(Initials) Title: Chief Assessor Date: 2-12-24

Department:

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

## SITE DATA SHEET

PLAN NAME: Site Plan Amendment

PLAN TYPE: SITE PLAN

LEGAL DESCRIPTION:      MAP 105      LOT 004

DATE: 11-14-2023

Location by Street: 326 Derry Road

Zoning: Industrial

Proposed Land Use: Industrial

Existing Use: Industrial

Surrounding Land Use(s): Industrial

Number of Lots Occupied: 1

Existing Area Covered by Building: 3,253 sf

Existing Buildings to be removed: None

Proposed Area Covered by Building: Same as Existing

Open Space Proposed: 431,488 sf (existing)

Open Space Required: 431,488 sf (existing)

Total Area:      S.F.: 1,450,004      Acres: 33.28

Area in Wetland: 110,884.4      Area Steep Slopes: 116,086.0

Required Lot Size: 43,560

Existing Frontage: 2121.7 ft

Required Frontage: 150 ft

Building Setbacks:	<u>Required*</u>	<u>Proposed</u>
Front:	<u>50 ft</u>	<u>&lt;50 ft</u>
Side:	<u>15 ft</u>	<u>&lt; 15 ft</u>
Rear:	<u>15 ft</u>	<u>&lt; 15 ft</u>





February 29, 2024

Mr. Jay Minkarah  
Acting Town Planner  
Town of Hudson  
12 School Street  
Hudson, NH 03051

Re: Town of Hudson Planning Board Review  
Rose Meadows Site Plan, 255 Derry Road  
Tax Map 114 Lot 1; Acct. #1350-551  
Reference No. 20030249.2310

Dear Mr. Minkarah:

Fuss & O'Neill (F&O) has reviewed the first submission of materials received on February 7, 2024, related to the above-referenced project. Authorization to proceed was received on February 14, 2024. A list of items reviewed is enclosed. The scope of our review is based on the Site Plan Review Codes, Stormwater Codes, Driveway Review Codes, Sewer Use Ordinance 77, Zoning Regulations, and criteria outlined in the CLD Consulting Engineers Proposal approved September 16, 2003, revised September 20, 2004, June 4, 2007, September 3, 2008, and October 2015.

We have included a copy of Fuss & O'Neill's evaluation of the checklist for your reference. We note that several items could not be verified by Fuss & O'Neill and require action by the Town.

The project consists of an existing industrial site that is proposing to add additional uses. There are minimal physical improvements planned for the site, however our review includes evaluation of the site and site plans against current Regulations and Ordinances.

The following items are noted:

**1. Site Plan Review Codes (HR 275)**

- a. Hudson Regulation (HR) 275-6.C. There currently are no sidewalks abutting the site. The applicant has not proposed adding sidewalks to the site.
- b. HR 275-6.I. The scope of this review does not include the adequacy of any fire protection provisions for the site or buildings. The existing building does not have any water services for fire protection shown on the plan.
- c. HR 275-6.T. The applicant has not proposed any off-site improvements on the Hudson site.
- d. HR 275-8.C.(2). and Zoning Ordinance (ZO) 334-15.A. The applicant has not shown any delineated parking spaces on the site or shown any parking calculations.
- e. HR 275-8.C.(6). The applicant has not shown any delineated loading spaces on the site.
- f. HR 275-8.C.(11). The applicant has not shown any dedicated parking spaces on the plan.

Gateway Building  
50 Commercial St.  
Manchester, NH  
03101  
t 603.668.8223  
800.286.2469  
f 860.533.5143

[www.fando.com](http://www.fando.com)

Connecticut  
Maine  
Massachusetts  
New Hampshire  
New York  
Rhode Island  
Vermont

Mr. Jay Minkarah  
February 29, 2024  
Page 2 of 4

- g. HR 275-9.F. There is an existing electrical easement shown on the plans. A copy of that easement was not included in the package received for review.

## **2. Administrative Review Codes (HR 276)**

- a. HR 276-11.1.B.(2). The applicant has requested a waiver to allow the plan scale to be greater than 1" = 50'.
- b. HR 276-11.1.B.(6). The applicant has not provided the owner's signature on the plan. We note that a space has been provided for a future signature.
- c. HR 276-11.1.B.(13). The applicant has noted that no signs are proposed.
- d. HR 276-11.1.B.(16). The applicant has not shown all roadways, driveways, travel ways and parking areas within 200 feet of the site.
- e. HR 276-11.1.B.(18). The applicant has not shown any proposed topography on the Site Plan. The applicant has noted that there will be no new disturbances to the property.
- f. HR 276-11.1.B.(20). & ZO 334-14. The applicant has not provided the size and height of the existing buildings on the plan. We note that the applicant has not shown any existing large trees, open drainage courses, signs, exterior lighting, or landscaping on the plan. The applicant should confirm that none of these features exist on site.
- g. HR 276-11.1.B.(24). The applicant has not provided open space calculations on the plan set.

## **3. Driveway Review Codes (HR 275-8.B. (34)/Chapter 193)**

- a. HR 193.10. The applicant has not proposed any changes to the existing driveways. We note that the site has driveways located on Derry Road and West Road. No existing sight distances have been provided.

## **4. Traffic**

- a. HR 275-9.B. The applicant has not provided any traffic information for review.

## **5. Utility Design/Conflicts**

- a. HR 275-9.E. & 276-13. The applicant has not shown any utility connections on the site other than overhead electrical/communication wires. Water and sewer connections to the existing building are not shown.

## **6. Drainage Design/Stormwater Management (HR 275-9.A./Chapter 290)**

- a. HR 275-9.A. The applicant has not provided any stormwater information on the plan. We note that the applicant has not proposed any site disturbances, however, it does not appear that any existing stormwater features are located on the site. The entire site drains to the wetlands on the southwest side of the site. We note that based on aerial images, the applicant has stored vehicles and equipment very close to the wetlands area. We recommend that the applicant add a stone boundary (as noted in other areas) or other method of delineation to mark the wetlands buffer setbacks on the site. This would ensure

Mr. Jay Minkarah  
February 29, 2024  
Page 3 of 4

that vehicles and equipment are not stored too close to the wetland areas where fluid leaks and other vehicle/road contaminants could impact the wetlands and their buffers.

- b. The applicant may be required to comply with all provisions of the Town of Hudson's MS4 permit, including but not limited to annual reporting requirements, construction site stormwater runoff control, and record keeping requirements.

#### **7. Zoning (ZO 334)**

- a. ZO 334-17 & 334-21. The applicant has noted that the subject parcel is located within the Industrial (I) zoning district. The proposed vehicle sales and light service uses are permitted by the Ordinance within this district.
- b. ZO 334-33 & 334-35.E. The applicant has not shown any proposed impacts to the wetlands or wetlands setbacks on the plan set. We do note that applicant has shown some of the "existing limits of gravel surface laydown area for temporary storage of vehicles" to be within the wetlands buffer. We recommend that the applicant add a stone boundary (as noted in other areas) or other method of delineation to mark the wetlands buffer setbacks on the site. This would ensure that vehicles and equipment are not stored too close to the wetland areas where fluid leaks and other vehicle/road contaminants could impact the wetlands and their buffers. We would also recommend that any gravel areas within the buffers be removed and replanted with native grasses to maintain the buffer integrity.
- c. ZO 334-60. The applicant has noted that there will not be any proposed signage for the site.
- d. ZO 334-83 and HR 218-4.E. The applicant has noted that the site is partially located within a designated flood hazard area. The applicant has not proposed any construction within this area.

#### **8. Erosion Control/Wetland Impacts**

- a. The Town of Hudson should reserve the right to require any additional erosion control measures as needed.
- b. The applicant has not noted any erosion control measures on the plan, but has noted that erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.

#### **9. Landscaping (HR 275-8.C.(7) & 276-11.1.B.(20)) and Lighting (HR 276-11.1.B.(14))**

- a. HR 275-8.C.(7). The applicant has not proposed any landscaping on the site.
- b. HR 276-11.1.B.(14). The applicant has noted that no lighting is proposed on the plan.

#### **10. State and Local Permits (HR 275-9.G.)**

- a. HR 275-9.G. The applicant did not provide copies of any applicable Town, State or Federal approvals or permits in the review package. The applicant has noted that no permits are required on the plan set.

Mr. Jay Minkarah  
February 29, 2024  
Page 4 of 4

**11. Other**

- a. The site plan shows the gravel access extending through the subject lot property line into lot 100/1. The applicant should clarify what the purpose of this access is, and if there are any associated property rights for this access path.

Please feel free to call if you have any questions.

Very truly yours,



Steven W. Reichert, P.E.

SWR:

Enclosure

cc: Town of Hudson Engineering Division – File  
Allen & Major Associates, Inc. – mmalynowski@allenmajor.com

March 22, 2024

**To:** Mr. Jay Minkarah  
Acting Town Planner  
Town of Hudson  
12 School Street  
Hudson, NH 03051

**A&M Project #:** 2596-06  
**Re:** 326 Derry Road  
Site Plan Application  
Peer Review Response Letter

**Copy:**

Dear Mr. Minkarah

Below are Allen & Major Associates, Inc. responses to the comments contained in the design review memorandum provided to the Town by Fuss & O'Neill (F&O) on February 29, 2024. The comments are reproduced below along with the response. We thank you in advance for your consideration.

- 1) *Site Plan Review Codes (HR 275)*
- a) *Hudson Regulation (HR) 275-6.C. There currently are no sidewalks abutting the site. The applicant has not proposed adding sidewalks to the site.*
  - b) *HR 275-6.I. The scope of this review does not include the adequacy of any fire protection provisions for the site or buildings. The existing building does not have any water services for fire protection shown on the plan.*
  - c) *HR 275-6.T. The applicant has not proposed any off-site improvements on the Hudson site.*
  - d) *HR 275-8.C.(2). and Zoning Ordinance (ZO) 334-15.A. The applicant has not shown any delineated parking spaces on the site or shown any parking calculations.*
  - e) *HR 275-8.C.(6). The applicant has not shown any delineated loading spaces on the site.*
  - f) *HR 275-8.C.(11). The applicant has not shown any dedicated parking spaces on the plan.*
  - g) *HR 275-9.F. There is an existing electrical easement shown on the plans. A copy of that easement was not included in the package received for review.*

**A&M Response:** The above sections apply to the development of the site. Since the application was submitted to instantiate existing and permissible uses on the site, and no additional development is proposed, we believe that the inclusion of sidewalks and offsite improvements is not warranted. There are no existing parking or designated loading spaces on site, and none are proposed. A copy of the electrical easement is included with this response letter.

2) *Administrative Review Codes (HR 276)*

- a) *HR 276-11.1.B.(2). The applicant has requested a waiver to allow the plan scale to be greater than 1" = 50'.*
- b) *HR 276-11.1.B.(6). The applicant has not provided the owner's signature on the plan. We note that a space has been provided for a future signature.*
- c) *HR 276-11.1.B.(13). The applicant has noted that no signs are proposed.*
- d) *HR 276-11.1.B.(16). The applicant has not shown all roadways, driveways, travel ways and parking areas within 200 feet of the site.*
- e) *HR 276-11.1.B.(18). The applicant has not shown any proposed topography on the Site Plan. The applicant has noted that there will be no new disturbances to the property.*
- f) *HR 276-11.1.B.(20). & ZO 334-14. The applicant has not provided the size and height of the existing buildings on the plan. We note that the applicant has not shown any existing large trees, open drainage courses, signs, exterior lighting, or landscaping on the plan. The applicant should confirm that none of these features exist on site.*
- g) *HR 276-11.1.B.(24). The applicant has not provided open space calculations on the plan set.*

**A&M Response: The intent is to provide the owner's signature on the final plan once the planning board has granted approval. A plan with aerial photography is provided at a scale of 1" = 100' to satisfy the requirement of HR 276-11.1B.(16). The applicant is not proposing new disturbances and so there is no proposed topography. Existing topography is shown on the Existing Conditions plan. Existing landscaping is called out on the Layout & Materials Plan. There are no existing drainage courses, signs, or exterior lighting.**

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

- a) *HR 193.10. The applicant has not proposed any changes to the existing driveways. We note that the site has driveways located on Derry Road and West Road. No existing sight distances have been provided.*

**A&M Response: No changes are proposed to the driveways. The existing sight distances have been added to the aerial plan, see Sheet C-102.**

4) *Traffic*

- a) *HR 275-9.B. The applicant has not provided any traffic information for review.*

**A&M Response: Since the application was submitted to instantiate existing and permissible uses on the site, and no additional development is proposed, we believe that the inclusion of a traffic analysis is not warranted.**

5) *Utility Design/Conflicts*

- a) *HR 275-9.E. & 276-13. The applicant has not shown any utility connections on the site other than overhead electrical/communication wires. Water and sewer connections to the existing building are not shown.*

**A&M Response: The existing buildings do not have water or sewer service connections.**

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

- a) *HR 275-9.A. The applicant has not provided any stormwater information on the plan. We note that the applicant has not proposed any site disturbances, however, it does not appear that any existing stormwater features are located on the site. The entire site drains to the wetlands on the southwest side of the site. We note that based on aerial images, the applicant has stored vehicles and equipment very close to the wetlands area. We recommend that the applicant add a stone boundary (as noted in other areas) or other method of delineation to mark the wetlands buffer setbacks on the site. This would ensure that vehicles and equipment are not stored too close to the wetland areas where fluid leaks and other vehicle/road contaminants could impact the wetlands and their buffers.*
- b) *The applicant may be required to comply with all provisions of the Town of Hudson's MS4 permit, including but not limited to annual reporting requirements, construction site stormwater runoff control, and record keeping requirements.*

**A&M Response: The Layout & Materials Plan has been updated to include a stone boundary along the wetland buffer, as requested.**

**7) Zoning (ZO 334)**

- a) ZO 334-17 & 334-21. The applicant has noted that the subject parcel is located within the Industrial (I) zoning district. The proposed vehicle sales and light service uses are permitted by the Ordinance within this district.
- b) ZO 334-33 & 334-35.E. The applicant has not shown any proposed impacts to the wetlands or wetlands setbacks on the plan set. We do note that applicant has shown some of the "existing limits of gravel surface laydown area for temporary storage of vehicles" to be within the wetlands buffer. We recommend that the applicant add a stone boundary (as noted in other areas) or other method of delineation to mark the wetlands buffer setbacks on the site. This would ensure that vehicles and equipment are not stored too close to the wetland areas where fluid leaks and other vehicle/road contaminants could impact the wetlands and their buffers. We would also recommend that any gravel areas within the buffers be removed and replanted with native grasses to maintain the buffer integrity.
- c) ZO 334-60. The applicant has noted that there will not be any proposed signage for the site.
- d) ZO 334-83 and HR 218-4.E. The applicant has noted that the site is partially located within a designated flood hazard area. The applicant has not proposed any construction within this area.

**A&M Response: The Layout & Materials Plan has been updated to include a stone boundary along the wetland buffer, as requested. We recognize and agree with the fact that there is no proposed signage or construction within the designated flood hazard area.**

**8) Erosion Control/Wetland Impacts**

- a) The Town of Hudson should reserve the right to require any additional erosion control measures as needed.
- b) The applicant has not noted any erosion control measures on the plan, but has noted that erosion control barriers shall be installed and maintained to the satisfaction of the Town Engineer.

**No response required.**

**9) Landscaping (HR 275-8.C.(7) & 276-11.1.B.(20)) and Lighting (HR 276-11.1.B.(14))**

- a) HR 275-8.C.(7). The applicant has not proposed any landscaping on the site.
- b) HR 276-11.1.B.(14). The applicant has noted that no lighting is proposed on the plan.

**A&M Response: As stated above, the application was submitted to instantiate existing and permissible uses on the site, and no additional development is proposed. We therefore believe that the inclusion of additional landscaping and exterior lighting is not warranted.**

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

- a) HR 275-9.G. The applicant did not provide copies of any applicable Town, State or Federal approvals or permits in the review package. The applicant has noted that no permits are required on the plan set.

**A&M Response: Additional town, state, and federal approvals and permits are not required.**

**11) Other**

- a) The site plan shows the gravel access extending through the subject lot property line into lot 100/1. The applicant should clarify what the purpose of this access is, and if there are any associated property rights for this access path.

**A&M Response: The gravel path is existing, and these two properties are in common ownership.**

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**



Michael A. Malynowski, PE

Senior Project Manager

Enclosure:

- 1) Copy of electrical easement
- 2) Revised Existing Conditions, sheet 1
- 3) Revised Layout & Materials Plan, sheet C-101
- 4) Aerial Image Plan, sheet C-102

cc:

April 1, 2024

**To:** Mr. Jay Minkarah  
Acting Town Planner  
Town of Hudson  
12 School Street  
Hudson, NH 03051

**A&M Project #:** 2596-06  
**Re:** 326 Derry Road  
Site Plan Application  
Peer Review Response Letter

**Copy:**

Dear Mr. Minkarah

Below are Allen & Major Associates, Inc. responses to the comments contained in the design review email provided to the Town by Elvis Dhima, P.E., Town Engineer on February 12, 2024 and provided to A&M on March 26, 2024. The comments are reproduced below along with the response. We thank you in advance for your consideration.

- 1) *Applicant shall mark the 50 foot wetland buffer with Town of Hudson Conservation Tags, which are available at Engineering Department. They shall be installed every 50 feet along the wetland buffer area on a U metal channel bar, no less than 48" from the surface. This will eliminate any current or future impacts within the sensitive area.*

**A&M Response: The Layout & Materials Plan had been updated to include a stone/boulder boundary along the wetland buffer, as requested by the Town's peer reviewer Fuss & O'Neil. Would this suffice in delineating the wetland buffer in this area which could be supplemented with the Conservation Tags at 100-foot intervals.**

- 2) *Applicant shall provide erosion control measures along the 50 foot wetland buffer, through the site, to minimize wetland buffer impact from site runoff.*

**A&M Response: The application was submitted to instantiate existing and permissible uses on the site, and no additional development nor earth moving is proposed. We therefore believe that the inclusion of additional erosion control measures is not warranted.**

- 3) *Applicant shall revise note 5 currently stating "any anticipated storage of hazardous waste shall require a permit with the Town". Hazardous Permitting would be required through NHDES via Env-HW-304 and EPA through Title 40 of the Code of Federal Regulations (CFR), Part 270.*

**A&M Response: It is not the intent of this project to provide storage of hazardous waste anywhere within the limits of the parcel. This note has been removed from the updated plans.**

- 4) *Plan currently shows gravel storage within the flood lines. Applicant shall elaborate if proper permit to do so was obtained or if they plan to remove the storage material to the original ground elevation.*

**A&M Response: There is not a stockpile of gravel within the flood lines as suggested by the review comment. The gravel in that area is merely a surface treatment that has been in existence since the late 80's when this parcel was first created.**



**Zoning Administrator**

---

Below are Allen & Major Associates, Inc. responses to the comments contained in the design review memorandum provided to the Town by Chris Sullivan, Zoning Administrator on February 13, 2024 and provided to A&M on March 26, 2024. The comments are reproduced below along with the response.

*Is Eversource ok with parking in the easement- Is there a letter from them confirming this?*

**A&M Response: There is nothing stipulated within the recorded easements, which would preclude the parking of vehicles within said easement.**

*Is there a spill-prevention plan in place?*

**A&M Response: Yes, there are good housekeeping measures in place and will be in accordance with NHDES DWGB-22-6 "Best Management Practices for Fueling and Maintenance of Excavation and Earthmoving Equipment" as attached.**

*Are all vehicles Registered and roadworthy?*

**A&M Response: The vehicles are roadworthy and are set for auction. The vehicles are not currently registered and as such the project seeks approval for a for an "Accessory use: garaging or parking of heavy commercial vehicles and equipment" per Section 334 attachment 2 of the Hudson zoning ordinance.**

*Any use that has not been in operation for 12 months a considered no longer permitted without an approved site plan.*

*§ 334-13 Junkyards prohibited; outdoor storage.*

A. *The operation of a junkyard is not permitted in any district.*

**A&M Response: The requested uses do not include a junkyard.**

B. *The outdoor storage of any of the following are not permitted in any district:*

*(1) More than one unregistered vehicle.*

**A&M Response: The project seeks approval for a for an "Accessory use: garaging or parking of heavy commercial vehicles and equipment" per Section 334 attachment 2 of the Hudson zoning ordinance.**

*(2) Any quantity of waste, refuse, junk or ashes.*

*(3) Bulk storage of oil or gasoline, other than in standard or approved containers or containment facilities.*

**A&M Response: None of the above-mentioned items are intended to be stored on site.**

*Are there clients coming to the site? Where is the parking?*

**A&M Response: It is anticipated that a limited number of clients may come to the site. Due to the nature of the clients coming to the site to inspect the pieces of equipment, they would park next to or close proximity to the equipment of desire. As such, there is not a designated parking area, nor the need for one.**

*Any fuel storage on-site?*

**A&M Response: There is no bulk storage of fuel on the property other than what can be stored in a motorized vehicles for normal operations.**

*No vehicles or structures in the setbacks.*

**A&M Response: Understood, no structures nor vehicles will be within the setbacks.**

*What type of equipment is going at each pad site?*

**A&M Response:** The non-motorized wheeled equipment are heavy equipment trailers used for the transportation of construction equipment. The non-motorized non-wheeled equipment are empty metal storage containers.

*What is the existing equipment parking outside the edge of the gravel?*

**A&M Response:** Our office is unfamiliar with the equipment which is referred in the comment. If the reviewer has additional information as to where this equipment is located on the site, we can work with the owner to address the concerns.

*Will there be someone on-site at all times and what are the hours?*

**A&M Response:** The main entrance driveway located off Derry Road will be staffed during normal hours of 7am – 7pm. During non-staffed hours, the existing gates will be locked and a fire department knock box is provided.

## **Fire Department**

---

Below are Allen & Major Associates, Inc. responses to the comments contained in the design review memorandum provided to the Town by David Hebert on February 14, 2024 and provided to A&M on March 26, 2024. The comments are reproduced below along with the response.

*The proposed site plan needs to show the Fire Department Access road entrance or entrances, and the site access road with dimensions length and width, road surface details conforming to NFPA 1, 2018 edition, Chapter 18 for fire department access and water supply. The proposed plan submitted has no details. Submit a revised site plan drawing with details.*

**A&M Response:** There are currently two (2) entrances into the site, one on Derry Road and the other on East Road. The entirety of the site is compacted gravel consistent with a contractor's yard. As such, the note calling for a clear path free of all obstructions has been updated to note a minimum width of this path to be 20 feet.

*The site plan use narrative is too vague to provide all comments needed. Different occupancies classifications require different comments to assure conformance with the State Adopted Fire and Building Codes. Some occupancy classifications require fire separations.*

**A&M Response:** There are no new buildings being proposed for the site.

*What is proposed to be in the storage containers?*

**A&M Response:** The metal storage containers are empty and to be temporarily stored between auctions.

*Are they proposing to store hazardous materials or explosives?*

**A&M Response:** It is not the intent of this project to provide storage of hazardous waste anywhere within the limits of the parcel.

*What type and or quantities of materials?*

**A&M Response:** At this time, the application seeks to permit several uses at the property, including, "Use E-15: Contractor's Yard or Landscaping Business" per Zoning Section, 334 ATTACHMENT 1. As there is not a specific tenant for the parcel, the type of materials is unknown as this time.

*The revised site plan needs to show fire hydrant locations with distances throughout the site.*

**A&M Response:** There are no hydrants currently on the property, nor any construction being proposed on the property. The existing hydrants within the public right-of-way have are currently shown on the plans.

Mr. Jay Minkarah  
Hudson Town Planner

A&M Project # 2596-06  
April 1, 2024

*The Town property card has the parcel address listed as 324 Derry Rd. The applicant package submittal has the address listed as 326 Derry Rd.*

**A&M Response: The address has been updated on the updated plans.**

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**



Michael A. Malynowski, PE  
Senior Project Manager

Enclosure:

1) Revised Layout & Materials Plan, sheet C-101

cc:





MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Nashua Regional Planning Commission makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

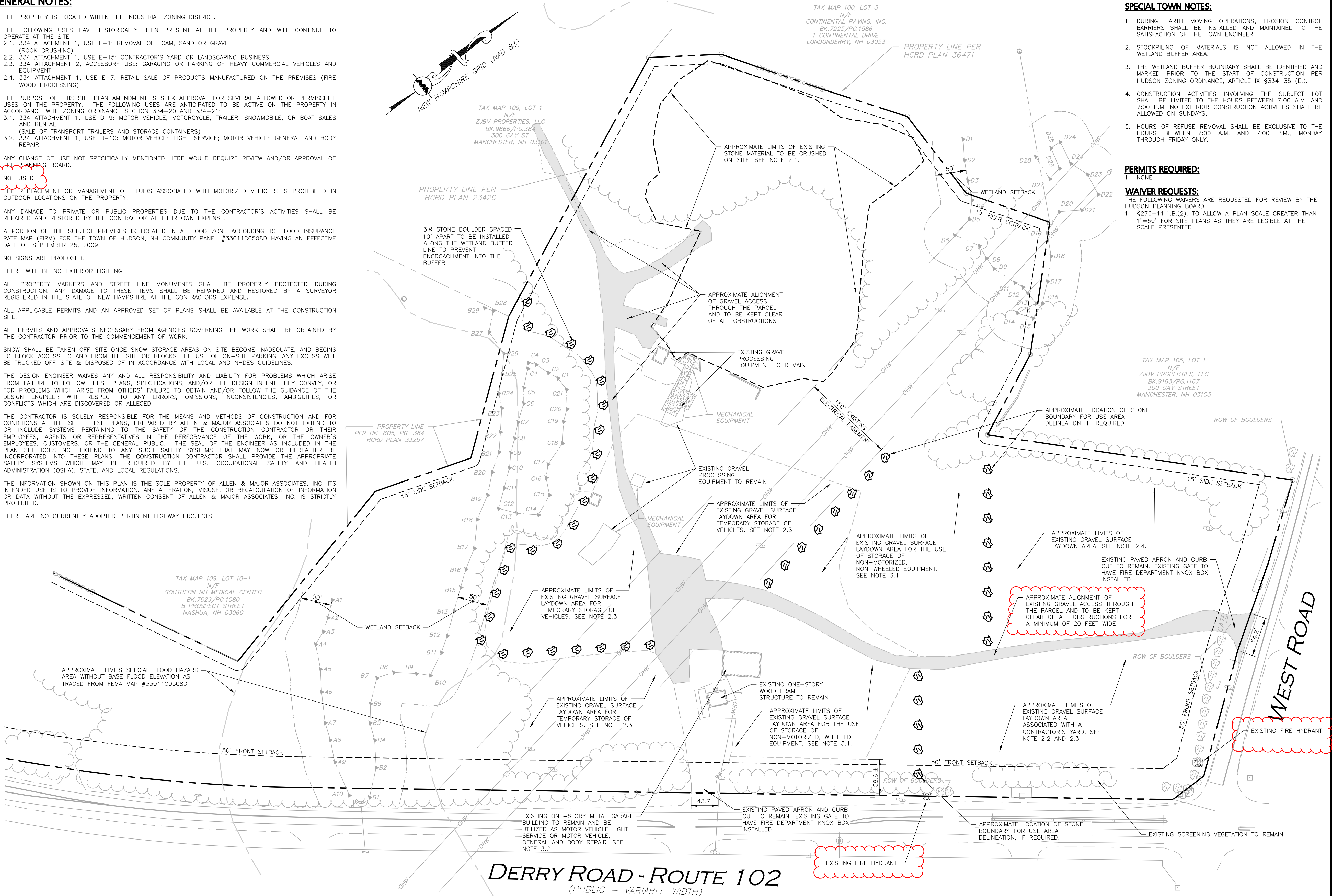
Geometry updated 7/5/2023  
Data updated 08/22/2023

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.



GENERAL NOTES:

- THE PROPERTY IS LOCATED WITHIN THE INDUSTRIAL ZONING DISTRICT.
- THE FOLLOWING USES HAVE HISTORICALLY BEEN PRESENT AT THE PROPERTY AND WILL CONTINUE TO OPERATE AT THE SITE
  - 334 ATTACHMENT 1, USE E-1: REMOVAL OF LOAM, SAND OR GRAVEL (ROCK CRUSHING)
  - 334 ATTACHMENT 1, USE E-15: CONTRACTOR'S YARD OR LANDSCAPING BUSINESS
  - 334 ATTACHMENT 2, ACCESSORY USE: GARAGING OR PARKING OF HEAVY COMMERCIAL VEHICLES AND EQUIPMENT
  - 334 ATTACHMENT 1, USE E-7: RETAIL SALE OF PRODUCTS MANUFACTURED ON THE PREMISES (FIRE WOOD PROCESSING)
- THE PURPOSE OF THIS SITE PLAN AMENDMENT IS SEEK APPROVAL FOR SEVERAL ALLOWED OR PERMISSIBLE USES ON THE PROPERTY. THE FOLLOWING USES ARE ANTICIPATED TO BE ACTIVE ON THE PROPERTY IN ACCORDANCE WITH ZONING ORDINANCE SECTION 334-20 AND 334-21:
  - 334 ATTACHMENT 1, USE D-9: MOTOR VEHICLE, MOTORCYCLE, TRAILER, SNOWMOBILE, OR BOAT SALES AND RENTAL (SALE OF TRANSPORT TRAILERS AND STORAGE CONTAINERS)
  - 334 ATTACHMENT 1, USE D-10: MOTOR VEHICLE LIGHT SERVICE; MOTOR VEHICLE GENERAL AND BODY REPAIR
- ANY CHANGE OF USE NOT SPECIFICALLY MENTIONED HERE WOULD REQUIRE REVIEW AND/OR APPROVAL OF THE PLANNING BOARD.
- NOT USED
- THE REPLACEMENT OR MANAGEMENT OF FLUIDS ASSOCIATED WITH MOTORIZED VEHICLES IS PROHIBITED IN OUTDOOR LOCATIONS ON THE PROPERTY.
- ANY DAMAGE TO PRIVATE OR PUBLIC PROPERTIES DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPAIRED AND RESTORED BY THE CONTRACTOR AT THEIR OWN EXPENSE.
- A PORTION OF THE SUBJECT PREMISES IS LOCATED IN A FLOOD ZONE ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NH COMMUNITY PANEL #33011C0508D HAVING AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.
- NO SIGNS ARE PROPOSED.
- THERE WILL BE NO EXTERIOR LIGHTING.
- ALL PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED DURING CONSTRUCTION. ANY DAMAGE TO THESE ITEMS SHALL BE REPAIRED AND RESTORED BY A SURVEYOR REGISTERED IN THE STATE OF NEW HAMPSHIRE AT THE CONTRACTORS EXPENSE.
- ALL APPLICABLE PERMITS AND AN APPROVED SET OF PLANS SHALL BE AVAILABLE AT THE CONSTRUCTION SITE.
- ALL PERMITS AND APPROVALS NECESSARY FROM AGENCIES GOVERNING THE WORK SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORK.
- SNOW SHALL BE TAKEN OFF-SITE ONCE SNOW STORAGE AREAS ON SITE BECOME INADEQUATE, AND BEGINS TO BLOCK ACCESS TO AND FROM THE SITE OR BLOCKS THE USE OF ON-SITE PARKING. ANY EXCESS WILL BE TRUCKED OFF-SITE & DISPOSED OF IN ACCORDANCE WITH LOCAL AND NHDES GUIDELINES.
- THE DESIGN ENGINEER WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS, AND/OR THE DESIGN INTENT THEY CONVEY, OR FOR PROBLEMS WHICH ARISE FROM OTHERS' FAILURE TO OBTAIN AND/OR FOLLOW THE GUIDANCE OF THE DESIGN ENGINEER WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES, OR CONFLICTS WHICH ARE DISCOVERED OR ALLEGED.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR CONDITIONS AT THE SITE. THESE PLANS, PREPARED BY ALLEN & MAJOR ASSOCIATES DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK, OR THE OWNER'S EMPLOYEES, CUSTOMERS, OR THE GENERAL PUBLIC. THE SEAL OF THE ENGINEER AS INCLUDED IN THE PLAN SET DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PROVIDE THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA), STATE, AND LOCAL REGULATIONS.
- THE INFORMATION SHOWN ON THIS PLAN IS THE SOLE PROPERTY OF ALLEN & MAJOR ASSOCIATES, INC. ITS INTENDED USE IS TO PROVIDE INFORMATION. ANY ALTERATION, MISUSE, OR RECALCULATION OF INFORMATION OR DATA WITHOUT THE EXPRESSED, WRITTEN CONSENT OF ALLEN & MAJOR ASSOCIATES, INC. IS STRICTLY PROHIBITED.
- THERE ARE NO CURRENTLY ADOPTED PERTINENT HIGHWAY PROJECTS.



SPECIAL TOWN NOTES:

- DURING EARTH MOVING OPERATIONS, EROSION CONTROL BARRIERS SHALL BE INSTALLED AND MAINTAINED TO THE SATISFACTION OF THE TOWN ENGINEER.
- STOCKPILING OF MATERIALS IS NOT ALLOWED IN THE WETLAND BUFFER AREA.
- THE WETLAND BUFFER BOUNDARY SHALL BE IDENTIFIED AND MARKED PRIOR TO THE START OF CONSTRUCTION PER HUDSON ZONING ORDINANCE, ARTICLE IX §334-35 (E.).
- 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.
- HOURS OF REFUSE REMOVAL SHALL BE EXCLUSIVE TO THE HOURS BETWEEN 7:00 A.M. AND 7:00 P.M., MONDAY THROUGH FRIDAY ONLY.

PERMITS REQUIRED:

- NONE

WAIVER REQUESTS:

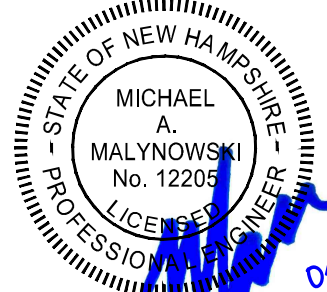
- THE FOLLOWING WAIVERS ARE REQUESTED FOR REVIEW BY THE HUDSON PLANNING BOARD:
- §276-11.1.B.(2): TO ALLOW A PLAN SCALE GREATER THAN 1"=50' FOR SITE PLANS AS THEY ARE LEGIBLE AT THE SCALE PRESENTED

OWNER SIGNATURE

ZJBV PROPERTIES, LLC  
300 GAY STREET  
MANCHESTER, NH 03103

SIGNATURE

DATE



PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
2	03-29-24	REVS PER PEER REVIEW COMMENTS
1	03-04-24	REVS PER PEER REVIEW COMMENTS

APPLICANT/OWNER:

ZJBV PROPERTIES, LLC  
c/o JOSEPH'S EQUIPMENT  
300 GAY STREET  
MANCHESTER, NH 03103

PROJECT:

**SITE PLAN**  
**MAP 105 LOT 004**  
**324 DERRY ROAD**  
**HUDSON, NEW HAMPSHIRE**

PROJECT NO.	2596-06	DATE:	01-30-2024
SCALE:	1" = 80'	DWG.: C2596-06_LAYOUT & MATERIALS	
DRAFTED BY:	MM	CHECKED BY:	MAM

PREPARED BY:



**ALLEN & MAJOR ASSOCIATES, INC.**  
civil engineering ♦ land surveying  
environmental consulting ♦ landscape architecture  
www.allenmajor.com

400 HARVEY ROAD  
MANCHESTER, NH 03103  
TEL: (603) 627-5500  
FAX: (603) 627-5501

WOBURN, MA ♦ LAKEVILLE, MA ♦ MANCHESTER, NH

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DRAWING TITLE: SHEET NO.

LAYOUT & MATERIALS PLAN C-101

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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.



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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: -

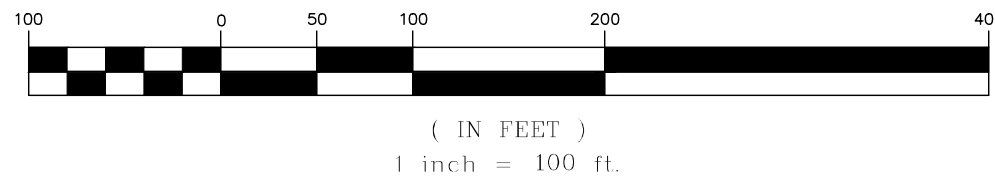
SIGNATURE DATE: \_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

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.

#### GENERAL NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT ROADWAYS, DRIVEWAYS, TRAVEL WAYS, AND PARKING AREAS WITHIN 200 FEET OF THE SITE, TO SATISFY THE REQUIREMENTS OF HUDSON REGULATIONS 276-11.1.B.(16).
2. THE INFORMATION SHOWN ON THIS PLAN IS THE SOLE PROPERTY OF ALLEN & MAJOR ASSOCIATES, INC. ITS INTENDED USE IS TO PROVIDE INFORMATION. ANY ALTERATION, MISUSE, OR RECALCULATION OF INFORMATION OR DATA WITHOUT THE EXPRESSED, WRITTEN CONSENT OF ALLEN & MAJOR ASSOCIATES, INC. IS STRICTLY PROHIBITED.

#### GRAPHIC SCALE



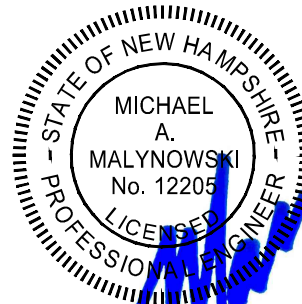
© 2024 Microsoft Corp

#### OWNER SIGNATURE

ZJBV PROPERTIES, LLC  
300 GAY STREET  
MANCHESTER, NH 03103

SIGNATURE

DATE



PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
-----	------	-------------

APPLICANT/OWNER:

ZJBV PROPERTIES, LLC  
c/o JOSEPH'S EQUIPMENT  
300 GAY STREET  
MANCHESTER, NH 03103

PROJECT:

SITE PLAN  
MAP 105 LOT 004  
324 DERRY ROAD  
HUDSON, NEW HAMPSHIRE

PROJECT NO.	2596-06	DATE:	03-04-2024
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SCALE:	1" = 100'	DWG. :	C2596-06_LAYOUT & MATERIALS
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DRAFTED BY:	MM	CHECKED BY:	MAM
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PREPARED BY:



ALLEN & MAJOR  
ASSOCIATES, INC.

civil engineering ♦ land surveying  
environmental consulting ♦ landscape architecture  
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DRAWING TITLE:

AERIAL IMAGE PLAN

SHEET NO.

C-102

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# LEGEND

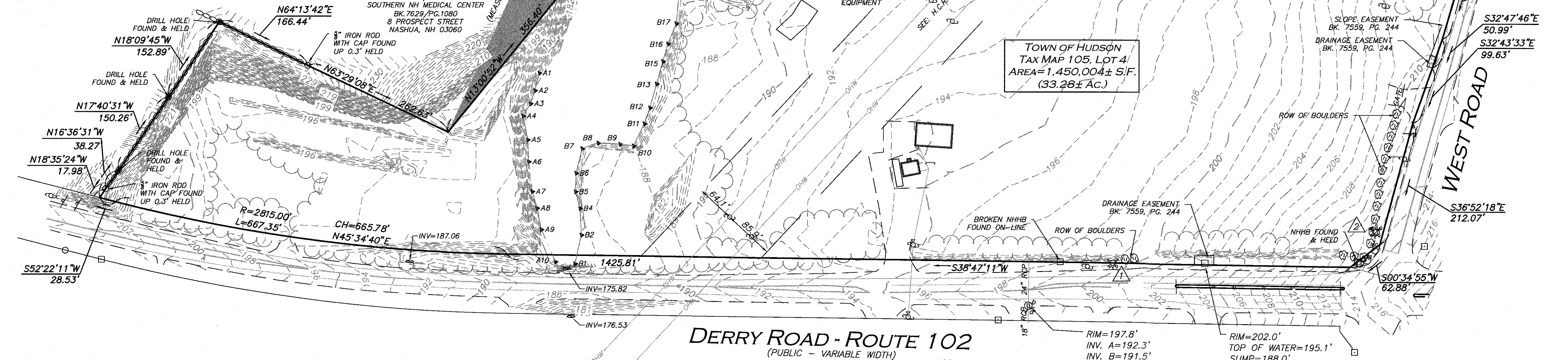
DRILL HOLE (DH)	●	BUFFER ZONE	---
STONE BOUND (SB)	□	EASEMENT LINE	---
IRON PIPE (IP)	○	1' CONTOUR	---53---
IRON ROD (IR)	○	5' CONTOUR	---55---
DRAIN MANHOLE (DMH)	⊙	PROPERTY LINE	---
BOULDER	⊙	ABUTTERS LINE	---
WATER GATE	⊙	STONE WALL	---
GAS GATE	⊙	TREE LINE	---
FIRE HYDRANT	⊙	EDGE OF PAVEMENT	---
ELECTRIC METER	⊙	EDGE OF GRAVEL	---
UTILITY POLE	⊙	CURB	---
UTILITY POLE W/LIGHT	⊙	DRAIN LINE	---
GUY WIRE	---	OVERHEAD WIRES	---
CATCH BASIN (CB)	⊙	REINFORCED CONCRETE PIPE	RCP
INVERT (INV)	⊙	POLYVINYL CHLORIDE PIPE	PVC
FLARED END SECTION	---	CORRUGATED METAL PIPE	CMP
SIGN	---	INVERT	INV.
WETLAND FLAG	---	NOW OR FORMERLY	N/F
BUILDING	---	BOOK	BK.
WETLAND	---	PAGE	PG.

## PLAN REFERENCES

-PLAN ENTITLED, "PLAN OF LANDS HENRY D. MOREY HEIRS HUDSON, LITCHFIELD & LONDONDERRY, NEW HAMPSHIRE", SCALE 1"=300', DATED DECEMBER 15, 1978, PREPARED BY THOMAS F. MORAN, INC., AND ON FILE AT THE H.C.R.D. AS PLAN NO. 13925.  
 -PLAN ENTITLED, "SITE PLAN WEST RD HUDSON, OWNER ROLAND GUERETTE", SCALE 1"=40', DATED SEPTEMBER 1983, PREPARED BY FRANK G. SPRAGUE, AND ON FILE AT THE H.C.R.D. AS PLAN NO. 16134.  
 -PLAN ENTITLED, "BOUNDARY PLAN LOT 10, MAP 109 300 DERRY ROAD HUDSON, NEW HAMPSHIRE PREPARED FOR TATE BROTHERS PAVING CO. RECORD OWNER JEAN B. POLLOCK, JOHN W & SUSAN J. BAKER", SCALE 1"=80', DATED JUNE 18, 2004, PREPARED BY HAYNER/SWANSON, INC., AND ON FILE AT THE H.C.R.D. AS PLAN NO. 33257.  
 -PLAN ENTITLED, "MASTER SITE PLAN LANDFILL ROAD SITE PLAN MAP 100: LOT 3 LANDFILL ROAD HUDSON, NEW HAMPSHIRE HILLSBOROUGH COUNTY", SCALE 1"=100', DATED JANUARY 11, 2008, LAST REVISED 8/11/08, PREPARED BY KEACH-NORDSTROM ASSOCIATES, INC., AND ON FILE AT THE H.C.R.D. AS PLAN NO. 36471.

## LOCUS REFERENCES

-TOWN OF HUDSON TAX MAP 105, LOT 4  
 -H.C.R.D. BOOK 9666, PAGE 384  
 -PLAN ENTITLED, "LAND OF GUERETTE & DUCHARME WEST ROAD HUDSON, N.H.", SCALE 1"=100', DATED JUNE, 1983, PREPARED BY FRANK SPRAGUE, AND ON FILE AT THE H.C.R.D. AS PLAN NO. 15961.  
 -PLAN ENTITLED, "BOUNDARY PLAN (LOT 23, MAP 37 PAGE ROAD LITCHFIELD & HUDSON, NEW HAMPSHIRE PREPARED FOR WALTER DUCHARME, JR.", SCALE 1"=100', DATED NOVEMBER 5, 1988, PREPARED BY M.J. GRAINGER ENGINEERING, INC., AND ON FILE AT THE H.C.R.D. AS PLAN NO. 23426.



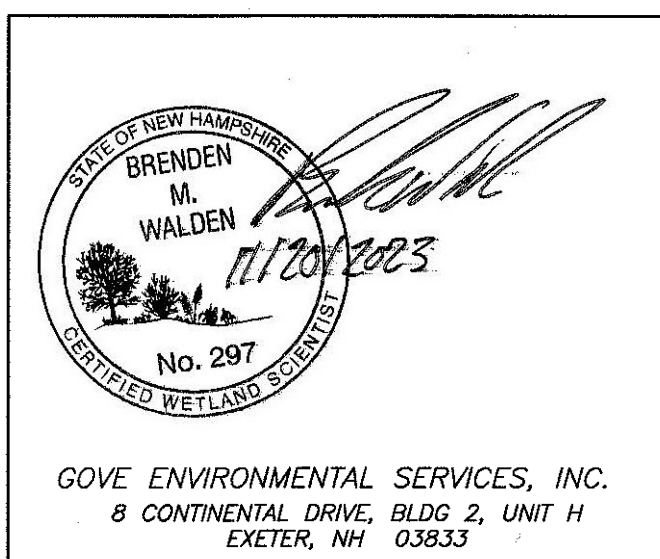
## DERRY ROAD - ROUTE 102 (PUBLIC - VARIABLE WIDTH)

### NOTES

1. NORTH ARROW IS BASED ON NEW HAMPSHIRE GRID COORDINATE SYSTEM (NAD 83).
2. BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS IN NASHUA, NH.
3. VERTICAL DATUM IS NAVD 88 ESTABLISHED USING RTK GPS OBSERVATION.
4. CONTOUR INTERVAL IS ONE FOOT (1').
5. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
6. PROPERTY LINE CONFLICTS BETWEEN CURRENT LOCUS TITLE AND ABUTTING TITLES. LOCUS DESCRIPTION WAS CREATED PER A REFERENCED SURVEY PERFORMED BY FRANK SPRAGUE, AND SHOWN ON AN UNRECORDED PLAN FOR WALTER DUCHARME, JR. DATED AUGUST 1969. I WOULD SUGGEST A BOUNDARY LINE AGREEMENT ALONG THE LINES IN CONFLICT, TO SETTLE THIS MATTER.

### WETLAND NOTES

1. WETLANDS WERE DELINEATED BY GOVE ENVIRONMENTAL SERVICES, INC. IN AUGUST 2022 AND FIELD LOCATED BY ALLEN & MAJOR ASSOCIATES INC. ON OR BETWEEN AUGUST 24, 2022 AND AUGUST 30, 2022.
2. WETLAND DELINEATION WAS PERFORMED TO THE STANDARDS OF THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1, (JANUARY, 1987).



GOVE ENVIRONMENTAL SERVICES, INC.  
 8 CONTINENTAL DRIVE, BLDG 2, UNIT H  
 EXETER, NH 03833

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: -

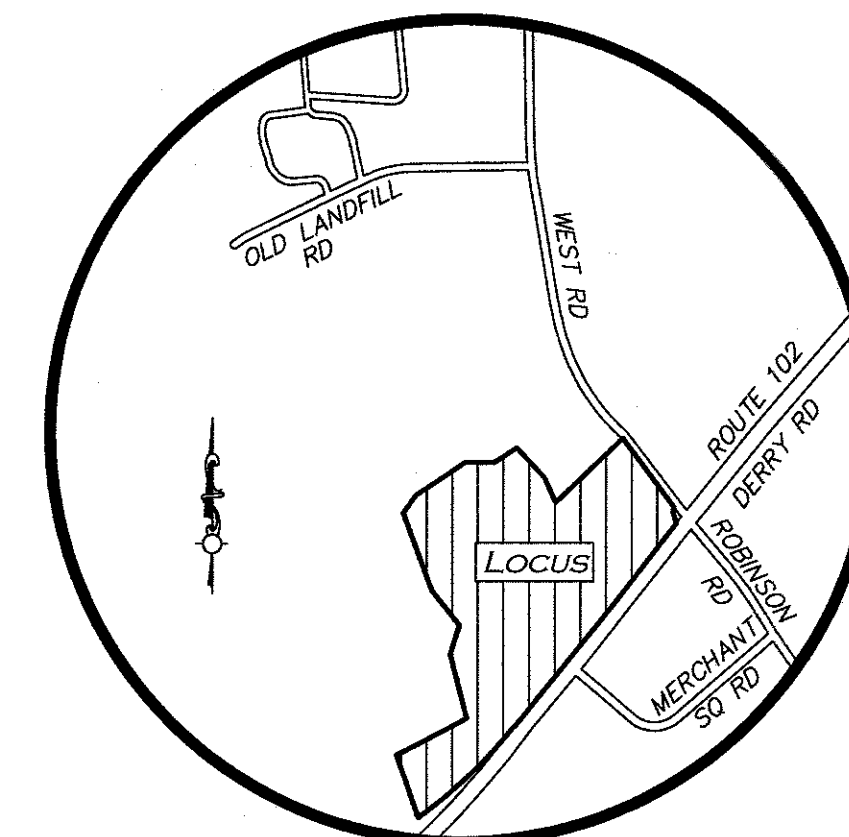
SIGNATURE DATE:

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.

LOCATION OF GAP (AREA=3.34± AC.)

LOCATION OF OVERLAP (AREA=1.81± AC.)



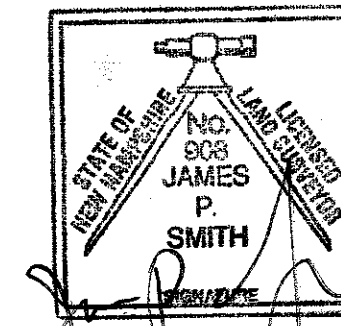
LOCUS MAP  
 (SCALE: 1"=1000')

### BENCHMARK SUMMARY

TBM #	DESCRIPTION	ELEV.
1	X-MARK ON HYDRANT FLANGE BOLT	202.11
2	X-MARK ON HYDRANT FLANGE BOLT	215.55
3	X-MARK ON HYDRANT FLANGE BOLT	217.20

THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR BETWEEN DECEMBER 18, 2022 AND FEBRUARY 3, 2023 AND HAD AN ERROR OF CLOSURE OF NO GREATER THAN 1/10,000.

ALLEN & MAJOR ASSOCIATES, INC.



JAMES P. SMITH NH LLS #908

11-17-23  
 DATE

### OWNER SIGNATURE

ZJBV PROPERTIES, LLC  
 300 GAY STREET  
 MANCHESTER, NH 03103

SIGNATURE DATE

### REV DATE DESCRIPTION

APPLICANT/OWNER:  
 ZJBV PROPERTIES, LLC  
 300 GAY STREET  
 MANCHESTER, NH 03103

PROJECT:  
 TAX MAP 105, LOT 4  
 326 DERRY ROAD  
 HUDSON, NH

PROJECT NO. 2596-06 DATE: 11/17/23  
 SCALE: 1"=100' DWG. NAME: S-2596-06-EC  
 DRAFTED BY: AJR CHECKED BY: JPS

### PREPARED BY:



ALLEN & MAJOR  
 ASSOCIATES, INC.

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 environmental consulting • landscape architecture  
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WOBURN, MA • LAKEVILLE, MA • MANCHESTER, NH

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SHEET No.

EXISTING CONDITIONS

1

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