



April 21, 2020

Brian Groth, Town Planner
Town of Hudson
12 School Street
Hudson, New Hampshire 03051

Re: Hudson Logistics Center

Dear Brian:

Enclosed please find land use applications and supporting materials in furtherance of Hillwood Enterprises, L.P.'s ("Hillwood") proposal to redevelop property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center. As an initial note, we greatly appreciate your support and guidance, and that of your staff and other Town Officials, while we designed the project and prepared for this filing. We look forward to additional collaboration with you and to the Conservation Commission and Planning Board's review of the enclosed applications. To that end, we respectfully request that this matter be placed on the May 11, 2020 Conservation Commission Agenda, and the May 13, 2020 Planning Board Agenda.

More specifically, we have enclosed the following:

- a. Site Plan Application;
- b. Subdivision Application; and,
- c. Conditional Use Permit Application.

These applications include supporting plans from Langan Engineering and Environmental Engineering Services, Inc. ("Langan") and Hayner/Swanson, Inc. ("HSI") to include subdivision, site, grading and drainage, utility, soil erosion and sediment control, lighting, landscape planting, and wetland impact plans. Also enclosed are floor plans and proposed building elevations prepared by the Project Architect, Ware Malcomb. We have also enclosed a traffic impact analysis prepared by Langan, wetland report prepared by Gove Environmental Services, Inc. and a project narrative. Finally, we enclose a Subdivision Application Waiver Request regarding Chapter 289-18(B)(2), pertaining to cul-de-sac length, and two (2) Site Plan Application Waiver Requests related to Chapters 275-8(C)(4) and 276-6, Table 1, which pertain to parking space dimensions and the Site Plan Review Application Fee, respectively.

Consistent with our recent conversations, we intend to supplement this filing in the immediate future with several additional documents to include a stormwater analysis, a fiscal impact study, a noise study, and a completed Wetland Conditional Use Permit Checklist, which will supplement Hillwood's Conditional Use Permit Application.

With regard to application fees, we enclose herewith three (3) checks totaling \$4,020.25 (\$2495.25 due for Subdivision Application, plus \$1,525 filed pursuant to Site Plan Application) as detailed below:

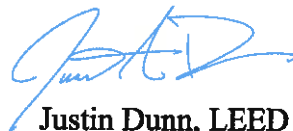
- The first check is payable to the Town of Hudson in the amount of \$1,520.25. This check covers the Planning Board review fee for the Subdivision Application (\$850) as well as the postage and onsite signage fees for the Subdivision Application and Site Plan Application (combined \$395.25) and the Tax Map Updating Fee applicable to the Site Plan Application (\$275);
- The second check is payable to the Town of Hudson in the amount of \$1,250. This check covers the consultant review of the Subdivision Application; and
- The final check is payable to the Town of Hudson in the amount of \$1,250. This check covers the consultant review of the Site Plan Application.

We note that the Site Plan Application Review Fee in the amount of \$220,066.90 is the subject of a temporary waiver request from Hillwood, enclosed herewith, which requests that said application fee be payable to the Town before final approval of the site plan. We also note that per our conversations, additional postage and onsite signage fees are not required for the Site Plan Application. If any of the above calculations are incorrect, please do not hesitate to let me know and we will resolve the discrepancy immediately.

Lastly, we have also enclosed herewith all required copies, abutter lists and labels.

On behalf of the Hillwood Project Team, we look forward to working with you, the Town, and the Hudson community on this proposed project. Thank you again for your assistance, and please do not hesitate to contact me with any concerns, comments or questions.

Sincerely,



Justin Dunn, LEED AP
Vice President, Development

Enclosures

cc: Langan (email only)
Hayner/Swanson, Inc. (email only)
Gove Environmental Services, Inc. (email only)
Ware Malcomb (email only)
John Smolak, Esq. & Justin Pasay, Esq.(email only)

PROJECT NARRATIVE

HUDSON LOGISTICS CENTER

Introduction and Overview

The applicant, Hillwood Enterprises, L.P. (“Hillwood”) is requesting Planning Board approval of a Subdivision, Site Plan, and Conditional Use Permit in support of a proposed redevelopment of the Greenmeadow Golf Club (the “Club”) into the Hudson Logistics Center. The Hudson Logistics Center is proposed to be located on real property consisting of approximately 372.13 acres which is located off of Lowell Road and Steele Road, and is further identified as Town Tax Map 234, Lot 5, and Tax Map 239, Lot 1. Hillwood has entered into an agreement to purchase the Property from Greenmeadow Golf Club, Inc., the current owner (“Greenmeadow”). As a part of the redevelopment project, Hillwood is proposing to consolidate Tax Map 234, Lot 5 and Tax Map 239, Lot 1 and then subdivide the consolidated lot into three new lots (individually and respectively to be known as “Lots A, B and C”).

The Hudson Logistics Center will consist of three new distribution and logistics buildings, one to be sited on each of the proposed lots, which will together constitute a combined building footprint of approximately 2,603,400 SF. The Property will be accessed primarily via a new dedicated subdivision road off of Lowell Road which will traverse properties identified as Town Tax Map 234, Lots 34 and 35, which will require minor lot line adjustments (all four (4) related properties collectively referred to throughout as the “Property”), and be accepted by and conveyed to the Town (the “Subdivision Road”) with the subdivision road proposed to be named Green Meadow Drive.

The Hudson Logistics Center will create thousands of new jobs, constitute millions of dollars in community improvements and new annual tax revenue (without the drain on Town services or infrastructure that would be caused by competing uses such as residential or retail uses), will be an economic boost for the Town of Hudson in these uncertain times, and is the type of development specifically contemplated by the Town’s Master Plan.¹

Master Plan and Opportunity for Redevelopment

While we understand the Town of Hudson has embarked on a Master Plan update process, we note that a number of important factors originally identified in the Town’s 2006 Master Plan have been critical in attracting Hillwood to the Town of Hudson. These factors, as articulated in the 2006 Master Plan, include the following:

- One of Hudson’s strengths is its location near major existing and proposed transportation infrastructure. This infrastructure allows for easy access to Hudson’s industrial and commercial base, as well as access to the surrounding industrial and commercial centers of Nashua, Manchester and the Boston metropolitan area.
- While the Town cannot control general economic forces and trends, it should promote the development of a diverse economic base. A diverse business and industrial base can help

¹ See Town of Hudson, NH, 2006 Master Plan, Chapter IV (“Economic Development”).

prevent economic downturns affecting certain sectors of the economy from having a disproportionate impact on the Town's overall economic health.

- In order to maintain and improve Hudson's tax base, the Town should focus on attracting and maintaining those non-residential uses that tend to have the highest assessed value. These include commercial development such as ... industrial uses and utilities.
- Hudson has the opportunity to further increase employment through continued development and redevelopment of commercial and industrial property.
- It is essential that the Town maintain and enhance its tax base by attracting commercial, industrial and mixed-use development with a high assessed value per land area.

For these reasons and others, the Property is ideally suited for the redevelopment of the Hudson Logistics Center, consistent with the goals and objectives of the Master Plan.

History, Location, Existing Conditions and Current Operations

History

Greenmeadow Golf Club, Inc. was founded by Phil and Jeanne Friel in 1960. Throughout the 1960's and beyond, the Property evolved into two 18-hole golf courses as explained in greater detail below. In addition to the golf courses, the Property is currently improved with a clubhouse, as well as other maintenance and storage facilities. An asphalt paved parking lot is located west of the clubhouse and is used for patron cars and electric golf carts. Steele Road and Country Club Driveway provide access to the onsite structures.

Location

The Property is bounded to the north by Circumferential Highway/Sagamore Bridge Road, Sagamore Park Road, and the Sagamore Industrial Park, Dunkin Donuts and Haffner's; to the east by commercial and industrial properties (Sam's Club, Sam's Club Gas Station, Mercury Systems [formerly Vectron], Golf and Ski Warehouse) and residential properties; to the south by residential properties off Eagle Drive and Fairway Drive; and to the west by the Merrimack River followed by industrial and commercial properties (Ashley HomeStore and Ashbrook Furniture, Lovering Volvo Cars Nashua, and Worthen Industries).

Most recently in 2017, the Property was the subject of zoning amendments to allow for an increase in building height in order to attract a potential redevelopment of the property to reflect more recent trends in industrial and related uses. The purpose of amending the zoning was also to reflect a desire to move away from retail and residential uses in order to minimize potential impacts to the Town, including the surrounding neighborhood, and to attract light industry, logistics and e-commerce facilities to the Property, given its location adjacent to Sagamore Bridge Road and major highway transportation routes, as noted above.

Existing Conditions

- **Physical Conditions, Zoning and Wetlands**

The Property is a combined 399.12 +/- acres, the vast majority of which is located in the General-One Zoning District. A small triangle of land located along the eastern boundary of Map 239 Lot 1 and property identified as Map 228 Lot 4, which is owned by Sam's RE Business Trust ("Sam's Club" or the "Sam's Club parcel"), is located in the Business Zoning District.

The Property contains a subtle ridge running north-south through the center. From this ridge, the western part of the land slopes west towards the Merrimack River characterized by a 30'-40' elevation change. The eastern side of the ridge slopes towards the undeveloped portions of the Property and is characterized by a gradual 10'-20' elevation change.

The Property's wetlands were flagged by Gove Environmental Services, Inc. and surveyed by Hayner/Swanson, Inc. Wetlands constitute approximately 39.9 acres of the Property. The majority of the wetland areas are located in the eastern portion of the Property, which is flat. A portion of the Property's wetlands flow north to a culvert located beneath Sagamore Bridge Road behind the Sam's Club parcel. The remaining portion of the wetland complex is associated and hydraulically connected to Limit Brook, which flows through the Property to the south.² Finally, the Property is located within Flood Zones AE, A, and X.

- **Use and Access**

Since 1961, the Property has been the location of the Club and its associated improvements to include 36-holes, a clubhouse with parking and a maintenance facility and associated parking. Access to the Club is provided via Steele Road, a portion of which was accepted by the Town in 1985. The limit of the Town's acceptance and its maintenance of Steele Road is several hundred feet to the east of the Property, as depicted on the enclosed plans, in close proximity to distinct property owned by Greenmeadow identified as Tax Map 234 Lot 6. Thereafter, Steele Road is gated and has been maintained by Greenmeadow.³

In addition to Steele Road, the Property is benefited by two access easements over abutting properties which the Hudson Logistics Center will utilize, as explained below. The first access easement is located on a parcel owned by 267 Lowell Rd Hudson, LLC ("267 Lowell Road"). See Hillsborough County Registry of Deeds, Book 7617, Page 1361 (the "267 Lowell Road Easement"). The second access easement is located on the Sam's Club parcel (7 Wal-Mart Boulevard) and was reserved by the Friels in a deed when Greenmeadow sold the Sam's Club property to Wal-Mart. See Hillsborough County Registry of Deeds, Book 5273, Page 1211 (the "Sam's Club Easement"). Both easements provide access to Lowell Road.

² The bank of the Merrimack River and several man-made "golf-course" water features on the Property were considered wetlands for the purpose of Hillwood's development proposal.

³ A portion of Steele Road beyond the limit of the Town's acceptance may be a Class VI highway pursuant to RSA 229:1. See below summary regarding Hillwood's proposed relocation the same Steele Road.

- **Water and Wastewater**

The Property and Club are currently served by Town water and an on-site septic system.

Proposed Hudson Logistics Center Development

- **Access**

The Subdivision Road will be built within the 267 Lowell Road Easement and will access the Property from Lowell Road across from Rena Avenue, as depicted on the enclosed plans. The Subdivision Road, which is proposed to be 2,670' in length and will comprise 5.785 acres, will serve as the primary access to the Hudson Logistics Center and provide frontage to Lot A, Lot B, Lot C and the 267 Lowell Road parcel. In addition to the Subdivision Road, Lot A will be accessed via a private drive over the Sam's Club property utilizing the Sam's Club Easement. As noted above and in the enclosed plans, there is a question regarding the status of Steele Road west of the limit of the Town's acceptance and maintenance of the same. As a precautionary measure, Hillwood is proposing to relocate that portion of Steele Road pursuant to RSA 231:8, et seq., in a manner that will benefit both the Hudson Logistics Center and the public.

- **Proposed Improvements**

Lots A, B and C will each contain a distribution and logistics building, or similar use consistent with the Zoning Ordinance, and associated site improvements to include parking and stormwater management infrastructure. Lot A is proposed to be approximately 161.8 acres and the building on Lot A will be approximately 1,079,700 SF. Lot B is proposed to be approximately 97 acres and the building on Lot B will be approximately 1,001,700 SF. Finally, Lot C is proposed to be approximately 108.6 acres and the building on Lot C will be approximately 522,000 SF. In addition to the above described improvements on Lots A, B and C, Hillwood is proposing access to the Merrimack River and corresponding parking at the southern portion of the site as detailed on the enclosed plans.

- **Landscaping, Screening and Buffering**

Through the design of the Hudson Logistics Center, landscaping, buffering and screening has been added to mitigate against potential adverse effects of the development and enhance on-site aesthetics through a consistent landscape design. Particular attention has been focused on the southern boundary of the Property which abuts residential properties on Fairway Drive and Eagle Drive. Specifically, Hillwood proposes significant screening and preservation of a 200-foot buffer which will include but not be limited to solid screening and a visual buffer consisting of natural vegetation and other landscape features that will enhance aesthetics and also minimize potential noise, light and other potential impacts on Fairway Drive, Eagle Drive and beyond. Additional landscaping and screening shall be reviewed and considered through the Planning Board's review process.

- **Wetlands**

The project contemplates approximately 124,700 SF of direct wetlands impact, nearly half of which (approximately 59,020 SF) is caused by the Subdivision Road and cul-de-sac which will serve as the primary access to the Hudson Logistics Center as referenced above. The rest of the project, consisting of the development of approximately 2,603,400 SF of new building area and associated access ways and site improvements, will translate to only approximately 65,680 SF of additional direct wetlands impact.

The project's wetland impacts are the subject of Hillwood's Conditional Use Permit Application and various state permits Hillwood is pursuing through the New Hampshire Department of Environmental Services. Hillwood looks forward to discussing various mitigation efforts to offset the project's impact to onsite wetlands during the Conservation Commission and Planning Board's review process.

- **Water and Wastewater**

The Hudson Logistics Center is proposed to be served by Town water and sewer upon completion of the allocation process detailed in §270-17(D) of the Town Code.

Hillwood Enterprises, L.P.

*By: John J Smolak, Smolak & Vaughan LLP
duly authorized*

Date: 4.21.20

SITE PLAN APPLICATION

Date of Application: April 21, 2020 Tax Map 234, Lots 5, 34 & 35 and Map 239, Lot 1

Site Address: Lowell and Steele Roads

Name of Project: Hudson Logistics Center

Zoning District: G1 and B

General SB#: _____
(For Town Use Only)

Z.B.A. Action: n/a

PROPERTY OWNER:

SEE ADDITIONAL OWNERS BELOW

Name: Greenmeadow Golf Club, Inc.

Address: 55 Marsh Road

Address: Hudson, NH 03051

Telephone # 603-882-8893

Email: tjleonard@lawyersnh.com

DEVELOPER:

Hillwood Enterprises, L.P.

5050 W. Tilghman St., Suite 435

Allentown, PA 18104

717-232-0200

justin.dunn@hillwood.com

PROJECT ENGINEER:

Name: Langan Engineering and Environmental
Engineering Services, Inc.

Address: 888 Boylston Street

Address: Boston, MA 02116

Telephone # 617-824-9135

Email: nkirschner@Langan.com

SURVEYOR:

Hayner/Swanson, Inc.

3 Congress Street

Nashua, NH 03062

603-882-2057

lgagnon@hayner-swanson.com

ADDITIONAL OWNERS:

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

267 Lowell Rd Hudson, LLC
c/o RAM Management Co., LLC
200 US Route One, Suite 200
Scarborough, ME 04070

PURPOSE OF PLAN:

Proposed commercial development consisting of three (3) new distribution and logistics buildings with associated access ways, parking, stormwater/drainage infrastructure and other site improvements. See Project Narrative for additional information. The approximate square footage of the proposed buildings are as follows:

Building A: 1,079,700 SF

Building B: 1,001,700 SF

Building C: 522,000 SF

(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: Hudson Logistics Center

PLAN TYPE: SITE PLAN

LEGAL DESCRIPTION: Map 234, Lots 5, 34 and 35 and Map 239, Lot 1

DATE: April 21, 2020

Location by Street: Lowell & Steele Roads

Zoning: G-1 and B

Proposed Land Use: Distribution and Logistics Buildings and related improvements and new Subdivision Road.

Existing Use: Greenmeadow Golf Course

Surrounding Land Use(s): Mix of Residential, Commercial and Industrial Uses, Circumferential Highway/Sagamore Bridge Road, and the Merrimack River.

Number of Lots Occupied: Three (3)

Existing Area Covered by Building: Map 234, Lot 35: +/- 120,000 SF; Map 239, Lot 1: 21,040 SF.

Existing Buildings to be removed: Three (3)

Proposed Area Covered by Building: 2,603,400 SF

Open Space Proposed: Lot A: 64%, Lot B: 50%, Lot C: 69%

Open Space Required: 40%

Total Area: Aggregate of site: 399.12 Acres

Area in Wetland: 39.9 +/- acres Area Steep Slopes: 14.99 acres

Required Lot Size: 2 acres

Existing Frontage: Map 234, Lot 34: 620.82 feet (Lowell Road); Map 234, Lot 35: 167.82 feet (Lowell Road); Map 239, Lot 1: 1,050.54 feet (Steele Road).

Required Frontage: 200 feet

Building Setbacks:	<u>Required*</u>	<u>Proposed</u>
Lot A		
Front:	<u>30 FT</u>	<u>349 FT</u>
Side:	<u>15 FT</u>	<u>123 FT</u>
Rear:	<u>15 FT</u>	<u>734 FT</u>
Lot B		
Front:	<u>30 FT</u>	<u>1348 FT</u>
Side:	<u>15 FT</u>	<u>245 FT</u>
Rear:	<u>15 FT</u>	<u>483 FT</u>
Lot C		
Front:	<u>30 ft.</u>	<u>552 FT</u>
Side:	<u>15 ft.</u>	<u>245 FT</u>
Rear:	<u>15 ft.</u>	<u>538 FT</u>

Flood Zone Reference: Town of Hudson, NH, F.I.R.M. Community Panels #33011C056D and 33011C06587, Dated September 24, 2019

Width of Driveways: 40 ft.

Number of Curb Cuts: Three (3) (off Subdivision Road to serve Lots A, B and C)

Proposed Parking Spaces: Lot A: +/- 1,008, Lot B: +/- 417, Lot C: +/- 434

Required Parking Spaces: As determined by the Planning Board pursuant to Section 275-8(C)(2)

Basis of Required Parking (Use): Distribution and Logistics Buildings

Dates/Case #/Description/Stipulations of ZBA, Conservation Commission, NH Wetlands Board Actions: Pending
 (Attach stipulations on separate sheet)

Waiver Requests

<i>Town Code Reference:</i>	<i>Regulation Description:</i>
<u>276-6, Table 1</u>	<u>Site Plan Review Application Fee</u>
<u>275-8(C)(4)</u>	<u>Parking Space Dimensions</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 application.

Signature of Owner: See attached Authorizations. Date: See attached.

Print Name of Owner: Greenmeadow Golf Club, Inc.; Thomas P. Friel and Philip J. Friel, 267 Lowell Rd Hudson, LLC.

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

Signature of Developer: *John Smolak Smolak & Vaughan LLP* Date: *4.21.20*
on behalf of Hillwood Enterprises LP

Print Name of Developer: Hillwood Enterprises, L.P.

- ❖ 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: Hudson Logistics Center

Street Address: Lowell & Steele Roads

I, **Hillwood Enterprises, L.P.**, hereby request that the Planning Board waive the requirements of Chapter 276-6, Table 1 of the Hudson Land Use Regulations in reference to a plan presented by Langan Engineering and Environmental Engineering Services, Inc., dated April 21, 2020 for property known as Tax Map 234, Lots 5, 34 and 35 and Map 234, Lot 1 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):

See attached waiver request analysis.

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):

See attached waiver request analysis.

Signed:


Applicant or Authorized Agent

SITE PLAN REVIEW APPLICATION FEE TEMPORARY WAIVER REQUEST:

Land Use Regulation: Administrative Requirements and Definitions Chapter 276-6, Table 1 states that Site Plan Application Fees must be paid at the time of application.

Waiver Request: A temporary waiver is requested from **Chapter 276-6, Table 1** in order to allow payment of the anticipated \$220,066.90 Site Plan Review Application Fee prior to final approval.

Basis of Waiver:

- **This waiver request meets the standard within the Waiver Request Form.**

The hardship reason for granting the requested waiver relates to the significant size of the anticipated application fee of \$220,066.90. Hillwood Enterprises, L.P. ("Hillwood") would appreciate the opportunity to commence the Planning Board's review of its land use applications while it arranges funds for the application fee, which fee Hillwood will tender to the Town prior to receipt of final approval.

Further, the granting of this waiver will not be contrary to the spirit and intent of the Town's Land Use Regulations because notwithstanding the delay in payment of the large filing fee, Hillwood has timely tendered the Subdivision Application Fee as well as all other applicable fees to include the consultant review fees associated with its Subdivision and Site Plan Applications, and commits to paying the entirety of the Site Plan Application Fee prior to final approval.

- **This waiver request also meets the standard within Chapter 276-7.**

The requested waiver satisfies the criteria of Chapter 276-7 because the request is only temporary in nature. Hillwood will tender the entirety of the Site Plan Application Fee before final approval and, in the meantime, has paid all other fees associated with the filing and review of its various land use applications.

WAIVER REQUEST FORM

Name of Subdivision/Site Plan: Hudson Logistics Center

Street Address: Lowell & Steele Roads

I, **Hillwood Enterprises, L.P.**, hereby request that the Planning Board waive the requirements of Chapter 275-8(C)(4) of the Hudson Land Use Regulations in reference to a plan presented by Langan Engineering and Environmental Engineering Services, Inc., dated April 21, 2020 for property known as Tax Map 234, Lots 5, 34 and 35 and Map 234, Lot 1 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):

See attached waiver request analysis.

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):

See attached waiver request analysis.

Signed:


Applicant or Authorized Agent

PARKING SPACE DIMENSION WAIVER REQUEST:

Land Use Regulation: **Site Plan Review Regulations, Chapter 275-8(C)(4)** states that “[p]arking space dimensions shall be 10 feet by 20 feet, except that the PLANNING BOARD may vote to allow dimensions of nine feet by 18 feet.”

Waiver Request: A waiver is requested from **Chapter 275-8(C)(4)** to permit parking space dimensions for the Hudson Logistics Center to be nine feet by 18 feet instead of 10 feet by 20 feet.

Basis of Waiver: It is not clear that a waiver is required from Chapter 275-8(C)(4) to permit use of parking spaces that are nine by 18 feet in support of the Hudson Logistics Center, because the Planning Board has independent authority per the plain language of the regulation to allow nine by 18-foot parking spaces by vote. Nonetheless, Hillwood files this waiver request as a precautionary measure and submits that it plainly meets the Waiver Request Form waiver standard, as well as the waiver standard articulated within Chapter 276-7 of the Town’s Land Use Regulations, both of which standards are addressed below.

- **This waiver request meets the standard within the Waiver Request Form.**

Use of nine by 18-foot parking stalls is specifically contemplated by Chapter 275-8(C)(4). Further, ten by 20-foot stalls are not necessary for the project and would lead to more impervious surface and corresponding environmental impact. Requiring Hillwood to develop more impervious surface than what is required to satisfy the proposed use, is a hardship.

Granting the requested waiver will not be contrary to the spirit and intent of the Town’s Land Use Regulations. On the contrary, permitting the use of nine by 18-foot spaces which aptly serve the proposed use and will reduce the impervious footprint of the project, will advance the Site Review Regulation’s purpose of “provid[ing] for and protect[ing] the public health, safety and wellbeing.” Land Use Regulations, Chapter 275, §275-3.

- **This waiver request also meets the waiver standard within Chapter 276-7.**
 - **The requirements of Chapter 275-8(C)(4) are unnecessary for this application.**

The three new distribution and logistics buildings at the heart of the Hudson Logistics Center do not require 10 by 20-foot parking spaces and nine by 18 foot spaces, specifically contemplated by the Site Review Regulations and authorized by vote of the Planning Board without a waiver, are sufficient.

- **Granting the waiver will not violate the purposes or general standards of the Land Use Regulations.**

The primary purpose of the Site Review Regulations and the Town’s Land Use Regulations is to preserve the public’s health and welfare through safe development. As the potential use of nine

by 18-foot parking spaces is specifically contemplated by the Site Review Regulations, and as use of such will not compromise the public's health, safety or welfare, granting the requested waiver is appropriate.

- **Granting the waiver shall result in a general benefit to the Town and surrounding properties.**

Granting the requested waiver will result in a general benefit to the Town and surrounding properties because smaller parking spaces will translate into less impervious surface for the project.

- **Conclusion**

Strict enforcement of the 10 by 20-foot parking space requirement would constitute a hardship because it would require Hillwood to build more impervious surface than what is necessary to serve the proposed use, especially where Chapter 275-8(C)(4) specifically contemplates use of nine by 18-foot spaces, as proposed. Further, use of nine by 18 foot spaces will benefit the public and surrounding properties for the reasons outlined above. For these reasons, the requested waiver is appropriate.

SCHEDULE OF FEES

A. REVIEW FEES:

1. <u>Site Plan Use</u>	<u>Project Size/Fee</u>	
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.	<u>\$220,066.90</u>
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	\$ _____

CONSULTANT REVIEW FEE: (Separate Check)

Total 399 acres @ \$600.00 per acre, or \$1,250.00,
whichever is greater. \$1,250.00

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.

(continued on next page)

SCHEDULE OF FEES
(Continued)

B. <u>POSTAGE:</u>	
54 Direct Abutters @\$6.85 (or Current Verified Mail Rate)	N/A
9 Indirect Abutters (property owners within 200 feet) @\$0.55 (or Current First Class Rate)	N/A
C. <u>ON SITE SIGNAGE:</u>	\$ _____ N/A
D. <u>TAX MAP UPDATING FEE: (FLAT FEE)</u>	\$ 275
	TOTAL \$ <u>1,525</u>

(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.

E. 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

F. 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.*****

SUBDIVISION APPLICATION

Date of Application: April 21, 2020 Tax Map 234, Lots 5, 34 & 35 and Map 239, Lot 1

Site Address: Lowell and Steele Roads

Name of Project: Hudson Logistics Center

Zoning District: G1 and B

General SB#: _____
(For Town Use Only)

Z.B.A. Action: n/a

PROPERTY OWNER:

SEE ADDITIONAL OWNERS BELOW

Name: Greenmeadow Golf Club, Inc.

Address: 55 Marsh Road

Address: Hudson, NH 03051

Telephone # 603-882-8893

Email: tjleonard@lawyersnh.com

PROJECT ENGINEER:

Name: Hayner/Swanson, Inc.

Address: 3 Congress Street

Address: Nashua, NH 03062

Telephone # 603-882-2057

Email: jpetropulos@haner-swanson.com

ADDITIONAL OWNERS:

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

DEVELOPER:

Hillwood Enterprises, L.P.

5050 W. Tilghman St., Suite 435

Allentown, PA 18104

717-232-0200

justin.dunn@hillwood.com

SURVEYOR:

Hayner/Swanson, Inc.

3 Congress Street

Nashua, NH 03062

603-882-2057

lgagnon@hayner-swanson.com

267 Lowell Rd Hudson, LLC
c/o RAM Management Co., LLC
200 US Route One, Suite 200
Scarborough, ME 04070

PURPOSE OF PLAN:

To show the dedication of a new Subdivision Road and the consolidation/subdivision/lot line adjustment of four (4) properties (Tax Map 234, Lots 5, 34 & 35 and Tax map 239, Lot 1). See Project Narrative for additional information.

(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: ___

SUBDIVISION PLAN DATA SHEET

PLAN NAME: Hudson Logistics Center

PLAN TYPE: Lot Line Adjustment/Subdivision Plan

LEGAL DESCRIPTION: Map 234, Lots 5, 34 & 35 and Map 239, Lot 1

DATE: April 21, 2020

Address: Lowell & Steele Roads

Total Area: S.F. 17,385,667 +/- Acres: 399.12 +/-

Zoning: G-1 (General-One); B (Business)

Required Lot Area: 87,120 S.F.

Required Lot Frontage: 200 ft.

Number of Lots Proposed: Four (4) existing, Five (5) proposed

Water and Waste System
Proposed: Town water and sewer.

Area in Wetlands: 39.9 +/- acres

Existing Buildings
To Be Removed: Three (3)

Flood Zone Reference: Town of Hudson, NH, F.I.R.M. Community Panels #33011C056D
and 33011C06587, Dated September 24, 2019.

Proposed Linear Feet
Of New Roadway: 2,670 feet as measured per Subdivision Regulations.

Dates/Case #/Description/ Pending.
Stipulations of ZBA,
Conservation Commission,
NH Wetlands Board Action:

(Attach Stipulations on
Separate Sheet)

List Permits Required: Town of Hudson Subdivision Approval
Note: NHDES Permits for proposed roadway are to be part
of the overall Hudson Logistics Center

**Waivers Requested:* Hudson Town Code Regulation Description
 Reference

<i>*Waivers Requested:</i>	<u>Hudson Town Code Reference</u>	<u>Regulation Description</u>
	1. 289-18(B)(2)	Cul-de-sac length
	2.	
	3.	
	4.	
	5.	
	6.	
	7.	

**(Left Column for Town Use)*

(For Town Use Only)
Data Sheets Checked By: _____ Date: _____

SUBDIVISION 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 application.

Signature of Owner: See attached Authorizations. Date: See attached.

Print Name of Owner: Greenmeadow Golf Club, Inc.; Thomas P. Friel and Philip J. Friel, 267 Lowell Rd Hudson, LLC.

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

Signature of Developer: *John J. Bualak, Supt. of Vantage LP* Date: _____
on behalf of Hillwood Enterprises LP

Print Name of Developer: Hillwood Enterprises, L.P.

- ❖ 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: Hudson Logistics Center

Street Address: Lowell & Steele Roads

I, **Hillwood Enterprises, L.P.**, hereby request that the Planning Board waive the requirements of Chapter 289-18(B)(2) of the Hudson Land Use Regulations in reference to a plan presented by Hayner/Swanson, Inc. dated April 21, 2020 for property known as Tax Map 234, Lots 5, 34 and 35 and Tax Map 239, Lot 1 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):

See attached waiver request analysis.

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):

See attached waiver request analysis.

Signed:


Applicant or Authorized Agent

CUL-DE-SAC LENGTH WAIVER REQUEST:

Land Use Regulation: Subdivision Regulations, Chapter 289-18(B)(2) states that a Cul-de-sac Street shall not exceed 1000-feet in length.

Waiver Request: A waiver is requested from Chapter 289-18(B)(2) in order to allow a proposed public cul-de-sac road (the Subdivision Road) with a length of 2670-feet as measured per the Subdivision Regulations.

Basis of Waiver:

- **Introduction**

As described in Hillwood Enterprises, L.P.'s ("Hillwood") Project Narrative, the proposed Subdivision Road is planned to start at Lowell Road and run to the Property via the 267 Lowell Road Easement. The Subdivision Road will serve as the primary access to the Hudson Logistics Center, is proposed to be dedicated to and accepted by the Town, and will provide frontage to Lot A, Lot B, Lot C and the 267 Lowell Road parcel. There will be one additional access way to the Property via a private drive over the Sam's Club Easement on the north side of the Property, which will access Lot A. The Subdivision Road will be a two-lane road, with the exception of the intersection with Lowell Road, which is proposed to contain both inbound and outbound lanes for various turning movements. A 180-foot diameter (right-of-way) cul-de-sac is proposed at the end of the Subdivision Road in order to provide acceptable turning movements for the various size vehicles accessing the Hudson Logistics Park and adequate spacing for the proposed driveways that will service each developed lot. The Subdivision Road, as measured per the Subdivision Regulations, is 2670-feet in length.

- **This waiver request meets the waiver standard within the Waiver Request Form.**

The hardship reason for granting the requested waiver relates to the significant size of the Property and the scale of the proposed use. A 1000-foot cul-de-sac street would simply not provide sufficient access for the three lots that will comprise the Hudson Logistics Center. To satisfy the requirements of Chapter 289-18(B)(2), cross access easements and shared driveways across the front of the lots would be needed and would cause confusion for visitors and deliveries to each lot. Such a configuration would also jeopardize the functionality of the site. Furthermore, a shorter road may prevent or inhibit each proposed lot from gaining independent access to the utilities (water, gas, power and telecommunications) within the public road.

Granting this waiver will not be contrary to the spirit and intent of the Town's Land Use Regulations because the spirit and intent of Chapter 289-18(B)(2) is related primarily to residential development and public safety. In this case, and as indicated above, the large size of the Property and the significant scale of the commercial development proposed demand a cul-de-sac length greater than 1000 feet. Moreover, the Property will be accessible via an additional access way from the Sam's Club parcel, which access way will mitigate the public safety concerns related to the Subdivision Road. To summarize, despite the length of the cul-de-sac,

the unique circumstances of the Property, and its additional proposed access way necessitate a finding that the regulation's spirit and intent, rooted in public safety, are not compromised through the granting of this waiver.

- **This waiver request also meets the standard within Chapter 276-7.**
 - **The requirements of Chapter 289-18(B)(2) are unnecessary for this application.**

As indicated above, the purpose of Chapter 289-18(B)(2) is protecting public safety. Here, the Property will be served by an additional access way and, as such, there will be sufficient access to the Property for any emergency response and public safety is therefore preserved.

- **Granting the waiver will not violate the purposes or general standards of the Land Use Regulations.**

A cul-de-sac street in excess of 1,000 feet is required pursuant to the unique circumstances of this property, to include its large size, and the large scale of the proposed commercial development that will support the Hudson Logistics Center. This waiver will not violate the public safety purposes of Chapter 289-18(B)(2), for the reasons outlined above.

- **Granting the waiver shall result in a general benefit to the Town and surrounding properties.**

Strict adherence to the 1000-foot rule would not serve the public safety policy basis for Chapter 289-18(B)(2) under the circumstances of this case. On the contrary, granting the waiver will support the Hudson Logistics Center which will create thousands of jobs, constitute millions of dollars in community improvements and new annual tax revenue, will be an economic boost for the Town of Hudson in these uncertain times, and is the type of development specifically contemplated by the Town's Master Plan. As a result, the waiver will result in a general benefit to the Town.

- **Conclusion**

The above request is reasonable considering the unique circumstances of the Property and the scale of the proposed commercial development and, by virtue of the additional access way to the Property, the waiver request meets the spirit and intent of the Town of Hudson Subdivision Regulations. Strict enforcement of the 1000-foot maximum length of the proposed cul-de-sac would pose a hardship to the applicant, as it would provide less than sufficient access to the sizeable Property and its intended use, and would inhibit functionality and traffic efficiency of the Subdivision Road and the site itself.

SCHEDULE OF FEES

A. REVIEW FEES:

1. \$170.00 per proposed lot \$850.00

CONSULTANT REVIEW FEE: (Separate Check)

Total 399 acres @ \$600.00 per acre, or \$1,250.00, \$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.

B. POSTAGE:

54 Direct Abutters @\$6.95 (or Current Verified Mail Rate) \$375.30

9 Indirect Abutters (property owners within 200 feet) \$ 4.95
@\$0.55 (or Current First Class Rate)

C. ON SITE SIGNAGE: \$ 15.00

TOTAL \$2,495.25

(For Town Use Only)	
AMOUNT RECEIVED: \$ _____	DATE RECEIVED: _____
RECEIPT NO.: _____	RECEIVED BY: _____

(fees due upon approval on next page)

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

D. 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

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.*****

APPLICANT INFORMATION

Date of Application: April 21, 2020 Tax Map 234, Lots 5, 34 & 35 and Map 239, Lot 1

Site Address: Lowell and Steele Roads

Name of Project: Hudson Logistics Center

Zoning District: G1 and B

General SB#: _____
(For Town Use Only)

Z.B.A. Action: n/a

PROPERTY OWNER:

SEE ADDITIONAL OWNERS BELOW

Name: Greenmeadow Golf Club, Inc.

Address: 55 Marsh Road

Address: Hudson, NH 03051

Telephone # 603-882-8893

Email: tjleonard@lawyersnh.com

PROJECT ENGINEER:

Name: Langan Engineering and Environmental

Engineering Services, Inc.

Address: 888 Boylston Street

Address: Boston, MA 02116

Telephone # 617-824-9135

Email: nkirschner@Langan.com

ADDITIONAL OWNERS:

Thomas P. Friel and Philip J. Friel, III

55 Marsh Road

Hudson NH 03051

DEVELOPER:

Hillwood Enterprises, L.P.

5050 W. Tilghman St., Suite 435

Allentown, PA 18104

717-232-0200

justin.dunn@hillwood.com

SURVEYOR:

Hayner/Swanson, Inc.

3 Congress Street

Nashua, NH 03062

603-882-2057

lgagnon@hayner-swanson.com

267 Lowell Rd Hudson, LLC

c/o RAM Management Co., LLC

200 US Route One, Suite 200

Scarborough, ME 04070

PURPOSE OF PLAN:

Proposed commercial development consisting of three (3) new distribution and logistics buildings and associated access ways, parking, stormwater/drainage infrastructure and other site improvements.

(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: Hudson Logistics Center

PLAN TYPE: (Site Plan, Subdivision, or other) Other

LEGAL DESCRIPTION: Map 234, Lots 5, 34, and 35 and Map 239, Lot 1

DATE: April 21, 2020

Location by Street: Lowell and Steele Roads

Zoning: G-1 and B

Proposed Land Use: Distribution and Logistics Buildings and related improvements and new Subdivision Road

Existing Use: Greenmeadow Golf Course, Commercial/Industrial, Unimproved Land

Total Site Area: S.F.: 17,385,667 Acres: 399.12

Total Wetland Area (SF): 39.9 +/- acres

Permanent Wetland Impact Area (SF): 124,700 SF

Permanent Wetland Buffer Impact Area (SF): 305,900 SF

Temporary Wetland Impact Area (SF): To be determined.

Temporary Wetland Buffer Impact Area (SF): To be determined.

Flood Zone Reference: Town of Hudson, NH, F.I.R.M. Community Panels #33011C056D and 33011C06587, Dated September 24, 2019

Proposed Mitigation: The Property provides significant opportunity for on-site mitigation. A plan for mitigation will be developed upon completion of Hillwood's stormwater analysis and through discussions with the Conservation Commission and the Planning Board.

(For Town Use Only)

Data Sheets Checked By: _____ Date: _____

CONDITIONAL USE PERMIT APPLICATION AUTHORIZATION

I hereby apply for Conditional Use Permit and acknowledge I will comply with all of the Ordinances of the Town of Hudson, New Hampshire State Laws, as well as any stipulations of the Planning Board, in development and construction of this project. I understand that if any of the items listed under the 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 Hudson Conservation Commission, the Town Planner, the Town Engineer, and such agents or employees of the Town or other persons as the Planning Board may authorize, to enter upon the property which is the subject of this application at all reasonable times for the purpose of such examinations, surveys, tests and inspections as may be appropriate. The owner(s) release(s) any claim to or right he/she (they) may now or hereafter possess against any of the above individuals as a result of any examinations, surveys, tests and/or inspections conducted on his/her (their) property in connection with this application.

Signature of Owner: See attached Authorizations. Date: See attached.

Print Name of Owner: Greenmeadow Golf Club, Inc.; Thomas P. Friel and Philip J. Friel, 267 Lowell Rd Hudson, LLC.

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

Signature of Developer: *John J. Smulak, Smulak & Vayden LP* Date: *4.20.20*

Print Name of Developer: Hillwood Enterprises, L.P.

- ❖ 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.



GOVE ENVIRONMENTAL SERVICES, INC.

April 19, 2020

Nathan Kirschner
LANGAN
Long Wharf Maritime Center
555 Long Wharf Drive
New Haven, CT 06511-6107

**Subject: Wetlands & Natural Resources
Proposed Hudson Logistics Center
Lots 293-1 & 234-5
43 Steele Road
Hudson, NH**

Dear Mr. Kirschner:

The following narrative provides an inventory of the wetlands and other natural resources on the above referenced property, which together constitute the existing Green Meadow Golf Club. This information is provided in connection with the proposed redevelopment of the property, and specifically, in support of the related Conditional Use Permit Application for proposed impacts within the Wetlands Conservation Overlay District.

WETLAND DELINEATION

Various portions of the wetlands on this 273 acres property have been delineated and re-delineated several times by Gove Environmental Services personnel since 2005. For the current proposal, Brendan Quigley, NHCWS #249 re-flagged all wetland areas within the project area utilizing the following standards:

1. *US Army Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1 (Jan 1987) **AND** Regional Supplement to Corps of Engineers Wetland Delineation Manual; Northcentral and Northeast Region, Version 2.0, January 2012.
2. Field Indicators of Hydric Soils in the United States, Version 8.0, 2016 **AND (for disturbed sites)** *New England Hydric Soils Technical Committee. 2017 Version 4, Field Indicators for Identifying Hydric Soils in New England*. New England Interstate Water Pollution Control Commission, Lowell, MA.
3. *National Wetland Plant List*, Version 3.3 (2016).

Limited flagging along the access roads was completed in 2017 during early planning. The majority of the wetland delineation depicted on the *Hudson Logistics Center* plans was conducted in the fall 2019. All flagging was surveyed by Hayner Swanson, Inc, either 2017 or recently in 2019/2020.

The property has several extensive areas of wetland in addition to the large areas of manicured lawn that dominate the property. Other than the relatively undisturbed bank of the Merrimack River, which defines the entire 5,000-foot (+/-) western boundary of the property, wetlands are characterized by a long history of alteration predating the regulation of freshwater wetlands. Prior to construction of the golf course, the

property was largely cleared and actively managed for agriculture like most of the surrounding land. The most substantial changes occurred between 1952 and 1965 during which intensive aggregate extraction and large scale alteration of the terrain was carried out to create the two 18-hole courses that exist today. During this time, naturally occurring wetlands onsite underwent varying degrees of modification by clearing, filling, channelization, and excavation. Significant areas of wetland or uplands adjacent to wetlands were excavated in order to create water features suitable for the for the golf course landscape. Several of these excavations created isolated circular ponds. Many other areas of water, however, remain hydrologically connected forming a complex arraignment of wetlands, channels, and waterbodies in the eastern portion of the site.

These wetlands fall into two main categories. One is a largely forested wetland system in the northeast of the site that is associated with an unnamed stream flowing off-site to the north, through a culvert under the portion of Circumferential Highway. Second is a more diverse system of forested, scrub-shrub, emergent, and open water wetlands directly or indirectly associated with Limit Brook. This perennial stream flows onto the property in the southeast corner, makes a single meander and leaves the site to the south. Both streams and all their associated wetlands are tributary to the Merrimack River. The excavated and isolated ponds throughout the golf course also clearly lie in the watershed of the Merrimack River but are not directly connected to each other or to the other wetlands. These ponds make up a third general category of resource on the property.

In order to provide more detailed descriptions and functional assessment of these wetlands they have been broken up into eight (8) evaluation areas based on connectivity and classification. The extent of each evaluation area and its reference number is depicted on the attached figure.

WETLAND FUNCTIONS & VALUES

A wetland function and value assessment was conducted on the six evaluation areas using the US Army Corps Highway Methodology guidelines. This methods considers 13 categories of function or value within a particular wetland area:

1. **Groundwater recharge/discharge:** This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.
2. **Floodflow Alteration:** This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.
3. **Fish and Shellfish Habitat:** This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.
4. **Water Quality—Sediment/Toxicant/Pathogen Retention:** This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.
5. **Water Quality—Nutrient Removal/Retention/Transformation:** This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.
6. **Production Export:** This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.
7. **Sediment/Shoreline Stabilization:** This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.

- 8. Wildlife Habitat:** This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.
- 9. Recreation:** This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.
- 10. Educational/Scientific Value:** This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.
- 11. Uniqueness/Heritage:** This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.
- 12. Visual Quality/Aesthetics:** This value relates to the visual and aesthetic qualities of the wetland.
- 13. Threatened or Endangered Species Habitat:** This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and their inherit functions. Functions and values identified as "primary" have been determined to be significant features of the wetland being evaluated. This does not necessarily indicate the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site. A discussion of each evaluation area on site and their functions and values is provided in the sections below.

Evaluation Area 1: This is the Merrimack River and its steep bank which forms the western boundary of the project site. This resource is classified as lower perennial riverine, with a permanently flooded, unconsolidated bottom (R2UBH)¹. The steep bank extending from the edge of the maintained golf course down to the river edge is forested with mature pine, oaks, and lesser amounts of birch and maple.

The Merrimack River is a major New Hampshire river that supports numerous functions and values at a high level. *Wildlife habitat, Aesthetic and Recreational Value, Cultural Significance, and Shoreline Stabilization* are among the Primary Functions and values of the River in this area. Most relevant and significant for this property is likely the Shoreline Stabilization value. Rather than being supported by the river itself this value is supported by the forested high bank between the high-water mark and the top of the bank at the level of the golf course. This area serves to stabilize the shoreline contain peak flow during flood events.

Evaluation Area 2: This evaluation area consists of a complex of wetlands occupying the northeast corner of the site. The predominant wetland type is forested wetland dominated by Red Maple with an understory of Witch Hazel, Highbush Blueberry, and Nannyberry. Royal Fern, Cinnamon Fern, and Sensitive Fern are common in the herbaceous layer. These wetlands are classified as deciduous, forested wetland, with saturated hydrology (PFO1B).

Water flows into the wetland from the surrounding uplands and from stormwater discharges associated with the adjacent development, including a large detention basin and drainage ditch. Several excavated

¹ Cowardin, L. M., 1979. *Classification of Wetlands and Deepwater Habitats in the United States*. Washington, D.C.: U.S. Department of the Interior, Fish and Wildlife Service.

ditches in the wetland and at the edge of the existing golf course direct water a small unnamed stream, which is depicted as perennial on the USGS map. Alterations and ditching in this area make the original path and extent of this stream unclear. Currently, a natural channel only exists within the wetland just south the Circumferential Highway before it flows off site through a culvert under the roadway. The stream ultimately drains to the Merrimack River approximately 1600' to the northwest of the site.

Functions/Values

The Primary functions of the wetlands in Evaluation Area 2 include *Flood Flow Alteration*, *Sediment/Toxicant Retention*, and *Nutrient Removal/Retention/Transformation*. Wildlife habitat and Production Export are also supported but have not been considered primary functions.

The Primary functions are derived from a combination of proximity to development and association with a stream that is tributary to the Merrimack River. Significant runoff from adjacent developed areas is directed to these wetlands numerous opportunities for sediment trapping and nutrient transformation before leaving the site. The constricted outlet and basin character of the lower portion of the wetland also provides some storage during periods of significant rainfall, therefore serving a flood follow alteration function. Both of these functions are somewhat diminished overall by the ditches that have been excavated in the wetland and its position low in the watershed.

Wildlife habitat and production export function is derived from the variety of hard and soft mast producing species as well as the well-developed multi-canopy character of the forested wetland. These functions are limited, however, by the proximity of development and transportation infrastructure on all sides of the wetland.

Evaluation Area 3: This primarily forested wetland shares many characteristics with the lower part of Evaluation Area 2. It is a Red Maple dominated swamp, with an understory species including Winterberry, Highbush Blueberry, Royal Fern, Cinnamon Fern, and Skunk Cabbage. The long term hydrology of the wetland is likely saturated/seasonally flooded but it is currently flooded due to a beaver dam at its southern. The classification of this wetland is therefore, deciduous, forested, wetland with a saturated and seasonally flooded hydrology that is influenced by beaver (PFO1Eb).

The forested wetland drains south through an excavated channel connecting it to Evaluation Area 5 and ultimately Limit Brook. The beaver dam that is currently maintaining a higher water level in the wetland is located at the beginning of this channel. Water levels in the channel vary seasonally, resembling a liner pond at higher water levels, and more of an emergent wetland at in the middle of the summer. Given its narrow shape and limited water depth, even at high water, this area has been classified as a Semi-permanently flooded excavated emergent wetland with a saturated scrub shrub edge (PEM2Fx/PSS1B). Emergent vegetation is dominated by a variety of sedges, rushes and wildflowers. Dominant species along its shrub edge include Silky dogwood, Meadowsweet, Gray Birch, and Glossy Buckthorn.

An area of hydric soils and wetland hydrology also extend from the forested portion of the wetland into the maintained turf of the adjacent golf course. This area has been evaluated separately as Evaluation Area 3.1 given its very different characteristics and function.

Functions/Values

The primary functions of Evaluation Area 3 are *Nutrient Attenuation*, *Flood flow Alteration*, and *Wildlife Habitat*.

Because of its emergent and forested characteristics that occur between managed golf course turf and areas of ponded water, Nutrient Attenuation is an important function of this area. Excess nutrients in runoff are taken up and held as vegetation rather than entering areas of open water. The restricted outlet at the beginning of the narrow channel, even in the absence of the current beaver dam, increases retention time, supporting nutrient transformation. Heavy algae growth in the currently flooded wetland provides strong evidence that the wetland does carry out this function. This storage capacity created by the restricted outlet also supports flood flow alteration function. Wildlife habitat is present in the form of numerous soft-mast producing species in the scrub-shrub stratum that are likely utilized by numerous song birds and small mammals. The shallow pond-like character of the connecting ditch, as well as the flooded forested wetland are suitable to amphibians and turtles. Vernal pool breeding activity, though very modest, was in fact noted in the forested wetland during the spring of 2020. This is discussed further in the Vernal Pool section.

Evaluation Area 3.1: The wetland being evaluated in this area consists maintained lawn area extending between the forested wetland in Area 3 to one of the ponds in Area 5. Both hydric soils and signs of wetland hydrology were documented in this area, and although vegetation consists of golf course turf, this is an artificially maintained condition that would cease if mowing ended. This area may have represented the extent of wetland in this area predating large scale alteration of the landscape or could have developed due to these alterations and the new drainage patterns that it created.

Functions/Values

Though technically qualifying as wetlands, these areas of maintained lawn hold very little, if any, functional wetland value. Other than intermittent ponding, there is no surface water, no wildlife habitat, or unique or interesting features. The primary function of this wetland is limited *Groundwater Discharge*.

Evaluation Area 4: is located in the eastern portion of the project site just south of Evaluation Area 2 but is separated from this area by the access driveway for Parcel 234/4, currently occupied by Mercury Systems. The northern portions of Evaluation Area 4 consists of forested, Red Maple dominated wetland similar to that described in Evaluation Areas 2 and 3 but with stable saturated hydrology (PFO1B). These forested wetlands drain south toward Limit Brook, a perennial stream which enters the site from the east and flows through a complex of emergent and scrub-shrub wetlands and areas of golf course turf. These wetlands are areas dominated by cattail, numerous sedges, rushes, Silky Dogwood, and Arrow-Wood. These wetlands are classified as PEM1E/PSS1E.

Functions/Values

The primary functions of the wetlands in Evaluation Area 4 are *Wildlife Habitat*, *Nutrient Attenuation*, and *Flood flow Alteration*. The variety of wetland types present in this wetland complex, in association with a perennial stream, supports a number wildlife habitat functions. These range from the presence of numerous soft-mast producing species in the scrub-shrub stratum which provides foraging habitat for numerous songbirds and small mammals, to the forested areas which provide cover and denning opportunities. Though several barriers exist to free travel along the Limit Brook corridor it likely does provide access between the habitats on this site and a large utility right-of-way located to the south which extends do to the Merrimack River.

Because of its association with a golf course turf and a perennial stream, Nutrient Attenuation is an important function of this area. Excess nutrients in runoff are taken up and held as vegetation rather than entering areas of open water. Additionally, the broad nature of the areas on either side of the stream provide ample floodwater storage during major rain events and during spring snowmelt. This wetland complex also has several secondary functions including Shoreline Stabilization and Production Export.

Evaluation Area 5: This area is located immediately west and downstream from Evaluation Area 4. It represents the continued flow path of Limit Brook and also receives flow from Area 3. It is being evaluated separately because, unlike the relatively natural emergent and scrub shrub wetlands through which Limit Brook Flows in Area 4, Evaluation Area 5 consists of two interconnected ponds that were excavated during construction of the golf course as water features. Their water level is maintained by a small dam located adjacent to Steele Road. These ponds are too small and shallow to be classified as lacustrine features so they are classified under the Palustrine system as areas of Unconsolidated Bottom, in this case also excavated and impounded (PUBHxh). The ponds have fringe of scrub-shrub and emergent saturated wetlands (PEM2/PSS1E) but are otherwise surrounded by golf-course. Dominant species in the fringe wetland areas include Speckled Alder, Purple Loosestrife, Reed Canary Grass, and numerous other meadow species such as goldenrods and asters.

Functions/Values

The primary function of the wetlands in Evaluation Area 5 is Flood flow Alteration. The interconnected ponds and the broad flat expanses above the wetland bank provide flood storage during high flow events. A secondary function of these wetlands include the Wildlife Habitat contained within the pond, typically suitable for warm water fish species, amphibians, and turtles.

Evaluation Area 6: This area extends from the south side of Steele Road to the southeastern property boundary and contains a shallow pond, an area of ditched wet meadow, and a more natural emergent and scrub-scrub shrub wetland. Limit Brook flows through these areas and off-site to the south. The excavated pond is similar to those in Area 5 but appears shallower and more likely to have a vegetation in the water. It has therefore been classified as an area of Palustrine Aquatic Bed wetland (PABHx). A narrow ditched channel extends from a pipe at the downstream end of the pond through maintained turf. Dominant species in the fringe wetland around the pond and this ditched wet meadow are consistent with Area 5 although shrubs are largely absent so they have been classified as saturated emergent (PEM2B). The final portion of wetland in the evaluation area is a largely natural emergent and scrub-scrub shrub wetland through which Limit Brook flows unimpeded off site to the south. This wetland is similar to the wetland in Area 4 where Limit Brook enters the site. It is numerous sedges, rushes, ferns, Silky Dogwood, and Arrow-Wood. This wetland is classified as PEM1E/PSS1E

Functions/Values

The primary functions of the wetlands in Evaluation Area 6 are, *Flood flow Alteration, Nutrient Attenuation, and Wildlife Habitat*. This area lies within the mapped 100 year floodplain associated with Limit Brook so the pond and wetland areas are clearly important flood storage areas. The pond, with its constricted outlet and narrow, densely vegetated swale, act as an effective water quality treatment feature. Together they are able to intercept and treat runoff from the expanse of managed turf surrounding them prior to releasing it to more natural wetlands downstream. These more natural areas hold the greater wildlife value, with numerous food sources, cover, and connectivity to off-site habitat areas.

Evaluation Area 7 consists of the 4 isolated excavated ponds located in the throughout the course. Like the ponds discussed in Areas 5 and 6, these ponds were excavated during construction of the golf course

to create water features. Unlike the ponds along the course of Limit Brook however, these ponds are hydrologically isolated features. Only a very narrow fringe of emergent wetland exists around their nearly circular perimeter and this is subject to regular mowing. Species in this fringe wetland include Purple Loosestrife, Reed Canary Grass, Soft Rush, and common meadow species such as asters and goldenrods. The ponds have been classified as permanently flooded unconsolidated bottom wetlands created by excavation (PUBHx).

Functions/Values

The function and value of these ponds is limited by their small size, isolated hydrology, and setting surrounded by managed golf course turf. Their primary function is *Groundwater Recharge/Discharge*. A secondary function is very limited Wildlife Habitat for species such as eastern painted turtles, green frogs, mallards and Canada geese which have been observed utilizing the ponds and their margins.

Evaluation Area 8 is a small, isolated depression located at the edge of a fairway in the southwest corner of the project site. This area may have been created or adapted to function as a detention pond as there are several pipes entering the area. Soil are sandy and it does not appear to hold water for significant periods of time but also does not have an obvious outlet. Vegetation, while sparse, includes sensitive fern, Purple Loosestrife, and various weedy species. This area may be classified as an intermittently flooded, excavated, wet meadow (PEM2Jx)

Functions/Values

The primary functions of this wetland are *Groundwater Recharge* and *Sediment/Toxicant Retention*. Both these functions are derived from the fact that the area receives runoff from the surrounding golf course and infiltrates it through a sandy substrate. This provides groundwater recharge and prevents sediment and from entering the Merrimack River which lies close by.

VERNAL POOLS

A vernal pool investigation was conducted on in the spring of 2020. Wetland areas were investigated for the presence of suitable ponding and evidence of vernal pool breeding activity, primarily through counting of egg masses. The topography of the site and character of the wetlands did not suggest extensive vernal pool habitat. The permanently flooded ponds on the site likely support fish populations and certainly do support large populations of predatory frogs, so they do not support vernal pool breeding habitat. Nor do the majority of the forested and emergent wetlands which lack depressions with adequate depth and seasonal hydrology.

Only one area of vernal pool breeding was noted on the property. This was located in the forested portion of Evaluation Area 3. Wood Frog chorusing was heard throughout the wetland which was flooded on March 26 but no egg masses were found. A total of 14 wood frog egg masses were identified in a single area at the northern end of this wetland during a follow up survey of on April 4, 2020. The location is provided on the attached figure.

The current flooding of this wetland is being maintained by a beaver dam at its outlet so it is not clear that this entire forested wetland represents suitable stable habitat for vernal pool breeding. Without the impoundment the wetland would only be saturated, as can be seen in the 2012 photo that is used for the base of the attached figure. It is. The area where egg masses were identified may in fact be the only location where a suitable pool exists without the beaver impoundment.

WILDLIFE

Overall Wildlife potential on the site is limited by the fact that the majority of the property consists of a manicured golf course landscape. The forested areas in the eastern portion of the site, with its wetlands and the course of Limit Brook, provide habitat for songbirds, small mammals, amphibians, and turtles. The Merrimack River and its bank also present a significant wildlife corridor.

A review request was also submitted to New Hampshire Natural Heritage Bureau for the presence of known species of concern on or near the site. Two species were identified as potentially occurring on the site, Perseus Dusky Wing (*Erynnis persius persius*) which is a moth associated with Wild Lupine, and Eastern Box Turtle (*Terrapene carolina*). The record of Perseus Dusky Wing dates back to 1975 and was has previously been determined to not exist on this site. We will be coordinating with NH Fish and Game on the potential presence Eastern Box turtle or the presence of suitable habitat for this species. We expect that certain mitigating design measures will be incorporated into the project to prevent mortality during construction or operation of the site.

This concludes the report on the wetlands and natural features associated with the Hudson Logistics Center project. If you have any questions please feel free to contact me at (603) 778-0644.

Sincerely,



Brendan Quigley, NHCWS #249
Gove Environmental Services, Inc.

Enc. Figure 1-Wetland Evaluation Areas



Figure 1

Wetland Evaluation Areas

**Hudson Logistics Center
Steele Road
Hudson NH**



Gove Environmental Services, Inc.
A Division of The Gove Group, Inc.

Date: 4/19/20

PROJECT NARRATIVE

HUDSON LOGISTICS CENTER

Introduction and Overview

The applicant, Hillwood Enterprises, L.P. (“Hillwood”) is requesting Planning Board approval of a Subdivision, Site Plan, and Conditional Use Permit in support of a proposed redevelopment of the Greenmeadow Golf Club (the “Club”) into the Hudson Logistics Center. The Hudson Logistics Center is proposed to be located on real property consisting of approximately 372.13 acres which is located off of Lowell Road and Steele Road, and is further identified as Town Tax Map 234, Lot 5, and Tax Map 239, Lot 1. Hillwood has entered into an agreement to purchase the Property from Greenmeadow Golf Club, Inc., the current owner (“Greenmeadow”). As a part of the redevelopment project, Hillwood is proposing to consolidate Tax Map 234, Lot 5 and Tax Map 239, Lot 1 and then subdivide the consolidated lot into three new lots (individually and respectively to be known as “Lots A, B and C”).

The Hudson Logistics Center will consist of three new distribution and logistics buildings, one to be sited on each of the proposed lots, which will together constitute a combined building footprint of approximately 2,603,400 SF. The Property will be accessed primarily via a new dedicated subdivision road off of Lowell Road which will traverse properties identified as Town Tax Map 234, Lots 34 and 35, which will require minor lot line adjustments (all four (4) related properties collectively referred to throughout as the “Property”), and be accepted by and conveyed to the Town (the “Subdivision Road”) with the subdivision road proposed to be named Green Meadow Drive.

The Hudson Logistics Center will create thousands of new jobs, constitute millions of dollars in community improvements and new annual tax revenue (without the drain on Town services or infrastructure that would be caused by competing uses such as residential or retail uses), will be an economic boost for the Town of Hudson in these uncertain times, and is the type of development specifically contemplated by the Town’s Master Plan.¹

Master Plan and Opportunity for Redevelopment

While we understand the Town of Hudson has embarked on a Master Plan update process, we note that a number of important factors originally identified in the Town’s 2006 Master Plan have been critical in attracting Hillwood to the Town of Hudson. These factors, as articulated in the 2006 Master Plan, include the following:

- One of Hudson’s strengths is its location near major existing and proposed transportation infrastructure. This infrastructure allows for easy access to Hudson’s industrial and commercial base, as well as access to the surrounding industrial and commercial centers of Nashua, Manchester and the Boston metropolitan area.
- While the Town cannot control general economic forces and trends, it should promote the development of a diverse economic base. A diverse business and industrial base can help

¹ See Town of Hudson, NH, 2006 Master Plan, Chapter IV (“Economic Development”).

prevent economic downturns affecting certain sectors of the economy from having a disproportionate impact on the Town's overall economic health.

- In order to maintain and improve Hudson's tax base, the Town should focus on attracting and maintaining those non-residential uses that tend to have the highest assessed value. These include commercial development such as ... industrial uses and utilities.
- Hudson has the opportunity to further increase employment through continued development and redevelopment of commercial and industrial property.
- It is essential that the Town maintain and enhance its tax base by attracting commercial, industrial and mixed-use development with a high assessed value per land area.

For these reasons and others, the Property is ideally suited for the redevelopment of the Hudson Logistics Center, consistent with the goals and objectives of the Master Plan.

History, Location, Existing Conditions and Current Operations

History

Greenmeadow Golf Club, Inc. was founded by Phil and Jeanne Friel in 1960. Throughout the 1960's and beyond, the Property evolved into two 18-hole golf courses as explained in greater detail below. In addition to the golf courses, the Property is currently improved with a clubhouse, as well as other maintenance and storage facilities. An asphalt paved parking lot is located west of the clubhouse and is used for patron cars and electric golf carts. Steele Road and Country Club Driveway provide access to the onsite structures.

Location

The Property is bounded to the north by Circumferential Highway/Sagamore Bridge Road, Sagamore Park Road, and the Sagamore Industrial Park, Dunkin Donuts and Haffner's; to the east by commercial and industrial properties (Sam's Club, Sam's Club Gas Station, Mercury Systems [formerly Vectron], Golf and Ski Warehouse) and residential properties; to the south by residential properties off Eagle Drive and Fairway Drive; and to the west by the Merrimack River followed by industrial and commercial properties (Ashley HomeStore and Ashbrook Furniture, Lovering Volvo Cars Nashua, and Worthen Industries).

Most recently in 2017, the Property was the subject of zoning amendments to allow for an increase in building height in order to attract a potential redevelopment of the property to reflect more recent trends in industrial and related uses. The purpose of amending the zoning was also to reflect a desire to move away from retail and residential uses in order to minimize potential impacts to the Town, including the surrounding neighborhood, and to attract light industry, logistics and e-commerce facilities to the Property, given its location adjacent to Sagamore Bridge Road and major highway transportation routes, as noted above.

Existing Conditions

- **Physical Conditions, Zoning and Wetlands**

The Property is a combined 399.12 +/- acres, the vast majority of which is located in the General-One Zoning District. A small triangle of land located along the eastern boundary of Map 239 Lot 1 and property identified as Map 228 Lot 4, which is owned by Sam's RE Business Trust ("Sam's Club" or the "Sam's Club parcel"), is located in the Business Zoning District.

The Property contains a subtle ridge running north-south through the center. From this ridge, the western part of the land slopes west towards the Merrimack River characterized by a 30'-40' elevation change. The eastern side of the ridge slopes towards the undeveloped portions of the Property and is characterized by a gradual 10'-20' elevation change.

The Property's wetlands were flagged by Gove Environmental Services, Inc. and surveyed by Hayner/Swanson, Inc. Wetlands constitute approximately 39.9 acres of the Property. The majority of the wetland areas are located in the eastern portion of the Property, which is flat. A portion of the Property's wetlands flow north to a culvert located beneath Sagamore Bridge Road behind the Sam's Club parcel. The remaining portion of the wetland complex is associated and hydraulically connected to Limit Brook, which flows through the Property to the south.² Finally, the Property is located within Flood Zones AE, A, and X.

- **Use and Access**

Since 1961, the Property has been the location of the Club and its associated improvements to include 36-holes, a clubhouse with parking and a maintenance facility and associated parking. Access to the Club is provided via Steele Road, a portion of which was accepted by the Town in 1985. The limit of the Town's acceptance and its maintenance of Steele Road is several hundred feet to the east of the Property, as depicted on the enclosed plans, in close proximity to distinct property owned by Greenmeadow identified as Tax Map 234 Lot 6. Thereafter, Steele Road is gated and has been maintained by Greenmeadow.³

In addition to Steele Road, the Property is benefited by two access easements over abutting properties which the Hudson Logistics Center will utilize, as explained below. The first access easement is located on a parcel owned by 267 Lowell Rd Hudson, LLC ("267 Lowell Road"). *See Hillsborough County Registry of Deeds, Book 7617, Page 1361 (the "267 Lowell Road Easement")*. The second access easement is located on the Sam's Club parcel (7 Wal-Mart Boulevard) and was reserved by the Friels in a deed when Greenmeadow sold the Sam's Club property to Wal-Mart. *See Hillsborough County Registry of Deeds, Book 5273, Page 1211 (the "Sam's Club Easement")*. Both easements provide access to Lowell Road.

² The bank of the Merrimack River and several man-made "golf-course" water features on the Property were considered wetlands for the purpose of Hillwood's development proposal.

³ A portion of Steele Road beyond the limit of the Town's acceptance may be a Class VI highway pursuant to RSA 229:1. *See below summary regarding Hillwood's proposed relocation the same Steele Road.*

- **Water and Wastewater**

The Property and Club are currently served by Town water and an on-site septic system.

Proposed Hudson Logistics Center Development

- **Access**

The Subdivision Road will be built within the 267 Lowell Road Easement and will access the Property from Lowell Road across from Rena Avenue, as depicted on the enclosed plans. The Subdivision Road, which is proposed to be 2,670' in length and will comprise 5.785 acres, will serve as the primary access to the Hudson Logistics Center and provide frontage to Lot A, Lot B, Lot C and the 267 Lowell Road parcel. In addition to the Subdivision Road, Lot A will be accessed via a private drive over the Sam's Club property utilizing the Sam's Club Easement. As noted above and in the enclosed plans, there is a question regarding the status of Steele Road west of the limit of the Town's acceptance and maintenance of the same. As a precautionary measure, Hillwood is proposing to relocate that portion of Steele Road pursuant to RSA 231:8, et seq., in a manner that will benefit both the Hudson Logistics Center and the public.

- **Proposed Improvements**

Lots A, B and C will each contain a distribution and logistics building, or similar use consistent with the Zoning Ordinance, and associated site improvements to include parking and stormwater management infrastructure. Lot A is proposed to be approximately 161.8 acres and the building on Lot A will be approximately 1,079,700 SF. Lot B is proposed to be approximately 97 acres and the building on Lot B will be approximately 1,001,700 SF. Finally, Lot C is proposed to be approximately 108.6 acres and the building on Lot C will be approximately 522,000 SF. In addition to the above described improvements on Lots A, B and C, Hillwood is proposing access to the Merrimack River and corresponding parking at the southern portion of the site as detailed on the enclosed plans.

- **Landscaping, Screening and Buffering**

Through the design of the Hudson Logistics Center, landscaping, buffering and screening has been added to mitigate against potential adverse effects of the development and enhance on-site aesthetics through a consistent landscape design. Particular attention has been focused on the southern boundary of the Property which abuts residential properties on Fairway Drive and Eagle Drive. Specifically, Hillwood proposes significant screening and preservation of a 200-foot buffer which will include but not be limited to solid screening and a visual buffer consisting of natural vegetation and other landscape features that will enhance aesthetics and also minimize potential noise, light and other potential impacts on Fairway Drive, Eagle Drive and beyond. Additional landscaping and screening shall be reviewed and considered through the Planning Board's review process.

- **Wetlands**

The project contemplates approximately 124,700 SF of direct wetlands impact, nearly half of which (approximately 59,020 SF) is caused by the Subdivision Road and cul-de-sac which will serve as the primary access to the Hudson Logistics Center as referenced above. The rest of the project, consisting of the development of approximately 2,603,400 SF of new building area and associated access ways and site improvements, will translate to only approximately 65,680 SF of additional direct wetlands impact.

The project's wetland impacts are the subject of Hillwood's Conditional Use Permit Application and various state permits Hillwood is pursuing through the New Hampshire Department of Environmental Services. Hillwood looks forward to discussing various mitigation efforts to offset the project's impact to onsite wetlands during the Conservation Commission and Planning Board's review process.

- **Water and Wastewater**

The Hudson Logistics Center is proposed to be served by Town water and sewer upon completion of the allocation process detailed in §270-17(D) of the Town Code.



AUTHORIZATION

HILLWOOD ENTERPRISES, L. P., with business address at 5050 W. Tilghman Street, Suite 435, Allentown, PA 18104, hereby authorizes and designates its agents, Smolak & Vaughan LLP, Langan Engineering & Environmental Services, Inc., and Donahue, Tucker & Ciandella, PLLC, to execute, submit, and prosecute land use applications and any applicable materials to any local, state and/or federal governmental entities, including but not limited to, applications filed with the Town of Hudson, New Hampshire, and to take any action necessary for the application and permitting process, including but not limited to, attendance and presentation at public hearings, with respect to the following parcels of the land as Hillwood is authorized by said property owners, for the following properties, including: (a) 11, 15 and 43 Steele Road -- Tax Map 234, Lot 5 (11 Steele Road), Tax Map 234, Lot 6 (15 Steele Road), and, Tax Map 239, Lot 1 (43 Steele Road), owned by Greenmeadow Golf Club, Inc.; and, (b) 273 Lowell Road -- Tax Map 234, Lot 34, owned by Thomas P. Friel and Philip J. Friel, III.

Dated: April 21, 2020

Hillwood Enterprises, L.P.,
a Texas limited partnership

By: AHB, LLC,
a Texas limited liability company
its general partner

By: 
Name: Gary B. Frederick
Title: Sr. Vice President, duly authorized.

LETTER OF AUTHORIZATION

GREENMEADOW GOLF CLUB, INC., a New Hampshire corporation, owner of property depicted on the Town of Hudson, New Hampshire Assessors Maps as Tax Map 234, Lot 5 (11 Steele Road), Tax Map 234, Lot 6 (15 Steele Road), and, Tax Map 239, Lot 1 (43 Steele Road) (collectively, the "Property"), do hereby authorize Hillwood Enterprises, L.P ("Applicant"), and/or its agents and any engineering firm, or architecture firm or attorneys which Applicant may designate, to execute, submit, and prosecute land use applications and any applicable materials to any local, state and/or federal governmental entities, including but not limited to, applications filed with the Town of Hudson, New Hampshire, and to take any action necessary for the application and permitting process, including but not limited to, attendance and presentation at public hearings, of the said Property.

Dated: April 16, 2020

GREENMEADOW GOLF CLUB, INC.

By: _____

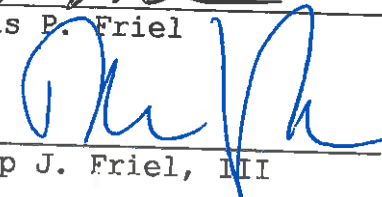
Title: Vice President,
duly authorized.

LETTER OF AUTHORIZATION

Thomas P. Friel and Philip J. Friel, III, the owners of property depicted on the Town of Hudson, New Hampshire Assessors Maps as Tax Map 234, Lot 34 (273 Lowell Road), do hereby authorize Hillwood Enterprises, L.P, ("Applicant"), and/or its agents and any engineering firm, or architecture firm or attorneys which Applicant may designate, to execute, submit, and prosecute land use applications and any applicable materials to any local, state and/or federal governmental entities, including but not limited to, applications filed with the Town of Hudson, New Hampshire, and to take any action necessary for the application and permitting process, including but not limited to, attendance and presentation at public hearings, of the said Property.

Dated: April 16, 2020

By:  TF
Thomas P. Friel

By: 
Philip J. Friel, III