



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

SITE PLAN APPLICATION

Revised April 2024

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

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

The following information is required to be filed with the Planning Department *no later than 10:00 A.M., Tuesday ONE WEEK prior to the scheduled Planning meeting. The purpose of these materials is hardcopy distribution to Planning Board members, not review.*

Any plan revisions that require staff review must be submitted no later than 10:00A.M., Tuesday TWO WEEKS prior to the scheduled Planning meeting. Depending on the complexity of changes, more time may be required for review. Please contact the Town Planner if you have any questions on this matter.

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

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

SITE PLAN APPLICATION

Date of Application: 5/13/2024 Tax Map #: 136 Lot #: 1

Site Address: 12 Bockes Road

Name of Project: Miara Transportation

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

Z.B.A. Action: _____

PROPERTY OWNER:

DEVELOPER:

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

Address: 12 Bockes Road

Address: Hudson, NH 03051

Telephone # 1-978-658-3616

Email: joe@jamiara.com

PROJECT ENGINEER:

SURVEYOR:

Name: Keach Nordstrom Assoc., Allison Lewis

Keach Nordstrom Assoc., Chris Hickey

Address: 10 Commerce Park North, Suite 3

10 Commerce Park North, Suite 3

Address: Bedford, NH 03110

Bedford, NH 03110

Telephone # 603-627-2881

603-627-2881

Email: alewis@keachnordstrom.com

chickey@keachnordstrom.com

PURPOSE OF PLAN:

This project proposes to construct a 9,600 sf garage with attached 3,600 sf awning in the rear of the property. The proposed structure will be used for trailer storage to keep snow and weather away from trailers and equipment.

(For Town Use Only)

Routing Date: _____ Deadline Date: _____ Meeting Date: _____

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

_____ Title: _____ Date: _____

(Initials)

Department:

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

SITE DATA SHEET

PLAN NAME: Miara Transportation

PLAN TYPE: SITE PLAN

LEGAL DESCRIPTION: MAP 136 LOT 1

DATE: 5/13/2024

Location by Street: 12 Bockes Road

Zoning: R-2

Proposed Land Use: Transportation Company

Existing Use: Transportation Company

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

Number of Lots Occupied: 1

Existing Area Covered by Building: 25,618.1 sf

Existing Buildings to be removed: 0

Proposed Area Covered by Building: 41,248.1 sf (2,430 sf previously approved, but not yet built)

Open Space Proposed: 220,365 sf

Open Space Required: N/A

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

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

Required Lot Size: 60,000 sf

Existing Frontage: 569.85 ft

Required Frontage: 120 ft

Building Setbacks:	<u>Required*</u>	<u>Proposed</u>
Front:	<u>50 ft</u>	<u>27.6 ft (existing)</u>
Side:	<u>15 ft</u>	<u>20.8 ft (existing)</u>
Rear:	<u>15 ft</u>	<u>59.8 ft</u>

SITE DATA SHEET
(Continued)

Flood Zone Reference: 300920536D

Width of Driveways: 31.5 ft (existing)

Number of Curb Cuts: 0

Proposed Parking Spaces: 7 spaces (32 existing)

Required Parking Spaces: 34 spaces

Basis of Required Parking (Use): Automotive & Office Space

Dates/Case #/Description/Stipulations
of ZBA, Conservation Commission,
NH Wetlands Board Actions: 9/29/16, Case # 136-001 Wetlands Special Exception Permit
(Attach stipulations on separate sheet) 9/29/16, Case # 136-001 Variance for expansion of non-conforming use.
7/11/16, Con Com recommends Wetland Special Exception approval.
3/24/2022, Case # 136-001 Variance for expansion of non-conforming use.
Waiver Requests 4/27/2023, Case # 136-001 Variance for expansion of non-conforming use.

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

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

SITE PLAN APPLICATION AUTHORIZATION

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

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

Signature of Owner: Joseph A. Miara Jr Date: 5/5/24
Print Name of Owner: Joseph A Miara jr

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

Signature of Developer: _____ Date: _____
Print Name of Developer: _____

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

SCHEDULE OF FEES

A. REVIEW FEES:

<u>1. 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.	\$ _____
Industrial	\$150.00/1,000 sq.ft for first 100,000 sq.ft. (bldg. area); \$78.50/1,000 sq.ft thereafter.	\$ <u>1,980</u> _____
<div style="border: 1px solid black; display: inline-block; padding: 2px;">13,200 SF</div>		
No Buildings	\$30.00 per 1,000 sq.ft. of proposed developed area	\$ _____

CONSULTANT REVIEW FEE: (Separate Check)

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

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

LEGAL FEE:

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

B. POSTAGE:

<u>9</u> Direct Abutters Applicant, Professionals, etc. as required by RSA 676:4.1.d @\$5.08 (or Current Certified Mail Rate)	\$ <u>45.72</u>
<u>5</u> Indirect Abutters (property owners within 200 feet) @\$0.68 (or Current First Class Rate)	\$ <u>3.40</u>

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

TOTAL \$ 2,304.12

SCHEDULE OF FEES

(Continued)

(For Town Use)

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

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

D. RECORDING:

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

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

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

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

**TOWN OF HUDSON
SITE PLAN REVIEW CHECKLIST**

This checklist is intended to help the applicant and staff to ensure application completeness. Please refer to the regulations on the exact language of each requirement.

Key: Y=Yes P=Pending W=Waiver Request

Relevant Regulations:

§ 276-11.1 General Plan Requirements

§§ 275-8 – 275-9 Site Plan Requirements

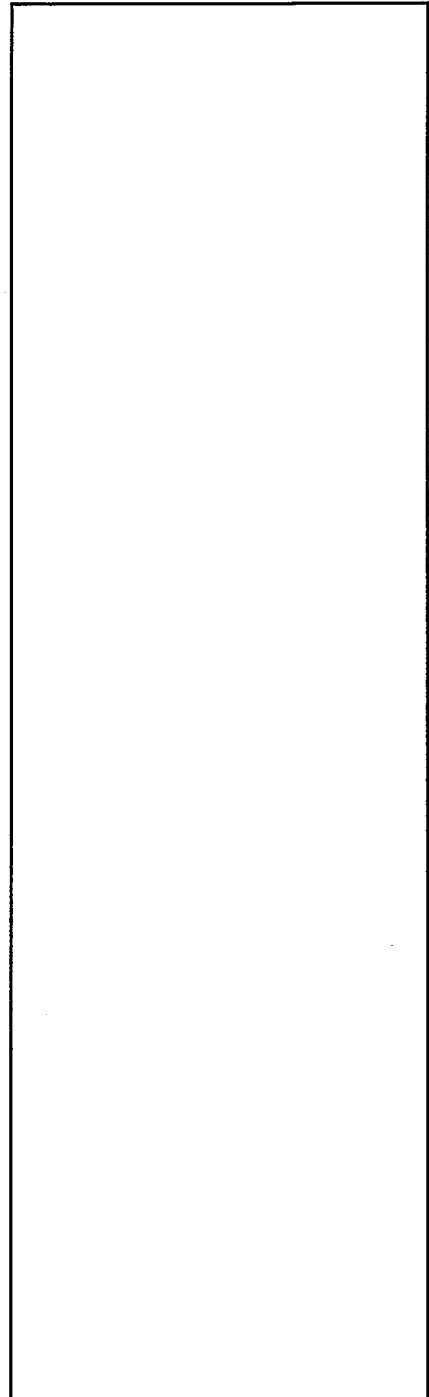
- | | <u>Y</u> | <u>P</u> | <u>W</u> | |
|-----|-------------------------------------|-------------------------------------|--------------------------|--|
| 1. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - A list of the names and addresses of the owner(s) of the property, the applicant(s), and all abutters as indicated in the office of the Town Assessor records not more than five (5) days prior to the day of filing [§ 276-11.1.A.] |
| 2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Sets of plans and copies as indicated on application. |
| 3. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Scale no smaller than 50 feet to the inch (1" = 50') [§ 276-11.1.B.(2)] |
| 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Title block in the lower right-hand corner of the plan, containing: [§ 276-11.1.B.(3)] |
| 5. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Title, including the term "site plan" or "subdivision plan" |
| 6. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - The name for whom the plan was prepared |
| 7. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Preparer of the plan |
| 8. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - The scale(s) of the plan |
| 9. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Date of the plan |
| 10. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Appropriate revision block |
| 11. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Approval block (2"x6") located on the lower left corner of each sheet, with the required language and signature line [§ 276-11.1.B.(4) & § 289-27.A] |
| 12. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | - Owner's printed name and address and signature [§ 276-11.1.B.(6)] |
| 13. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of all abutting property owners [§ 276-11.1.B.(7)] |
| 14. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - A locus plan at one inch equals 1,000 feet (1" = 1,000') [§ 276-11.1.B.(8)] |

Notes

(Continue next page)

- 15. - Boundary of the entire parcel held in single ownership with boundary dimensions and bearings
[§ 276-11.1.B.(9)]
- 16. - Error of closure shown and certified by a licensed land surveyor
- 17. - North point arrow
- 18. - Zoning classification note of the tract and location of the zoning district boundaries if the property is located in two or more zoning district
[§ 276-11.1.B.(10)]
- 19. - The location of all buildings within 50 feet of the tract
[§ 276-11.1.B.(15)]
- 20. - The location of roadways, driveways, travel areas or parking areas within 200 feet of the tract, in accordance with § 276-11.1.B.(16)
- 21. - Existing topography at two-foot contour intervals of that portion of the tract being proposed for development from a topographic survey and contours on the remainder of the tract from a reliable plan source [§ 276-11.1.B.(17)]
- 22. - Proposed topography at two-foot contour intervals
[§ 276-11.1.B.(18)]
- 23. - A note identifying the Tax Map and Lot Number of the tract [§ 276-11.1.B.(19)]
- 24. - The location of all existing buildings (including size and height), driveways, sidewalks, parking spaces, loading area, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements landscaping and other pertinent items. [§ 276-11.1.B.(20)]
- 25. - The location of all proposed construction, buildings, structures, pavement, etc. [§ 276-11.1.B.(21)]
- 26. - A green area shown between the right-of-way line and any pavement, gravel or structure meeting the required minimum width [§ 276-11.1.B.(22)]
- 29. - Note any pertinent highway projects.
[§ 276-11.1.B.(23)]

(Continue next page)



**TOWN OF HUDSON
SITE PLAN REVIEW CHECKLIST**

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Key: Y=Yes P=Pending W=Waiver Request NA=Not Applicable (please explain)

- | | <u>Y</u> | <u>P</u> | <u>W</u> | <u>NA</u> | |
|-----|-------------------------------------|--------------------------|--------------------------|-------------------------------------|---|
| 30. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | - The location of all building setback lines as required by Chapter 334, Zoning, and setback lines as required by § 276-11.1.B.(12). |
| 31. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | - The location size and character of all signs or a note* stating "All signs are subject to approval by the Hudson Zoning Administrator prior to installation thereof." [§ 276-11.1.B.(13)]
*The discrepancy on the note language is correct – reference to the Planning Board in the regulations is outdated. |
| 32. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | - The location, detail and character of all exterior lighting or a note stating: "There will be no exterior lighting." [§ 276-11.1.B.(14)] |
| 33. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required open space, including the calculation showing the requirement is met [§ 276-11.1.B.(24)] |
| 34. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Parking space calculation showing and a statement stating the required parking spaces are provided [§ 275-8.C.(2) & (3)] |
| 35. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required dimensions for parking space [§ 275-8.C.(4)] |
| 36. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required dimensions for aisle/access drive [§ 275-8.C.(5)] |
| 37. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required off-street loading spaces [§ 275-8.C.(6)] |
| 38. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required landscaping for the parking lot, including calculation shown the planting requirement is met [§ 275-8.C.(7)] |
| 39. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Required screening for visual separation of incompatible uses [§ 275-8.C.(8)] |
| 40. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Handicap accessibility provided in accordance with the latest ADA Regulations [§ 275-8.C.(11)] |
| 41. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Stormwater Management Plan [§ 275-9.A] |
| 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | - Traffic Study, if required [§ 275-9.B] |
| 43. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | - Noise Study, if required [§ 275-9.C] |

Notes

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**TOWN OF HUDSON
SITE PLAN REVIEW CHECKLIST**

This checklist is intended to help the applicant and staff to ensure application completeness. Please refer to the regulations on the exact language of each requirement.

Key: Y=Yes P =Pending W=Waiver Request NA=Not Applicable (please explain)

- | <u>Y</u> | <u>P</u> | <u>W</u> | <u>NA</u> | |
|----------|-------------------------------------|--------------------------|--------------------------|--|
| 44. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> - Fiscal Impact Study, if required [§ 275-9.D] |
| 45. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> - Utility Study [§ 275-9.E] |
| 46. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> - Copies of any proposed or existing easements, covenants, deed restrictions or any other similar document pertinent to the Site Plan [§ 275-9.F] |
| 47. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> - A copy of all applicable Town, state, county or federal approvals or applications [§ 275-9.G] |
| 48. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> - Environmental Impact Study, if required [§ 275-9.I] |

Notes

(End of checklist)

Owner Affidavit

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

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

Signature of Owner:

Joseph A Miara Jr

Printed Name of Owner:

Joseph A Miara Jr

Address of Owner:

12 Bockes Road

Hudson, NH 03051

Date:

5/15/24



May 13, 2024

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

PROJECT NARRATIVE

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

The property currently contains one 23,188 sf industrial building and one 2,428 sf maintenance building. In February of 2017 the Hudson Planning Board Approved a two-phase expansion on the property. The expansion included a 2,430 Sf building, pavement expansion in the rear of the existing building, and a large expansion of the gravel area. The gravel area expansion included a wetland impact to the existing wetlands in the rear of the site. This impact was approved through the Hudson Zoning Board, Hudson Conservation Commission, and a Wetland and Non-Site Specific permit was approved by the State of New Hampshire. Phase one of this expansion was the wetland impact and gravel expansion. Phase two is a proposed building addition to the existing maintenance building and the newly paved area.

Phase one of this project has been started. The gravel area has been expanded and the stormwater pond is currently being finalized. Phase two has not begun yet. Final items for Phase 1 are being completed and will be completed by the time of the Planning Board hearing. Due to phase one still being constructed, the previously approved work was included in this plan set in order to show the finalization of phase one and the proposed garage in conjunction.

In 2022 a “hoop structure” was proposed and approved by the Town of Hudson Planning Board and Zoning Board. The hoop structure was originally proposed to afford Miara Transportation a place to store trailers away from winter weather to prevent snow from piling up on the trailers and making them unsafe for roadway travel. Miara Transportation transports a variety of items that come in all shapes and sizes. This assortment makes completely clearing snow from the loaded trailers difficult.

When the owner moved forward with constructing the hoop structure, the Town of Hudson requested that a foundation be installed for the structure. The original design for the hoop structure relied on shipping containers to support the hoop. With a requirement for a foundation, the owner decided to construct an enclosed structure as opposed to a two-sided hoop structure.

This project proposes a 9,600 enclosed garage with a 3,600 covered awning attached. The garage is proposed within the southwest corner of the existing gravel parking lot. The location of the garage was chosen to mitigate visual impacts to surrounding residential properties. In 2023, a variance was approved by the Town of Hudson Zoning Board for an expansion of non-conforming use to allow this proposed garage. This garage would not only mitigate any impacts with snow or other types of weather on the loaded trailers, but also reduce the visual impact of trailer storage for the surrounding properties.

WAIVER REQUEST FORM

Name of Subdivision/Site Plan: Miara Transportation

Street Address: 12 Bockes Road, Hudson, New Hampshire 03051

I Allison Lewis, EIT hereby request that the Planning Board waive the requirements of item HTC 276-11.1(b)(12)(c) of the Hudson Land Use Regulations in reference to a plan presented by Keach-Nordstrom Associates, Inc.
_____ (name of surveyor and engineer) dated May 13, 2024 for property tax map(s) 136 and lot(s) 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):
Please see attached waiver request

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):
Please see attached waiver request

Signed:

Applicant or Authorized Agent

May 13, 2024

Town of Hudson
Planning Department
12 School Street
Hudson, New Hampshire 03051

Subject: **Waiver Request – Miara Transportation
Tax Map 105; Lot 7
321 Derry Road – Hudson, New Hampshire
KNA Project No. 23-1002-3**

Dear Chairman and Board Members:

Keach-Nordstrom Associates, Inc. is submitting an application for Planning Board approval for the above referenced project and as such, we are requesting a waiver from **Section 276-11.1(b)(12)(c) General Plan Requirements** of the Town of Hudson Site Plan Regulations:

Hardship reason(s) for granting this waiver:

This is an existing development. The Applicant’s proposal, to construct a 13,600 sf garage seeks to build the garage within the existing boundary of the gravel yard on the property. The property is utilized by a transportation company who uses the rear gravel yard for storage and loading of trailers. While the property is located within the R-2 zone, commercial use was present on site before the area had been rezoned to R-2 in 1985. Due to the re-zoning the property is surrounded by residential properties. Requiring the Applicant to meet the regulation and build outside of the residential buffer would result in lose of truck and trailer mobility within the site, as trailers and trucks have large turning radius’, and that would render the site unusable for the current use of the property.

Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations:

The spirit and intent of this regulation is to provide adequate space between residential uses and commercial/industrial uses. The parcel has existed as a commercial/industrial use since before the Residential 2 zone was enacted. The location of the proposed garage was chosen as to have the least impact on neighboring properties. There is a large wetland complex to the south of the garage that is densely wooded and blocks the view of the property from homes on Rolling Wood Drive. The property to the west that is the closest to the proposed garage is open space within the Rolling Woods development and is also heavily wooded. Finally, the garage is located as far as is feasibly possible away from the property at 16 Bockes Road, and there is an existing treeline between the parcels. With the combination of heavily wooded areas and the proposed location being more than 300’ from any residential home, this proposed garage should not affect the neighboring residential parcels. Furthermore, in 2023 the Zoning Board approved this garage as an expansion of a non-conforming use within the R-2 zone. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

KNA will be present to further discuss the Waiver at the scheduled hearing. If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely,

Allison Lewis, EIT
Project Engineer
Keach Nordstrom Associates, Inc.

May 13, 2024

Jay Minkarah
Town Planner
12 School Street
Hudson, New Hampshire 03051

Subject: **Stormwater Management Letter**
Miara Transportation Proposed Garage
12 Bockes Road (Map 136; lot 1)
Salem, New Hampshire
KNA Project No. 16-0223-1

Dear Mr. Minkarah,

This project proposes a 13,600-sf garage to the Miara Transportation property that is currently located at 12 Bockes Road. The subject property is developed with an existing pocket pond. The area of the proposed garage is currently a gravel parking area for Miara Transportation trailers. According to the USDA-NRCS Web Soil Survey the area of work is predominately Scituate stony fine sandy loam. The soil is considered an HSG C soil with a saturated hydraulic conductivity of 0.3 in/hr with the application of a safety factor of 2.

During the drainage design process for the existing pocket pond in 2017, the gravel yard run-off was directed to the pocket pond. When utilizing HydroCAD, gravel is considered an impervious surface in the same way that pavement is considered impervious. Due to this, the drainage design done in 2017 used a CN value of 98 for all gravel and pavement surfaces alike on the site.

The proposed project seeks to construct a 13,600-sf garage within the gravel yard that was previously approved and constructed. The garage roof will be impervious and would also use a CN value of 98. Therefore, replacing the area of gravel with the footprint of the proposed garage will not increase the run-off on the site and it will not impact the pocket pond.

Based on the above, the proposed site improvements will not increase the peak rate of runoff from the property.

Sincerely,



Allison Lewis, EIT
Project Engineer
Keach-Nordstrom Associates, Inc.

Abutters List
Miara Transportation
Hudson, NH
KNA#16-0223-1
Updated 5/12/24

Tax Map	Lot	Owner/Applicant
136	001	Joseph A. Miara, Jr., Trustee Granite Realty Trust 12 Bockes Road Hudson, NH 03051
Tax Map 136	Lot 2	Abutter Morris Rev. Trust Peter J. & Tammy L. Morris, Trustees 16 Bockes Road Hudson, NH 03051
136	036	VFW-Hudson Memorial Post 5791 15 Bockes Road Hudson, NH 03051
145 145	003 002	Joseph M. Donahue, Trustee Joseph Ireland 2016 Family Trust 70 Ferry Street Hudson, NH 03051
145	001	1 Bockes Road, LLC 25 Pelham Road, Suite 103 Salem, NH 03079
144&135	021 & 032	Rolling Woods HOA c/o James Weaver 27 Rollings Woods Dr. Hudson, NH 03051
144	21-08	Garret D. Santos & Melissa F. Pierce 21 Rolling Woods Dr. Hudson, NH 03051
135	37	James R. & Varinia G. Weaver 27 Rolling Woods Dr. Hudson, NH 03051

135	36	Stefan and Diane R. Mikolajczuk, Trustees Mikolajczuk Rev. Trust 29 Rolling Woods Dr. Hudson, NH 03051
Tax Map 135	Lot 35	Abutter Within 200-ft Brian T. & Jill C. Leonard 37 Rolling Woods Drive Hudson, NH 03051
136	3	Donald J. & Georgia F. Brussard 18 Bockes Road Hudson, NH 03051
136	4	Zachary Jason Tancrell-Stueve & Danielle Mary MacDonald 20 Bockes Road Hudson, NH 03051
136	5	Shane Howard 4A York Road Hudson, NH 03051

Professional to be notified:

Engineer & Survey
Keach-Nordstrom Associates, Inc.
10 Commerce Park North, Suite 3
Bedford, NH 03110

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

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

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

Peter J. & Tammy L. Morris
16 Bockes Road
Hudson, NH 03051

Peter J. & Tammy L. Morris
16 Bockes Road
Hudson, NH 03051

Peter J. & Tammy L. Morris
16 Bockes Road
Hudson, NH 03051

VFW-Hudson Memorial Post 5791
15 Bockes Road
Hudson, NH 03051

VFW-Hudson Memorial Post 5791
15 Bockes Road
Hudson, NH 03051

VFW-Hudson Memorial Post 5791
15 Bockes Road
Hudson, NH 03051

Joseph M. Donahue, Trustee
Joseph Ireland 2016 Family Trust
70 Ferry Street
Hudson, NH

Joseph M. Donahue, Trustee
Joseph Ireland 2016 Family Trust
70 Ferry Street
Hudson, NH

Joseph M. Donahue, Trustee
Joseph Ireland 2016 Family Trust
70 Ferry Street
Hudson, NH

1 Bockes Road, LLC
25 Pelham Road, Suite 103
Salem, NH 03079

1 Bockes Road, LLC
25 Pelham Road, Suite 103
Salem, NH 03079

1 Bockes Road, LLC
25 Pelham Road, Suite 103
Salem, NH 03079

Rolling Woods HOA
c/o James R. Weaver
27 Rolling Woods Dr
Hudson, NH 03051

Rolling Woods HOA
c/o James R. Weaver
27 Rolling Woods Dr
Hudson, NH 03051

Rolling Woods HOA
c/o James R. Weaver
27 Rolling Woods Dr
Hudson, NH 03051

Garret D. Santos
Melissa F. Pierce
21 Rolling Woods Dr.
Hudson, NH 03051

Garret D. Santos
Melissa F. Pierce
21 Rolling Woods Dr.
Hudson, NH 03051

Garret D. Santos
Melissa F. Pierce
21 Rolling Woods Dr.
Hudson, NH 03051

Stefan & Diane, Mikolajczuk
29 Rolling Woods Dr.
Hudson, NH 03051

Stefan & Diane, Mikolajczuk
29 Rolling Woods Dr.
Hudson, NH 03051

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Brian T. & Jill C. Leonard
37 Rolling Woods Drive
Hudson, NH 03051

Brian T. & Jill C. Leonard
37 Rolling Woods Drive
Hudson, NH 03051

Brian T. & Jill C. Leonard
37 Rolling Woods Drive
Hudson, NH 03051

Donald J. & Georgia F. Brussard
18 Bockes Road
Hudson, NH 03051

Donald J. & Georgia F. Brussard
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Donald J. & Georgia F. Brussard
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Zachary J. Tancrell-Stueve
& Danielle M. Macdonald
20 Bockes Road
Hudson, NH 03051

Shane Howard
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Hudson, NH 03051

Keach Nordstrom Assoc. Inc
10 Commerce Park N.
Suite 3
Bedford, NH 03110

Zachary J. Tancrell-Stueve
& Danielle M. Macdonald
20 Bockes Road
Hudson, NH 03051

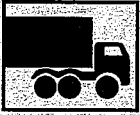
Shane Howard
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4A York Road
Hudson, NH 03051

Keach Nordstrom Assoc. Inc
10 Commerce Park N.
Suite 3
Bedford, NH 03110



J. A. MIARA TRANSPORTATION, INC.
 140 WEST STREET
 WILMINGTON, MA 01887

No. 0246

DATE 5/16/24

53-179/113

Pay to the order of Town of Hudson

\$ 2,404.12

Twenty four hundred four dollars and 12/100

Security Features included. Details on Back.

Eastern Bank
 Boston, MA 02110
 easternbank.com
 1-800-EASTERN

FOR app - Conditional use permit

Frank A. Miara Jr.

⑈000246⑈ ⑆011301798⑆ 0601633644⑈



TOWN OF HUDSON

Conservation Commission



Ken Dickinson, Chairman

Pat Nichols, Selectmen Liaison

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

Motion to Recommend a Wetlands Special Exception

Date: July 11, 2016

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

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

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

Conservation Members Stepping Down: None

Alternates Seated: None

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

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

("Miara Transportation Wetlands Special Exception" motion stipulations continued from page 1)

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

Motion By: J. Battis

Second By: R. Brownrigg

Vote: Favorable: 7 Unfavorable: 0 Abstaining: 0

Dissent Reason(s): None

Approved,

A handwritten signature in cursive script that reads "Ken Dickinson". The signature is written in black ink and is positioned below the word "Approved,".

Ken Dickinson, Chairman

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

A43

FEES:	14.47
SURCHARGE:	2.00
CASH:	-

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Wetlands Special Exception Permit

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

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

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

Carmela O'Leary

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

A43

14-43
2-

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

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

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

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

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

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

Signed:

Maryellen Davis
Maryellen Davis
Chairman, Hudson Zoning Board of Adjustment

Date: 07-Oct-16

Signed:

Bruce Buttrick
Bruce Buttrick
Zoning Administrator

Date: 10-6-16



TOWN OF HUDSON

Zoning Board of Adjustment



Maryellen Davis, Chairman

Thaddeus Luszey, Selectmen Liaison

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

HUDSON ZONING BOARD OF ADJUSTMENT MEETING MINUTES September 29, 2016

I. CALL TO ORDER

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

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

Alternates Present: Gerald Dearborn, Maurice Nolin, Kevin Houle

Staff Present: Bruce Buttrick, Zoning Administrator

Excused: Selectmen Liaison Ted Luszey

Recorder: Mary-Ellen Marcouillier

II. SEATING OF ALTERNATES AND ANNOUNCEMENTS

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

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

III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD

1. Case 136-001 (9-29-16): Joseph A. Miara Jr., Trustee, 12 Bockes Road, Hudson, NH, requests the following:
 - a. A Variance to allow the existing non-conforming use to expand the parking area (storage), loading area and construction of 2,430 sq. ft. maintenance building addition.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairman Davis declared the matter before the Board.

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

Chairman Davis asked the clerk to poll the Board.

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

Vote: 5-0 Grant Variance

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

b. Paul Chisholm, Project Engineer testified:

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

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

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

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

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

Chairman Davis declared the matter before the Board.

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

Chairman Davis asked the clerk to poll the Board.

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

Vote: 5-0 Grant Wetland Special Exception with Stipulation

IV. REVIEW OF MINUTES

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

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

V. ADJOURNMENT

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

Maryellen Davis, Chairman



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

December 6, 2016

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

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

Dear Mr. Miara:

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

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

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

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

Sincerely,

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

enclosures

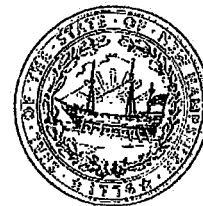
cc: Paul D. Chisholm, Keach-Nordstrom Assoc. Inc.
Hudson Conservation Commission

www.des.nh.gov

222 International Drive • Suite 175 • Portsmouth, NH 03801 (603) 559-1500 • TDD Access: Relav NH 1-800-735-2964



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

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

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

Project Location: 12 Bockes Road, Hudson
 Hudson Tax Map 136 Lot 1

Waterbody: Unnamed Wetland

**NOTE -
 CONDITIONS**

APPROVAL DATE: 12/06/2016

EXPIRATION DATE: 12/06/2021

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

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

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

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

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

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

APPROVED: _____


Eben M. Lewis
DES Wetlands Bureau

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

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)

#546
Hudson Planning

FEES:	30.67
SURCHARGE:	2.00
CASH:	0

SITE PLAN DEVELOPMENT AGREEMENT

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

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

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

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

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

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

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

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

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

II

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

III

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

IV

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

V

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

VI

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

VII

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

VIII

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

IX

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

X

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

XI

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

XII

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

XIII

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

XIV

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

XV

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

XVI

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

XVII

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

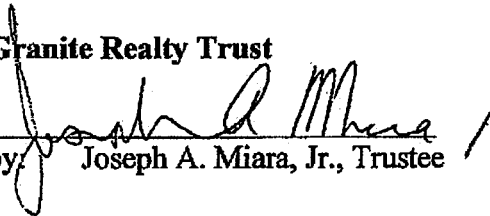
XVIII

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

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



Witness

Granite Realty Trust

by: Joseph A. Miara, Jr., Trustee

TOWN OF HUDSON, NH



Witness



by: Glenn Della-Monica, Chairman
Hudson Planning Board

Send recorded copy to:

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

NOTICE OF DECISION

Map 136, Lot 001-000, Zone R-2 (Residential-Two), Case # 136-001
ZBA Decision 03/24/2022

Variance – GRANTED with 2 stipulations

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

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

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

Property Location: 12 Bockes Road, Hudson, NH 03051

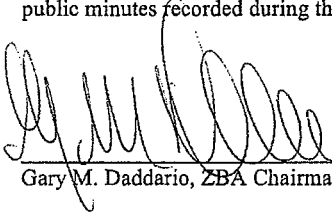
Action sought: Variance to erect a 80 ft. x ~79 ft. x 34 ft. high 'hoop' structure attached by 4 (four) 40 ft. ocean containers used as a base with a proposed location in the rear of the property

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

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

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


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



Gary M. Daddario, ZBA Chairman

4/8/22

Date



Bruce Buttrick, Zoning Administrator

4-7-22

Date



TOWN OF HUDSON

Planning Board

Timothy Malley, Chairman

Robert Guessferd, Selectmen Liaison



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

NOTICE OF APPROVAL

September 26, 2022

Owner or Applicant: GRANITE REALTY TRUST
12 BOCKES ROAD
HUDSON, NH 03051

On Wednesday, September 14, 2022, the Hudson Planning Board heard subject case **SP# 05-22** "**Miara Transportation**".

SUBJECT: PURPOSE OF PLAN: TO PROPOSE TO CONSTRUCT A 6,230 SF "HOOP" STRUCTURE IN THE REAR OF THE EXISTING PROPERTY FOR TRAILER STORAGE. APPLICANT HAS REQUESTED DEFERRAL TO 8/24/22.

LOCATION: 12 BOCKES ROAD, MAP 136/LOT 001

The Planning Board accepted the site plan application for the Non-residential Site Plan Phase One Amendment / Miara Transportation, 12 Bockes Road, Map 136 Lot 1.

The Planning Board approved the site plan application entitled: Non-residential Site Plan Phase One Amendment / Miara Transportation, Map 136 Lot 1, 12 Bockes Road, Hudson, New Hampshire, Hillsborough County; prepared by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: Joseph A. Miara Jr., Trustee, Granite Realty Trust, 12 Bockes Road, Hudson, NH 03051; consisting of 9 sheets with a separate cover sheet and general notes 1-26 on Sheet 1; dated April 27, 2022; last revised August 25, 2022; subject to, and revised per, the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the Hillsborough County Registry of Deeds (HCRD), together with the Plan.
2. The roof material shall be earth tone color, not white, and shall be extended to cover the outside of the storage container anchors.

3. Notwithstanding the amendment proposed in this application, the site remains subject to the site plan approval of January 11, 2017 and the development agreement recorded on February 24, 2017 at the HCRD, Document Number 7008707, Book 8946 Page 2774.
4. Prior to application for a building permit, the Applicant shall schedule a pre-construction meeting with Inspectional Services.
5. Construction activities involving the subject lot shall be limited to the hours between 7:00 A.M. and 7:00 P.M. No exterior construction activities shall be allowed on Sundays.
6. Prior to the issuance of a Certificate of Occupancy for the hoop structure, phase one construction shall be completed as detailed in stipulation #3.

Signed:  Date: 9/26/22
Brian Groth, Town Planner

cc: Keach-Nordstrom Associates, Inc.

Send recorded copy to:

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

NOTICE OF DECISION

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

ZBA Decision 04/27/2023

Variance – GRANTED

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

Legal Representative: J. Bradford Westgate, Esquire, Winer and Bennett, LLP
402 Amherst Street, Suite 302, Nashua, NH 03063

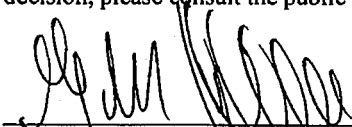
Property Location: 12 Bockes Road, Hudson, NH 03051

Action sought: Variance to build a proposed 80 ft. x 120 ft. garage and attached 80 ft. x 45 ft. covered awning. This is an expansion of an existing, non-conforming use, which is not permitted in the R-2 district.

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

Action granted: After consideration of the testimony and recognition that when site was developed it was a permitted use but became a non-conforming use when the zone changed to residential; and after review of Exhibit G "ZBA Plan" dated March 20, 2023 of the proposed site plan and recognition that the proposed garage is shorter than the "hoop" structure previously granted (which will not be constructed); and after review of the criteria for the granting of a Variance and determining that the criteria have been satisfied, motion made, seconded and voted 5:0 to grant the Variance.


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



Gary M. Daddario, ZBA Chairman

6/12/23

Date



Bruce Buttrick, Zoning Administrator

6-8-23

Date