

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



Administrative Review

Date: December 9, 2022
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2022-28 TM Bolduc Holdings, LLC. and Salt Creek Properties, LLC. for the property located at Tax Map 43, Lot 69 – Special Exception Application to disturb wetland resource areas and wetland buffers.**

The applicants are before the Board of Adjustment seeking a Special Exception from the Milford Zoning Ordinance, Article VI, Sections 6.02.6 and 6.02.7 to disturb approximately 6,676 square feet of wetlands area and 21,699 square feet of wetland buffer area to allow the construction of interior roadways for a multi-family development on a property located in the Limited Commercial-Business District “LCB” Zoning District and Commercial ‘C’ Zoning District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:
 - a. The subject property is approximately 61 acres with 900 linear feet of frontage on Stoneyard Drive and 90 feet Ponemah Hill Road. The property is undeveloped.
 - b. The subject property is situated an established mixed use area. To the north, southeast, and east, the subject property abut single- and multi-family uses and vacant land. To the west and southwest, the property abuts commercial uses on Hammond Road and vacant land.
 - c. The property is bisected by the Commercial Zoning District to the west and the Limited Commercial Business District to east.
2. On August 18, 2022, the Board of Adjustment had previously granted a Special Exception from the Milford Zoning Ordinance, Article V, Section 5.05.8.C and 5.07.7.C to allow the construction of four (4) multi-family residential buildings as shown on the plan entitled “Existing Conditions, The Q At Milford, Map 43 Lot 69, 0 Ponemah Hill Road, Milford, New Hampshire, Hillsborough County”, dated 4/11/22, by Keach-Nordstrom Associates, Inc. and labeled as Buildings B, C, D, and E with a maximum height of 56 feet where 40 feet is permitted in the Commercial ‘C’ Zoning District for the property located at Tax Map 43, Lot 69.
3. On December 8, 2022, the applicant appeared before the Milford Conservation Commission to present the proposal and receive input and comments. Attached please find the December 9, 2022 Commission Memorandum to the Board of Adjustment for your review and consideration.
4. The proposal calls for the construction of six (6) residential, multi-family buildings and the related access roadways and parking facilities. In order to create/construct said project roadways, this requires the disturbance of approximately 6,676 square feet of wetlands area and 21,699 square feet of wetland buffer area. See attached plan. The applicant states that the plan proposed utilizes existing trails and pathways from the property’s historic use in order to minimize wetland and wetland buffer impacts.

5. The disturbance of wetland and wetland buffer areas are permitted by Special Exception pursuant to Section 6.02.6. so long as the applicant, pursuant to Section 6.02.7.A, demonstrates by plan or example that the following factors have been considered in their design:
 1. The need for the proposed project;
 2. The plan proposed is the alternative with the least impact to the wetlands, surface waters and/or their associated buffers;
 3. The impact on plants, fish and wildlife;
 4. The impact on the quantity and/or quality of surface and ground water;
 5. The potential to cause or increase flooding, erosion, or sedimentation;
 6. The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland, wetland complex and/or buffer area were also permitted alterations to the wetland and buffer proportional to the extent of their property rights;
 7. The impact of the proposed project on the values and functions of the total wetland or wetland complex.

Included in their application, the applicant has provided responses to each of the criteria. See attached.

6. Staff Comments:
 - a. The applicant should explain what alternatives designs and or layouts of the proposed roadways were considered.
 - b. What is the anticipated/proposed roadway width? Please clarify if the proposed roadway designs/layout include pedestrian amenities such as sidewalks and/or bike lanes? The final roadway width may impact the total area of wetland and wetland buffer disturbance.
 - c. In addition to requiring a Special Exception, the project will also require approval by the Planning Board for a major site plan application and subdivision application. It is recommended that the Board request formal input from the Planning Board.
 - d. In addition to local permitting, the project will require both a Wetlands Permit and Alteration of Terrain Permit from NHDES.

Aerial Photos of Subject Property:



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Application for Special Exception

The Q

Ponemah Road, Milford, NH

Tax Map 43 Block 69



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ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT
GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

Date Received: 11-2-22
 Case Number: 2022-28
 Application Number: 2022 1199
 Hearing Date: 12-1-22
 Decision Date: _____
 Decision: _____


PROPERTY INFORMATION
 Street Address: Ponemah Hill Road
 Tax Map / Parcel #: Map 43 Lot 69 | Lot Size: 33.80 acres +/-

PROPERTY CURRENTLY USED AS
 Vacant land - historic quarry site
 If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER
 Name: Salt Creek Properties, L.L.C.
 Address: P.O. Box 967
 City/State/Zip: Amherst, New Hampshire 03031
 Phone: () (603) 554-1749
 Email: tqinn@tfqtitle.com

The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

APPLICANT/REPRESENTATIVE
 SAME AS OWNER
 Name: TM Bolduc Holdings, LLC
 Address: c/o Devine Millimet, 111 Amherst Street
 City/State/Zip: Manchester, NH 03101
 Email: cswiniarski@devinemillimet.com
 Phone: () 603-695-8709 | Cell: ()

The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.


 Property Owner's signature

Date: **11/1/22**

Zoning District (check one):

Residence A
 Residence B Residence R
 Commercial
 Limited Commercial
 Industrial
 Integrated Commercial-Industrial
 Integrated Commercial-Industrial-2

Overlay District (check any that apply):

West Elm Street Overlay
 Nashua/Elm Street Overlay
 Commerce & Community Overlay
 Open Space & Conservation
 Wetlands Conservation
 Groundwater Protection
 Floodplain Management

APPLICATION FEES

Application Fee:	\$75.00
Abutters Fee: \$4 x <u>45</u>	
Amount received:	<u>29430</u>
Date Received:	<u>11-1-22</u>
Check _____ Cash <input checked="" type="checkbox"/>	

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

Date Received: 11-2-22
 Case Number: _____
 Application #: 2022-28
 Date Complete: _____
 Hearing Date: 12-1-22
 Decision Date: _____
 Decision: _____

**Application for
 (check all that apply):**

- Change/Expansion of Non-conforming Use/Structure (2.03.1.C)
- Wetland Buffer Impact (6.02.6)
- Accessory Dwelling Unit (10.2.6)
- Office in Res-A & B (10.2.7)
- Home Business (7.12.6)
- Side/Rear Yard Setback Reduction (Zoning District Specific)
- Other

PROPERTY INFORMATION

Street Address: Ponemah Hill Road

Tax Map / Parcel #: Map 43, Lot 69

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.

***Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.**

What section of the Zoning Ordinance are you applying under?

Article 6 Section 10.2.6 and 10.2.7

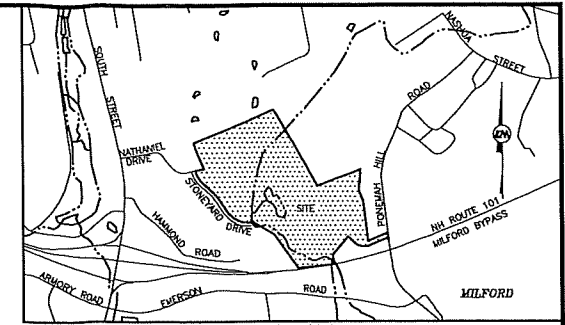
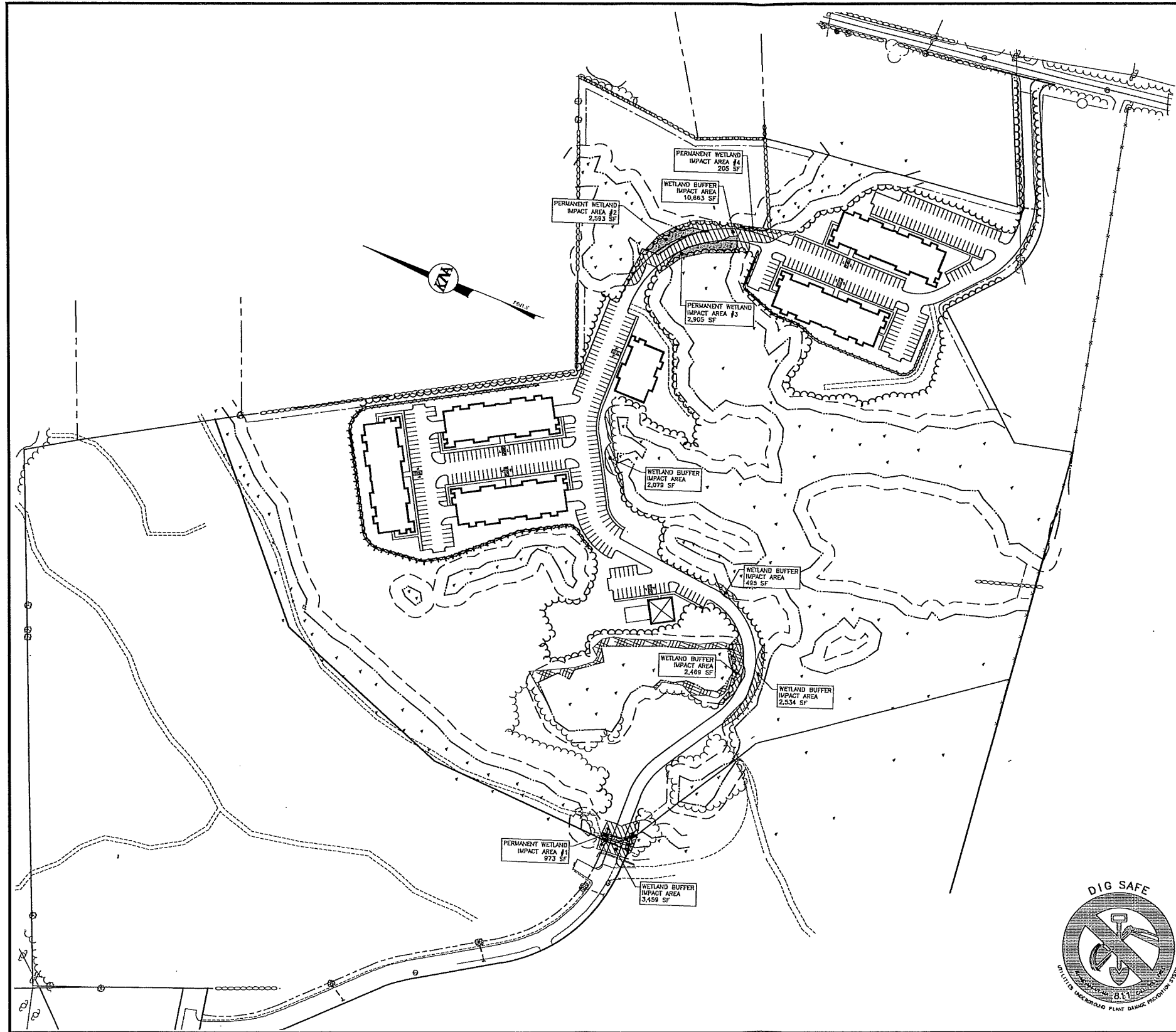
Describe the **use** you are proposing under the above section of the Ordinance.
Development of multi-family residential units as described in Special Permit granted
by ZBA on May, 2022. See additional description in project narrative included
 herewith. Avy

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:
Redevelop abandoned old quarry property into 6 buildings of multi-family housing with approximately 216 units on approximately 43 acres of available land on a parcel which is approximately 60 acres.

Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

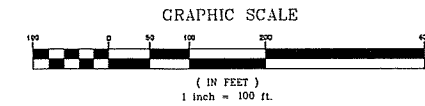
- A. The proposed use is similar to those permitted in the district because:
 See Project Narrative at Tab 4
- B. The specific site is an appropriate location for the proposed use because:
 See Project Narrative at Tab 4
- C. The use as developed will not adversely affect the adjacent area because:
 See Project Narrative at Tab 4
- D. There will be no nuisance or serious hazard to vehicles or pedestrians because:
 See Project Narrative at Tab 4
- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:
 See Project Narrative at Tab 4



LOCUS MAP
SCALE: 1" = 1000'

LEGEND

- PROPERTY LINE
- WETLAND
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- STONEWALL
- BUILDING SETBACK
- TREELINE
- PROPOSED TREELINE
- PROPOSED EDGE OF PAVEMENT
- PROPOSED SLOPED GRANITE CURB
- PROPOSED RETAINING WALL
- ▨ PERMANENT WETLAND IMPACT
- ▨ WETLAND BUFFER IMPACT



OVERVIEW PLAN
THE Q AT MILFORD
MAP 43; BLOCK 69
0 PONEMAH HILL ROAD
MILFORD, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD:
SALT CREEK PROPERTIES, LLC
PO BOX 567
AMHERST, NH 03031
H.C.R.D. BK. 8420 PG. 1596

OWNER/APPLICANT:
TM BOLDUG HOLDINGS, LLC
131 BURKE STREET, SUITE A
NASHUA, NH 03060

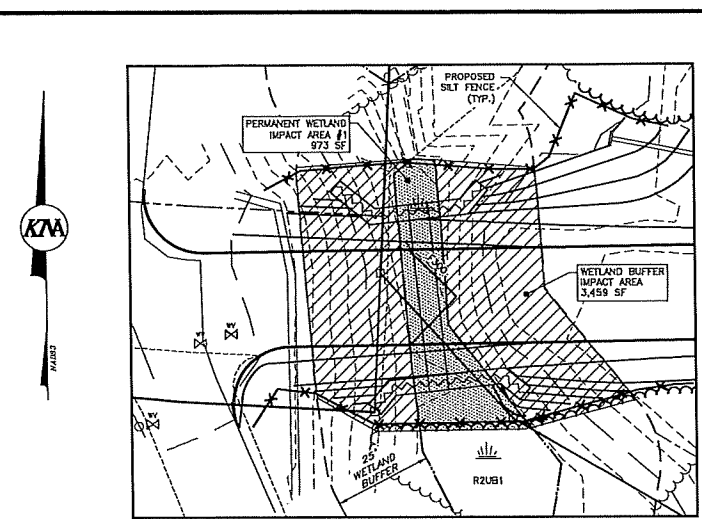
KMA KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 9B, Bedford, NH 03110 Phone (603) 827-2881

REVISIONS			
No.	DATE	DESCRIPTION	BY

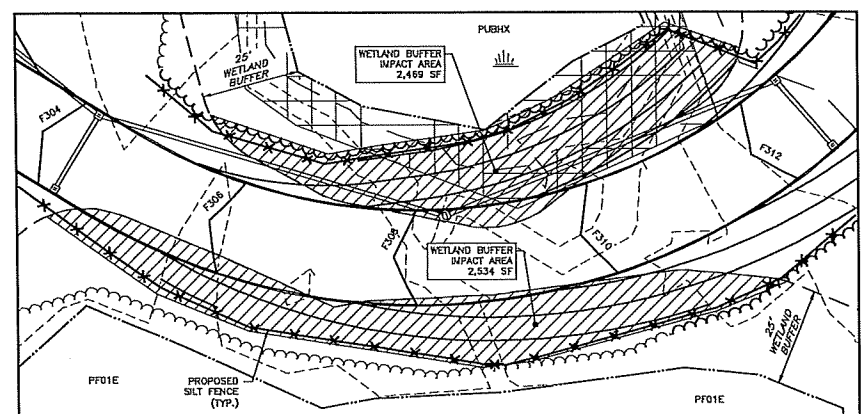
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PROJECT NO: 21-1216-1 SHEET 1 OF 2



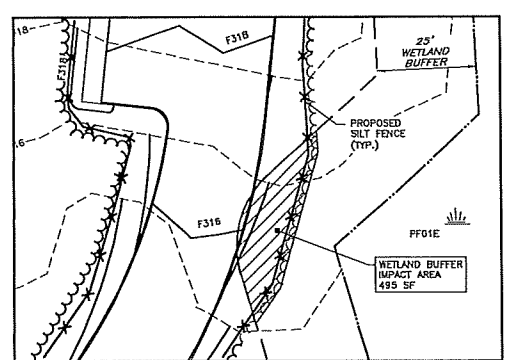
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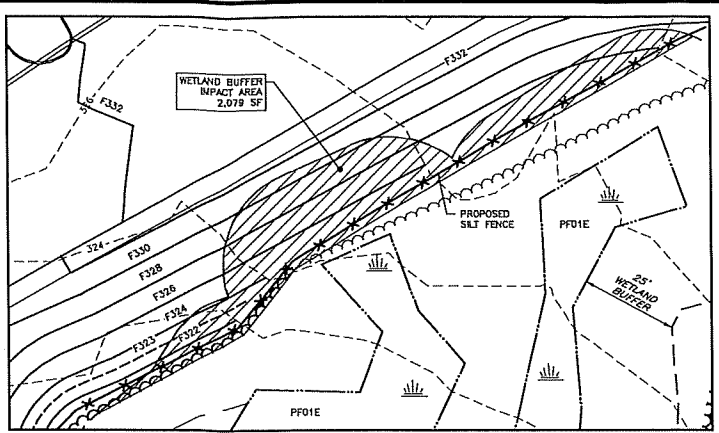
WETLAND IMPACT AREA #1
SCALE: 1" = 20'



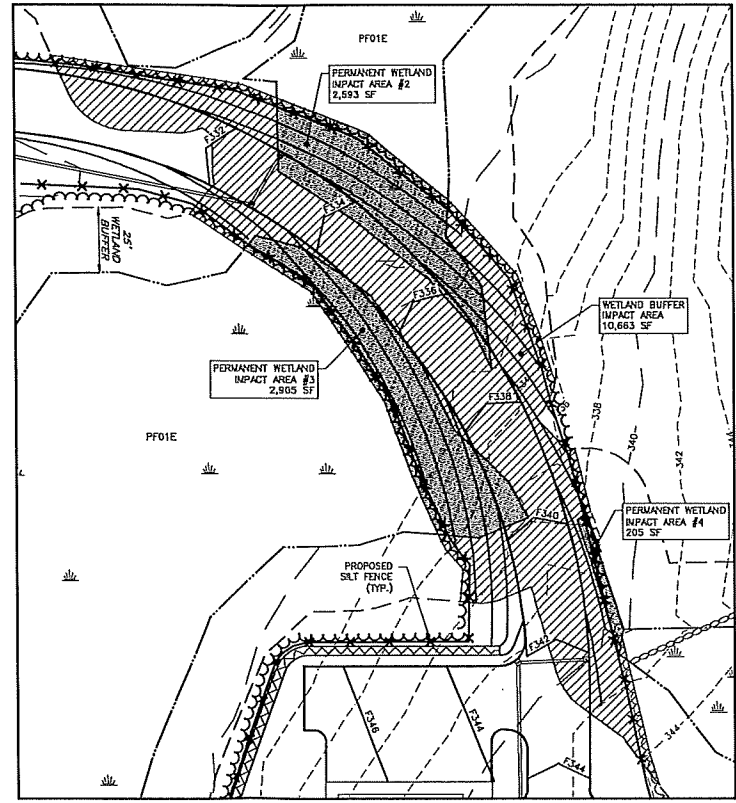
WETLAND BUFFER IMPACT AREA #1
SCALE: 1" = 20'



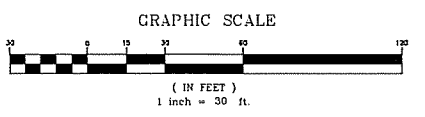
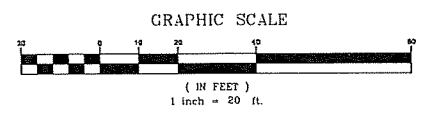
WETLAND BUFFER IMPACT AREA #2
SCALE: 1" = 20'



WETLAND BUFFER IMPACT AREA #3
SCALE: 1" = 20'



WETLAND IMPACT AREA #2
SCALE: 1" = 20'



- LEGEND**
- PROPERTY LINE
 - WETLAND TREELINE
 - - - 10' CONTOUR
 - - - 2' CONTOUR
 - - - PROPOSED DRAINAGE LINE
 - - - PROPOSED TREELINE
 - - - PROPOSED EDGE OF PAVEMENT
 - - - PROPOSED 2' CONTOUR
 - - - SILT FENCE
 - PERMANENT WETLAND IMPACT
 - ▨ WETLAND BUFFER IMPACT

- WETLAND CLASSIFICATION:**
- PF01E PALUSTRINE, FORESTED, BROAD-LEAVED DECIDUOUS, SEASONALLY FLOODED/SATURATED BOTTOM
 - PUBHX PALUSTRINE, UNCONSOLIDATED BOTTOM, PERMANENTLY FLOODED, EXCAVATED
 - R2UB1 RIVERINE, LOWER PERENNIAL, UNCONSOLIDATED BOTTOM, COBBLE-GRAVEL



RESTORATION OF TEMPORARY IMPACTS SEQUENCE:

1. MARK LIMITS OF WETLAND RESTORATION AREAS.
2. CONSTRUCT TEMPORARY SEDIMENT AND EROSION CONTROLS AS SHOWN ON THIS PLAN. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH MOVING OPERATION AND VERIFIED BY THE PROJECT INSPECTOR (A CERTIFIED WETLAND SCIENTIST).
3. PERFORM EXCAVATION ACTIVITIES RELATED TO TEMPORARY IMPACTS FOR INSTALLATION OF SEWER AND WATER INFRASTRUCTURE NEEDED BY THE TOWN OF HUDSON, NH.
4. SEPARATE TOP SOIL FROM SUB SOIL AND STORE SEPARATELY. SOILS REMOVED FROM THE TEMPORARY IMPACT AREA ARE ASSUMED TO MEET THE NEEDS OF THE RESTORATION EFFORT.
5. BACKFILL AREA WITH EXCAVATED SUBSOIL TO A WITHIN 4 INCHES OF THE SOIL SURFACE. BACKFILL REMAINING WITH TOP SOIL TO MATCH EXISTING SOIL SURFACE SURROUNDING TEMPORARY IMPACT AREA. IF NEEDED MICROTOPOGRAPHIC FEATURES CAN BE PLACED AT PROJECT INSPECTOR'S DISCRETION.
6. INSPECTOR SHALL VERIFY FINAL GRADES PRIOR TO APPLICATION OF WETLAND SEED MIX.
7. APPLY PERMANENT VEGETATIVE COVER SEEDING (AVAILABLE FROM NEW ENGLAND WETLAND PLANTS, INC) AT A RATE OF 1 LB/2,500 SF AND MULCH OR STRAW AT A RATE OF 2 TONS/ACRE. ALL EXPOSED SOILS SHALL BE STABILIZED IMMEDIATELY AFTER CONSTRUCTION.
8. REMOVE TEMPORARY EROSION CONTROL MEASURES AFTER SEEDING AREAS HAVE BECOME ESTABLISHED AND THE WETLAND RESTORATION IS COMPLETED.

PLANTING SPECIFICATIONS

WETLAND AREA
THE INTENT IS TO RESTORE THE WETLANDS ON-SITE TO AN EMERGENT POORLY DRAINED AREA WITH A PERIODICALLY FLOODED/SEASONALLY SATURATED SOIL MOISTURE REGIME. OVER TIME IT IS ANTICIPATED THAT A SCRUB/SHRUB/ FORESTED COMMUNITY WILL DEVELOP ON THE SITE FROM NATURAL SEED DEVELOPMENT FROM THE ADJACENT VEGETATION TO THE RESTORATION AREAS. TO ACCOMPLISH THIS TASK, FILL MATERIALS SHALL BE THE EXCAVATED MATERIALS FROM THE TEMPORARY IMPACT AREAS. DURING EXCAVATION IT IS NECESSARY TO SEPARATE THE TOP SOIL FROM SUB SOIL. AFTER INSTALLATION OF WATER INFRASTRUCTURE USE EXCAVATED SUBSOIL TO BACKFILL TO WITHIN 4 INCHES OF THE PRE-EXISTING WETLAND SOIL SURFACE AS DIRECTED BY THE RESTORATION PROJECT SUPERVISOR. USE THE EXCAVATED TOP SOIL TO BACK FILL TO THE PRE-EXISTING WETLAND SOIL SURFACE AS DIRECTED BY THE RESTORATION SUPERVISOR. MOULD AND POOL MICROTOPOGRAPHICAL FEATURES SHALL BE CONSTRUCTED AT THE DISCRETION OF THE WETLAND RESTORATION INSPECTOR. IN ORDER TO PROVIDE AN ENHANCED VARIABILITY OF SOIL MOISTURE REGIMES AND A DIVERSITY OF PLANT AND ANIMAL MICROHABITATS.

PLANTING NOTES:

1. THE RESTORATION PROJECT INSPECTOR/SUPERVISOR SHALL BE A QUALIFIED WETLAND SCIENTIST AND SHALL APPROVE GRADES PRIOR TO SEEDING, AND SHALL ALSO BE PRESENT DURING PLANTING TO ENSURE PROPER PLACEMENT OF SEED.
 2. SEED MIX TO BE APPLIED BY CYCLONE SPREADER (BROADCAST SEEDING) OR HYDROSEEDING AT A RATE AS SPECIFIED BELOW:
 *NEW ENGLAND WETMIX @ 1 LB/2500 SQ FT
 *TRANSITION SEED MIX @ 5 LBS/1000 SQ FT
 *UPLAND SEED MIX @ 5 LBS/1000 SQ FT
 IF SEED IS APPLIED BY HAND, LIGHTLY RAKE AND ROLL SEEDING AREAS TO ENSURE SEED/SOIL CONTACT.
 3. APPLY STRAW MULCH OVER SEEDING AREAS AT A RATE OF 2 TONS PER ACRE (APPROXIMATELY 2 BALES/1000 SQ.FT.). IF APPLICATION IS BY HYDROSEEDING, APPLY CELLULOSE BASED MULCH OVER SEEDING AREAS.
 4. IF SURFACE WATER IS PRESENT WITHIN THE PLANTING AREAS, DEWATERING MAY BE NECESSARY PRIOR TO PLANTING. PUMP AND DISCHARGE WATER SHOWN TO AN UPLAND AREA THAT IS STABILIZED WITH A DEWATERING CORRAL (TEMPORARY HYDRAULIC SEDIMENTATION BASIN) OR FILTER BAG. PUMP DISCHARGE TO BE TREATED PRIOR TO DISCHARGE TO ANY WETLAND OR WATERWAY.
 5. RESTORATION & SEEDING TO OCCUR DURING THE SPRING OR EARLY FALL (APRIL 1- MAY 15 OR SEPTEMBER 1 TO OCTOBER 15) WEATHER PERMITTING.
- NOTE:**
IF ADDITIONAL WETLAND SOILS ARE REQUIRED TO MEET FINAL GRADE REQUIREMENTS, THESE WETLAND SOILS SHALL EITHER BE SALVAGED FROM OTHER WETLAND IMPACT AREAS OR MANUFACTURED FROM CLEAN SOILS IMPORTED FROM AN OFF SITE LOCATION. MANUFACTURED SOILS TO BE CREATED BY MIXING A SAND LOAM TEXTURED SOIL WITH AN ORGANIC SOIL AMENDMENT. ORGANIC SOIL AMENDMENTS SUCH AS LEAF MULD, PEAT OR ORGANIC COMPOST ARE COMMONLY USED SOIL AMENDMENTS. FINAL MIXTURE TO CONTAIN APPROXIMATELY 10-15 PERCENT ORGANIC MATTER WITH A CARBON/NITROGEN RATIO (C:N RATIO) OF NOT MORE THAN 10:1. A SOIL FERTILITY ANALYSIS SHOULD BE PERFORMED TO ENSURE THESE VALUES ARE MET PRIOR TO APPLYING SOILS TO THE WETLAND CREATION AREA. SOILS CONTAINING NOXIOUS OR INVASIVE SPECIES ARE NOT TO BE USED. INVASIVE SPECIES INCLUDE PURPLE LOOSESTRIFE, PHRAGMITES OR OTHER SIMILAR LISTED SPECIES.

WETLAND RESTORATION NOTES:

1. LIMITS OF THE WETLAND RESTORATION AREA TO BE CLEARLY MARKED IN THE FIELD BY THE CONTRACTOR WITH FENCING AND/OR FLAGGING.
2. A QUALIFIED WETLAND SCIENTIST SHALL BE APPOINTED AS THE WETLAND RESTORATION SITE INSPECTOR. THE INSPECTOR SHALL PROVIDE GUIDANCE IN THE CORRECT IMPLEMENTATION OF THE WETLAND RESTORATION PLAN, SPECIFICALLY FINAL GRADE APPROVAL, SEEDING AND MONITORING. THE WETLAND RESTORATION SUPERVISOR SHALL PERFORM ONE INSPECTION AT THE END OF THE FIRST SUBSEQUENT GROWING SEASON. A WRITTEN EVALUATION OF THE PROGRESS AND LEVEL OF SUCCESS SHALL BE REPORTED TO THE NHDES WETLANDS BUREAU WITHIN 30 DAYS OF THE INSPECTION.
3. A SITE INSPECTION REPORT SHALL BE PREPARED BY THE WETLAND PROJECT INSPECTOR UPON COMPLETION OF THE WETLAND RESTORATION AREA. THE REPORT SHALL DOCUMENT AND CERTIFY THAT THE RESTORATION AREA HAS BEEN CONSTRUCTED ACCORDING TO THE APPROVED PLANS.
4. THE WETLAND RESTORATION AREA SHALL BE CONSTRUCTED AS SHOWN ON THE APPROVED PLANS. ANY FIELD ADJUSTMENTS SHALL BE MADE ONLY WITH THE KNOWLEDGE AND APPROVAL OF THE NHDES WETLANDS BUREAU.
5. EROSION CONTROL MEASURES SHALL BE STRICTLY IMPLEMENTED.
6. WETLAND SOILS EXCAVATED FROM THE PROPOSED AREA OF TEMPORARY IMPACT ARE ASSUMED TO MEET THE NEEDS OF THE PLAN. DISTURBANCE TO THE WETLAND SOILS SHALL BE LIMITED TO LIMITS OF TEMPORARY IMPACT AREA AND BACK FILL OF EXCAVATED SOILS. IF NEEDED SCARPING OF THE TOPSOIL TO ESTABLISH A Viable SEEDBED AND MEETING THE NEEDS OF THE GRADING PLAN WILL BE DETERMINED ON SITE BY THE WETLAND RESTORATION SITE INSPECTOR.
7. THE WETLAND RESTORATION AREA SHALL BE SEEDING ACCORDING TO THE PLANTING SPECIFICATIONS. SITE STABILIZATION SHALL BE ACCOMPLISHED IMMEDIATELY AFTER GRADING IS COMPLETED (SEE PLANTING NOTES).
8. DISPOSAL OF EXCESS MATERIAL FROM ANY ACTIVITY UNDERTAKEN FOR THE COMPLETION OF THIS PROJECT SHALL OCCUR WITHIN AN UPLAND SITE IN A MANNER THAT PREVENTS SEDIMENTATION OF DOWN GRADIENT WATERWAYS OR WETLANDS. THE DISPOSAL SITE SHALL BE PERMANENTLY STABILIZED WITH SEED AND MULCH. TEMPORARY EROSION CONTROLS SHALL BE INSTALLED AS NECESSARY.
9. THIS WETLAND RESTORATION PLAN IS IN AN EFFORT TO RESTORE THE PROPOSED TEMPORARY IMPACT AREA FOR THE EXPANSION OF THE TOWN OF MERRIMACK SEWER AND WATER INFRASTRUCTURE.
10. A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE SITE PRIOR TO THE START OF WETLAND RESTORATION TO ENSURE THAT THE CONTRACTOR IS AWARE OF THE DESIRED RESULT AND THE ACTIONS NECESSARY TO ACHIEVE SUCCESSFUL WETLAND RESTORATION. THE WETLAND PROJECT INSPECTOR, CONTRACTOR AND OWNER SHALL BE PRESENT FOR THIS MEETING.
11. ANY IMPORTED SOILS, HUMUS OR MULCH SHALL BE FREE OF NOXIOUS WEEDS, SEED OR PLANT PARTS. NO MATERIALS SHALL BE USED THAT MAY RESULT IN THE ESTABLISHMENT OF NOXIOUS WEEDS SUCH AS PURPLE LOOSESTRIFE (*Lythrum salicaria*) OR COMMON REED (*Phragmites communis*). ANY NOXIOUS WEEDS THAT BECOME ESTABLISHED WITHIN THE WETLAND AREA MUST BE REMOVED IMMEDIATELY.
12. IF VEGETATIVE COVER IS NOT ESTABLISHED BY THE END OF THE FIRST GROWING SEASON, EXPOSED SOILS SHALL BE STABILIZED BY MULCHING OR OTHER MEANS PRIOR TO THE WINTER SEASON (BY OCTOBER 15) TO MINIMIZE EROSION AND SEDIMENTATION. ANY HILL OR GULLY EROSION THAT MAY OCCUR MUST BE REGRADED AND REPLANTED THE FOLLOWING SPRING.

WETLAND IMPACT PLAN
THE Q AT MILFORD
MAP 43; BLOCK 69
0 PONEMAH HILL ROAD
MILFORD, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD:
SALT CREEK PROPERTIES, LLC
PO BOX 967
AMHERST, NH 03031
H.C.R.D. BK. 6420 PG. 1596

OWNER/APPLICANT:
TM BOLDUC HOLDINGS, LLC
131 BURKE STREET, SUITE A
NASHUA, NH 03060

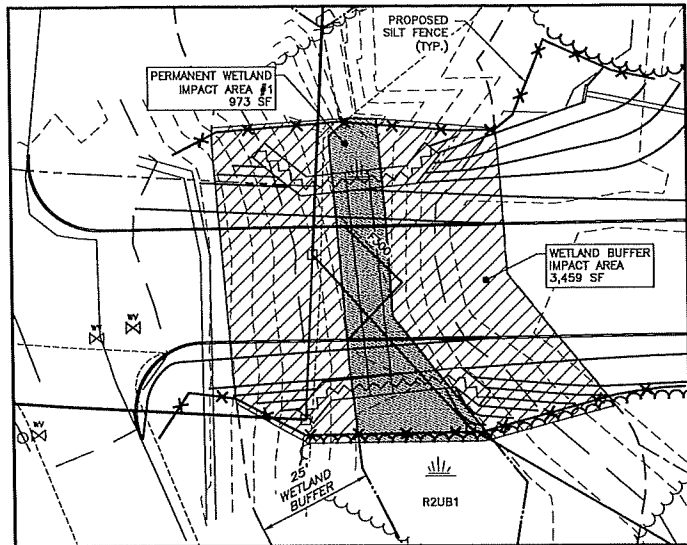
K&A
KRACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 2B, Bedford, NH 03110 Phone (603) 887-8851

REVISIONS			
No.	DATE	DESCRIPTION	BY

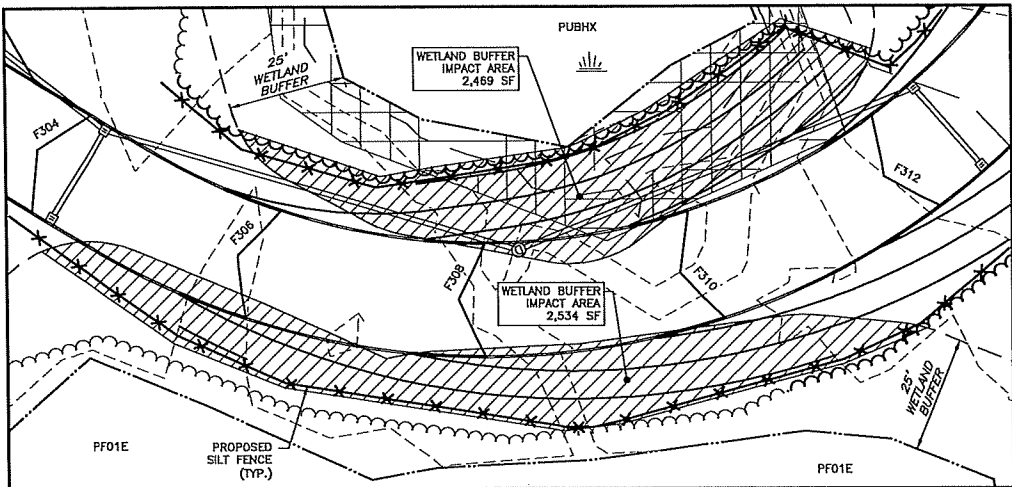
CHRISTOPHER K. DANFORTH, CERTIFIED WETLAND SCIENTIST #077
OF K&A-NORDSTROM ASSOCIATES, INC. OF BEDFORD, NH
PERFORMED THE DELINEATION OF JURISDICTIONAL WETLANDS IN
SEPTEMBER OF 2022 USING THE TECHNICAL CRITERIA IN THE
CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL
REPORT Y-87-1, JANUARY 1987).

CERTIFIED WETLAND SCIENTIST _____ DATE _____

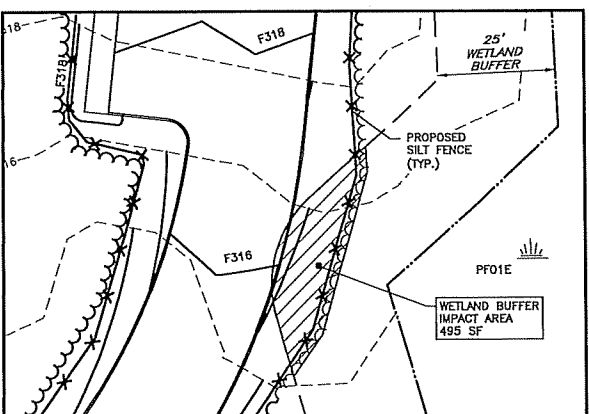
DATE: OCTOBER 31, 2022 SCALE: AS NOTED
PROJECT NO: 21-1216-1 SHEET 2 OF 2



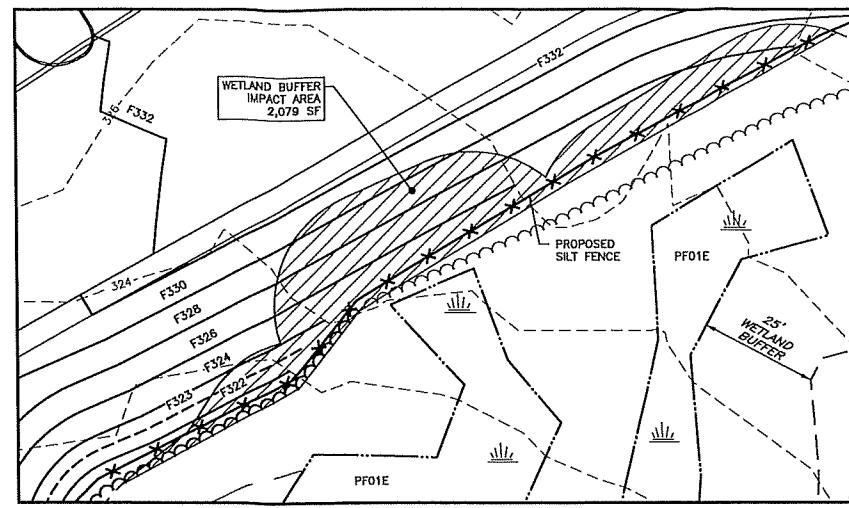
WETLAND IMPACT AREA #1
SCALE: 1" = 20'



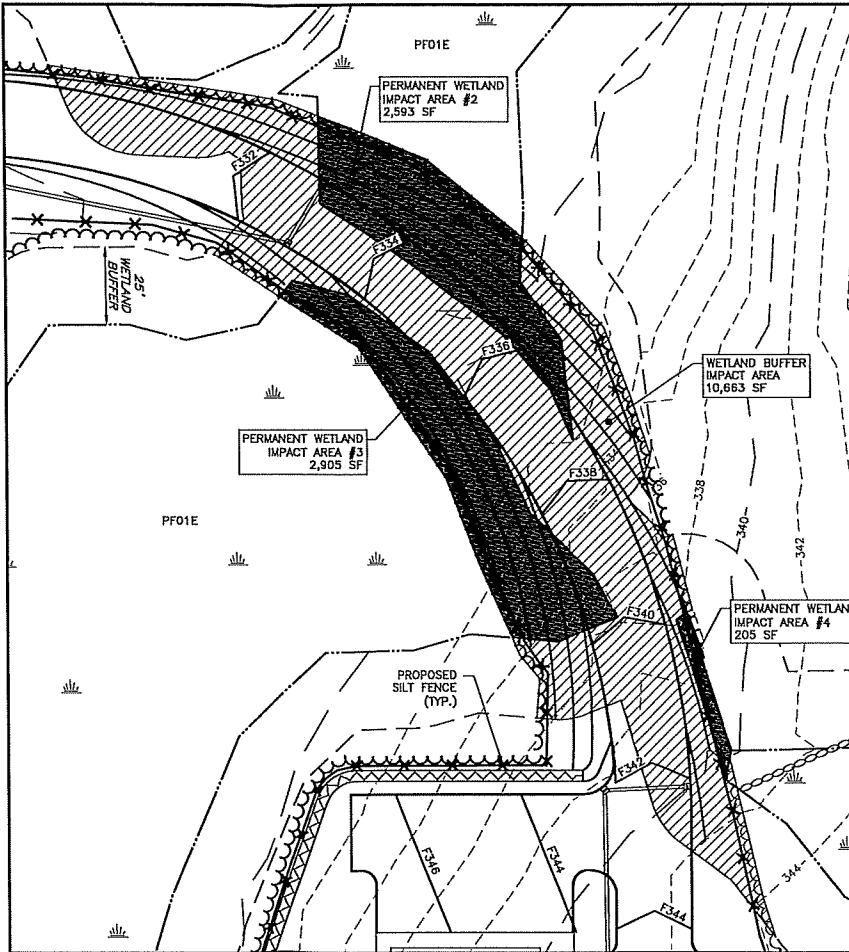
WETLAND BUFFER IMPACT AREA #1
SCALE: 1" = 20'



WETLAND BUFFER IMPACT AREA #2
SCALE: 1" = 20'



WETLAND BUFFER IMPACT AREA #3
SCALE: 1" = 20'



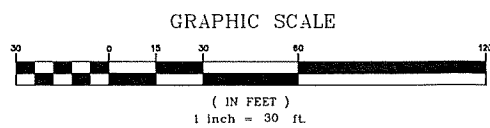
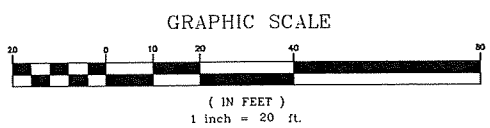
WETLAND IMPACT AREA #2
SCALE: 1" = 30'

LEGEND

- PROPERTY LINE
- WETLAND
- TREELINE
- 10' CONTOUR
- 2' CONTOUR
- PROPOSED DRAINAGE LINE
- PROPOSED TREELINE
- PROPOSED EDGE OF PAVEMENT
- PROPOSED 2' CONTOUR
- x - x - x - SILT FENCE
- PERMANENT WETLAND IMPACT
- ▨ WETLAND BUFFER IMPACT

WETLAND CLASSIFICATION:

- PF01E PALUSTRINE, FORESTED, BROAD-LEAVED DECIDUOUS, SEASONALLY FLOODED/SATURATED
- PUBHX PALUSTRINE, UNCONSOLIDATED BOTTOM, PERMANENTLY FLOODED, EXCAVATED
- RZUB1 RIVERINE, LOWER PERENNIAL, UNCONSOLIDATED BOTTOM, COBBLE-GRAVEL



CHRISTOPHER K. DANFORTH, CERTIFIED WETLAND SCIENTIST #077 OF KEACH-NORDSTROM ASSOCIATES, INC. OF BEDFORD, NH PERFORMED THE DELINEATION OF JURISDICTIONAL WETLANDS IN SEPTEMBER OF 2022 USING THE TECHNICAL CRITERIA IN THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1, JANUARY 1987).

CERTIFIED WETLAND SCIENTIST _____ DATE _____

RESTORATION OF TEMPORARY IMPACTS SEQUENCE:

1. MARK LIMITS OF WETLAND RESTORATION AREAS.
2. CONSTRUCT TEMPORARY AND PERMANENT SEDIMENT AND EROSION CONTROLS AS SHOWN ON THIS PLAN. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY EARTH MOVING OPERATION AND VERIFIED BY THE PROJECT INSPECTOR (A CERTIFIED WETLAND SCIENTIST).
3. PERFORM EXCAVATION ACTIVITIES RELATED TO TEMPORARY IMPACTS FOR INSTALLATION OF SEWER AND WATER INFRASTRUCTURE NEEDED BY THE TOWN OF HUDSON, NH.
4. SEPARATE TOP SOIL FROM SUB SOIL AND STORE SEPARATELY. SOILS REMOVED FROM THE TEMPORARY IMPACT AREA ARE ASSUMED TO MEET THE NEEDS OF THE RESTORATION EFFORT.
5. BACKFILL AREA WITH EXCAVATED SUBSOIL TO A WITHIN 4 INCHES OF THE SOIL SURFACE. BACKFILL REMAINING WITH TOP SOIL TO MATCH EXISTING SOIL SURFACE SURROUNDING TEMPORARY IMPACT AREA. IF NEEDED MICROTOPOGRAPHIC FEATURES CAN BE PLACED AT PROJECT INSPECTOR'S DISCRETION.
6. INSPECTOR SHALL VERIFY FINAL GRADES PRIOR TO APPLICATION OF WETLAND SEED MIX.
7. APPLY PERMANENT VEGETATIVE COVER SEEDING (AVAILABLE FROM NEW ENGLAND WETLAND PLANTS, INC) AT A RATE OF 1 LB/ 2,500 SF AND MULCH OR STRAW AT A RATE OF 2 TONS/ACRE. ALL EXPOSED SOILS SHALL BE STABILIZED IMMEDIATELY AFTER CONSTRUCTION.
8. REMOVE TEMPORARY EROSION CONTROL MEASURES AFTER SEEDED AREAS HAVE BECOME ESTABLISHED AND THE WETLAND RESTORATION IS COMPLETED.

PLANTING SPECIFICATIONS

THE INTENT IS TO RESTORE THE WETLANDS ON-SITE TO AN EMERGENT POORLY DRAINED AREA WITH A PERIODICALLY FLOODED/SEASONALLY SATURATED SOIL MOISTURE REGIME. OVERTIME IT IS ANTICIPATED THAT A SCRUB/SHRUB/ FORESTED COMMUNITY WILL DEVELOP ON THE SITE FROM NATURAL SEED DEVELOPMENT FROM THE ADJACENT VEGETATION TO THE RESTORATION AREAS. TO ACCOMPLISH THIS TASK, FILL MATERIALS SHALL BE THE EXCAVATED MATERIALS FROM THE TEMPORARY IMPACT AREAS. DURING EXCAVATION IT IS NECESSARY TO SEPARATE THE TOP SOIL FROM SUB SOIL. AFTER INSTALLATION OF WATER INFRASTRUCTURE, USE EXCAVATED SUBSOILS TO BACKFILL TO WITHIN 4 INCHES OF THE PRE-EXISTING WETLAND SOIL SURFACE AS DIRECTED BY THE RESTORATION PROJECT SUPERVISOR. USE THE EXCAVATED TOP SOIL TO BACK FILL TO THE PRE-EXISTING WETLAND SOIL SURFACE AS DIRECTED BY THE RESTORATION SUPERVISOR. MOUND AND POOL MICROTOPOGRAPHICAL FEATURES SHALL BE CONSTRUCTED AT THE DISCRETION OF THE WETLAND RESTORATION INSPECTOR, IN ORDER TO PROVIDE AN ENHANCED VARIABILITY OF SOIL MOISTURE REGIMES AND A DIVERSITY OF PLANT AND ANIMAL MICROHABITATS.

PLANTING NOTES:

1. THE RESTORATION PROJECT INSPECTOR/SUPERVISOR SHALL BE A QUALIFIED WETLAND SCIENTIST AND SHALL APPROVE GRADES PRIOR TO SEEDING, AND SHALL ALSO BE PRESENT DURING PLANTING TO ENSURE PROPER PLACEMENT OF SEED.
2. SEED MIX TO BE APPLIED BY CYCLONE SPREADER (BROADCAST SEEDING) OR HYDROSEEDING AT A RATE AS SPECIFIED BELOW:
 - *NEW ENGLAND WETMIX @ 1 LB/2500 SQ FT
 - *TRANSITION SEED MIX @ 5 LBS/1000 SQ FT
 - *UPLAND SEED MIX 5 LBS/1000 SQ FT
3. IF SEED IS APPLIED BY HAND, LIGHTLY RAKE AND ROLL SEEDED AREAS TO ENSURE SEED/SOIL CONTACT.
4. APPLY STRAW MULCH OVER SEEDED AREAS AT A RATE OF 2 TONS PER ACRE (APPROXIMATELY 2 BALES/1000 SQ.FT.). IF APPLICATION IS BY HYDROSEEDING, APPLY CELLULOSE BASED HYDROMULCH OVER SEEDED AREAS.
5. IF SURFACE WATER IS PRESENT WITHIN THE PLANTING AREAS, DEWATERING MAY BE NECESSARY PRIOR TO PLANTING. PUMP DISCHARGE WATER SHALL BE DIRECTED TO AN UPLAND AREA THAT IS STABILIZED WITH A DEWATERING CORRAL (TEMPORARY HAYBALE SEDIMENTATION BASIN) OR FILTER BAG. PUMP DISCHARGE TO BE TREATED PRIOR TO DISCHARGE TO ANY WETLAND OR WATERWAY.
6. RESTORATION & SEEDING TO OCCUR DURING THE SPRING OR EARLY FALL (APRIL 1- MAY 15 OR SEPTEMBER 1 TO OCTOBER 15) WEATHER PERMITTING.

NOTE: IF ADDITIONAL WETLAND SOILS ARE REQUIRED TO MEET FINAL GRADE REQUIREMENTS, THESE WETLAND SOILS SHALL EITHER BE SALVAGED FROM OTHER WETLAND AREAS OR MANUFACTURED FROM CLEAN SOIL IMPORTED FROM AN OFF SITE LOCATION. MANUFACTURED SOILS TO BE CREATED BY MIXING A SAND LOAM TEXTURED SOIL WITH AN ORGANIC SOIL AMENDMENT. ORGANIC SOIL AMENDMENTS SUCH AS LEAF MOLD, PEAT OR ORGANIC COMPOST ARE COMMONLY USED SOIL AMENDMENTS. FINAL MIXTURE TO CONTAIN APPROXIMATELY 10-15 PERCENT ORGANIC MATTER WITH A CARBON/NITROGEN RATIO (C:N RATIO) OF NOT MORE THAN 10:1. SOIL TESTS SHALL BE PERFORMED TO ENSURE THESE VALUES ARE MET PRIOR TO APPLYING SOILS TO THE WETLAND CREATION AREA. SOILS CONTAINING NOXIOUS OR INVASIVE SPECIES ARE NOT TO BE USED. INVASIVE SPECIES INCLUDE PURPLE LOOSESTRIFE, PHRAGMITES OR OTHER SIMILAR LISTED SPECIES.

WETLAND RESTORATION NOTES:

1. LIMITS OF THE WETLAND RESTORATION AREA TO BE CLEARLY MARKED IN THE FIELD BY THE CONTRACTOR WITH FENCING AND/OR FLAGGING.
2. A QUALIFIED WETLAND SCIENTIST SHALL BE APPOINTED AS THE WETLAND RESTORATION SITE INSPECTOR. THE INSPECTOR SHALL PROVIDE GUIDANCE IN THE CORRECT IMPLEMENTATION OF THE WETLAND RESTORATION PLAN, SPECIFICALLY FINAL GRADE APPROVAL, SEEDING AND MONITORING. THE WETLAND RESTORATION SUPERVISOR SHALL PERFORM ONE INSPECTION AT THE END OF THE FIRST SUBSEQUENT GROWING SEASON. A WRITTEN EVALUATION OF THE PROGRESS AND LEVEL OF SUCCESS SHALL BE REPORTED TO THE NHDES WETLANDS BUREAU WITHIN 30 DAYS OF THE INSPECTION.
3. A SITE INSPECTION REPORT SHALL BE PREPARED BY THE WETLAND PROJECT INSPECTOR UPON COMPLETION OF THE WETLAND RESTORATION AREA. THE REPORT SHALL DOCUMENT AND CERTIFY THAT THE RESTORATION AREA HAS BEEN CONSTRUCTED ACCORDING TO THE APPROVED PLANS.
4. THE WETLAND RESTORATION AREA SHALL BE CONSTRUCTED AS SHOWN ON THE APPROVED PLANS. ANY FIELD ADJUSTMENTS SHALL BE MADE ONLY WITH THE KNOWLEDGE AND APPROVAL OF THE NH-DES WETLANDS BUREAU.
5. EROSION CONTROL MEASURES, AS SHOWN ON PLANS, ARE TO BE STRICTLY IMPLEMENTED. EROSION CONTROLS SHALL BE INSTALLED PRIOR TO ANY EARTH MOVING OPERATION.
6. WETLAND SOILS EXCAVATED FROM THE PROPOSED AREA OF TEMPORARY IMPACT ARE ASSUMED TO MEET THE NEEDS OF THE PLAN. DISTURBANCE TO THE WETLAND SOIL LAYER SHALL BE LIMITED TO LIMITS OF TEMPORARY IMPACT AREA, AND BACK FILL OF EXCAVATED SOILS, IF NEEDED SCARIFYING OF THE TOPSOIL TO ESTABLISH A VIABLE SEEDED AND MEETING THE NEEDS OF THE GRADING PLAN WILL BE DETERMINED ON SITE BY THE WETLAND RESTORATION SITE INSPECTOR.
7. THE WETLAND RESTORATION AREA SHALL BE SEEDED ACCORDING TO THE PLANTING SPECIFICATIONS. SITE STABILIZATION SHALL BE ACCOMPLISHED IMMEDIATELY AFTER GRADING IS COMPLETED (SEE PLANTING NOTES).
8. DISPOSAL OF EXCESS MATERIAL FROM ANY ACTIVITY UNDERTAKEN FOR THE COMPLETION OF THIS PROJECT SHALL OCCUR WITHIN AN UPLAND SITE IN A MANNER THAT PREVENTS SEDIMENTATION OF DOWN GRADIENT WATERWAYS OR WETLANDS. THE DISPOSAL SITE SHALL BE PERMANENTLY STABILIZED WITH SEED AND MULCH. TEMPORARY EROSION CONTROLS SHALL BE INSTALLED AS NECESSARY.
9. THIS WETLAND RESTORATION PLAN IS IN AN EFFORT TO RESTORE THE PROPOSED TEMPORARY IMPACT AREA FOR THE EXPANSION OF THE TOWN OF MERRIMACK SEWER AND WATER INFRASTRUCTURE.
10. A PRE-CONSTRUCTION MEETING SHALL BE HELD AT THE SITE PRIOR TO THE START OF WETLAND RESTORATION TO ENSURE THAT THE CONTRACTOR IS AWARE OF THE DESIRED RESULT AND THE ACTIONS NECESSARY TO ACHIEVE SUCCESSFUL WETLAND RESTORATION. THE WETLAND PROJECT INSPECTOR, CONTRACTOR AND OWNER SHALL BE PRESENT FOR THIS MEETING.
11. ANY IMPORTED SOILS, HUMUS OR MULCH SHALL BE FREE OF NOXIOUS WEEDS, SEED OR PLANT PARTS. NO MATERIALS SHALL BE USED THAT MAY RESULT IN THE ESTABLISHMENT OF NOXIOUS WEEDS SUCH AS PURPLE LOOSESTRIFE (*Lythrum salicaria*) OR COMMON REED (*Phragmites communis*). ANY NOXIOUS WEEDS THAT BECOME ESTABLISHED WITHIN THE WETLAND AREA MUST BE REMOVED IMMEDIATELY.
12. IF VEGETATIVE COVER IS NOT ESTABLISHED BY THE END OF THE FIRST GROWING SEASON, EXPOSED SOILS SHALL BE STABILIZED BY MULCHING OR OTHER MEANS PRIOR TO THE WINTER SEASON (BY OCTOBER 15) TO MINIMIZE EROSION AND SEDIMENTATION. ANY RILL OR GULLY EROSION THAT MAY OCCUR MUST BE REGRADED AND REPLANTED THE FOLLOWING SPRING.

WETLAND IMPACT PLAN
THE Q AT MILFORD
MAP 43; BLOCK 69
0 PONEMAH HILL ROAD
MILFORD, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD:
SALT CREEK PROPERTIES, LLC
PO BOX 967
AMHERST, NH 03031
H.C.R.D. BK. 8420 PG. 1596

OWNER/APPLICANT:
TM BOLDUC HOLDINGS, LLC
131 BURKE STREET, SUITE A
NASHUA, NH 03060

KMA KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 08110 Phone (603) 627-2881

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: AUGUST 30, 2022 SCALE: AS NOTED
PROJECT NO: 21-1216-1 SHEET 3 OF XX

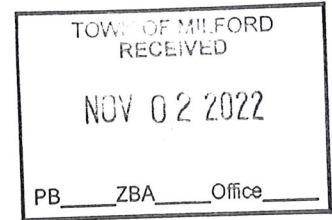
CHRISTOPHER A. SWINIARSKI
Admitted in NH and MA

Devine, Millimet & Branch
111 Amherst Street
Manchester, NH 03105

Direct Dial: 603.695-8709
cswiniarski@devinemillimet.com

November 1, 2022

VIA Hand Delivery
Zoning Board of Adjustment (the "Board")
Town of Milford
1 Union Square
Milford, NH 03055



RE: Application for Special Exception (the "Application") of TM Bolduc Holdings, LLC (the "Applicant")
for Wetlands Impacts at Tax Map 43 Lot 69, on Ponemah Hill Road, Milford, NH (the "Property")

Hello Board Members:

The purpose of this submission is to provide you with the information evidencing the Application's compliance with the Special Exception criteria set forth in of the Town of Milford Zoning Ordinance, 2022 Edition (the "Ordinance"). Specifically, this submission addresses the special exception criteria for impacts to Wetlands and Wetlands buffers as set forth in Section 6.02.7 of the Ordinance providing for Special Exceptions for wetlands impacts. **It is important to note that the specific wetlands crossings and general design of the proposed development and roadways have been the subject of prior review, consultation, and in-person site visits by the Town's Conservation Commission, Zoning Board of Adjustment, Planning Board, and members of the public. The wetlands impacts discussed in this Application have not changed from those previously discussed and commented upon by the foregoing Commission, Boards, and groups.**

INTRODUCTION

The Project that is the subject of this Special Exception application is the provisions of driveways for access to a five (5) building multi-family development as permitted and more specifically described in a Special Exception granted by the Board on July 7, 2022. The Property is an approximately 61 acre parcel located off of Ponemah Hill Road. It is partially in the RB zoning district, and partially in the LCB zoning district. The Property is currently vacant land, but was historically one of the many granite quarries in Milford. The proposed driveways utilize existing trails to the extent feasible in order to minimize wetland impacts. We address each of the Ordinance's criteria below, with the Applicant's response to each criteria in bold italics.

6.02.7 CRITERIA FOR EVALUATION

A. For all projects requiring a Special Exception the applicant shall demonstrate by plan or example that the following factors have been considered in their design:

1. The need for the proposed project; ***To provide pedestrian, vehicular, and public safety access to the multifamily housing that will be built upon the property as allowed by the Ordinance.***
2. The plan proposed is the alternative with the least impact to the wetlands, surface waters and/or their associated buffers; ***As stated in the Certified Wetlands Scientist's Letter attached at Tab 5, the plan proposed specifically utilizes existing trails and pathways from the property's historic use in order to minimize wetlands impacts, and creates the least amount of impacts possible to provide necessary access.***
3. The impact on plants, fish and wildlife; ***As stated in the Certified Wetlands Scientist's Letter attached at Tab 5, the project does not concern any rare species or exemplary natural communities, and utilizes existing roadways and trails to minimize wetlands impacts.***
4. The impact on the quantity and/or quality of surface and ground water; ***As stated in the Certified Wetlands Scientist's Letter attached at Tab 5, the project will not disturb hydro-geologic connectivity and will utilize a professionally designed drainage system that will be part of an Alteration of Terrain Permit from NHDES.***
5. The potential to cause or increase flooding, erosion, or sedimentation; ***As stated above and in the Certified Wetlands Scientist's Letter attached at Tab 5, the project will utilize a professionally designed drainage system that will be part of an Alteration of Terrain Permit from NHDES.***
6. The cumulative impact that would result if all parties owning or abutting a portion of the affected wetland, wetland complex and/or buffer area were also permitted alterations to the wetland and buffer proportional to the extent of their property rights; ***Abutting properties do not generally abut the subject wetlands and to the extent that they may, such abutting properties do have existing roadways that can be utilized to minimize the impacts in a way that the proposed project does so.***

7. The impact of the proposed project on the values and functions of the total wetland or wetland complex. ***As stated in the Certified Wetlands Scientist's Letter attached at Tab 5, the project minimizes impacts on the total wetlands complex by utilizing and improving existing roadways and by utilizing a professionally designed drainage system that will ultimately be subject to NHDES approval.***

SUMMARY

The proposed plan before you is the culmination of much consultation and discussion with this Board, the Conservation Commission, the Planning Board, and members of the public. As discussed above, it generally re-uses existing roadways and paths to the extent possible to minimize wetlands impacts while providing access to the multi-family housing being developed on the Property. We trust that you will find the impacts to be minimal to the extent possible, and look forward to meeting with you at your December meeting to discuss the same.

Sincerely,



Christopher Swiniarski
Attorney for TM Bolduc Holdings, LLC



KEACH-NORDSTROM ASSOCIATES, INC.

October 20, 2022

Town of Milford
1 Union Sq
Milford, New Hampshire 03055

Subject: **The Q at Milford**
0 Ponemah Hill Road – Milford, New Hampshire
KNA Project No. 21-1216-1

To Whom it May Concern:

Map 43; Lots 69 proposes 216 apartment units. 4 buildings with 36 units, 1 building with 48 units and 1 building with 24 units. The existing lot total is 60.73 acres. Majority of the land is forested. The previous use of the lot was used as a quarry. The north, east and west side of the lot is the primary focus. Medlyn woods Brook runs through the property and the northwest side of the brook is not being developed.

The wetlands to be permanently impacted are a stream, R2UB1 (Riverine, Lower Perennial, Unconsolidated Bottom, Cobble-Gravel), with an excavated ditch that drains to Medlyn Brook. There is no priority resource area. Wetland impact #2 is PUBHx (Palustrine, Unconsolidated Bottom, Permanently Flooded, Excavated), a portion of it will be filled to construct the road. The total area of impact on these wetlands is estimated to be 6,450 S.F. There will be 5 wetland buffer impact areas with a total of 18,240 S.F. All areas of impact are due to road development. There is an existing trail that we are utilizing to build the road to have the least amount of impacts on the wetlands.

There is a low impact to any threatened or endangered species. The Natural Heritage Bureau Report NHB22-0261 indicates that there are no rare species and exemplary natural communities near the vicinity of the project area and no priority resource. We are utilizing already disturbed areas such as old blasting areas and existing trails to reduce any impact on any plants, fish, and wildlife on property.

There will be a low impact on the quantity and/or quality of surface and ground water because we are not disturbing any hydrological connectivity and avoiding as much impact to reach buildable portions of the lot. There will be a closed drainage system which will outlet to the property and will be designed and approved by NHDES AoT, which will ensure treatment and protection to the wetlands.

Respectfully,

Christopher K. Danforth
CWS #077

Civil Engineering

Land Planning

Landscape Architecture

10 Commerce Park North, Suite 3B

Bedford, NH 03110

Phone (603) 627-2881

Fax (603) 627-2915

Salt Creek Properties, L.L.C.
P.O. Box 967
Amherst, New Hampshire 03031

May 18, 2022


Town of Milford
1 Union Square
Milford, NH 03055

RE: Authorization to Apply for Permits – Map 43, Lot 69, Ponemah Road (the “Property”)

To Whom it May Concern:

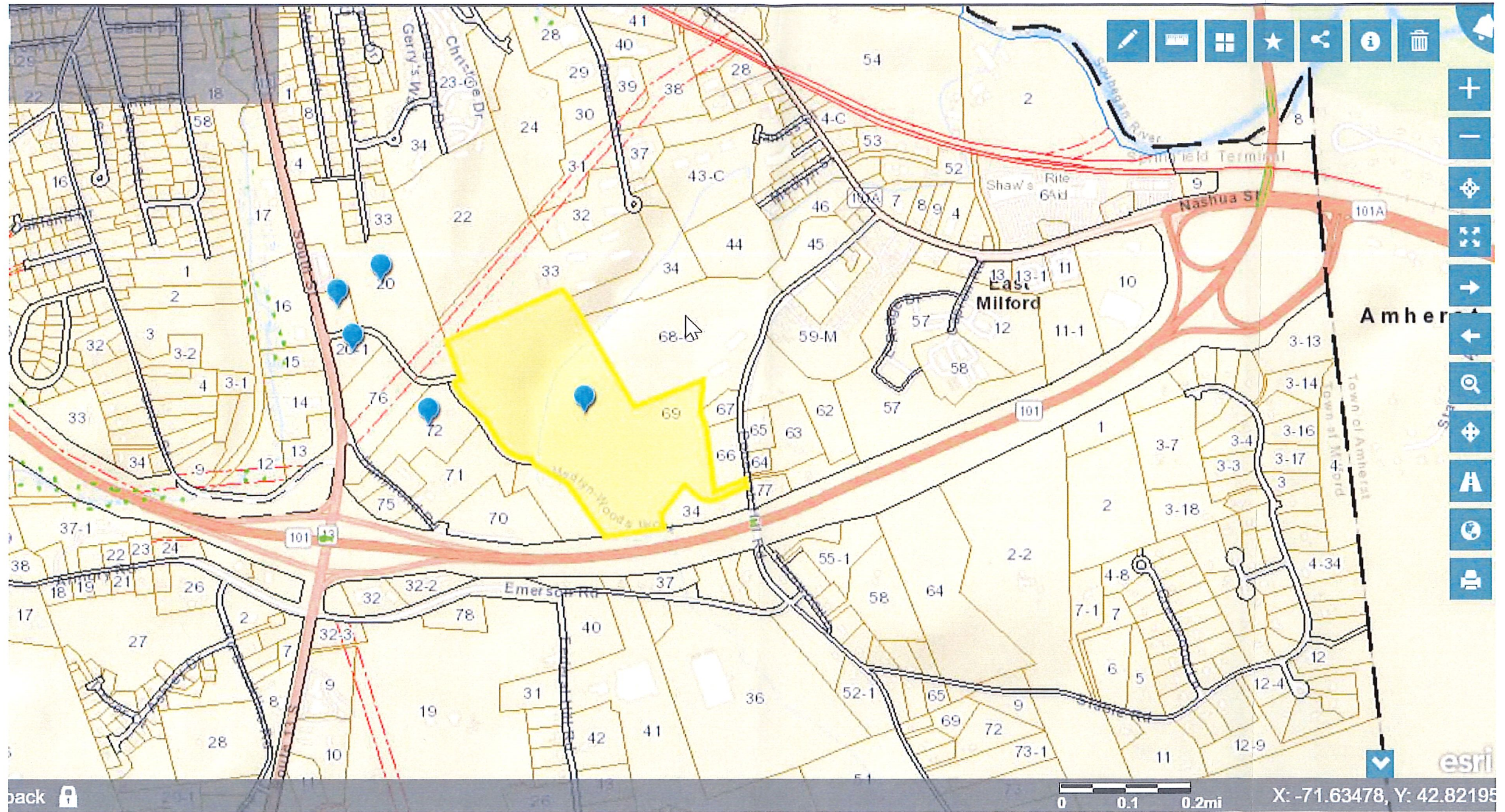
Please be advised that Salt Creek Properties, L.L.C., owner of the above-referenced Property, hereby consents to TM Bolduc Holdings, LLC, or its attorneys Devine, Millimet & Branch, P.A., or its engineers Keach & Nordstrum Associates, Inc., to apply for and prosecute any and all applications for municipal permits in relation to development of the Property.

Salt Creek Properties, L.L.C.

By: 

Steve Desmarais, Manager

THE Q
Milford, NH



Town of Milford
CONSERVATION COMMISSION

Town Hall
1 Union Square
Milford, NH 03055-4240
(603) 249-0628
Fax (603) 673-2273
www.milford.nh.gov
conservation@milford.nh.gov



December 9, 2022

To: Zoning Board of Adjustment

Re: Case # 2022 - 28
Wetland Buffer Impacts
Special Exception for ZO 6.02.6.B

To the Board,

The Conservation Commission met with the applicant at the December 8, 2022 meeting. The members had some questions and comments which are listed below.

Criteria for Evaluation with MCC comments italicized

1. The need for the impact. *This roadway is necessary for access to the subdivision. The large number of new homes will trigger thoughtful consideration of alternative pedestrian walkways to promote a safe and healthy living space.*
2. The plan is the least impact to the site. *This roadway is placed where the impact will be kept as small as possible; primarily using existing woods roads.*
3. The impact on plants, fish and wildlife. *There is an existing woods road which is being utilized. The impact will be small and avoids the adjacent wetlands as much as possible. This site is impacted from previous quarry operations.*
4. The impact on the quantity and quality of surface and ground water. *There will be reduced permeable surface due to the hardened surface of the roadway. There are eco-friendly designs which should be used to mitigate this impact.*
5. The potential to cause or increase flooding, erosion or sedimentation. *A stormwater management plan hasn't been completed. Following best management practices, there should be no increased potential for flooding, erosion or sedimentation.*
6. The cumulative impact if all parties abutting this wetland or buffer were permitted to make equivalent alterations to the wetland and buffer proportional to the extent of their property rights. *The cumulative impact to the wetland complex on this parcel of these new house lots will be noticeable and will require adaptation by wildlife and plants. The functionality of the wetlands and their buffers will be protected. The restoration plans indicate that the wetland*

and buffer functionality will be protected, and perhaps, improved. If abutters were to have the same impact intensity, a larger piece of the landscape will be altered.

7. The impact of the proposed project on the values and functions of the total wetland or wetland complex. *The stormwater management plan, which hasn't been completed, will probably utilize some of the existing wetlands. The plans included in the Special Exception Application include restoration practices that intend to restore or augment the wetland and buffer functionality.*

MCC questions with answers provided from the applicant's engineer.

1. In the notes accompanying the insert graphics for each wetland and buffer impact, there were a couple of references to other town's design standards. The Engineer made a note to change the references to Milford.
2. Restoration notes # 6, the MCC requested that a native wetland seed mix be used in the buffer stabilization specifications.
3. Wetland restoration Notes #3 references a completion report will be sent to NHDES. The MCC requested, and the Engineer is agreed, that a copy of the report will be sent to the Commission.
4. The MCC is pleased to see the restoration plan includes natural regeneration from existing soils which will be set aside and maintained on site.

Very Respectfully,

Chris Costantino
Milford Conservation Commission