

October 31, 2023

Town of Milford
Planning Department
Zoning Board of Adjustment
1 Union Square
Milford, NH 03055

**Re: Special Exception Application
Milford Wastewater Treatment Plan Upgrades Project
564 Nashua Street, Milford, NH
Tax Map 43 / Parcel 54
Tax Map 44 / Parcel 2**

Dear Zoning Board of Adjustment:

On behalf of the Town of Milford Wastewater Treatment Facility, Hoyle, Tanner & Associates, Inc. (Hoyle Tanner) requests a Special Exception from Article VI Overlay Districts, Section 6.02.6 to allow for grading and construction of a portion of retaining wall and stormwater infrastructure in the wetland buffer on Map 43 Parcel 54 and on Map 44 Parcel 2. The two abutting parcels are owned by the Town of Milford with a shared property line that runs through the Milford Wastewater Treatment Facility (WWTF) site. The below information supplements and provides detailed responses to criteria provided in the enclosed Milford Special Exception applications for each parcel. The two special exceptions propose impacts to the Medlyn-Woods Brook wetland buffer, which runs through both parcels. No direct impacts to wetlands are proposed as part of this project.

Wetland and Wetland Buffer Impact 6.02.6

1. Has the need for the project been addressed? Please explain.

Yes.

Map 43 Parcel 54: Disturbance of the wetland buffer is required to construct a new retaining wall allows room for the new sludge dewatering building as part of a facility upgrade project that addresses new National Pollution Discharge Permit requirements. The wetland buffer to be impacted is inside the existing wastewater treatment facility fence line and located in a previously developed fill area. Buffer impacts will primarily be limited to grading.

Map 44 Parcel 2: Disturbance of the wetland buffer is required to allow for grading and construction of a new retaining wall, stormwater infrastructure including a stormwater leaching basin, small outlet pipe

and headwall, and a rip rap apron for improved stormwater management for the proposed developed site. The wetland buffer to be impacted is inside the existing wastewater treatment facility fence line and located in a previously developed fill area.

2. Is the plan proposed the least impactful to the wetlands, surface waters and/or associated buffers? Please explain.

The wetland buffer subject to disturbance is located within a previously developed area that has been filled in and is within the fence line of the existing wastewater treatment facility.

3. Has the impact on plants, fish and wildlife been addressed? Please explain.

Wildlife habitat in this portion of the wetlands buffer is minimal. The stream is fragmented with a large culvert downstream and a railroad crossing upstream with development on both sides and is separated from the impacted area by a fence. The project will not impact the stream or wetlands directly. Hoyle Tanner has coordinated with NH Fish and Game and there are no documented records of endangered or threatened species within the project area. The NHB DataCheck results Letter has been attached for reference.

4. Has the impact on the quality and quantity of surface and ground waters been addressed? Please explain.

The project will result in a decrease in untreated stormwater runoff using stormwater management systems designed by Hoyle Tanner. Disturbed areas will be stabilized upon completion of construction.

5. Has the potential for increased flooding, erosion and sedimentation been addressed? Please explain.

Temporary sediment and erosion controls will be installed prior to construction. Permanent slope stabilization practices will be implemented on the steep slope to facilitate vegetation growth. Development will occur outside of the 100-year flood plain. Stormwater management systems will be designed by Hoyle Tanner to reduce stormwater runoff from the developed site.

6. Has the cumulative impact if all parties owning or abutting the affected wetland were allowed to alter or impact the wetland or buffer area in the same way? Please explain.

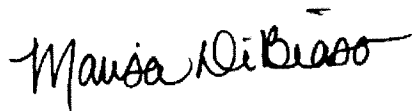
Impacts to the wetland buffer in existing developed areas by all parties owning or abutting the affected wetland would not be expected to have a significant impact. More than 1200 linear feet of Medlyn-Woods Brook runs through the two Town-owned parcels which include the wastewater treatment facility. This portion of Medlyn-Woods Brook is not accessible to abutters for wetland alterations. The majority of the proposed buffer impacts are related to grading and construction activities that can be considered temporary construction impacts.

7. Has the impact of the values and function of the overall wetland and wetland complex been addressed? Please explain.

The proposed development will only impact previously developed wetland buffer area and will not result in direct wetland impacts. An NHDES Wetland Function Assessment Worksheet has been completed by a certified wetland scientist and is attached for reference.

Should you require additional information, please contact me at (603) 413-0577 or via email at mdibiaso@hoyletanner.com.

Sincerely,
Hoyle, Tanner & Associates, Inc.

A handwritten signature in black ink that reads "Marisa DiBiaso". The signature is written in a cursive, flowing style.

Marisa DiBiaso
Senior Civil Engineer, Vice President
Enclosure(s)

cc: Jim Pouliot, Town of Milford Wastewater Treatment Facility



ZBA Application – General Information **MILFORD ZONING BOARD OF ADJUSTMENT**

This application must be complete and filed in the Milford Office of Community Development, along with an abutter list, and with all fees paid, on the official submittal date for the meeting at which the application is to be considered. An application shall not be deemed complete unless all materials have been submitted and necessary fees have been paid.

If you have any questions about how to complete this application, please contact the Office of Community Development. We will be happy to help you understand the Zoning Board application process and legal requirements, but we cannot give you legal advice. If you are uncertain about how the zoning laws apply to your case, we recommend that you obtain professional advice.

General Instructions

Use this form for all applications to the Milford Zoning Board of Adjustment, except:

- If the Selectmen, Planning Board, Building Inspector, or any other town board or official has made a decision to allow someone else to do something that you do not think they should be allowed to do. In that case, use the ***Third-Party Appeal of Administrative Decision*** form.
- To ask the Zoning Board to hold a new hearing to reconsider a decision that was made at a previous meeting, use the ***Request for Rehearing*** form.

Contents of an Application

Your application must include the "General Information" section and at least one application for a special exception, variance, equitable waiver, or appeal of administrative decision.

You may include more than one application section, as long as they are all for the same proposed use.

For example, you might appeal an administrative decision, and also apply for a variance that would permit the same use, in case the appeal is denied; or you might have a proposed use that would require several variances and special exceptions.

Please work with the Office of Community Development to help you determine what you are applying for or asking relief from.

Fee

The fee is \$100 for the application, plus \$5.75 for each abutter.

Abutter List

The abutter list must include the name and mailing address of:

- the applicant,
- the property owner or owners,
- every person who owns property which touches any lot involved in the application (even at a corner) or is directly or diagonally across a road, stream, river, or railway right-of-way from a lot involved in the application, ***and***
- the holders of any conservation, preservation, or agricultural preservation restrictions on any of the lots involved in the application.

It is your responsibility to provide an accurate abutter list. A Zoning Board decision that is made without notifying all abutters may not be valid and an abutter who was not properly notified may be able to have the decision overturned.



ZBA Application – General Information **MILFORD ZONING BOARD OF ADJUSTMENT**

Preparing an Abutters List

1. Here are some guidelines to help you prepare an abutters list.
 - a. Find the lot(s) you are interested in and their abutting lots from the tax maps in the Community Development or Assessors Offices.
 - b. Go to the Milford Assessors Office to check whether the town has a record of any of the abutting lots having been sold more recently than the records available online through the Milford GIS or Vision software.
 - c. Check whether there is any conservation, preservation, or agricultural preservation parcels that are adjacent to your lot. Make sure you get the correct mailing address for the entity that holds the title to this type of lot. It may be a home owners association, a conservation group or the Town of Milford.
2. For the purpose of notification by the Town of Milford Zoning Board of Adjustment, any property being,
 - a. Under a condominium or other collective ownership, the term “abutter” means the officers of the collective or association, as defined in RSA 356-B:3XXIII
 - b. Under a manufactured housing park form of ownership defined in RSA 205-A:1, the term “abutter” includes the manufactured housing park owner and tenants who own manufactured housing which adjoins or is directly across the street, stream, or active railroad from the land under consideration by the Zoning Board of Adjustment.
 - c. An active railroad property, the owner of which shall be notified.

In cases where the applicant is different from the owner of the land under consideration by the Zoning Board of Adjustment, the term “abutter” shall include the owner AND the applicant.

For the purpose of receiving testimony only, and not for the purpose of notification, the term “abutter” shall include any person who is able to demonstrate that their land will be directly affected by the proposal under consideration by the Zoning Board of Adjustment.

Addition information

1. The Town of Milford only has lot and owner information for properties located within the Town of Milford. If the lot under consideration abuts an adjoining town you will need to go to that municipality for abutter information.

Burden of Proof

The applicant shall have the burden of proving any historical facts relevant to a case before the Zoning Board. Such relevant facts include, but are not limited to, the date on which a lot, structure, or use came into existence, violation history, open permits or applications.

The existence of a structure or use on a particular date may be established by testimony or by documentary evidence.

Supporting Documents

The following information may be required to deem your application “complete.”

1. Floor Plans
2. Plot Plans
3. Conservation Commission Report
4. Septic system analysis
5. Any additional information that supports your application as determined by the Community Development Office



ZBA Application

MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

PROPERTY INFORMATION	
Street Address: 564 Nashua Street, Milford, NH	
Tax Map / Parcel #: Map 43/Parcel 54	Lot Size: 33 ac+/-; 27.9 ac+/-
PROPERTY CURRENTLY USED AS	
The Milford Wastewater Treatment Facility	
<i>If the application involves multiple lots with different owners, attach additional copies of this page.</i>	
PROPERTY OWNER	
Name: Town of Milford	
Address: 1 Union Square	
City/State/Zip: Milford, NH 03055-4230	
Phone: (603) 249-0660	
Email: Jim Pouliot jpouliot@milford.nh.gov	
<i>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.</i>	
APPLICANT/REPRESENTATIVE	
<input type="checkbox"/> SAME AS OWNER	
Name: Hoyle, Tanner & Associates, Inc.	
Address: 150 Dow Street	
City/State/Zip: Manchester, NH 03101	
Email: Marisa DiBiaso mdibiaso@hoyletanner.com	
Phone: (603) 413-0577	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.	
<hr/> <div style="display: flex; justify-content: space-between;"> Property Owner's signature Date: </div>	

Date Received: _____

Case Number: _____

Application Number: _____

Hearing Date: _____

Decision Date: _____

Decision: _____

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:	\$100.00
Abutters Fee: 70 x \$5.75	\$402.50
Amount received:	
Date Received:	
Check _____ Cash _____	

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: _____
 Case Number: _____
 Application #: _____
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION
Street Address: 564 Nashua Street, Milford, NH
Tax Map / Parcel #: Tax Map 43 / Parcel 54
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 <u>VI</u> Section <u>6.02.6</u> Describe the <u>use</u> you are proposing under the above section of the Ordinance. <u>The proposed use as a wastewater treatment facility is the same as the existing use.</u>

**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

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:
 The Town of Milford who is proposing upgrades to the Wastewater Treatment Facility (WWTF) to meet the new National Pollution Discharge Elimination Permit requirements. Upgrades include a new tertiary building, new dewatering building, new sludge holding tanks, existing process building upgrades, yard piping, and associate site improvements.

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:
 The proposed use as a wastewater treatment facility is the same as the existing use.

B. The specific site is an appropriate location for the proposed use because:
 The new sludge dewatering building is proposed within the fence line of the existing wastewater treatment facility in a previously developed area that does not impact future expansion on a site with limited available area.

C. The use as developed will not adversely affect the adjacent area because:
 The use as developed is consistent with the existing use and is located within the fence line of the existing wastewater treatment facility on Town-owned property. The new sludge dewatering building is located on Town property and is not near abutters.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:
 Construction of the retaining wall will allow for improved truck circulation around the wastewater treatment facility and will not create a nuisance or serious hazard to vehicles or pedestrians.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:
 The existing wastewater treatment facility will continue operation of the facility upon completion of the upgrade project.



ZBA Application – Special Exception **MILFORD ZONING BOARD OF ADJUSTMENT**

Explain how the proposal meets the specific criteria of the Zoning Ordinance for each section:

WETLAND AND WETLAND BUFFER IMPACT 6.02.6

1. Has the need for the project been addressed? Please explain.
See attached letter.
2. Is the plan proposed the least impactful to the wetlands, surface waters and/or associated buffers? Please explain.
See attached letter.
3. Has the impact on plants, fish and wildlife been addressed? Please explain.

See attached letter.
4. Has the impact on the quality and quantity of surface and ground waters been addressed? Please explain.

See attached letter.
5. Has the potential for increased flooding, erosion and sedimentation been addressed? Please explain.

See attached letter.
6. Has the cumulative impact if all parties owning or abutting the affected wetland were allowed to alter or impact the wetland or buffer area in the same way? Please explain.

See attached letter.
7. Has the impact of the values and function of the overall wetland and wetland complex been addressed? Please explain.

See attached letter.
8. Has a comment from the Milford Conservation Commission been solicited? Yes No
Date of Conservation Commission Meeting attended: Sept. 14, 2023

HOME BUSINESS CRITERIA 7.12.6

1. Is the Home Business located in the Residential 'A', Residential 'B', or Residential 'R' Zoning District?
2. Please explain if the Home Business is conducted entirely within the dwelling or accessory structure.
3. A sign of not more than six (6) square feet is allowed and shall not advertise in such a way that would encourage customers or salespersons to come to the property without an appointment. Please provide the dimensions, design, and approximate location of the sign.
4. There shall be no more than two (2) non-resident employees of the Home Business. Please provide the total number of non-resident employees.
5. The Home Business shall not be more than 25% of the combined floor area of all structures on the property. Please detail the total combined floor area of all structures on the property used for Home Business.

Section continued on next page.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

HOME BUSINESS CRITERIA 7.12.6 (Continued)

6. Retail sales of goods incidental to Home Business are allowed. Please explain if there will be retail sales of goods incidental to Home Business.
7. There shall be not more than sixteen (16) clients or deliveries per day. If applicable, please provide the anticipated number of clients or deliveries per day.
8. There shall be no parking of or deliveries by vehicles with more than two (2) axles. Only one (1) commercial vehicle may be parked on the property in conjunction with the Home Business. Please summarize the anticipated size of the delivery vehicles and number of commercial vehicles serving the Home Business.
9. A Home Business shall not be conducted in a way that is perceptible in external effects (such as but not limited to noise, odors, traffic) from beyond the lot line between the hours of 9:00 p.m. and 7:30 a.m. Please explain the hours of operation.
10. The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts commonly found in a dwelling. The use shall not involve the use or storage of toxic substances. If applicable, please explain if there will be the storage of hazardous, flammable or explosive, or toxic substances associated with the Home Business and its location on the property.

ACCESSORY DWELLING UNITS 10.02.6

1. Is the property going to be Owner Occupied?
2. Has a Building Permit application been made? Copy of permit application attached?
3. Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence?
4. Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit?
5. Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood?
6. Is there adequate off-street parking? How many spaces?
7. Are any additional curb cuts being proposed?
8. Are all necessary additional entrances or exits located to the side or rear of the building to the maximum extent possible? Please note on the plan.

Section continued on next page.



ZBA Application – Special Exception

MILFORD ZONING BOARD OF ADJUSTMENT

ACCESSORY DWELLING UNITS 10.02.6 (Continued)

1. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.
2. Is there only one (1) ADU on the property?
3. Is the ADU no more than 750 square feet gross floor area? How many square feet is the ADU?
4. Does the ADU have no more than two (2) bedrooms? Please show on plans.
5. If inside the existing dwelling, is there at least one common wall with a door between the two spaces at least 32 inches wide? Please show on plans.
6. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.
7. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report.
8. Is the ADU in compliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?
9. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?

OFFICE IN THE RESIDENCE A AND B DISTRICTS 10.02.7

1. Is the specific site of the proposed office use located in an existing building that is an appropriate location for the proposed use and ancillary to the Residential Use permitted by right? Please explain.
2. Will the use as proposed adversely affect adjacent Residential areas? Please explain.
3. Will there will be any nuisance, such as but not limited to: noise, odor, hours of operation, traffic, deliveries and lighting associated with this use? Please explain.
4. Will there be any outside storage? Please explain.
5. Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)?
Yes ___ No ___ Date of hearing: _____



ZBA Application – General Information **MILFORD ZONING BOARD OF ADJUSTMENT**

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ZBA Application – General Information **MILFORD ZONING BOARD OF ADJUSTMENT**

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Burden of Proof

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The existence of a structure or use on a particular date may be established by testimony or by documentary evidence.

Supporting Documents

The following information may be required to deem your application “complete.”

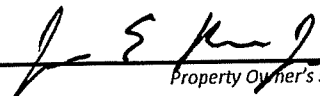
1. Floor Plans
2. Plot Plans
3. Conservation Commission Report
4. Septic system analysis
5. Any additional information that supports your application as determined by the Community Development Office



ZBA Application

MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

PROPERTY INFORMATION	
Street Address: 564 Nashua Street, Milford, NH	
Tax Map / Parcel #: Map 43/Parcel 54 Map 44/Parcel 2	Lot Size: 33 ac+/-; 27.9 ac+/-
PROPERTY CURRENTLY USED AS	
The Milford Wastewater Treatment Facility	
<i>If the application involves multiple lots with different owners, attach additional copies of this page.</i>	
PROPERTY OWNER	
Name: Town of Milford	
Address: 1 Union Square	
City/State/Zip: Milford, NH 03055-4230	
Phone: (603) 249-0660	
Email: Jim Pouliot jpouliot@milford.nh.gov	
<i>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.</i>	
APPLICANT/REPRESENTATIVE	
<input type="checkbox"/> SAME AS OWNER	
Name: Hoyle, Tanner & Associates, Inc.	
Address: 150 Dow Street	
City/State/Zip: Manchester, NH 03101	
Email: Marisa DiBiasco mdibiasco@hoyletanner.com	
Phone: (603) 413-0577	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: 10-31-23	

Date Received: _____
Case Number: _____
Application Number: _____
Hearing Date: _____
Decision Date: _____
Decision: _____

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:	\$100.00
Abutters Fee: 70 X \$5.75	\$402.50
Amount received:	
Date Received:	
Check _____ Cash _____	

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: _____
 Case Number: _____
 Application #: _____
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 564 Nashua Street, Milford, NH

Tax Map / Parcel #: Tax Map 44 / Parcel 2

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 VI Section 6.02.6

Describe the **use** you are proposing under the above section of the Ordinance.
The proposed use as a wastewater treatment facility is the same as the existing use.

**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

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:
 The Town of Milford who is proposing upgrades to the Wastewater Treatment Facility (WWTF) to meet the new National Pollution Discharge Elimination Permit requirements. Upgrades include a new tertiary building, new dewatering building, new sludge holding tanks, existing process building upgrades, yard piping, and associate site improvements.

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:
 The proposed use as a wastewater treatment facility is the same as the existing use.

B. The specific site is an appropriate location for the proposed use because:
 The new sludge dewatering building is proposed within the fence line of the existing wastewater treatment facility in a previously developed area that does not impact future expansion on a site with limited available area.

C. The use as developed will not adversely affect the adjacent area because:
 The use as developed is consistent with the existing use and is located within the fence line of the existing wastewater treatment facility on Town-owned property. The proposed grading and stormwater improvements are located on Town property and is not near abutters.

D. There will be no nuisance or serious hazard to vehicles or pedestrians because:
 Construction related to proposed drainage improvements will collect stormwater runoff from the access drive and will not create a nuisance or serious hazard to vehicles or pedestrians.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:
 The existing wastewater treatment facility will continue operation of the facility upon completion of the upgrade project.



ZBA Application – Special Exception

MILFORD ZONING BOARD OF ADJUSTMENT

Explain how the proposal meets the specific criteria of the Zoning Ordinance for each section:

WETLAND AND WETLAND BUFFER IMPACT 6.02.6

1. Has the need for the project been addressed? Please explain.
See attached letter.
2. Is the plan proposed the least impactful to the wetlands, surface waters and/or associated buffers? Please explain.
See attached letter.
3. Has the impact on plants, fish and wildlife been addressed? Please explain.

See attached letter.
4. Has the impact on the quality and quantity of surface and ground waters been addressed? Please explain.

See attached letter.
5. Has the potential for increased flooding, erosion and sedimentation been addressed? Please explain.

See attached letter.
6. Has the cumulative impact if all parties owning or abutting the affected wetland were allowed to alter or impact the wetland or buffer area in the same way? Please explain.

See attached letter.
7. Has the impact of the values and function of the overall wetland and wetland complex been addressed? Please explain.

See attached letter.
8. Has a comment from the Milford Conservation Commission been solicited? Yes No
Date of Conservation Commission Meeting attended: Sept. 14, 2023

HOME BUSINESS CRITERIA 7.12.6

1. Is the Home Business located in the Residential 'A', Residential 'B', or Residential 'R' Zoning District?
2. Please explain if the Home Business is conducted entirely within the dwelling or accessory structure.
3. A sign of not more than six (6) square feet is allowed and shall not advertise in such a way that would encourage customers or salespersons to come to the property without an appointment. Please provide the dimensions, design, and approximate location of the sign.
4. There shall be no more than two (2) non-resident employees of the Home Business. Please provide the total number of non-resident employees.
5. The Home Business shall not be more than 25% of the combined floor area of all structures on the property. Please detail the total combined floor area of all structures on the property used for Home Business.

Section continued on next page.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

HOME BUSINESS CRITERIA 7.12.6 (Continued)

6. Retail sales of goods incidental to Home Business are allowed. Please explain if there will be retail sales of goods incidental to Home Business.
7. There shall be not more than sixteen (16) clients or deliveries per day. If applicable, please provide the anticipated number of clients or deliveries per day.
8. There shall be no parking of or deliveries by vehicles with more than two (2) axles. Only one (1) commercial vehicle may be parked on the property in conjunction with the Home Business. Please summarize the anticipated size of the delivery vehicles and number of commercial vehicles serving the Home Business.
9. A Home Business shall not be conducted in a way that is perceptible in external effects (such as but not limited to noise, odors, traffic) from beyond the lot line between the hours of 9:00 p.m. and 7:30 a.m. Please explain the hours of operation.
10. The use shall not involve the storage or use of hazardous, flammable or explosive substances, other than types and amounts commonly found in a dwelling. The use shall not involve the use or storage of toxic substances. If applicable, please explain if there will be the storage of hazardous, flammable or explosive, or toxic substances associated with the Home Business and its location on the property.

ACCESSORY DWELLING UNITS 10.02.6

1. Is the property going to be Owner Occupied?
2. Has a Building Permit application been made? Copy of permit application attached?
3. Is the ADU developed in a manner which does not alter the character/appearance of the principal use as a single-family residence?
4. Is the ADU intended to be secondary and accessory to a principal single-family dwelling unit?
5. Does the ADU impair the residential character of the premises or the reasonable use, enjoyment and value of neighborhood?
6. Is there adequate off-street parking? How many spaces?
7. Are any additional curb cuts being proposed?
8. Are all necessary additional entrances or exits located to the side or rear of the building to the maximum extent possible? Please note on the plan.

Section continued on next page.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

ACCESSORY DWELLING UNITS 10.02.6 (Continued)

1. Is there adequate sewer/septic and water for the additional inhabitants? Please include septic/sewer approval.
2. Is there only one (1) ADU on the property?
3. Is the ADU no more than 750 square feet gross floor area? How many square feet is the ADU?
4. Does the ADU have no more than two (2) bedrooms? Please show on plans.
5. If inside the existing dwelling, is there at least one common wall with a door between the two spaces at least 32 inches wide? Please show on plans.
6. If a connecting hall is proposed, is the hallway at least 36 inches wide? Please show on plans.
7. Has a Code Compliance inspection been conducted by the Building Inspector? Please include inspection report.
8. Is the ADU in compliance with Section 10.02.6:A of the Milford Zoning Ordinance? How so?
9. If no, has a Variance from Section 10.02.6:A been granted by the ZBA?

OFFICE IN THE RESIDENCE A AND B DISTRICTS 10.02.7

1. Is the specific site of the proposed office use located in an existing building that is an appropriate location for the proposed use and ancillary to the Residential Use permitted by right? Please explain.
2. Will the use as proposed adversely affect adjacent Residential areas? Please explain.
3. Will there will be any nuisance, such as but not limited to: noise, odor, hours of operation, traffic, deliveries and lighting associated with this use? Please explain.
4. Will there be any outside storage? Please explain.
5. Has the applicant made a site plan application to the Planning Board (hearing subsequent to Zoning Board approval)?
Yes ___ No ___ Date of hearing: _____

Abutters List – Updated 11/6/2023

43-54

Milford Wastewater Treatment Facility 564 Nashua Street Milford, NH

32-4-C Paul Henderson 486 Nashua St #208 Milford, NH 03055	32-4-C Miroslav & Ludmila Elias 486 Nashua St #304 Milford, NH 03055	32-24-1 Michael R & Heather M Ciardelli Trustees Andrew & Matthew Rev Trust 35 Mossman Dr Hollis, NH 03049-6244
32-4-C Paul Burba & Carol Gove Trustees Paul Burba & Carol Gove Rev Trust 45 Tano Rd Santa Fe, NH 87506	32-4-C James R & Cynthia A Tibbets 486 Nashua St #305 Milford, NH 03055	32-28 Heatherland Properties LLC 467 Nashua St Milford, NH 03055-4919
32-4-C Richard & Barbara Wright 486 Nashua St #213 Milford, NH 03055	32-4-C Gerald P & Olive M Katz 486 Nashua St #306 Milford, NH 03055	43-52, 43-53 Heritage Estates Apt LLC C/O Bill Morin 504 Nashua St Unit 206 Milford, NH 03055
32-4-C Le Tran Phuong 486 Nashua St #214 Milford, NH 03055	32-4-C Christine Charter 486 Nashua St #307 Milford, NH 03055	44-1 Roger G & Bonnie Chappell PO Box 424 Milford, NH 03055-0424
32-4-C Kent D Kolar Trustee Kent D Kolar Rev Trust 486 Nashua St #217 Milford, NH 03055	32-4-C Jean A LaFontaine 486 Nashua St #308 Milford, NH 03055	44-6 B33 Lordens Plaza LLC 9330 W. Sahara Ave, Suite 270 Las Vegas, NV 89117
32-4-C Joseph Morrell 486 Nashua St #218 Milford, NH 03055	32-4-C Maurice D Trudell Jr 486 Nashua St #309 Milford, NH 03055	Marisa DiBiaso Hoyle, Tanner & Associates, Inc. 100 International Dr, Suite 360 Portsmouth, NH 03801
32-4-C Nancy A Feraco 486 Nashua St #300 Milford, NH 03055	32-4-C Kenneth B & Florence R Wilson 486 Nashua St #310 Milford, NH 03055	32-4-C Eric Fisher 12 Georgetown Dr Milford, NH 03055
32-4-C Susan Urtamo 486 Nashua St #301 Milford, NH 03055	32-4-C MACG2, LLC 84 Hayden Ln Hollis, NH 03049	32-24 Michael R & Heather M Ciardelli Trustees Michael R Ciardelli Rev Trust 35 Mossman Dr Hollis, NH 03049-6244
CSX 500 Water Street 15 th Floor Jacksonville, FL 32202	3-32 Limestone Hills Corp 11801 W. Highway 71 Austin, TX 78738	31-32-01 St. Joseph Hospital 172 Kinsley Street Nashua, NH 03060

Abutters List – Updated 11/6/2023

43-54

Milford Wastewater Treatment Facility

564 Nashua Street

Milford, NH

43-54 Milford Wastewater Treatment Facility 564 Nashua Street Milford, NH 03055	32-4-C Cahill Place LLC 16 Thornton Ferry II Amherst, NH 03031	32-4-C Celine A & Roger A Aveni 5512 Belle Terre Drive Leesburg, FL 34748
31-32, 44-2, 43-54 Town of Milford 1 Union Square Milford, NH 03055-4230	32-4-C William G & Sharon L Andrews Trustees William G & Sharon L Andrews IRRV Trust 486 Nashua Street #105 Milford, NH 03055	32-4-C Robert F Kokko Trustee Robert F & Stephanie P Kokko REV Trust 41 Summer Street Milford, NH 03055
32-2 Stephen M & Wendy A Schlim 476 Nashua Street Milford, NH 03055-4915	32-4-C Zachariah Tripp CO-Trustee Tripp Family REV Trust 32 Boxwood Circle Milford, NH 03055	32-4-C Janet Levy 486 Nashua Street #117 Milford, NH 03055
32-3 Robert & Stephanie Kokko CO-Trustees Robert F & Stephanie P Kokko REV Trust/20 480 Nashua Street Milford, NH 03055	32-4C Walter H Seeba Real Estate Tax Department 486 Nashua Street #108 Milford, NH 03055	32-4-C Cynthia J Files 476 Nashua Street #200 Milford, NH 03055-4915
32-4-C Marie L Mullins 486 Nashua Street #100 Milford, NH 03055	32-4-C 110 Cahill LLC PO BOX 203 New Durham, NH 03855	32-4-C Leslie C Hinspeter Trustee Oscar & Cecilia Beck IRRVCBLE Trust C/O 486 Nashua Street #201 Milford, NH 03055
32-4-C Martha Lamminen Trustee Martha Lamminen REV Trust/2018 486 Nashua Street #101 Milford, NH 03055	32-4-C Dale J Russell 486 Nashua Street #111 Milford, NH 03055	32-4-C Annie M Johnson Trustee Annie M Johnson Rev Trust 486 Nashua St #203 Milford, NH 03055
32-4-C Claddagh Holdings LLC 486 Nashua Street #102 Milford, NH 03055	32-4C Anthony R Dello Russo 20 Washington Street #58 Methuen, MA 01844	32-4-C Helen L Maynard Trustee Helen L Maynard Rev Trust 486 Nashua St #204 Milford, NH 03055
32-4-C Erin M Joyce 486 Nashua Street #103 Milford, NH 03055	32-4-C Donna Savary 486 Nashua Street #113 Milford, NH 03055	32-4-C Mary Ann Simco 486 Nashua St #207 Milford, NH 03055

Abutters List – Updated 11/6/2023

43-54

Milford Wastewater Treatment Facility

564 Nashua Street

Milford, NH

32-29

Gloria J Trustee Maguire

Gloria J RVCBL Trust of 2006

451 Nashua Street

Milford, NH 03055

Abutters List – Updated 11/6/2023

44-2

**Milford Wastewater Treatment Facility
564 Nashua Street
Milford, NH**

44-2
Milford Wastewater Treatment
Facility
564 Nashua Street
Milford, NH

44-4-1
Carlos & Maria Andrade
7 Metea Lane
Bedford, NH 03110-6936

44-13-1
Walgreen Eastern Co, INC
Real Estate Tax Department
PO BOX 1159
Deerfield, IL 60015-1159

43-52
Heritage Estates Apt LLC
C/O Bill Morin
504 Nashua Street Unit 206
Milford, NH 03055

44-5
Town of Milford
1 Union Square
Milford, NH 03055-4230

CSX
500 Water Street 15th Floor
Jacksonville, FL 32202

43-54
Town of Milford
1 Union Square
Milford, NH 03055-4230

44-6
B33 Lordens Plaza, LLC
9330 W. Sahara Ave, Suite 270
Las Vegas, NV 89117

43-56
NEA Realty LLC
Nashua Eye Associates PA
5 Coliseum Avenue
Nashua, NH 03063-3292

44-6-3
B33 Lordens Plaza, LLC
9330 W. Sahara Ave, Suite 270
Las Vegas, NV 89117

44-1
Roger G & Bonnie Chappell
PO BOX 424
Milford, NH 03055-0424

44-6-4
MBP LLC
41 Beaver Lane
Bedford, NH 03110

44-4
SKA Properties LLC
1346 Bald Hill Road
Warwick, RI 02886

44-9
NH State of DOT-ROW
29 Hazen Drive
Concord, NH 03301

Marisa DiBiaso
Hoyle, Tanner & Associates, Inc.
100 International Dr, Ste 360
Portsmouth, NH 03801

44-13
Burger King Co LLC
5707 Blue Lagoon Drive
Miami, FL 33126

3-32
Limestone Hills Corp
11801 W. Highway 71
Austin, TX 78738

Town of Milford
1 Union Square
Milford, NH 03055



Photo 1

View of wetland buffer inside fence line where proposed retaining wall is planned, looking east.



Photo 2

View of wetland buffer inside fence line where proposed retaining wall is planned, looking west.



Photo 3

View of wetland buffer inside fence line where proposed retaining wall is planned, looking west.



Photo 4

View of wetland d buffer inside fence line where proposed retaining wall is planned, looking northwest.



NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

To: Deb Coon, Hoyle, Tanner & Associates, Inc.
150 Dow Street
Manchester, NH 03101
dcoon@hoyletanner.com

From: NHB Review
NH Natural Heritage Bureau
Main Contact: Ashley Litwinenko - nhbreview@dncr.nh.gov

cc: NHFG Review

Date: 08/15/2023 (valid until 08/15/2024)
Re: DataCheck Review by NH Natural Heritage Bureau and NH Fish & Game
Permits: USCEQ - Federal: NEPA Review

NHB ID: NHB23-2378

Town: Milford
Location: 564 Nashua Street

Project Description: The project includes construction of a tertiary treatment process building, a dewatering building, chemical feed systems, pumps and process equipment to remove phosphorus and copper from secondary effluent at the Town of Milford Wastewater Treatment Facility (WWTF) in response to new NPDES permit requirements. All upgrades at the WWTF are all within the existing fence line of the WWTF, do not impact wetlands, and do not impact the 100-year floodplain.

Next Steps for Applicant:

NHB's database has been searched for records of rare species and exemplary natural communities. Please carefully read the comments and consultation requirements below.

NHB Comments: No comments at this time.

NHFG Comments: Please refer to NHFG consultation requirements below.

NHB Consultation

If this NHB DataCheck letter includes records of rare plants and/or natural communities/systems, please contact NHB and provide any requested supplementary materials by emailing nhbreview@dncr.nh.gov.

If this NHB DataCheck letter DOES NOT include any records of rare plants and/or natural communities/systems, no further consultation with NHB is required.



NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

NH Fish and Game Department Consultation

If this NHB DataCheck letter DOES NOT include ANY wildlife species records, then, based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

If this NHB DataCheck letter includes a record for a threatened (T) or endangered (E) wildlife species, consultation with the New Hampshire Fish and Game Department under Fis 1004 may be required. To review the Fis 1000 rules (effective February 3, 2022), please go to <https://wildlife.state.nh.us/wildlife/environmental-review.html>. All requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent by mail, and **must include the NHB DataCheck results letter number and "Fis 1004 consultation request" in the subject line.**

If the NHB DataCheck response letter does not include a threatened or endangered wildlife species but includes other wildlife species (e.g., Species of Special Concern), consultation under Fis 1004 is not required; however, some species are protected under other state laws or rules, so coordination with NH Fish & Game is highly recommended or may be required for certain permits. While some permitting processes are exempt from required consultation under Fis 1004 (e.g., *statutory permit by notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule*), coordination with NH Fish & Game may still be required under the rules governing those specific permitting processes, and it is recommended you contact the applicable permitting agency. For projects not requiring consultation under Fis 1004, but where additional coordination with NH Fish and Game is requested, please email NHFGreview@wildlife.nh.gov, and include the NHB DataCheck results letter number and "review request" in the email subject line.

Contact NH Fish & Game at (603) 271-0467 with questions.



NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

NHB Database Records:

The following record(s) have been documented in the vicinity of the proposed project.

Please see the map and detailed information about the record(s) on the following pages.

Vertebrate species	State ¹	Federal	Notes
Banded Sunfish (<i>Enneacanthus obesus</i>)	SC	--	Contact the NH Fish & Game Dept (see above).
Smooth Green Snake (<i>Opheodrys vernalis</i>)	SC	--	Contact the NH Fish & Game Dept (see above).
Wood Turtle (<i>Glyptemys insculpta</i>)	SC	--	Contact the NH Fish & Game Dept (see below).

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list.

An asterisk (*) indicates that the most recent report for that occurrence was 20 or more years ago.

For all animal reviews, refer to 'IMPORTANT: NHFG Consultation' section above.

Disclaimer: NHB's database can only tell you of known occurrences that have been reported to NHFG/NHB. Known occurrences are based on information gathered by qualified biologists or members of the public, reported to our offices, and verified by NHB/NHFG.

However, many areas have never been surveyed, or have only been surveyed for certain species.

NHB recommends surveys to determine what species/natural communities are present onsite.



WETLANDS FUNCTIONAL ASSESSMENT WORKSHEET

Water Division/Land Resource Management
Wetlands Bureau



[Check the Status of your Application](#)

RSA/Rule: RSA 482-A / Env-Wt 311.03(b)(10); Env-Wt 311.10

APPLICANT LAST NAME, FIRST NAME, M.I.: Hoyle, Tanner & Associates, Inc.

As required by Env-Wt 311.03(b)(10), an application for a standard permit for minor and major projects must include a functional assessment of all wetlands on the project site as specified in Env-Wt 311.10. This worksheet will help you compile data for the functional assessment needed to meet federal (US Army Corps of Engineers (USACE); if applicable) and NHDES requirements. Additional requirements are needed for projects in tidal area; please refer to the Coastal Area Worksheet (NHDES-W-06-079) for more information.

Both a desktop review and a field examination are needed to accurately determine surrounding land use, hydrology, hydroperiod, hydric soils, vegetation, structural complexity of wetland classes, hydrologic connections between wetlands or stream systems or wetland complex, position in the landscape, and physical characteristics of wetlands and associated surface waters. The results of the evaluation are to be used to select the location of the proposed project having the least impact to wetland functions and values (Env-Wt 311.10). This worksheet can be used in conjunction with the Avoidance and Minimization Written Narrative (NHDES-W-06-089) and the Avoidance and Minimization Checklist (NHDES-W-06-050) to address Env-Wt 313.03 (Avoidance and Minimization). If more than one wetland/ stream resource is identified, multiple worksheets can be attached to the application. All wetland, vernal pools, and stream identification (ID) numbers are to be displayed and located on the wetlands delineation of the subject property.

SECTION 1 - LOCATION (USACE HIGHWAY METHODOLOGY)	
ADJACENT LAND USE: Forest/Commerical/Industrial	
CONTIGUOUS UNDEVELOPED BUFFER ZONE PRESENT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
DISTANCE TO NEAREST ROADWAY OR OTHER DEVELOPMENT (in feet): 3.8'	
SECTION 2 - DELINEATION (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
CERTIFIED WETLAND SCIENTIST (if in a non-tidal area) or QUALIFIED COASTAL PROFESSIONAL (if in a tidal area) who prepared this assessment: T.F. Bernier, Inc	
DATE(S) OF SITE VISIT(S): Aug 1, 2023	DELINEATION PER ENV-WT 406 COMPLETED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CONFIRM THAT THE EVALUATION IS BASED ON:	
<input checked="" type="checkbox"/> Office and	
<input checked="" type="checkbox"/> Field examination.	
METHOD USED FOR FUNCTIONAL ASSESSMENT (check one and fill in blank if "other"):	
<input checked="" type="checkbox"/> USACE Highway Methodology.	
<input type="checkbox"/> Other scientifically supported method (enter name/ title):	

SECTION 3 - WETLAND RESOURCE SUMMARY (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
WETLAND ID: Medlyn-Woods Brook	LOCATION: (LAT/ LONG) N42.8275/W71.6269
WETLAND AREA: Total= >8,000 ft ²	DOMINANT WETLAND SYSTEMS PRESENT: Palustrine
HOW MANY TRIBUTARIES CONTRIBUTE TO THE WETLAND? >1	COWARDIN CLASS: Palustrine Forested Broad-Leaved Deciduous/ Riverine Upper Perennial Rock Bottom Rubble
IS THE WETLAND A SEPARATE HYDRAULIC SYSTEM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IS THE WETLAND PART OF: <input type="checkbox"/> A wildlife corridor or <input type="checkbox"/> A habitat island?
if not, where does the wetland lie in the drainage basin? Low in watershed, near Souhegan River	IS THE WETLAND HUMAN-MADE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
IS THE WETLAND IN A 100-YEAR FLOODPLAIN? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ARE VERNAL POOLS PRESENT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, complete the Vernal Pool Table)
ARE ANY WETLANDS PART OF A STREAM OR OPEN-WATER SYSTEM? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ARE ANY PUBLIC OR PRIVATE WELLS DOWNSTREAM/ DOWNGRAIENT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROPOSED WETLAND IMPACT TYPE: N/A	PROPOSED WETLAND IMPACT AREA: N/A
SECTION 4 - WETLANDS FUNCTIONS AND VALUES (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
<p>The following table can be used to compile data on wetlands functions and values. The reference numbers indicated in the "Functions/ Values" column refer to the following functions and values:</p> <ol style="list-style-type: none"> 1. Ecological Integrity (from RSA 482-A:2, XI) 2. Educational Potential (from USACE Highway Methodology: Educational/Scientific Value) 3. Fish & Aquatic Life Habitat (from USACE Highway Methodology: Fish & Shellfish Habitat) 4. Flood Storage (from USACE Highway Methodology: Floodflow Alteration) 5. Groundwater Recharge (from USACE Highway Methodology: Groundwater Recharge/Discharge) 6. Noteworthiness (from USACE Highway Methodology: Threatened or Endangered Species Habitat) 7. Nutrient Trapping/Retention & Transformation (from USACE Highway Methodology: Nutrient Removal) 8. Production Export (Nutrient) (from USACE Highway Methodology) 9. Scenic Quality (from USACE Highway Methodology: Visual Quality/Aesthetics) 10. Sediment Trapping (from USACE Highway Methodology: Sediment /Toxicant Retention) 11. Shoreline Anchoring (from USACE Highway Methodology: Sediment/Shoreline Stabilization) 12. Uniqueness/Heritage (from USACE Highway Methodology) 13. Wetland-based Recreation (from USACE Highway Methodology: Recreation) 14. Wetland-dependent Wildlife Habitat (from USACE Highway Methodology: Wildlife Habitat) <p>First, determine if a wetland is suitable for a particular function and value ("Suitability" column) and indicate the rationale behind your determination ("Rationale" column). Please use the rationale reference numbers listed in Appendix A of USACE <i>The Highway Methodology Workbook Supplement</i>. Second, indicate which functions and values are principal ("Principal Function/value?" column). As described in <i>The Highway Methodology Workbook Supplement</i>, "functions and values can be principal if they are an important physical component of a wetland ecosystem (function only) and/or are considered of special value to society, from a local, regional, and/or national perspective".</p>	

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

“Important Notes” are to include characteristics the evaluator used to determine the principal function and value of the wetland.

FUNCTIONS/ VALUES	SUITABILITY (Y/N)	RATIONALE (Reference #)	PRINCIPAL FUNCTION/VALUE? (Y/N)	IMPORTANT NOTES
1	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
9	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
10	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
11	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
12	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
13	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	

14	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
----	---	--	---	--

SECTION 5 - VERNAL POOL SUMMARY (Env-Wt 311.10)

Delineations of vernal pools shall be based on the characteristics listed in the definition of "vernal pool" in Env-Wt 104.44. To assist in the delineation, individuals may use either of the following references:

- *Identifying and Documenting Vernal Pools in New Hampshire 3rd Ed.*, 2016, published by the New Hampshire Fish and Game Department; or
- The USACE *Vernal Pool Assessment* draft guidance dated 9-10-2013 and form dated 9-6-2016, Appendix L of the USACE New England District *Compensatory Mitigation Guidance*.

All vernal pool ID numbers are to be displayed and located on the wetland delineation of the subject property.

"Important Notes" are to include documented reproductive and wildlife values, landscape context, and relationship to other vernal pools/wetlands.

Note: For projects seeking federal approval from the USACE, please attach a completed copy of The USACE "Vernal Pool Assessment" form dated 9-6-2016, Appendix L of the USACE New England District *Compensatory Mitigation Guidance*.

VERNAL POOL ID NUMBER	DATE(S) OBSERVED	PRIMARY INDICATORS PRESENT (LIST)	SECONDARY INDICATORS PRESENT (LIST)	LENGTH OF HYDROPERIOD	IMPORTANT NOTES
1					
2					
3					
4					
5					

SECTION 6 - STREAM RESOURCES SUMMARY

DESCRIPTION OF STREAM: Upper Perennial Rock Bottom	STREAM TYPE (ROSGEN): C
HAVE FISHERIES BEEN DOCUMENTED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DOES THE STREAM SYSTEM APPEAR STABLE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
OTHER KEY ON-SITE FUNCTIONS OF NOTE:	

The following table can be used to compile data on stream resources. "Important Notes" are to include characteristics the evaluator used to determine principal function and value of each stream. The functions and values reference number are defined in Section 4.

FUNCTIONS/ VALUES	SUITABILITY (Y/N)	RATIONALE	PRINCIPAL FUNCTION/VALUE? (Y/N)	IMPORTANT NOTES
1	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This is a perennial stream with minimal associated floodplane/wetlands. It contains invasive species and minimal habitat for endangered species. The stream is fragmented and development has occurred on both sides.
2	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Access to this portion of Medlyn-Woods Brook is poor. There is a large cemetery on one side and a Wastewater Treatment Facility on the other. Better educational value may exist on other portions of the stream.
3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2,4,7,8,9,10,14,15,16,17	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Small fish species may be found occupying this stream, although it is too small for an abundance of shellfish or any larger fish. There are some small dams in this portion of the stream caused by sticks and debris buildup. There is direct access to the Souhegan River immediately downstream through a concrete culvert. There is also a pond upstream near the top of the watershed.
4	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This stream functions to move water down slope through the watershed to the Souhegan River. Portions of the stream are in the flood zone. No potential for water retention exists in this portion of the stream.
5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	4,7	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is no signs of groundwater recharge or discharge.
6	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is no critical habitat for endangered species present within this portion of the stream, however, wildlife such as amphibians and reptiles could

				use this area as they travel up the watershed from the river.
7	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Most of this portion of the stream is fairly high velocity and would not allow for sediment to fall out. Any nutrients or sediment would be carried to the Souhegan River.
8	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1,10	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The flow velocities in this stream are too high to produce nutrients.
9	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1,3,6	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This portion of the stream passes between a large cemetery and the Wastewater Treatment Facility and access is poor. Better aesthetic qualities exist further upstream.
10	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Most of this portion of the stream is fairly high velocity and would not allow for sediment to fall out. Some sediment may remain near the edges, but would wash out during a large storm or flood event.
11	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1,2,4,6,8,9,10	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Channelized flow exists with a small embankment protecting the surrounding wetlands.
12	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2,3,7,11,12,22	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The primary role of this portion of the stream is to transport water from higher in the watershed to the Souhegan River. The access is difficult and the surrounding area is developed. It is a typical, Rosgen class C perennial stream with a small flood plain.
13	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	There is limited recreational potential in this area.
14	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6,12	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Wildlife habitat in this portion of the stream are minimal. The stream is fragmented with a large culvert downstream and a rail-road crossing upstream with development on both sides. Better habitat may be available further upstream.

SECTION 7 - ATTACHMENTS (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)

- Wildlife and vegetation diversity/abundance list.
- Photograph of wetland.
- Wetland delineation plans showing wetlands, vernal pools, and streams in relation to the impact area and surrounding landscape. Wetland IDs, vernal pool IDs, and stream IDs must be indicated on the plans.
- For projects in tidal areas only: additional information required by Env-Wt 603.03/603.04. Please refer to the Coastal Area Worksheet (NHDES-W-06-079) for more information.