156 Water Street | Exeter, NH 03833
603-778-0885 | www.therpc.org

Memo To: RPC Development of Regional Impact Subcommittee
From: Rockingham Planning Commission Staff
Date: February 17, 2021
Subject: Review of 125 Development Corp, Subdivision Application – Newton Regional Impact Declaration

Rockingham Planning Commission (RPC) was notified on January 28, 2021 that a subdivision application before the Newton Planning Board was declared a development of regional impact under RSA 36:55. The application is for a 36 lot light industrial/commercial subdivision application for Southern NH Industrial Park submitted by 125 Development Corp. Plaistow, NH. At the direction of the RPC Regional Impact Committee chair, RPC staff was requested to write a memo regarding potential regional impacts for the applicant, and towns of Newton and Plaistow. A RPC Regional Impact Committee meeting was held on February 17, 2021 to review the proposal and invited the applicant and impacted municipalities to participate.

The proposal is to be located on South Main Street (Route 108) and Puzzle Lane, Newton (Lot 14-1-27-3) in Newton's Light Industrial/Commercial Zoning District with portions located within the Residential A District. Segments of the proposal are located within Plaistow's Low Density Residential District. The municipalities with potential impacts from the proposal within New Hampshire and the RPC region appear to be limited to Newton and Plaistow. Comments below regard the proposal's potential regional impacts as identified under RSA 36:55 that can reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

I. Relative size or number of dwelling units as compared with existing stock.

The proposal presented to the Newton Planning Board states the only uses for the proposed lots are for commercial/ light industrial uses. A previous design review application for this site also declared a development of regional impact by the Newton Planning Board included several separate buildings identified by the applicant as potential multi-family, work force housing style residential buildings. The total number of units is unknown, nor has such a use formally been included with this formal subdivision application. For background knowledge only, the NH Office of Strategic Initiatives' study *Current Estimates and Trends in NH's Housing Supply (2010-2018)*, Newton currently has a total of 254 multi-family housing units compared to 1,550 single-family dwelling units. At the regional level, there is a general lack of workforce housing options in the RPC region.

II. Proximity to the borders of a neighboring community.
The proposal is located within both Newton and Plaistow. As noted above, the proposal is located within Newton's Light Industrial/Commercial District and Residential A District; in Newton the area is a mixture of industrial uses and commercial uses near Puzzle Land and Route 108 with residential uses surrounding the rest of the property. The area in Plaistow is zoned as a Low-Density Residential Zone with predominantly single-family residential neighborhoods.

III. Transportation networks.

- **Access to state routes via local roads:** Access to NH Route 108 to would occur either directly from an access road via frontage on Route 108 (considered a major collector road) or from Puzzle Lane (local road).

- **Traffic volume:** Without data indicating the exact square footage and precise types of development proposed, providing any sort of estimate on traffic volume generated from the site is difficult. The Trip Generation Manual from the Institute of Transportation Engineers (8th Edition) indicates that Industrial Parks produce, on average, about 6.96 trips per 1,000 square feet of gross floor area during weekdays. This volume should be used as a starting point for estimating traffic volumes but should be refined based on a more specific understanding of the square footage of each type of development proposed within the subdivision. Given the scale of impervious surface indicated for each site on Sheet 7, there is a substantial potential building square footage for the "Southern NH Industrial Park" and AM and PM peak hour traffic would likely be greater than 100 vehicles per hour and possibly over 500 vehicles per hour. Based on that, a traffic impact study is recommended for the proposal and needs to be scoped as required by NHDOT District 6, Traffic Bureau, and other elements of that agency.

IV. Anticipated emissions such as light, noise, smoke, odors, or particles.

Given the minimal information available with the design review application on proposed uses, specific impacts of emissions cannot be evaluated at this time. It is recommended that for any use being proposed that such impacts be evaluated at the time of a site plan application being submitted to minimize impacts on the surrounding properties.

V. Proximity to aquifers or surface waters which transcend municipal boundaries.

- **Water supply:** The proposal is located within the Wellhead Protection Areas (WHPA) for several public water supply wells within both Newton and Plaistow. (See Appendix A for map showing aquifers, public water supply wells and WHPAs.) There are also areas of predominately residential uses that are serviced by private, onsite wells surrounding the proposal. Additionally, large segments of the proposal are located within the Aquifer Protection Districts of both Plaistow and Newton. Within both municipalities several industrial and commercial uses are prohibited or must meet specific requirements in order to operate within the Aquifer Districts.

  To mitigate potential groundwater contamination, it is recommended that Newton and Plaistow require Spill Prevention, Control and Countermeasure Plans and that NHDES Best Management Practices for Groundwater Protection (Env. Wq 401) are followed for any proposed use that can be classified as a potential contamination source under RSA 485-C:7.

- **Surface water:** The proposal is located within the Powwow River watershed; the Powwow River is the water supply for the town of Amesbury, MA. The proposal is in an area with a combination of upland areas and a wetland complex that include areas of Plaistow and Merrimac, MA. The entire proposal also is located with the regulated, urbanized area in Plaistow and Newton (see Appendix B for EPA MS4 area map) that is subject to the federal MS4 Stormwater Permit. As such, both Newton and Plaistow are required to implement regulations that reduce stormwater runoff pollution on developments such as this proposal from entering surface and groundwater sources. Additionally, any stormwater generated from the proposal that enters on to municipal property (including roads) or state property (again, including roads), could leave the municipality or state responsible for the treatment of that stormwater.

  To mitigate any potential surface water pollution, it is recommended that any proposal be required to follow stormwater regulations required under both Newton and Plaistow's MS4 Permit, and that both municipalities implement the conditions of their respective Wetlands Ordinances.

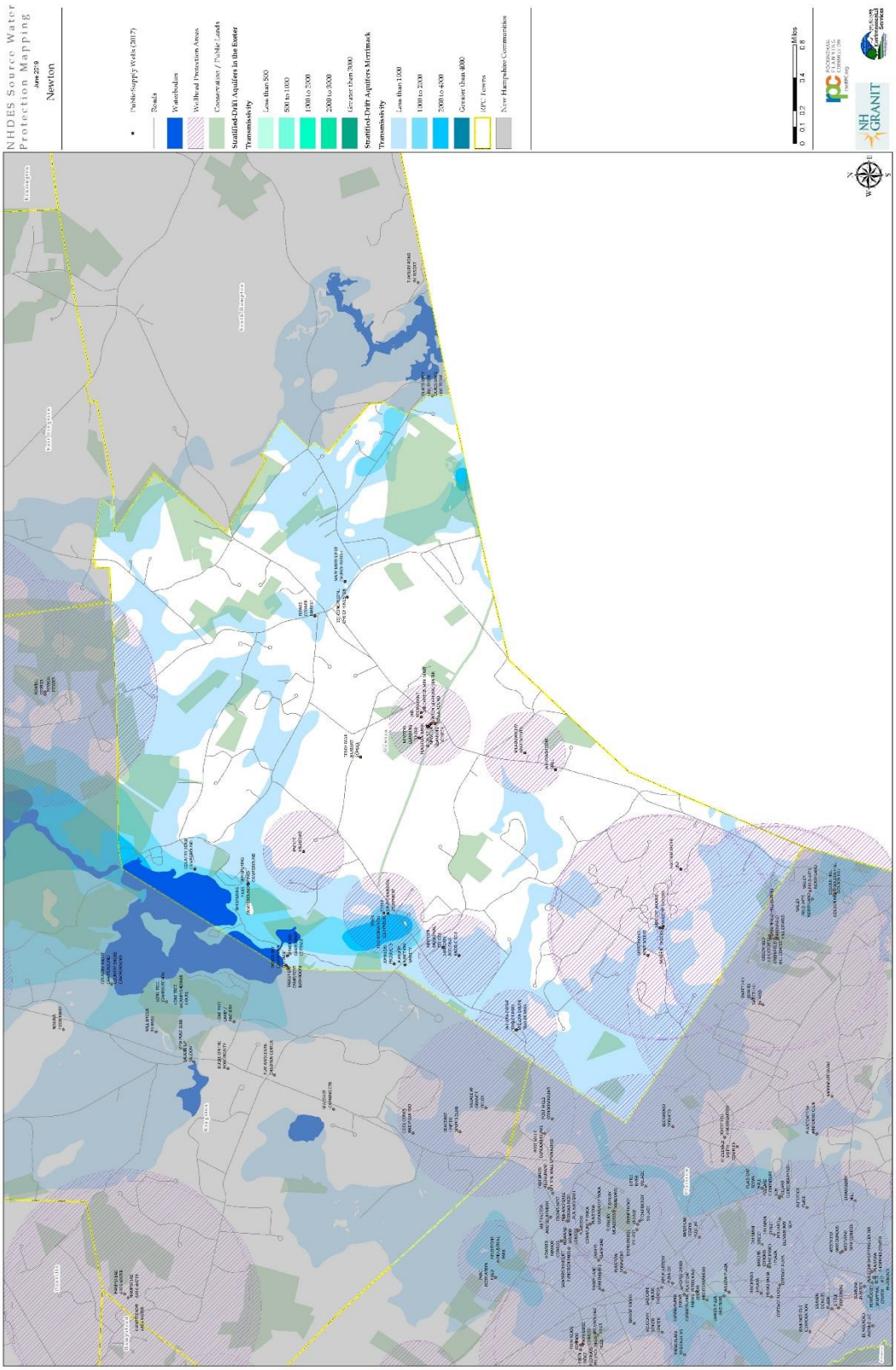
VI. Shared facilities such as schools and solid waste disposal facilities.

The proposal does not appear to rely on any shared municipal facilities, however, there is potential to required shared municipal emergency services as several parcels are located in whole or part in Plaistow and only have access via roadways proposed to be in Newton.

It is recommended that the Planning Boards in both Plaistow and Newton receive input from their respective emergency services personnel and Select Boards regarding the handling of emergency services for parcels located within Plaistow but accessed via Newton.

Finally, it should be noted that the above comments and recommendations are considered advisory only. The RPC, nor the impacted municipalities, have any authority under the regional impact statute to interfere with the decision-making power held by the Newton Planning Board.

Appendix A –Newton/Plaistow Aquifer and Public Water Supplies



Appendix B – Newton/Plaistow MS4 Permit Regulated Areas.