TOWN OF RAYMOND

Planning Board Agenda

June 20, 2024

7 p.m. - Raymond High School

Media Center - 45 Harriman Hill

Public Announcement

*If this meeting is canceled or postponed for any reason the information can be found on our website, posted at Town Hall, Facebook Notification, and RCTV. **

1) **Pledge of Allegiance**
2) **Roll Call**
3) **Public Hearing**
   - **Application # 2022-008 Onyx Warehouse:** A Site Plan application has been submitted by Wayne Morrill of Jones & Beach Engineers, Inc. on behalf of ONYX Partners LTD. They are proposing to construct a 500,025 S.F. industrial distribution warehouse. The properties are located on Industrial Drive and Raymond Tax Map 22 / Lots 44, 45,46, and 47 and Raymond Tax Map 28-3/Lot 120-1, within Zone D. **(Continued from 12/7/23, 1/18/2024, 3/7/2024, 4/18/2024)**
   - **Application #2022-010 Onyx Excavation:** An application for an Earth Excavation Permit has been submitted by Onyx Raymond, LLC. that is proposed to result in the construction of a 550,025 SF warehouse. The properties are identified as Raymond Tax Map 22, Lot 44, 45, 46, 47, & Map 28-3, Lot 120-1; accessed via Industrial Drive. **(Continued from 10/19/2023, 11/30/2023, 12/7/2023, 1/18/2024, 5/2/2024)** **Request for Continuation till July 18, 2024*
   - **Application #PB-2024-009 AutoZone:** An application for a non-binding Design Review has been submitted by Matt Casey of Zaremba Group on behalf of Mark Smith. They are proposing to construct an AutoZone Store at the property located at 64 NH-Route 27, Raymond Tax map 28, Lot 2-20 in Zone C1 and within Zone G.
4) **Public Comment**
5) **Approval of Minutes**
   - March 25, 2024 – Site Walk
   - June 6, 2024
6) **Staff Updates**
7) **Board Member Updates**
8) **Any other business brought before the Board**
9) **Adjournment (NO LATER THAN 10:00 P.M.)**

Planning Board 2024 Submittal and Meeting Dates

Submittal Deadline for Completed Application & Materials	Meeting Date	Agenda Item(s)
	Thursday, July 4, 2024	*Holiday, No Meeting*

* Note: If you require personal assistance for audio, visual or other special aid, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be rescheduled to the next regularly scheduled Public Hearing date 7/11/2024

TOWN OF RAYMOND

Planning Board Agenda

June 20, 2024

7 p.m. - Raymond High School

Media Center - 45 Harriman Hill

Submittal Deadline for Completed Application & Materials	Meeting Date	Agenda Item(s)
Wednesday, June 12, 2024	Thursday, July 11, 2024	**PB-2024-002 Lamprey Waters, LLC** - Lot Line Adjustment (Continued from 2/15/24, 3/21/24 & 5/2/24) **PB-2022-009 Jewett Warehouse** - Site Plan w/ CU and SP (Continued from 1/4/24, 2/15/24 & 3/21/24) **PB-2023-008 Onway Lake Village (Phase 1)** - Conservation Subdivision w/ SP (Rescheduled from 1/11/24, 2/22/24 & 3/28/24)
Wednesday, June 19, 2024	Thursday, July 18, 2024	*Tentative PB-2022-010 Onyx Excavation* **2024-003 Gemini Valve** - Site Plan (Rescheduled from 4/4/24 & 6/6/24) **PB-2023-012 Autumn Trail Realty** - Site Plan (Continued 12/21/23, 1/25/24, 3/7/24, 4/18/24 & 6/6/24)
	Thursday, July 25, 2024	**2022-016 Woodside** Village - Amended Subdivision (Rescheduled 5/2/24 & 6/6/24) **6:00PM** **Work Session 6:30-9:00 PM**
Wednesday, July 3, 2024	Thursday, August 1, 2024	*Tentative PB-2024-001 Scott's Roofing* **PB-2024-001 American Building Solutions/Scott's Roofing** - Site Plan (Continued from 2/15/24, 3/21/24 & 6/6/24)
	Thursday, August 8, 2024	**Work Session** 6:30-9:00 PM
Wednesday, July 17, 2024	Thursday, August 15, 2024	
	Thursday, August 29, 2024	**Work Session** 6:30-9:00 PM (TBD)
Wednesday, August 7, 2024	Thursday, September 5, 2024	
	Thursday, September 12, 2024	**Work Session** 6:30-9:00 PM
Wednesday, August 21, 2024	Thursday, September 19, 2024	
Wednesday, September 4, 2024	Thursday, October 3, 2024	
	Thursday, October 10, 2024	**Work Session** 6:30-9:00 PM
Wednesday, September 18, 2024	Thursday, October 17, 2024	
	Thursday, October 24, 2024	**Work Session** 6:30-9:00 PM (TBD)
Wednesday, October 9, 2024	Thursday, November 7, 2024	
	Thursday, November 14, 2024	**Work Session** 6:30-9:00 PM
Wednesday, October 23, 2024	Thursday, November 21, 2024	
Wednesday, November 6, 2024	Thursday, December 5, 2024	
	Thursday, December 12, 2024	**Work Session** 6:30-9:00 PM
Wednesday, November 20, 2024	Thursday, December 19, 2024	

* Note: If you require personal assistance for audio, visual or other special aid, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be rescheduled to the next regularly scheduled Public Hearing date 7/11/2024

APPLICATION #2022-008 ONYX WAREHOUSE

NHDES Waste Management Division
29 Hazen Drive; PO Box 95
Concord, NH 03302-0095

Site Investigation and Environmental Impact Analysis
LAND OFF INDUSTRIAL DRIVE (LOT 120-1)
INDUSTRIAL DRIVE (LOT 120-1)
RAYMOND, NH 03077

NHDES Site #: 202302096
Project Type: Unsolicited Site Assessment
Project Number: 41468

Prepared For:
ONYX RAYMOND LLC
200 RESERVOIR STREET
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Date: 2024.02.15 13:58:15 -05'00'

STATE OF NEW HAMPSHIRE – ANDREW BENJAMIN BITTNER No. 11092 LICENSED PROFESSIONAL ENGINEER

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Date of Report: February 15, 2024

Site Investigation and Environmental Impact Analysis

Land Off Industrial Drive (Lot 120-1)
Raymond, New Hampshire
NHDES Site #202302096

Prepared for
Onyx Raymond, LLC
200 Reservoir Street
Needham, MA 02494

February 2024

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Abbreviations

AGQS	Ambient Groundwater Quality Standards
ATV	Acoustic Televiewer
AURs	Activity and Use Restrictions
CFS	Cubic Feet per Second
EtFOSAA	N-Ethylperfluorooctanesulfonamidoacetate
HPFM	Heat Pulse Flow Meter
NEtFOSAA	N-Ethyl Perfluorooctanesulfonamidoacetic Acid
NHDES	New Hampshire Department of Environmental Services
ORP	Oxidation-Reduction Potential
OTV	Optical Televiewer
PAHs	Polycyclic Aromatic Hydrocarbons
PEC	Probable Effects Concentration
PFAS	Per-and Polyfluoroalkyl Substances
PFHpA	Perfluoroheptanoic Acid
PFHxS	Perfluorohexanesulfonic Acid
PFOA	Perfluorooctanoic Acid
PFOS	Perfluorooctane Sulfonic Acid
PID	Photoionization Detector
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
SFW	Surface Water
SRS	Soil Remediation Standard
TEC	Threshold Effects Concentration
US EPA	United States Environmental Protection Agency
USGS	United States Geological Survey
VOCs	Volatile Organic Compounds
WQCTS	Water Quality Criteria for Toxic Substances

Executive Summary

Onyx Raymond, LLC purchased property in the Town of Raymond, New Hampshire with the intention of developing the land for commercial use. Part of the property includes a former wastewater overflow lagoon for the Former Regis Tannery site called former Lagoon 3. Property development will not encroach on former Lagoon 3. Stormwater drainage from the site will be routed primarily to the south, toward a local pond called Raymond Pond, reducing the amount of surface water runoff flowing through former Lagoon 3 and downstream areas relative to current conditions. Stormwater will be treated prior to discharge.

As part of the permitting process initiated by Onyx Raymond, LLC, the Town of Raymond requested that Onyx Raymond, LLC undertake several environmental investigations and submit results to NHDES for review. NHDES reviewed data submitted on behalf of Onyx Raymond, LLC and requested additional site investigation activities. The Town of Raymond also requested that Onyx Raymond, LLC fund a third-party review of site environmental conditions and the proposed development plan by GZA GeoEnvironmental, Inc., leading to additional investigation requests. All of the activities conducted at the site to-date were used in development of the conceptual site model provided in this report and are summarized in this report to ensure fidelity in reporting and review by both NHDES and the Town of Raymond.

Data collection activities were performed to comprehensively evaluate potential environmental impacts at the site while addressing the requests by NHDES and the Town of Raymond, and included drilling new groundwater wells; geophysical explorations; and analysis of soil/sediment, surface water, and groundwater samples. Sufficient environmental data have been collected at the site to support several conclusions:

1. Activities in the property development area have not adversely impacted the former Lagoon 3 area, and proceeding with the development of the planned warehouse will reduce the potential for contaminant transport in the former Lagoon 3 area. The rock quarry area currently drains to the west of the site, flowing north to a point downstream from former Lagoon 3. Arsenic concentrations in the quarry area are consistent with naturally-occurring concentrations. Property development will redirect stormwater from some areas currently contributing to former Lagoon 3 and convey the treated stormwater toward Raymond Pond, reducing flows through former Lagoon 3 consistent with the objectives of prior remedial actions.
2. Activities in the property development area have not adversely impacted water quality in Raymond Pond, and proceeding with the development of the planned warehouse will not adversely impact water quality in Raymond Pond. Stormwater directed toward Raymond Pond as part of property development will be treated prior to discharge.
3. Consistent with conditions present when NHDES issued a certificate of completion in 2013, some areas in and around former Lagoon 3 have concentrations above the respective Threshold Effects Concentration (TEC) values. As proposed in the 2004 site investigation conducted by GZA, an Activity and Use Restriction (AUR) should be enacted for these areas. Remedial actions implemented since completion of the 2004 site investigation have resulted in generally dry conditions in the former Lagoon 3 area, reducing or eliminating much of its potential use as a benthic habitat. Moreover, property development should proceed to achieve a reduction in stormwater flow through the former Lagoon 3 area and reduce the potential for contaminant transport. Property development and an AUR for the Lagoon 3 area are expected to further improve environmental conditions.

1 Site History and Background

Onyx Raymond, LLC purchased 122 acres of property in the Town of Raymond, New Hampshire in January 2022 with the intention of developing the land for commercial use. Part of the property includes a portion of the Former Regis Tannery site (see information for New Hampshire Department of Environmental Services [NHDES] Hazardous Waste Site Number 20110061),[1] including a former wastewater overflow lagoon referred to as Lagoon 3 and part of a wetland area referred to as Wetland A. A portion of the purchased property had been used for more than eight years for rock mining and crushing by Hard Rock Development, LLC. A pond, known as Raymond Pond, is also located on the property and is used by the public for fishing and recreation. The remaining portions of the property are undeveloped and/or wooded. The Rockingham Rail Trail, which follows an old railroad line, runs along the property boundary to the northwest. Figure 1.1 shows the location of the site and key site features. Section 1 of this report summarizes the relevant environmental history of the property and vicinity.

1.1 Regis Tannery Site

The Regis Tannery operated historically near the intersection of Wight Street and Old Manchester Road (Figure 1.1). The tannery operated from 1953 until 1972, when it was destroyed by fire (GZA GeoEnvironmental, Inc., 2004, p. 1). The tannery operations produced wastewater that discharged directly to the nearby Lamprey River during the early years of tannery operations, to two lagoons near the tannery (Lagoons 1 and 2 in Figure 1.1), and to Lagoon 3 during the later years of tannery operation. A trench connected Lagoon 3 with Wetland A, which may have allowed for overflow from Lagoon 3 into Wetland A (Roy F. Weston, Inc., 1994, p. 24). Leather scraps were also used as fill around the tannery site and in a berm forming the western boundary of Lagoon 3 (GZA GeoEnvironmental, Inc., 2004, p. 2).

Environmental investigations of the tannery began in the 1980s. The Town of Raymond was interested in acquiring the property and evaluated the site by digging test pits and submitting environmental samples for analysis (NHDPHS and NHDES, 1987). NHDES submitted information about the tannery to US EPA, marking the tannery as a high priority site for inspection (NHDPHS and NHDES, 1987). Subsequent environmental investigations have included:

- A site inspection report performed at the request of US EPA (Roy F. Weston, Inc., 1994);
- An interim remedial action plan (Ballastero, 1999);
- A site investigation report (GZA GeoEnvironmental, Inc., 2004) and supplement (GZA GeoEnvironmental, Inc., 2005);
- A remedial action plan (StoneHill Environmental, Inc., 2007) and implementation report (StoneHill Environmental, Inc., 2012) prepared on behalf of the Town of Raymond and Hard Rock Development, LLC;
- And groundwater monitoring, which is still continuing (*e.g.*, Tomforde Environmental Services, 2023).

[1] The Former Regis Tannery site is also referred to in site documents as the Rex Leather site (GZA GeoEnvironmental, Inc., 2004, p. 1).

Chromium (III) (up to 20,952 mg/kg;), arsenic (up to 97 mg/kg), mercury (up to 6.6 mg/kg), lead (up to 2,400 mg/kg), and other metals were identified at elevated concentrations near historic tannery floor drains or in environmental media across the tannery site (GZA GeoEnvironmental, Inc., 2004, Table 1). Chromium was "a significant constituent of the wastestream" (Roy F. Weston, Inc., 1994, p. 33) from the tannery and was "detected in all wetland samples, the Lamprey River sediment, and all on-site source areas" (Roy F. Weston, Inc., 1994, p. 33). Upon review of early inspection reports, NHDES "determined that remedial measures are necessary to bring this site into compliance" (Wickson, 1996, p. 1), calling for the development of a remedial action plan that would delineate the spatial extent of contamination from all potential source areas (Wickson, 1996, p. 4). In 1996, NHDES "agreed that the only potential contaminant of concern was Chromium" (Ballastero, 1999, p. 3).

The 2004 site investigation determined that "groundwater quality at the Site generally does not appear to be adversely impacted by the presence of fill containing leather scraps and historical Site use" (GZA GeoEnvironmental, Inc., 2004, p. 24), with the exception of chromium impacts resulting from leather scraps buried below the water table. Groundwater from the tannery site was reported to discharge into the Lamprey River (GZA GeoEnvironmental, Inc., 2004, p. 22). Based on the sampling results in the 2004 site investigation, the surface water in Lagoon 3, specifically, was determined not to require treatment prior to discharge to the Lamprey River (GZA GeoEnvironmental, Inc., 2004, p. 28). An "Activity and Use Restriction incorporated into the deed of the property" was recommended for impacted Lagoon 3 sediments left in place at the site (GZA GeoEnvironmental, Inc., 2004, p. 29), although an activity and use restriction (AUR) has not been implemented for the former Lagoon 3 area to-date. AURs are currently in place for other portions of the former tannery site, such as the consolidation area and deep leather fill area (Creveling, 2013).

NHDES issued a letter in 2006 to clarify the "remedial actions necessary to address contamination identified on the former Regis Tannery site" (StoneHill Environmental, Inc., 2007, Appendix B) based on conversations with the Town of Raymond, GZA, and Hard Rock Development, LLC. The remedial action plan for the tannery site approved by NHDES included excavation of the Lagoon 3 dam and removal of sediments from a trench leading to Lagoon 3 (StoneHill Environmental, Inc., 2012, p. 5). Lagoon 3 remediation activities, including removal of the Lagoon 3 dam and the excavation of 165 cubic yards of impacted soil (StoneHill Environmental, Inc., 2012, p. 17), were completed in 2009 (StoneHill Environmental, Inc., 2012, p. 6). Chromium was noted to exceed the Threshold Effects Concentration (TEC) and Probable Effects Concentration (PEC) standards at several locations, but further excavation was determined not to be necessary because the connecting trench was dry most of the year (StoneHill Environmental, Inc., 2012, p. 19). Figure 1.2 shows the former Lagoon 3 area one year after remedial activities were completed. NHDES "determined that the required remedial activities for the site have been completed" (NHDES, 2013, p. 1) and issued a certificate of completion in March 2013 (NHDES, 2013), noting that groundwater monitoring would continue at the site.

Figure 1.2 Former Lagoon 3 Above Former Dam Location in August 2010.
Source: StoneHill Environmental, Inc. (2012, Appendix A).

Groundwater monitoring conducted at the tannery site showed relatively consistent chromium concentrations from 2013-2018, with exceedances of the NHDES Ambient Groundwater Quality Standards (AGQS) at one well (StoneHill Environmental, Inc., 2018, Tables 2 and 2A). NHDES requested samples be analyzed for per-and polyfluoroalkyl substances (PFAS) in 2018, and PFAS were generally detected above the AGQS (up to 2,410 ng/L perfluorooctane sulfonic acid [PFOS] and 1,230 ng/L perfluorooctanoic acid [PFOA]) (StoneHill Environmental, Inc., 2018, p. 1 and Table 4). PFAS were detected in all tannery site samples collected in June 2023 (Tomforde Environmental Services, 2023, p. 2).

1.2 Rock Quarry Operations

Hard Rock Development, LLC has conducted rock quarry, blasting, and crushing activities since prior to 2014 on an area south of former Lagoon 3 (Figure 1.1). Rock quarry activities continued after the purchase of the property by Onyx in 2022. The quarry area is separated by a topographic ridge from former Lagoon 3. Rock quarry operations were halted in 2023 following denial of an excavation permit by the Town of Raymond (Town of Raymond Planning Board, 2023, p. 7).

1.3 Current and Anticipated Future Land Use

The land off industrial drive (lot number 120-1) purchased by Onyx Raymond, LLC includes multiple areas with different land uses:

- The northernmost part of the property, which contains the former tannery site Lagoon 3 and part of Wetland A, is undeveloped, and currently drains surface water from the northern portion of the property and neighboring areas. Surface water flows downstream through a culvert under the Rockingham Rail Trail and eventually to the Lamprey River or north into other former tannery areas.

- The central part of the property, separated from former Lagoon 3 by a topographic ridge, is currently exposed rock, gravel, and access roads that had been used for rock quarry activities until 2023.
- The southwestern portion of the property contains Raymond Pond, an area used by the public for fishing and recreation.

Submittals to the Town of Raymond, NHDES Office of Land Development, and other appropriate entities detail the planned property development approach. Onyx Raymond, LLC plans to alter the terrain to construct a warehouse accessed *via* Industrial Drive. The property development will largely occur in the portion of the property currently used for rock quarry activities (Figure 1.1); property development will not encroach on either the former Lagoon 3 or Raymond Pond. Stormwater drainage from the site will be routed primarily to the south, toward Raymond Pond, reducing the amount of surface water runoff flowing through the former Lagoon 3 and downstream areas relative to current conditions. Stormwater will be treated prior to discharge.

1.4 Recent NHDES and Town of Raymond Reviews

As discussed in Section 1.1, both the Town of Raymond and NHDES have overseen activities and approved environmental actions at the tannery site for decades. As part of the permitting process initiated by Onyx Raymond, LLC in 2022, the Town of Raymond requested that Onyx Raymond, LLC undertake several environmental investigations and submit results to NHDES for review. Sampling and analysis results for surface water and soil/sediment were provided to NHDES and, upon review, NHDES requested additional site investigation activities that included:

- "the completion of a sediment toxicity bioassay to evaluate whether the concentrations of Cr III are affecting the benthic community in Wetland A or the former Lagoon 3" (NHDES, 2023a, p. 2);
- "the collection of a confirmatory round of surface water samples during late summer/fall to confirm that concentrations of Cr III are not affected by seasonal changes" (NHDES, 2023a, p. 2);
- an assessment of "whether the rock mining and crushing activities on the site property to the southwest of Wetland A and former Lagoon 3 may have contributed to the arsenic concentrations in the sediment" (NHDES, 2023a, pp. 2-3); and
- development of a conceptual site model, including a specific discussion of PFAS at sample location LS-SW5-2023 (NHDES, 2023a, p. 3).

Additional soil/sediment sampling and delineation was proposed to improve the characterization of impacts in the former Lagoon 3 area (Gradient, 2023a).

The Town of Raymond also requested that Onyx Raymond, LLC fund a review of site environmental conditions and the proposed development by GZA. GZA requested several additional investigation activities that were used to inform the conceptual site model, including (GZA GeoEnvironmental, Inc., 2023a; Gradient, 2023b; GZA GeoEnvironmental, Inc., 2023b):

- Advancement of 10 bedrock cores and analysis of bedrock geophysical characteristics;
- Installation of bedrock groundwater monitoring wells, and collection and analysis of groundwater samples;
- Analysis of bedrock groundwater flow elevations and performance of slug tests to evaluate hydraulic conductivity of the bedrock groundwater system;

- Collection and analysis of soil/sediment samples downstream of former Lagoon 3; and
- Monitoring of surface water drainage flows at the property.

A summary of the requests made by the Town of Raymond and GZA along with the actions taken to address those requests is provided as Attachment A. NHDES has acknowledged that site investigation activities have occurred both at the request of NHDES and the Town of Raymond, with different intents (NHDES, 2023b, p. 3). All of the activities conducted at the site to-date were used in development of the conceptual site model provided in this report and are summarized in this report to ensure fidelity in reporting and review by both NHDES and the Town of Raymond.

2 Environmental Setting

The surface of the site largely consists of exposed rock and gravel, or rock and gravel overlain by forest duff and tree systems. Boring logs for cores advanced around the site are included as Attachment B. Significant topographic relief is present across the site as shown in Figure 2.1. A ridge runs along the northern portion of the rock quarry activity area, separating the quarry area from former Lagoon 3 (Figure 2.2).

- North of the ridge, precipitation drains into the former Lagoon 3 area, which currently retains some water behind a beaver dam. A review of historical aerial imagery (Figure 2.3) shows that the presence of water in the Lagoon 3 area is transient. Between 2009, when the prior Lagoon 3 dam was removed, and 2016, historical aerial imagery shows little water retained in the former Lagoon 3 area. Some water is shown to be impounded in May 2018, but this water is largely absent in May 2022. A beaver dam had been constructed at the downstream end of former Lagoon 3 prior to a site visit conducted in July 2023, resulting in some water retention. Water from the former Lagoon 3 area drains downstream into a meandering low-lying area, through a culvert under the Rockingham Rail Trail, through another culvert under Old Manchester Road, and into the Lamprey River.
- South of the ridge in the quarry area and the area planned for development, precipitation drains to the west into a wetlands area that forms the western border of the site and drains into the meandering low-lying area downstream from the former Lagoon 3. Currently, no surface water from the quarry area drains into Raymond Pond, and most of the area planned for development drains to the west. A surface water flow divide is located south of and across the southern portion of the area planned for development (Figure 2.1); precipitation in the area south of the flow divide drains into Raymond Pond.

Figure 2.2 Photo of Rock Quarry Area from Ridge to North (July 2023)

(a)


0
125
Feet
LEGEND
Former Lagoon 3

(b)


0
125
Feet
LEGEND
Former Lagoon 3

(c)

(d)

Figure 2.3 Aerial View of Former Lagoon 3 in: (a) April 7, 2013, (b) April 27, 2016, (c) May 4, 2018, (d) May 5, 2022. Sources: Google Earth; NearMap, 2022. Note: blue outline delineates the historical extent of former Lagoon 3 and is not intended to reflect present-day saturated conditions.

Groundwater flow directions have been evaluated in previous investigations and as part of data collection activities summarized in this report. Overburden groundwater at the former tannery area consistently flows to the northwest, away from Raymond Pond and the proposed development area, toward the Lamprey River (StoneHill Environmental, Inc., 2018, p. 2 and Figure 5). As part of the current site investigation activities, bedrock groundwater monitoring wells were installed in and around the rock quarry area in order to evaluate bedrock groundwater flow directions. Depths to groundwater were measured on November 15, November 16, and December 4, 2023, as reported in Table 2.1. Groundwater elevations were calculated and bedrock groundwater flow directions mapped as shown in Figure 2.4. Bedrock groundwater directions were generally consistent between measuring events. As shown in Figure 2.4, a bedrock groundwater flow divide exists in the proposed development area, north of which bedrock groundwater flows to the northwest/north and south of which groundwater flows to the west. Bedrock groundwater flow north of the divide is consistent and parallel with the direction of overburden flow observed to the north at the tannery site.

Table 2.1 Summary of Groundwater Levels in Bedrock Monitoring Wells

Bedrock Well Identification	Pre-Well Development Water Level 11/15/23	Post-Well Development Water Level 11/16/23	Post-Well Development Water Level 12/4/23
MW-1	16.24	16.93	14.85
MW-2	9.01	18.54	8.03
MW-3	29.65	42.29	15.98
MW-4	7.39	13.20	5.16
MW-5	19.69	20.10	17.67
MW-6	4.49	6.08	2.43
MW-7	5.20	7.08	4.28
MW-8	10.56	10.65	9.37
MW-9	17.02	17.16	14.02
MW-10	17.74	18.01	14.54

Notes:
MW = Monitoring Well.
Water levels are shown in feet measured from top of well casing as measured in the field by Enviro North American Consulting, LLC with a Solinst water level meter. Water levels in MW-6 on December 4, 2023, were observed in the field to have reached the ground surface, and the ground surface elevation was used as the observed groundwater elevation.

3 Environmental Investigations

Data collection activities were performed to comprehensively evaluate potential environmental impacts at the site while addressing the requests by NHDES and the Town of Raymond discussed in Section 1.4, and included:

- Soil/sediment, and surface water sampling and analysis for metals (*e.g.*, chromium), PFAS, and other analytes in and around the former Lagoon 3 area;
- Soil/sediment sampling and analysis for metals (*e.g.*, chromium), PFAS, and other analytes in the meandering channel downstream of former Lagoon 3;
- Soil sampling and analysis for arsenic in the rock quarry area and background areas;
- Review of site topography and drainage patterns;
- Completion and development of 10 new bedrock wells;
- Geophysical exploration and analysis of bedrock conditions;
- Bedrock hydraulic conductivity testing;
- Groundwater sampling and analysis for metals (*e.g.*, chromium), PFAS, and other analytes;
- Surface water sampling and analysis for metals (*e.g.*, arsenic) and PFAS from Raymond Pond; and
- Installation of weirs and measurement of surface water flows downstream of former Lagoon 3.

Some of the data collected at the site and discussed in this section have been reported to NHDES previously (*e.g.*, ENAC, 2022a; ENAC, 2022b; ENAC, 2023a; Gradient, 2023c), but are discussed in this section for completeness. Environmental investigations and data are discussed for both the property development area (Section 3.1) and the former Lagoon 3 area (Section 3.2). The conceptual site model based on the results of the data discussed in this section is developed in Section 4.

3.1 Property Development Area

Environmental investigations in the property development area included the results of analyses for arsenic, chromium, PFAS, and other analytes, as well as geophysical data from bedrock explorations and surface water flow data from weir measurements.

3.1.1 Arsenic

Arsenic data were collected and reviewed to assess potential impacts from rock mining and crushing activities that were conducted on the site from prior to 2014 through 2023. Arsenic is a naturally-occurring metal that is commonly found in New Hampshire soils and rocks. Dust and particles created by rock quarry activities may contain arsenic and may be mobilized by quarry activities. Surface soil samples were collected to assess the quarry area as a potential source of elevated arsenic to surrounding areas.

Soil samples were collected for analysis of arsenic from six background locations and six locations within the developed rock quarry area (Table 3.1; see also discussion in Gradient [2023c]). Soil samples were collected as grab samples from 5 to 12 inches below ground surface using a spade shovel and hand spade. Field equipment was washed with Alconox rinse and deionized water solution prior to collection of the soil samples. After samples were collected, they were sent for analysis to Eastern Analytical, Inc, in Concord, NH, a New Hampshire-certified analytical laboratory, under chain of custody. Samples were analyzed using United States Environmental Protection Agency (US EPA) Method 6020A.

Arsenic concentrations detected in soils collected from the developed portion of the property ranged from 3.8 to 12 mg/kg (Table 3.1). Arsenic concentrations detected in soils from the nearby, undisturbed background areas ranged from 7.4 to 14 mg/kg (Table 3.1).

Table 3.1 Summary of Arsenic Concentrations Detected in Soil

Sample ID	Sample Location Description	Total Arsenic Concentration (mg/kg)
PIT-1	Developed Area/Quarry	12
PIT-2	Developed Area/Quarry	8.7
PIT-3	Developed Area/Quarry	8.2
PIT-4	Developed Area/Quarry	3.8
PIT-5	Developed Area/Quarry	11
PIT-6	Developed Area/Quarry	7.3
BKG-1	Background Sample	13
BKG-2	Background Sample	14
BKG-3	Background Sample	8.2
BKG-4	Background Sample	7.4
BKG-5	Background Sample	7.4
BKG-6	Background Sample	10

Note: See Attachment C for analytical laboratory reports.

The sample results demonstrate that there is no significant difference between the arsenic concentrations in soil from the developed portion of the property and the nearby undeveloped background areas. The concentrations of arsenic in samples collected from the quarry area and the undisturbed site areas are consistent with naturally-occurring concentrations of arsenic in other New Hampshire soils as discussed in Gradient (2023c). An NHDES-commissioned study to develop a database of background metals concentrations in New Hampshire soils in 1998 found that arsenic concentrations in urban areas ranged from 5.4 to 21 mg/kg, with an average concentration of 10.9 mg/kg and a 95th percentile concentration of 19.9 mg/kg (Sanborn Head & Associates, 1998). Arsenic concentrations for all of the background data reviewed in the report had an average of 6.4 mg/kg and a 95th percentile concentration of 12 mg/kg (Sanborn Head & Associates, 1998). The arsenic concentrations observed in soil from the developed portion of the property and the nearby undeveloped background areas were also notably less than concentrations of arsenic historically observed at the tannery site (up to 97 mg/kg; GZA GeoEnvironmental, Inc., 2004, Table 1).

In addition to confirming that soils in the quarry area are consistent with naturally-occurring concentrations of arsenic, potential transport of dust and particles were evaluated. Precipitation falling on the ground surface may result in runoff to surface water bodies or infiltration into the subsurface. Surface drainage patterns for the quarry area were evaluated, and arsenic concentrations were measured in both groundwater and surface water.

As shown in Figure 2.1, runoff from the quarry area generally drains to the southwest, into the wetlands area that borders the western part of the site and eventually flows into the culvert under Old Manchester Road. Runoff that could transport dust and constituents from exposed rock in the quarry area would thus not impact concentrations in the former Lagoon 3 area, because the runoff discharges downstream of former Lagoon 3.

Precipitation falling on the ground surface may alternatively infiltrate into the subsurface to become groundwater. Ten bedrock groundwater monitoring wells were installed across the quarry area in October 2023 (see Figure 2.4). The wells were purged of a minimum of three well volumes at low flow rates (<0.5 L/min) prior to sample collection. In-line measurements for pH, specific conductance, dissolved oxygen, and turbidity were monitored to ensure stabilization. Groundwater samples were collected from the 10 bedrock monitoring wells on November 16, 2023, and submitted to Eastern Analytical, Inc. for arsenic analysis using US EPA Method 200.8.[2]

Total and dissolved arsenic concentrations in bedrock groundwater are shown in Table 3.2 Total and dissolved arsenic concentrations in bedrock groundwater ranged from less than 0.5 µg/L to 21 µg/L, with three of the ten wells exceeding 10 µg/L. This is consistent with studies of regional groundwater arsenic concentrations, which have found that more than 30% of randomly selected private bedrock wells within the geologic formations present at the site contain concentrations of arsenic that exceed 10 µg/L (Figure 3.1; USGS, 2003). The US Geological Survey (USGS), in cooperation with US EPA, NH DES, and others, conducted a 2003 study to determine the range of arsenic concentrations in groundwater in southeastern NH (USGS, 2003). An unbiased set of 353 wells covering Hillsborough, Rockingham, and Strafford counties were sampled, of which 125 samples were collected in Rockingham County, where the Town of Raymond is located. Elevated arsenic concentrations were correlated with the natural occurrence of arsenic in specific geologic units (USGS, 2003). Figure 3.1 shows the correlations depicted in the report, with a blue arrow highlighting the approximate location of the Lot 120-1 site within the Town of Raymond. As shown in Figure 3.1, the site overlies geologic units with a high natural occurrence of arsenic, and elevated levels of arsenic are expected for waters in contact with native rock materials. These findings were reaffirmed with modeling in more recent studies (*e.g.*, USGS [2012]), which noted that "[h]igh probabilities of arsenic greater than or equal to 5 and 10 µg/L are not widespread across the State but rather are focused in the southeastern counties of Merrimack, Strafford, Hillsborough, and Rockingham" (USGS, 2012, p. 6). USGS (2012) used a regression model to estimate the probability of arsenic occurrence in bedrock aquifers based on data from more than 1,700 wells. The authors found that specifically rocks of the Berwick Formation, which underlie the quarry area (see discussion in Section 3.1.5) were predictive of having elevated arsenic concentrations in bedrock aquifers (USGS, 2012, p. 6). This supported the observation that "it is common for concentrations of arsenic in bedrock well water to equal or to exceed 10 µg/L" and that "most of the high (greater than 50 percent) probabilities [of bedrock well water exceeding 10 µg/L] are located in the southeastern and south-central portions of the State" (USGS, 2012, p. 10).

Several other studies in New England have also linked arsenic occurrence in groundwater to bedrock geology (Ayotte *et al*., 2003; Yang *et al*., 2009; Peters *et al*., 2006; Peters and Blum, 2003; USGS, 1999), reporting "that the source of the arsenic in New England [groundwater] is dominantly natural and originates from minerals in the rocks of the region" (Ayotte *et al*., 2003, p. 2075). In particular, bedrock wells in regions of calcareous metasedimentary rocks, like those of the Berwick Formation that directly underlie the quarry area, have been found to have "the highest probability of containing [arsenic]" at elevated levels (Peters and Blum, 2003, p. 1775). Peters and Blum (2003) also found elevated concentrations of arsenic in groundwater in New Hampshire correlated with pegmatites that intrude metasedimentary rocks, which have been identified in the vicinity of the quarry area (see discussion in Section 3.1.5). Peters and Blum suggest

[2] In-line parameters did not stabilize for MW-3 during the sample collection effort on November 16, and a replacement sample was collected on December 4, 2023.

that "pegmatites and hydrothermal vein systems…could serve as mechanisms that transport and concentrate [arsenic] many times above the crustal average" (Peters and Blum, 2003, p. 1777).

Moreover, in the quarry area, the spatial distribution of arsenic concentrations is consistent with a distribution that would be expected for naturally-occurring conditions. The three most upgradient wells (MW-1, MW-2, and MW-3) span most of the range of the observed concentrations (from less than 0.5 µg/L to 15 µg/L; Table 3.2). Along the bedrock groundwater flow path closest to former Lagoon 3, from MW-2 to MW-5 to MW-10 (Figure 2.4), arsenic concentrations decrease, rather than increase. The lack of an increasing trend is consistent with the observed arsenic concentrations arising from naturally-occurring conditions. Analytical laboratory reports for the bedrock groundwater samples collected from the quarry area are included in Attachment C. The consistency of bedrock groundwater arsenic concentrations in the quarry area with regional concentrations indicates that infiltration from the rock quarry operations is not adversely impacting groundwater quality.

Table 3.2 Summary of Total and Dissolved Arsenic in Bedrock Groundwater

Sample Location	Dissolved Arsenic Value (µg/l)	Total Arsenic Value (µg/l)
MW-1	0.64	1.6
MW-2	12	15
MW-3	<0.5	<0.5
MW-4	3.7	4.1
MW-5	8	10
MW-6	21	21
MW-7	7.7	14
MW-8	2.3	3.6
MW-9	0.58	6.8
MW-10	3.7	8.8

Notes:
MW = Monitoring Well.

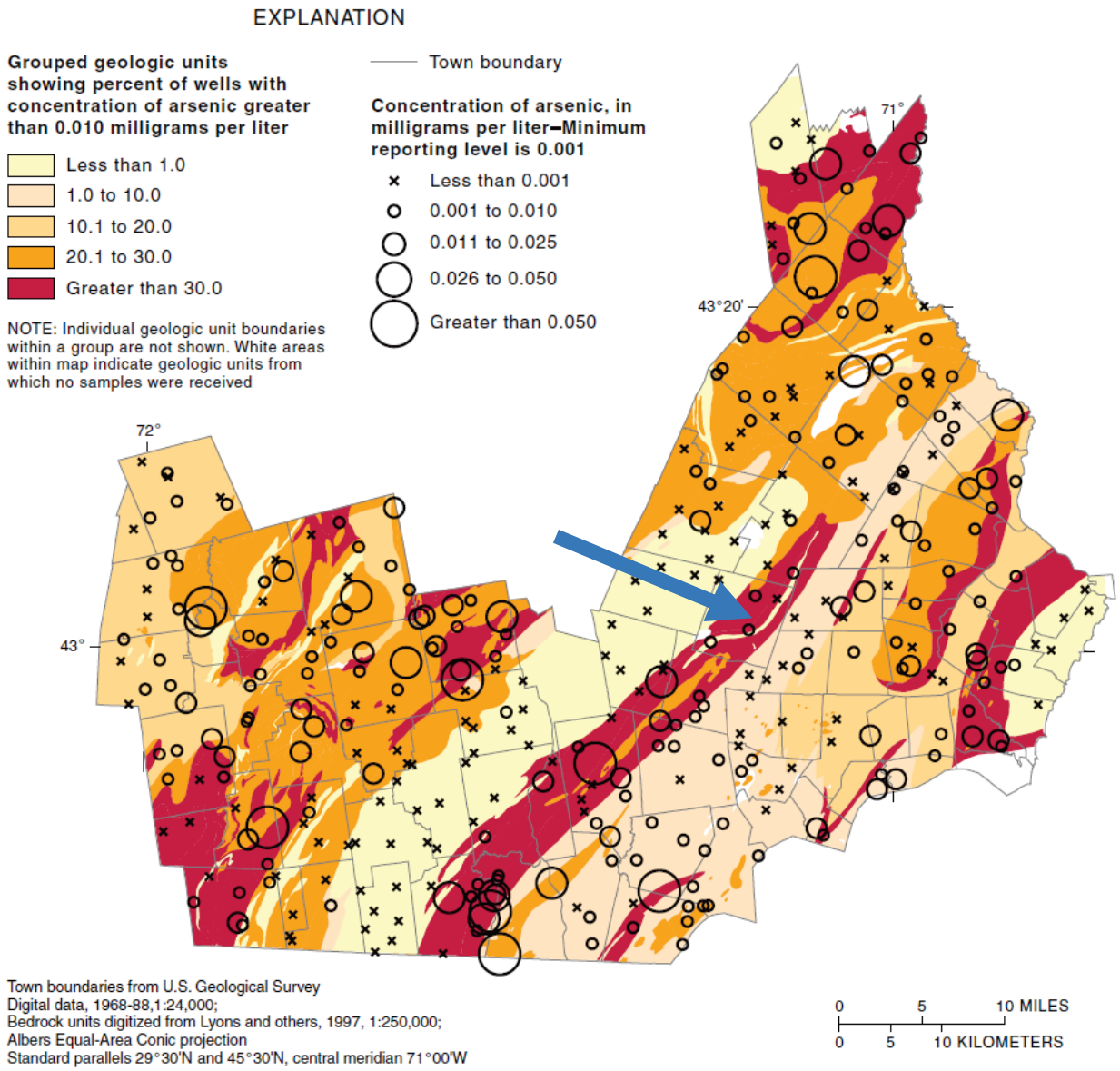

Figure 3.1 Concentrations of Arsenic Correlated with Geologic Units (Figure 2 in USGS, 2003).

Groundwater underlying some of the property development area flows in the direction of Raymond Pond (Figure 2.4). Surface water samples were also collected from three locations in Raymond Pond, which occupies the southwestern portion of the property, on February 22, 2023 (Figure 3.2). Grab samples were collected 6 feet from the shoreline by dipping a sampling bottle approximately 1 foot below the water surface. Field equipment was washed with Alconox rinse and deionized water solution prior to collection of the water samples. Samples were analyzed using US EPA Method 200.8 for metals (ENAC, 2023b).

Concentrations of arsenic in surface water ranged from 1.2 to 1.3 µg/L, less than the New Hampshire drinking water standard (5 µg/L; NHDES, 2021a), the AGQS (5 µg/L; NHDES, 2021b), the US EPA MCL (10 µg/L; US EPA, 2009), and the state chronic ecotoxicity standard for fresh water (150 µg/L; NHDES, 2017). The concentrations observed in surface water are consistent with the dilution of groundwater with arsenic at regional naturally-occurring concentrations. Analytical laboratory reports for the Raymond Pond samples are included in Attachment C. The low concentrations of arsenic present in Raymond Pond surface

water indicate that the nearby rock quarry operations are not adversely impacting Raymond Pond water quality.

Figure 3.2 Raymond Pond Surface Water Sampling Locations for Arsenic. Source: ENAC, 2023b.

Arsenic concentrations in surficial materials in the quarry area, *i.e.*, at the source for any potential arsenic impacts resulting from the rock mining and crushing activities, are consistent with regional naturally-occurring levels. NHDES "concurs with Gradient's conclusion in *Response of Arsenic Soil Sampling* that the concentrations of arsenic detected in the soil within the quarry area represent naturally occurring arsenic" (NHDES, 2023b, p. 2). Runoff from the quarry area currently discharges downstream from the former Lagoon 3 area and, under the proposed property development plan, would discharge toward Raymond Pond. Thus, runoff from this area does not currently impact and will not impact conditions in former Lagoon 3. Furthermore, arsenic concentrations in bedrock groundwater and nearby surface water in Raymond Pond are not elevated above naturally-occurring concentrations. NHDES has stated that "it does not appear that a release of contaminants regulated under Env-Or 600 Contaminated Site Management has impacted Raymond Pond. NHDES is not requesting further investigation of Raymond Pond per Env-Or 600 rules" (NHDES, 2023b, p. 3). The quarry operations are not adversely impacting arsenic concentrations, and the proposed property development plan is not anticipated to adversely impact arsenic concentrations.

3.1.2 Chromium

Samples collected from groundwater and surface water in the property development area were analyzed for chromium. Groundwater samples were collected from 10 bedrock monitoring wells on November 16, 2023, as discussed in Section 3.1.1, and analyzed for chromium using US EPA Method 200.8. Dissolved chromium was not detected in bedrock groundwater in the quarry area. Total chromium was detected at seven of ten locations, with all detections more than an order of magnitude below the AGQS (100 µg/L; NHDES, 2021b). Analytical laboratory reports for the groundwater samples are included in Attachment C.

A surface water sample (SFW-2) was collected from the wetlands area to the west of the quarry area that receives runoff from the quarry area (Figure 3.3) in November 2022. Grab samples were collected from location SFW-2 and analyzed using US EPA Method 200.8 (ENAC, 2022b). No chromium was detected. Analytical laboratory reports for SFW-2 are included in Attachment C.

Figure 3.3 Surface Water Sample SFW-2 Location. Source: ENAC (2022b). Note: blue shading delineates the historical extent of former Lagoon 3 and is not intended to reflect present-day saturated conditions.

3.1.3 PFAS

PFAS data were collected from surface water and groundwater on the property to evaluate their presence and distribution. As discussed in Section 1.1, PFAS have been observed at levels exceeding the AGQS at

the former tannery site (up to 2,410 ng/L PFOS and 1,230 ng/L PFOA) (StoneHill Environmental, Inc., 2018, p. 1 and Table 4). Samples collected from surface water runoff from the quarry area, from bedrock groundwater, and from Raymond Pond surface water were analyzed for PFAS.

A surface water grab sample was collected from sampling location SFW-2 (Figure 3.3), located in an area that receives runoff from the quarry area, in November 2022 and analyzed for PFAS using US EPA Method 537.1 (ENAC, 2022b). No PFAS were detected. Analytical laboratory reports for SFW-2 are included in Attachment C.

Groundwater samples were collected from 10 bedrock monitoring wells on November 16, 2023 as discussed in Section 3.1.1, and analyzed for PFAS using US EPA Method 537.1. PFAS in bedrock groundwater were detected at low levels (up to 11 ng/L), with all detections below AGQS. Analytical laboratory reports for the groundwater samples are included in Attachment C.

Surface water samples were collected from three locations in Raymond Pond on February 22, 2023 as discussed in Section 3.1.1 (Figure 3.2) and analyzed for PFAS using US EPA Method 537.1 (ENAC, 2023b). PFAS in Raymond Pond surface water were detected at low levels (up to 4 ng/L). Analytical laboratory reports for the Raymond Pond samples are included in Attachment C.

The concentrations of PFAS in surface water and groundwater at the property development area and in runoff from the property development area are lower than both AGQS and concentrations observed in groundwater at the tannery site. The property development area is not adversely impacting PFAS concentrations in surface water or groundwater.

3.1.4 Other Analytes

Surface water and groundwater samples collected from the property development area were analyzed for additional constituents, including other metals, polycyclic aromatic hydrocarbons (PAHs), organics, and volatile organic compounds (VOCs).

The three surface water samples from Raymond Pond described in Section 3.1.1 were analyzed for Resource Conservation and Recovery act (RCRA)-8 metals using US EPA Method 200.8, VOCs using US EPA Method 8260, and PAHs using US EPA Method 8270. No VOCs or PAHs were detected in surface water. Nitrate, nitrite, ammonium, and phosphorus were similarly not detected. Barium was detected at concentrations ranging from 19 to 21 µg/L, well below the NHDES surface water quality standard of 1,000 µg/L (NHDES, 2017). No metals other than barium and arsenic (discussed in Section 3.1.1) were detected in surface water (ENAC, 2023b).

The 10 bedrock groundwater samples described in Section 3.1.1 were similarly analyzed for RCRA-8 metals and VOCs. Trichloromethane was the only VOC detected at up to 7.4 µg/L, well below the NHDES AGQS (70 µg/L; NHDES, 2021b). Barium, mercury, lead, selenium, and silver were detected in bedrock groundwater at levels below the AGQS with the exception of dissolved mercury detected at 3 µg/L at MW-5, marginally exceeding the AGQS of 2 µg/L (NHDES, 2021b). The total mercury at MW-5 was reported as 2.7 µg/L, lower than the dissolved value. Mercury was detected at four other bedrock groundwater wells at concentrations ranging from 0.11 µg/L to 0.54 µg/L total mercury. Samples will be collected from MW-5 and analyzed for mercury as part of the site-specific stormwater and groundwater monitoring plan (Attachment G).

3.1.5 Geophysical Data

Geophysical data were collected during the drilling of the bedrock monitoring wells described in Section 3.1.1. The geophysical logging included optical televiewer (OTV), acoustic televiewer (ATV), natural gamma ray, fluid temperature, fluid conductivity, and heat pulse flow meter (HPFM) data. Borehole diameter data (*i.e.*, caliper diameter) were calculated from the ATV data. The geophysical logging data report is included as Attachment E. The hydraulic conductivity of the bedrock was also evaluated with slug tests. A 3 foot long and 1.5 inch diameter polyethylene bailer was used to displace water in each borehole and a Level 700 Troll electric transducer was used to measure changes in water levels through time. AQTESOLV (RockWare, 2019) was used to calculate the hydraulic conductivity in each borehole. The water level measurements are included as Attachment F, and the calculated hydraulic conductivity data are summarized in Table 3.3.

The lithology identified in the geophysical logs matches reasonably well with descriptions of the area in the geologic literature. The Site is located in a region underlain by metasedimentary and metavolcanic rocks that include the Berwick Formation (USGS, 2006). Freedman (1950) identifies the underlying bedrock as the Littleton Formation, which is a Devonian-aged metasedimentary rock unit and includes silicified zones and pegmatites. Freedman (1950) also maps silicified zones along a northeasterly trending fault located less than 500 ft east of the extent of the development area and identifies several nearby pegmatites (the closest of which is less than 2,000 ft west of the extent of the development area). The lithology of the bedrock mapped by both the USGS (2006) and Freedman (1950) matches reasonably well with the lithologic observations in the rock cores, which were described as generally consisting of dark gray phyllite (MW-1 through MW-9) and schist (MW-10) with intervals of quartzite (Attachment B).

The geophysical logs indicate that the bedrock underlying the property exhibits a relatively low degree of fracturing. This observation is consistent with the generally low hydraulic conductivities observed during the bedrock exploration (Table 3.3). The fractures identified in the boreholes generally strike in a north-south direction and dip at varying magnitudes to the west/northwest, with slight variations where the dip is to the south and southwest at varying magnitudes. In addition, the elevations of the observed fractures are consistent with the groundwater elevation data shown in Figure 2.4, with fracture elevations generally decreasing in the direction of decreasing groundwater elevations. The HPFM results indicated that only wells MW-7 and MW-9 had measurable flow during the geophysical exploration. This matches reasonably well with the results of the slug test analyses that showed MW-7 and MW-9 had the highest hydraulic conductivities (Table 3.3).

Table 3.3 Bedrock Hydraulic Conductivity Testing Results

Well ID	Result (ft/day)
MW-1	0.011
MW-2	0.0026
MW-3	0.072
MW-4	0.0049
MW-5	0.023
MW-6	N/A
MW-7	1.5
MW-8	0.011
MW-9	1.4
MW-10	0.052

Notes:
N/A - No value; slug test not performed due to frozen well water conditions above grade.

3.1.6 Surface Water Flow Monitoring

Surface water flow rates from the property development area and vicinity were monitored at two locations between September and November 2023. Pressure transducers were installed at the outlet of Raymond Pond, encompassing surface water flow and drainage from the southern part of the property, and at the outlet side of the culvert under the Rockingham Rail Trail, encompassing surface water flow and drainage from both the property development area and former Lagoon 3, as well as other surrounding areas. The pressure transducers were recovered from the field at the end of November in advance of freezing temperatures.[3] A memorandum summarizing the surface water flow monitoring is included as Attachment D to this report.

The transducer data showed surface water flow rates under the Rockingham Rail Trail that varied from less than 1 to approximately 4 cfs during the monitoring period. Flow rates at the outlet of Raymond Pond were approximately 1 to approximately 2 cfs (see additional details in Attachment D).

3.2 Former Lagoon 3 Area

Environmental investigations in the former Lagoon 3 area included the results of analyses for chromium, arsenic, PFAS, and other analytes in soil/sediment and surface water.

3.2.1 Chromium

Chromium is a constituent of concern associated with the former Regis tannery (see discussion in Section 1.1). Chromium exceeding the TEC and PEC values was left in place in the former Lagoon 3 area at the completion of remediation at the former tannery site (StoneHill Environmental, Inc., 2012, p. 19) because removal of the former Lagoon 3 dam resulted in frequent dry conditions in the impacted areas (see Figures 1.2 and 2.3). Soil/sediment and surface water samples were collected from former Lagoon 3, Wetland A, and downstream and nearby areas to delineate the current distribution of chromium (Figure 3.4).

[3] The transducer monitoring the outlet of Raymond Pond was disturbed during the monitoring period and only obtained data for September and October (see discussion in Attachment D).

Nine soil/sediment samples from the former Lagoon 3 and Wetland A area were collected on March 16, 2023, and analyzed for chromium using US EPA Method 200.8 (ENAC, 2023a). Chromium was detected at up to 6,100 mg/kg at location L3-SD11-2023 (Figure 3.4). NHDES reviewed the chromium data and noted exceedances of the TEC and PEC values (NHDES, 2023, p. 2). Twenty-three additional soil/sediment samples were collected from the former Lagoon 3 area on October 4, 2023 and analyzed for chromium using US EPA Methods 200.8 and 6020A. Ten soil/sediment samples were collected downstream of the former Lagoon 3 dam on October 3, 2023, and analyzed for chromium using US EPA Method 200.8 (Figure 3.4). Analytical laboratory reports for all of the soil/sediment samples are included in Attachment C.

The soil/sediment results for chromium from the recent investigations are shown along with the results from the March 2023 sampling in Table 3.4 and on Figure 3.5. Chromium exceeded its TEC and PEC standard values at 23 of 42 locations. One location was identified with chromium concentrations exceeding those previously reported to NHDES (ENAC, 2023a), with chromium at OX-L3-SD-02 detected at 24,000 mg/kg (Table 3.4 and Figure 3.5). The highest chromium concentrations in soil/sediment were clustered in the downstream portion of former Lagoon 3, upstream of the former dam (Figure 3.5). Concentrations of chromium in soil/sediment samples collected east of the cluster, including from Wetland A and the former connecting trench, did not exceed 450 mg/kg with the exception of L3-WSD2-2023, where chromium was detected at 3,000 mg/kg. Concentrations in soil/sediment samples collected downstream of former Lagoon 3 were generally less than 200 mg/kg, with an exception at OX-WL-SD-03 where chromium was detected at 660 mg/kg.

Table 3.4 Former Lagoon 3 Area Soil/Sediment Chromium Results

Location	Sample Date	Sample ID	Result (mg/kg)
Former Lagoon 3	3/16/2023	L3-SD8-2023	41
		L3-SD9-2023	15
		L3-SD10-2023	1,000
		L3-SD11-2023	6,100
		L3-WSD2-2023	3,000
Wetland A		WA-WSD1-2023	24
		WA-SD3-2023	9.6
		WA-SD4-2023	93
		WA-SD5-2023	8.1
Former Lagoon 3	10/4/2023	OX-L3-SD-01	1,300
		OX-L3-SO-01	58
		OX-L3-SD-02	24,000
		OX-L3-SO-02	410
		OX-L3-SD-03	130
		OX-L3-SO-03	350
		OX-L3-SD-04	470
		OX-L3-SO-04	76
		OX-L3-SD-05	170
		OX-L3-SO-05	410
		OX-L3-SD-06	1,300
		OX-L3-SD-07	73
		OX-L3-SD-08	710
		OX-L3-SD-09	1,500
		OX-L3-SD-10	1,700
		OX-L3-SD-11	170
		OX-L3-SD-12	57
		OX-L3-SD-13	410
		OX-L3-SD-14	72
		OX-L3-SD-15	140
		OX-L3-SD-16	180
		OX-L3-SD-17	400
		OX-L3-SD-18	92
Downstream from Former Lagoon 3	10/3/2023	OX-WL-SD-01	52
		OX-WL-SD-02	38
		OX-WL-SD-03	660
		OX-WL-SD-04	87
		OX-WL-SD-05	1.6
		OX-WL-SD-06	18
		OX-WL-SD-07	180
		OX-WL-SD-08	150
		OX-WL-SD-09	110
		OX-WL-SD-10	34

Notes:
Analytical laboratory reports included in Attachment C.
Gray shading indicates samples that exceed the PEC value of 111 mg/kg (Buchman, 2008).

Surface water samples were collected from locations SFW-1, located at the downstream end of former Lagoon 3, and SFW-3, located in Wetland A, in November 2022 (Figure 3.4). Grab samples were collected and analyzed for chromium using US EPA Method 200.8 (ENAC, 2022b). Chromium was detected at 5.6 µg/L at SFW-1 and 24 µg/L at SFW-3 (ENAC, 2022b). Analytical laboratory reports for SFW-1 and SFW-3 are included in Attachment C. Surface water samples were collected at seven additional locations on March 16, 2023, and analyzed for chromium following similar procedures (ENAC, 2023a). Chromium was detected at up to 16 µg/L. Analytical laboratory reports for the surface water samples are included in Attachment C. NHDES reviewed the March 2023 surface water sampling results and noted that chromium "was not detected in surface water samples at concentrations exceeding the applicable [Water Quality Criteria for Toxic Substances (WQCTS)]" (NHDES, 2023, p. 2).

Chromium impacts to soil/sediment above the TEC and PEC values remain in the former Lagoon 3 and nearby areas, consistent with the conditions present when NHDES issued its certificate of completion in March 2013 (NHDES, 2013; see additional discussion in Section 1.1). The most recent set of surface water sampling results did not detect chromium in excess of the applicable WQCTS. An "Activity and Use Restriction incorporated into the deed of the property" will be implemented for impacted Lagoon 3 soil/sediment left in place at the site, consistent with the site investigation recommendations from GZA (GZA GeoEnvironmental, Inc., 2004, p. 29) and the corrective actions implemented at other portions of the former tannery site (Creveling, 2013) as discussed in Section 4. Moreover, development of the property to the south will result in reduced surface water flow in the former Lagoon 3 area (see Figure 2.1). Some of the area that currently drains into former Lagoon 3 is planned for development and, once development is complete, stormwater in the development area will instead discharge south toward Raymond Pond. This will further reduce the water level in former Lagoon 3, facilitating conditions similar to those present at the conclusion of remediation (see discussion in Section 1.1). Additionally, surface water samples will be collected from the former Lagoon 3 area during dry conditions and analyzed for chromium as part of the site-specific long-term groundwater and stormwater monitoring plan (Attachment G).

3.2.2 Arsenic

Elevated concentrations of arsenic were identified at former tannery operational and disposal areas (see discussion in Section 1.1). Consistent with the sampling activities described in Section 3.2.1, the current distribution of arsenic was evaluated through the collection of soil/sediment, and surface water samples from former Lagoon 3, Wetland A, and downstream and nearby areas.[4]

NHDES reviewed arsenic results for the nine soil/sediment samples collected from the former Lagoon 3 and Wetland A area on March 16, 2023 (ENAC, 2023a), where arsenic was detected at up to 52 mg/kg at L3-WSD2-2023 (Figure 3.4). NHDES noted exceedances of the TEC and PEC values, and requested an assessment of whether rock quarry activities may have contributed to elevated arsenic concentrations in the soil/sediment (see also discussion in Section 1.4). As discussed in Section 3.1.1, arsenic concentrations in the rock quarry area are consistent with naturally-occurring concentrations and the rock quarry area generally drains away from the former Lagoon 3 area; the quarry operations are not adversely impacting arsenic concentrations in former Lagoon 3.

Thirty-three additional soil/sediment samples were collected from former Lagoon 3 and the surrounding areas as described in Section 3.2.1 (Figure 3.4). The arsenic results are shown in Table 3.5 and Figure 3.6. Arsenic exceeded its TEC and PEC values at 12 of 42 locations. The exceedances of the PEC value were within a factor of 2 in the former Lagoon 3 area with the exception of the samples collected from OX-L3-SO-05, where arsenic was detected at 72 mg/kg, and OX-L3-SD-14, where arsenic was detected at

[4] Surface water samples collected from locations SFW-1 and SFW-3, described in Section 3.2.1, were not analyzed for arsenic.

150 mg/kg (Figure 3.6), approximately two and five times the PEC value of 33 mg/kg (Buchman, 2008), respectively. The highest soil/sediment arsenic concentrations were detected downstream from former Lagoon 3. Arsenic was detected at 470 mg/kg at OX-WL-SD-01, located immediately downstream of the former dam location, and at 220 mg/kg at OX-WL-SD-03, located approximately 160 feet downstream (Figure 3.6). Concentrations decrease further downstream (Figure 3.6). Analytical laboratory reports for the soil/sediment samples are included in Attachment C.

Table 3.5 Former Lagoon 3 Area Soil/Sediment Arsenic Results

Location	Sample Date	Sample ID	Result (mg/kg)
Former Lagoon 3	3/16/2023	L3-SD8-2023	34
		L3-SD9-2023	2.7
		L3-SD10-2023	10
		L3-SD11-2023	11
		L3-WSD2-2023	52
Wetland A		WA-WSD1-2023	5.3
		WA-SD3-2023	4.9
		WA-SD4-2023	1.4
		WA-SD5-2023	3.2
Former Lagoon 3	10/4/2023	OX-L3-SD-01	10
		OX-L3-S0-01	0.86
		OX-L3-SD-02	35
		OX-L3-S0-02	2.5
		OX-L3-SD-03	18
		OX-L3-S0-03	6.8
		OX-L3-SD-04	5.5
		OX-L3-S0-04	13
		OX-L3-SD-05	10
		OX-L3-S0-05	72
		OX-L3-SD-06	19
		OX-L3-SD-07	4.5
		OX-L3-SD-08	14
		OX-L3-SD-09	49
		OX-L3-SD-10	24
		OX-L3-SD-11	16
		OX-L3-SD-12	7.8
		OX-L3-SD-13	11
		OX-L3-SD-14	150
		OX-L3-SD-15	36
		OX-L3-SD-16	63
		OX-L3-SD-17	21
		OX-L3-SD-18	26
Downstream from Former Lagoon 3	10/3/2023	OX-WL-SD-01	470
		OX-WL-SD-02	79
		OX-WL-SD-03	220
		OX-WL-SD-04	37
		OX-WL-SD-05	< 0.5
		OX-WL-SD-06	12
		OX-WL-SD-07	3.7
		OX-WL-SD-08	1.7
		OX-WL-SD-09	13
		OX-WL-SD-10	18

Notes:
Analytical laboratory reports included in Attachment C.
Gray shading indicates samples that exceed the PEC value of 33 mg/kg (Buchman, 2008).

Arsenic was analyzed in seven surface water samples collected on March 16, 2023, in the former Lagoon 3 and Wetland A area (ENAC, 2023a). Arsenic was detected at concentrations less than 1 µg/L, less than the New Hampshire drinking water standard (5 µg/L; NHDES, 2021a), the AGQS (5 µg/L; NHDES, 2021b), the US EPA MCL (10 µg/L; US EPA, 2009), and the state chronic ecotoxicity standard for fresh water (150 µg/L; NHDES, 2017). As discussed in Section 3.1.1, arsenic concentrations at this magnitude are consistent with the dilution of groundwater with arsenic at regional naturally-occurring concentrations.

Arsenic was detected at elevated concentrations in soil/sediment in former Lagoon 3 and immediately downstream. Soil/sediment samples collected from Wetland A did not exceed the TEC or PEC values. Surface water concentrations of arsenic were below the New Hampshire drinking water standard. The spatial pattern of elevated concentrations indicates that the arsenic impacts are unrelated to the quarry area. Soil/sediment concentrations generally decline with downstream distance from former Lagoon 3, with the highest concentrations located just downstream of the former dam. Development of the property, as shown in Figure 1.1, will result in reduced surface water flow in the former Lagoon 3 and downstream area, further reducing the potential for transport relative to current conditions.

3.2.3 PFAS

PFAS were analyzed in samples collected from soil/sediment and surface water in the former Lagoon 3 area. Nine soil/sediment samples from the former Lagoon 3 and Wetland A area were collected on March 16, 2023, and analyzed for PFAS using isotope dilution (ENAC, 2023a). No PFAS were detected in Wetland A. N-ethyl perfluorooctanesulfonamidoacetic acid (NEtFOSAA) (up to 9.9 mg/kg) and PFOS (up to 5.7 mg/kg) were detected in former Lagoon 3 soil/sediment. All other PFAS compounds were not detected. Ten soil/sediment samples (samples OX-WL-SD-01 to OX-WL-SD-10 on Figure 3.4) were collected downstream of the former Lagoon 3 dam on October 3, 2023, and analyzed for PFAS using isotope dilution. NEtFOSAA (up to 0.83 mg/kg) was detected at two locations and PFOS (up to 5.7 mg/kg) was detected at five locations. All other PFAS compounds were not detected. Analytical laboratory reports for all of the soil/sediment samples are included in Attachment C.

Surface water samples collected from SFW-1 and SFW-3 (Figure 3.4) in November 2022 were analyzed for PFAS using US EPA Method 537.1 (ENAC, 2022b). PFOS (up to 11.7 ng/L), PFOA (up to 5 ng/L), and N-ethylperfluorooctanesulfonamidoacetate (EtFOSAA) (up to 4.3 ng/L) were detected. Analytical laboratory reports for SFW-1 and SFW-3 are included in Attachment C. Surface water samples were collected at seven additional locations on March 16, 2023, and analyzed for PFAS (ENAC, 2023a). PFAS were not detected at any of the locations in Wetland A. NEtFOSAA (up to 0.81 ng/L), perfluorohexanesulfonic acid (PFHxS) (up to 2.4 ng/L), perfluoroheptanoic acid (PFHpA) (up to 1 ng/L), PFOA (up to 6.3 ng/L), and PFOS (up to 18 ng/L) were detected in surface water in former Lagoon 3 and nearby areas. Analytical laboratory reports for the surface water samples are included in Attachment C. NHDES reviewed the PFAS data and noted that NHDES had not developed surface water standards for PFAS. NHDES additionally noted that, while the AGQS for PFOS (15 ng/L; NHDES, 2021b) does not directly apply to surface water, a review of location LS-SW5-2023, where PFOS was detected at 18 ng/L, would be helpful (NHDES, 2023, p. 2).

Location LS-SW5-2023 is located between former Lagoons 1 and 3 (Figure 3.4). Surface drainage to this area originates from nearby local ridges with undeveloped woodlands. Groundwater flow is expected to be to the north/northwest in this area based on nearby groundwater elevation measurements (StoneHill Environmental, Inc., 2018, Figure 5). Impacts associated with the former tannery site are present throughout and around the former Lagoon 3 area, as discussed in Section 3.2.1. Sample location L3-SW5-2023, in-particular, contained elevated chromium (16 µg/L) relative to other surface water sampling

locations in the former Lagoon 3 area, indicating impacts from the former tannery. PFOS has been detected at up to 2,410 ng/L in other former tannery areas (StoneHill Environmental, Inc., 2018, p. 1 and Table 4). PFOS may have been present in tannery materials, including leather scraps that were disposed at the land surface, and/or in firefighting materials used at the former tannery. PFOS in solid wastes disposed in the vicinity of LS-SW-5-2023 or in the relevant upgradient overland flow zone may have leached into precipitation and migrated to LS-SW5-2023, or liquid wastes used in firefighting at the tannery may have drained to the former Lagoon 3 area in the same manner as other tannery wastes. Given the two order of magnitude disparity between PFOS concentrations observed at LS-SW5-2023 (18 ng/L) and the tannery area (PFOS up to 2,410 ng/L), and the evidence of other former tannery impacts at LS-SW5-2023 (*i.e.*, elevated chromium concentrations), the PFOS observed at LS-SW5-2023 is a dilute tannery-related impact. In general, PFAS are present in surface water and soil/sediment in the former Lagoon 3 area as a result of legacy tannery activities, but the observed concentrations are significantly lower than the concentrations observed at the former tannery site.

3.2.4 Other Analytes

Soil/sediment and surface water samples collected from the former Lagoon 3 area were analyzed for additional constituents, including other metals and PAHs.

Soil/sediment samples in the area downstream of former Lagoon 3 were analyzed for PAHs using US EPA Method 8270 and metals using US EPA Method 200.8. Analytical laboratory reports for all of the soil/sediment samples are included in Attachment C. PAHs (up to 0.45 mg/kg) were detected at OX-WL-SD-07 and OX-WL-SD-08 (Figure 3.4) at levels below the respective PECs. PAHs were not detected at other downstream soil/sediment sampling locations. Barium (up to 290 mg/kg), cadmium (up to 6.3 mg/kg), mercury (up to 0.72 mg/kg), selenium (up to 6 mg/kg), and silver (up to 0.82 mg/kg) were detected in downstream soil/sediment samples. Cadmium and mercury did not exceed their respective PECs, while Buchman (2008) did not include freshwater PEC values for barium, selenium, or silver. Lead was detected at concentrations ranging from 1.1 to 33 mg/kg at locations OX-WL-SD-01 to OX-WL-SD-09, below the TEC value of 35.8 mg/kg (Buchman, 2008). In contrast, lead was detected at 1,300 mg/kg at location OX-WL-SD-10, which was collected adjacent to the Old Manchester Road right-of-way (Figure 3.4). While lead has been detected at high concentrations in former tannery areas (up to 2,400 mg/kg; GZA GeoEnvironmental, Inc., 2004, Table 1; see discussion in Section 1.1), given the proximity of the sampling location to an active roadway and the significantly lower lead concentrations detected in upstream drainage area samples, the former Lagoon 3 area and the rock quarry are not likely sources of the observed impacts at OX-WL-SD-10. Analytical laboratory reports for all of the soil/sediment samples are included in Attachment C.

Metals detected in the four soil/sediment samples in Wetland A included barium (up to 35 mg/kg) and lead (up to 86 mg/kg, below the PEC of 128 mg/kg [Buchman, 2008]). Cadmium, mercury, selenium, and silver were not detected (ENAC, 2023a). Metals detected in former Lagoon 3 area soil/sediments included barium (up to 580 mg/kg), cadmium (up to 4 mg/kg), lead (up to 76 mg/kg), mercury (up to 0.46 mg/kg), selenium (up to 16 mg/kg), and silver (up to 0.83 mg/kg). No additional metals exceeded the PEC values, where available, in former Lagoon 3.

Barium (up to 37 µg/L, well below the NHDES surface water quality standard of 1,000 µg/L [NHDES, 2017]) was detected in all seven surface water samples collected from Wetland A and former Lagoon 3 in March 2023, while other metals (excluding chromium and arsenic) were not detected (ENAC, 2023a, Tables 1 and 2).

4 Conceptual Site Model

The site area consists of exposed bedrock with varying degrees of overburden in different site areas. The bedrock is largely competent, with a low degree of fracturing and low measured hydraulic conductivities. Bedrock groundwater at the site flows to the west and north, discharging into Raymond Pond and the Lamprey River. Groundwater in overburden to the north of the site similarly flows north, toward the Lamprey River. The site contains multiple watersheds, as shown in Figure 2.1. Southern parts of the site drain into Raymond Pond, which drains into the Lamprey River. The central portion of the site, where quarry activities have occurred, drains initially to the west to a wetland area running along the western portion of the property; the wetland then flows north into the Lamprey River. North of a ridge separating the quarry area from the former Lagoon 3 area, surface water drains through the former Lagoon 3 area west and north to the Lamprey River.

The Regis Tannery operated north of the site from 1953 until 1972, when it was destroyed by fire. The tannery operations produced wastewater that discharged to Lagoon 3, which was formed by creating a berm filled with leather scraps at its western end, during the later years of its operation. A trench connected Lagoon 3 with Wetland A. Discharge of wastewater and other tannery activities impacted the former Lagoon 3 and surrounding areas with chromium, PFAS, and other analytes. PFAS would have been transported to multiple locations, including to the vicinity of location L3-SW5-2023 (Figure 3.4), where weathering would reduce peak concentrations and transport contaminants. Sample location L3-SW5-2023 is located at an approximate elevation of 204 ft., relative to nearby groundwater elevations at 178-181 ft. at monitoring well MW-4 (43) south of Lagoon 1 at the former tannery site (Tomforde Environmental Services, 2023, Table 1). During the July 2023 site visit, water was not observed at location L3-SW5-2023. The surface water collected at location L3-SW5-2023 is thus expected to be derived from surface runoff, rather than groundwater. Impacted materials from the tannery remained in place, with potential for environmental transport (*e.g.*, *via* surface runoff), until remediation activities were completed in 2009. Some of the impacted material was excavated and consolidated under a capped area, and the dam creating Lagoon 3 was removed, with surface water allowed to drain through the downstream area and into the Lamprey River. Impacted materials with concentrations above the TEC and PEC were allowed to remain in place because the footprint of the lagoon had been reduced with the removal of the dam. The former Lagoon 3 received drainage from the surrounding watershed area, resulting in additional potential downstream transport of impacted materials. The footprint of the former lagoon is significantly reduced relative to its historical area. Under current conditions, former Lagoon 3 continues to receive natural drainage from the surrounding area.

Rock quarry activities began in the area south of former Lagoon 3 after the completion of remedial actions. Natural rock present at the site was blasted and crushed, forming a large, exposed bedrock base with potential for future development. Drainage from the rock quarry area flows west into a wetland that borders the property. The wetland area conveys flow to the north, where it joins with outflow from the former Lagoon 3 area near a culvert under the Rockingham Rail Trail. The rock quarry activities have not had an adverse environmental impact on surficial soils, bedrock groundwater, or surface water draining the site.

Environmental data collected in the property development area show that concentrations of constituents are largely consistent with background or naturally-occurring concentrations. Low levels of PFAS are present, consistent with the observation that PFAS are ubiquitous in the environment (NHDHHS, 2019). A marginal exceedance of mercury in bedrock groundwater of unknown origin was observed. Concentrations of other constituents in the property development area were not elevated above background, naturally-occurring

levels, or standards. Thus, development of the property is not expected to adversely mobilize or impact contaminants of concern.

A warehouse is proposed for property development that will alter terrain and drainage conditions. The extent of the development area is shown on Figure 1.1. Part of property development will involve capturing and diverting stormwater falling within the property development area. Stormwater will be treated and discharged toward Raymond Pond, a separate watershed from the former Lagoon 3 area. The development of the property will reduce the stormwater flow passing through the former Lagoon 3 area relative to current conditions, consistent with the objectives of the remedial actions for the former Lagoon 3 area completed in 2009 (*i.e.*, removal of the dam to reduce the presence of impounded water). Property development will also reduce stormwater flow through the area downstream from former Lagoon 3 and through the culvert under the Rockingham Rail Trail. An AUR will formally be implemented for impacted former Lagoon 3 areas, consistent with recommendations proposed in the site investigation conducted by GZA (GZA GeoEnvironmental, Inc., 2004, p. 29). Remedial actions implemented since completion of the 2004 site investigation have resulted in generally dry conditions in the former Lagoon 3 area (see discussion in Section 1.1), reducing or eliminating much of its potential use as a benthic habitat. Property development and an AUR for the Lagoon 3 area are expected to further improve environmental conditions consistent with Env-Or 606.13 (NHDES, 2021b) as shown in Table 5.1.

Under post-development conditions, precipitation falling on the property development area will drain toward Raymond Pond, crossing out of the former Lagoon 3 watershed area. The impacted materials that have been in place since the operational time of the tannery will be protected from disturbance with an AUR, and the diversion of surface drainage from part of the former Lagoon 3 watershed as a result of the warehouse development will reduce the potential for contaminant transport relative to the natural conditions that have persisted in the former Lagoon 3 area since the completion of remedial activities in 2009. Property development will thus result in an improvement in environmental conditions on the property.

5 Conclusions and Recommendations

Sufficient environmental data have been collected at the site to support several conclusions:

1. Activities in the property development area have not adversely impacted the former Lagoon 3 area, and proceeding with the development of the planned warehouse will reduce the potential for contaminant transport in the former Lagoon 3 area. The rock quarry area currently drains to a wetland to the west of the site, which flows north to a point downstream from former Lagoon 3. Former Lagoon 3 receives drainage from a separate area that does not include the quarry (Figure 2.1). Arsenic concentrations in the quarry area are consistent with naturally-occurring concentrations, indicating a lack of arsenic mobilization (Section 3.1.1). Property development will redirect stormwater from some areas currently contributing to former Lagoon 3 and convey the treated stormwater toward Raymond Pond, reducing flows through former Lagoon 3 consistent with the objectives of prior remedial actions.
2. Activities in the property development area have not adversely impacted water quality in Raymond Pond, and proceeding with the development of the planned warehouse will not adversely impact water quality in Raymond Pond. The property development area currently does not drain into Raymond Pond (Figure 2.1), and concentrations of arsenic in Raymond Pond are below drinking water standards. NHDES has stated that "it does not appear that a release of contaminants regulated under Env-Or 600 Contaminated Site Management has impacted Raymond Pond. NHDES is not requesting further investigation of Raymond Pond per Env-Or 600 rules" (NHDES, 2023b, p. 3). Stormwater directed toward Raymond Pond as part of property development will be treated prior to discharge.
3. Consistent with conditions present when NHDES issued its certificate of completion, some areas in and around former Lagoon 3 have concentrations above the respective TEC and PEC values. As proposed by GZA, an AUR should be enacted for these areas. Remedial actions implemented since completion of the 2004 site investigation have resulted in generally dry conditions in the former Lagoon 3 area (see discussion in Section 1.1), reducing or eliminating much of its potential use as benthic habitat. Moreover, property development should proceed to achieve a reduction in stormwater flow through the former Lagoon 3 area and reduce the potential for contaminant transport. Property development and an AUR for the Lagoon 3 area are expected to further improve environmental conditions consistent with Env-Or 606.13 (NHDES, 2021b) as shown in Table 5.1.
4. A long-term groundwater and stormwater management plan has been developed for the property (Attachment G). Additionally, construction activities will be performed consistent with the site's soil and groundwater management plan (Attachment H). As additional data are collected consistent with these plans, results will be provided to NHDES and the conceptual site model will be updated if necessary.

Table 5.1 Property Development and AUR Consistency with Env-Or 606.13

NH Env-Or 606.13 Entry	Property Development and AUR Consistency
(a) Human health and the environment will be protected	Property development will reduce drainage flow through the former Lagoon 3 area, which is already frequently dry (see Figure 2.3), and an AUR will reduce or eliminate human health risks associated with the former Lagoon 3.
(b) The groundwater quality criteria specified in Env-Or 603.01 will be met	Consistent with observations in the site investigation (see discussion in Section 1.1), groundwater quality does not appear to be adversely impacted and property development is not expected to adversely impact groundwater.
(c) Sources of contamination will be controlled to reduce or eliminate further discharges	The source of contamination to this area (*i.e.*, the tannery) has been controlled. Property development will reduce drainage flow through the former Lagoon 3 area and further control or eliminated potential releases.
(d) Contaminated soil will be removed, treated, or contained to reduce the human health risk associated with direct exposure via dermal contact, ingestion, and inhalation	An AUR will reduce the risk of direct contact with any impacted material remaining in the former Lagoon 3 area.
(e) The risk to human health and the environment will be reduced to the greatest extent practicable, balancing costs and benefits by evaluating the risk to human health and the environment by the methods described in the ASTM E 2081-00 (2010)e1 entitled "Standard Guide for Risk Based Corrective Action" (ASTM E 2081)	Property development will reduce drainage flow through the former Lagoon 3 area, which is already frequently dry (see Figure 2.3), and an AUR will reduce human health risks arising from exposure. The property is planned for development and productive use as a warehouse facility, which will benefit the local community.
(f) Long-term management, including operation and maintenance of the remediation equipment and site monitoring requirements, will be minimized	Minimal long-term monitoring and management will be required. A site-specific stormwater and groundwater monitoring plan has been developed and will be implemented, as described in Attachment G.
(g) The potential need for modification of the remedy will be minimized	The property development will involve permanent alterations of terrain and changes to site drainage patterns; an enacted AUR will be a permanent part of the deed to the land. Thus, it is unlikely that the remedy will require any future modification.
(h) Resource value of groundwater impacted by the contamination will be protected to the greatest extent practicable taking into account current and anticipated future land use	Consistent with observations in the site investigation (see discussion in Section 1.1), groundwater quality does not appear to be adversely impacted and property development is not expected to adversely impact groundwater.
(i) Long-term institutional and engineering controls will be reliable	The property development will involve permanent alterations of terrain and changes to site drainage patterns; an enacted AUR will be a permanent part of the deed to the land. Thus, the long-term institutional controls will be reliable.

Notes:
AUR = Activity and Use Restriction.

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MEMORANDUM

To: Ken Robichaud, Raymond Town Manager, Town of Raymond

From: Megan E. Murphy, James M. Wieck, and Jeffrey D. Rowell

Date: May 3, 2024

File No: 04.0191548.01

Re: Environmental Services – Document Review
Proposed Onyx Raymond LLC. Development

GZA GeoEnvironmental, Inc. (GZA) has prepared this memorandum to provide the Town of Raymond, New Hampshire (the Town) with our technical review comments related to the report[1] prepared by Gradient on behalf of Onyx Partners, Ltd. (Onyx; the Applicant) dated February 15, 2024. GZA understands that Gradient's report was prepared, in part, in response to our comments included in GZA's memorandum[2] dated October 19, 2023. This memorandum provided a summary of our technical comments based on our review of the letter prepared by Gradient et al.[3] dated September 7, 2023, associated with the proposed redevelopment of a portion of the Former Regis Tannery property in Raymond, New Hampshire (Site[4]) and our understanding of the proposed development of the Site and Site vicinity environmental conditions.

Modifications to the design of the stormwater management system described in the February 14, 2024, Technical Memorandum[5] by Waterstone Engineering and Jones & Beach and information provided in Gradient's February 15, 2024 report substantially address the comments presented in our October 19, 2023 memorandum. GZA's specific comments regarding documents reviewed by GZA following issuance of our October 2019 memorandum are summarized below.

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[1] Report by Gradient titled *"Site Investigation and Environmental Impacts Analysis, Land Off Industrial Drive (Lot 120-1), Raymond, New Hampshire, NHDES Site #202302096."*

[2] Technical memorandum dated October 19, 2023 by GZA titled, *"Response to Gradient, et al. September 7, 2023 Letter Proposed Onyx Raymond LLC Development."*

[3] Letter dated September 7, 2023, by Gradient, et al. titled *"Responses to GZA GeoEnvironmental* (sic), *Inc. Updated Recommendations Memorandum for the Proposed Onyx LLC Development, Raymond, NH, dated August 8, 2023, and a Detailed Workplan of Follow-up Actions, Property located on Industrial Drive (Lot 120-1), Site #202302096, Project #41468."* Letter provided to GZA on September 15, 2023, by Mr. Jason Cleghorn.

[4] Site identified as Town of Raymond, New Hampshire Tax Map 22. Lots 44, 45, 46, 47 and Tax Map 28, Block 3, Lot 120-1.

[5] Technical memorandum titled *"Response to Stormwater Management Recommendations from the 10/19/2024, Memo by GZA Geoenvironmental, Inc. for the Proposed Onyx Raymond LLC, Development, Industrial Drive (Lot 120-1)."*

As noted above, the subject of GZA's review and comments below is the February 15, 2024 report prepared by Gradient. In support of our review, GZA also reviewed related documents prepared by Gradient, Jones & Beach, Tomforde Environmental Services, LLC (TES), and the New Hampshire Department of Environmental Services (NHDES) that were not available to GZA when preparing our October 19, 2023, memorandum.

Our review focused on evaluating recently collected hydrogeologic and contaminant information relative to the comments provided in our October 19, 2023, memorandum relative to the potential for the increased mobilization of environmental contaminants due to the proposed development in consideration of the potential for encountering disturbing or influencing known or potential contamination conditions at the Site. Our comments are based on the data and conclusions presented in the documents reviewed. GZA did not evaluate or verify the data quality and/or the evaluation of the data except as specifically described in this memorandum.

The remainder of this memorandum is organized into information regarding Related Documents and our comments related to the February 15, 2024 report prepared by Gradient.

SUMMARY OF RELATED DOCUMENTS

Related Documents reviewed by GZA are listed below and include selected documents available on the NHDES OneStop Online Database (OneStop). The following provide selected information regarding the related documents reviewed and our comments as they relate to the February 15, 2024, report prepared by Gradient. For each of the Related Documents, we provide the name of the document reviewed, a summary of selected information, and our comments.

DOCUMENT REVIEWED

Letter titled, *Response of Arsenic Soil Sampling, LAND OFF INDUSTRIAL DRIVE (LOT 120-1), INDUSTRIAL DRIVE (LOT 120-1), RAYMOND, NH 03077*, prepared by Gradient on October 12, 2023:

Summary of Selected Information

- During September 2023, six surficial soil samples (depths between 5 to 12 inches below ground surface) were collected from the "developed" area of the Site (defined as the "quarry area"), and six surficial soil samples were collected from undisturbed areas of the Site. The samples collected from the undisturbed areas of the Site were intended to be representative of background conditions. The collected soil samples were submitted for laboratory analysis of arsenic using the United States Environmental Protection Agency (USEPA) Method 6020A. The analytical results indicated arsenic was detected in soils from the developed area of the Site at concentrations ranging between 3.8 milligrams per kilogram (mg/kg) to 12 mg/kg and was detected in soils from the representative background areas at concentrations ranging from 7.4 mg/kg to 14 mg/kg.
- The Gradient letter references the *Background Metal Concentration Study, New Hampshire Soils,*[^] commissioned by the NHDES in 1998. Gradient infers that the arsenic concentrations detected in the soil samples at the Site are within the acceptable range to be considered likely background concentrations from naturally occurring conditions in the area. Based on this information, Gradient concluded that "the development of the property [Site] is not adversely impacting site soils."

[^] Prepared by Sanborn Head & Associates in November 1998.

- During February 2023, three surface water samples (depths at approximately 12 inches below water surface and approximately 6 feet from the shoreline) were collected from Raymond Pond, located in the southwestern portion of the Site outside the proposed extent of development area by Enviro North American Consulting, LLC on behalf of Onyx. The collected surface water samples were submitted for laboratory analysis of volatile organic compounds (VOCs), Resource Conservation Recovery Act 8-metals (RCRA-8), polycyclic aromatic hydrocarbons (PAHs), per- and polyfluoroalkyl substances (PFAS), nitrite, nitrate, total phosphorous, turbidity, and ammonia. The analytical results indicate the selected parameters were detected at concentrations below their laboratory reporting limits with the following exceptions:
    - Turbidity was detected at a concentration of 1 nephelometric turbidity unit (NTU),
    - Barium was detected at a concentration between 19 to 21 micrograms per liter (µg/L), which is below the NHDES Water & Fish Ingestion criteria of 1,000 µg/L,
    - Arsenic was detected at a concentration between 1.2 and 1.3 µg/L, which is below the NHDES Acute and Chronic Surface Water criteria of 340 µg/L and 150, respectively, above the NHDES Water and Fish Ingestion criteria of 0.018 µg/L.
    - Five PFAS (perfluorooctanoic acid [PFOA], perfluorooctane sulfonic acid [PFOS], perfluorohexanoic acid [PFHxA], perfluoroheptanoic acid [PFHpA], and perfluorononanoic acid [PFNA]) were each detected a concentration below 4.1 nanograms per liter (ng/L), which is below the currently established New Hampshire Maximum Contaminant Limits (MCLs) for drinking water and Ambient Groundwater Quality Standards[7] (AGQS). Currently, the State of New Hampshire has not established standards for PFAS in surface water.
- Based on the surface water quality data, Enviro North American Consulting, LLC concluded that "there is no evidence suggestive of existing water impacts from blasting activities. Detected concentrations of arsenic in recent pond water samples are indicative of background and naturally occurring."
- In their letter, Gradient references the report *Arsenic Concentrations in Private Bedrock Wells in Southeastern New Hampshire,* authored by the US Geological Survey (USGS) during July 2003, and infers that the arsenic concentrations detected in surface water samples previously collected from Raymond Pond during February 2023 at concentration between 1.2 to 1.3 µg/L are likely background concentrations related to naturally-occurring conditions in the area and are below the New Hampshire AGQS and MCL of 5 µg/L and the USEPA MCL of 10 µg/L. Based on this information, Gradient concluded that "[r]esuming quarry activities is not expected to adversely impact arsenic concentrations in Raymond Pond."

GZA has no additional comments.

[7] As defined in State of New Hampshire Code of Administrative Rules Env-Or 603.03 (Ambient Groundwater Quality Standards [AGQS], Table 600-1, amended by #13147, effective January 1, 2021.

DOCUMENT REVIEWED

Report titled, *Groundwater Monitoring Data Transmittal (June 2023), Former Regis Tannery, Old Manchester Road & Wight Street, Raymond, New Hampshire 03077*, prepared by Tomforde Environmental Services on October 18, 2023:

Summary of Selected Information

- Tomforde Environmental Services, LLC (TES) performed a round of groundwater sampling during June 2023 in accordance with the groundwater management permit (GMP; GWP-198705081-R-002) associated with the former Regis Tannery facility located along Old Manchester Road and Wight Street in Raymond, New Hampshire. Groundwater samples were collected from 13 groundwater monitoring wells located throughout the former tannery property and submitted for laboratory analysis. Of the 13 groundwater samples collected, each of the 13 were analyzed for PFAS, while seven were analyzed for total dissolved chromium.
- The analytical results indicate that total dissolved chromium was detected at a concentration exceeding its AGQS of 100 µg/L at one location in the northern-most portion of the former tannery property, PFOA and PFOS were detected at concentrations exceeding their respective AGQS of 12 µg/L and 15 µg/L at 10 locations throughout the property, and PFHxS was detected at a concentration exceeding its AGQS of 18 µg/L at seven locations throughout the former tannery property.
- Based on this information, TES concluded that the sampling results are relatively consistent with previous sampling rounds with the exception of "PFHxS detected at a concentration moderately higher in the sample from MW-1(43) when compared to previous sampling rounds."

GZA has no additional comments.

DOCUMENT REVIEWED

Letter titled, *Response to Letter from Gradient dated June 14, 2023, LAND OFF INDUSTRIAL DRIVE (LOT 120-1), INDUSTRIAL DRIVE (LOT 120-1), RAYMOND, NH 03077*, prepared by Gradient on October 24, 2023:

Summary of Selected Information

- Gradient provided an updated schedule to NHDES that included a brief summary of the investigations performed since Gradient's June 14, 2023, letter. Gradient's June 14, 2023 letter[8] was in response to the NHDES letter dated May 17, 2023,[9] that requested additional assessments and investigations concerning the elevated detections of PFAS in surface water as well as chromium and arsenic in surface water and sediment in areas of Wetland A, former Lagoon 3, and uphill of former Lagoon 3.

GZA has no additional comments.

[8] Gradient Letter Correspondence, *RE: Letter from Tanya P. Justham dated May 17, 2023, Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, Site #202302096, Project #41468*, Letter to Tanya P. Justham (NHDES), dated June 14, 2023.

[9] NHDES Correspondence, *RE: Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, Site #202302096, Project #41468*, Letter to Douglas Richardson (Onyx Raymond, LLC), dated May 17, 2023.

DOCUMENT REVIEWED

NHDES response letter titled, *Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, NHDES Site #202302096, Project #41468, Response to Letter dated May 17, 2023, prepared by Gradient, dated June 14, 2023, Response of Arsenic Soil Sampling, prepared by Gradient, dated October 12, 2023, Response to Letter from Gradient dated June 14, 2023, prepared by Gradient, dated October 24, 2023, Raymond Pond Laboratory Sampling Results, prepared by Enviro North American Consulting, LLC, dated May 3, 2023,* prepared by NHDES on December 1, 2023:

Summary of Selected Information

- In response to Gradient's June 14, 2023, letter, NHDES acknowledged that Gradient should wait to sample chromium in surface water until more favorable conditions (e.g., less wet) are viable and suggested late summer/fall 2024 if samples could not be successfully collected during December 2023.
- NHDES continued to request that a sediment toxicology assessment be performed for chromium in sediment in the areas associated with Wetland A and the former Lagoon 3 to "evaluate whether the concentrations of trivalent chromium are affecting the benthic community" in those areas. NHDES indicated that previous assessments have already "identified a moderate to high priority risk for sediment" at the Site and that performing a sediment toxicology assessment is the next step "in assessing ecological resource risk."
- NHDES reiterated the need for an assessment and further discussion in an updated conceptual site model concerning the detection of PFOS at elevated concentrations from "the area uphill of former Lagoon 3 (surface water sample LS-SW5-2023)."
- Although NHDES concurred with the conclusion made in Gradient's *Response of Arsenic Soil Sampling* report dated October 12, 2023, NHDES reiterated the need to assess whether "natural arsenic may be mobilizing from the quarry area due to anthropogenic activities and concentration within the sediment of Lagoon 3." NHDES again requested that an assessment be performed looking into "whether rock mining and crushing activities at the property have contributed to elevated arsenic concentrations in sediment at Lagoon." Additionally, NHDES cautioned that leaching calculations should be based on site-specific information and not based on "published values ranging by four orders of magnitude." NHDES also cautioned that leaching calculations for soil to surface water are not directly applicable to sediment concentrations.

Based on the information provided by NHDES, GZA agrees with NHDES's comments.

DOCUMENT REVIEWED

NHDES response letter titled, *Raymond – Former Regis Tannery, Lot 43, Old Manchester Road, NHDES Site #198705081, Project #278, Former Regis Tannery, Lot 120, Old Manchester Road, NHDES Site #201110061, Project #27227, Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report, prepared by Tomforde Environmental Services, LLC, dated May 17, 2023, Groundwater Monitoring Data Transmittal (June 2023), prepared by Tomforde Environmental Services, LLC, dated October 18, 2023,* prepared by NHDES on December 5, 2023:

Summary of Selected Information

- In general, NHDES concurs that the *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* dated May 17, 2023, and the *Groundwater Monitoring Data Transmittal (June 2023)* dated October 18, 2023, are "complete and generally meets" the GMP requirements. However, based on the concentrations of PFAS, exceeding AGQS, detected in groundwater downgradient of the GMP boundary, NHDES requested that a supplemental site investigation be performed for PFAS to "investigate the nature, location, and extent of PFAS contamination in groundwater related to releases at the Tannery sites."
- NHDES also comments that due to PFOA and PFOS exceeding their concentrations at the newly installed, upgradient monitoring well MW-4(120), it remains unclear whether the PFAS detected in this well are from the former tannery contamination at Lagoon 2 or from an "upgradient, off-site source, or from a combination of the two."
- Lastly, NHDES requested that two additional groundwater monitoring wells be installed as part of the supplemental site investigation based on the following indications:
    - Previous groundwater flow assessments in the area of MW-1 (43)[10] indicate the potential for radial flow from the area of MW-1 (43). Therefore, NHDES requested that an additional monitoring well be installed to the east/northeast of MW-1 (43) to assess whether groundwater flow could be towards the east under certain conditions.
    - The northwestern portion of the plume is not well defined, and the *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* proposed including several properties in that direction to be included in the updated groundwater management zone (GMZ). To assist with determining which properties should be included within the GMZ, NHDES requested that a groundwater monitoring well be installed to the northwest of MW-5.

Based on the information provided by NHDES, GZA agrees with NHDES's comments.

DOCUMENT REVIEWED

Application for Renewal of Groundwater Management Permit, Former Regis Tannery - Lot 43, Old Manchester Road, Raymond, New Hampshire 03077, prepared by Tomforde Environmental Services on February 27, 2024:

Summary of Selected Information

- For the next 5-year GMP associated with the former tannery property, TES recommended that no revisions were needed for the chromium monitoring at the property. For the PFAS contamination existing at the property, TES recommended that five additional monitoring wells be added to the future GMP sampling schedule in addition to installing two new groundwater monitoring wells as recommended by NHDES in their letter dated December 5, 2023, discussed above. Additionally, TES recommended adding 13 additional properties to the GMZ associated with the northern portion of the property defined as Lot 43. These properties are located to the north and northwest of Lot 43.

[10] The *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* prepared by TES on May 17, 2023 indicates that "during periods of lower water levels, the groundwater gradient across Lot 120 and Lot 43 is reduced and occasionally groundwater appears to mound in the area of MW-1(43) and MW-4(43) most likely due to stormwater that collects and infiltrates in this area. Neither of these phenomena are considered to have a significant influence on the overall groundwater flow direction to the north."

Based on the information presented by TES, GZA has no additional comments.

DOCUMENT REVIEWED

Drainage Report (Rev. 02-07-24), prepared by Jones & Beach and provided to GZA by Ms. Stefanie Michaud (Jones & Beach) electronically on February 8, 2024:

Summary of Selected Information

- Jones & Beach provided an *Alteration of Terrain (AoT) Permit Application* dated August 2022 that summarizes the drainage/discharge operations associated with the proposed industrial development at the Site. The permit indicates that post-development, the Site will directly discharge to the surrounding wetlands and the Raymond Pond (located southwest of the proposed development). The proposed development at the Site is anticipated to consist of a 12-acre industrial building used as a distribution center that will have approximately 158 loading docks, 244 trailer spaces, and 326 vehicle spaces.
- As part of the proposed developed, Jones & Beach estimated approximately 750,000 cubic yards of blast rock will be generated. Per the AoT, a groundwater monitoring program must be developed.
- In their *Drainage Analysis*, Jones & Beach describe the mitigation measures to reduce the predicted increase of stormwater runoff caused by the proposed development at the Site. Jones & Beach describe the following Analysis Points for the Site:
    - Analysis Point #1 is described as an existing pond located to the southwest of the proposed development area; and
    - Analysis Point #2 is described as an existing box culvert located to the northwest of the proposed development area within an old railroad bed.
- By using a series of catch basins, underground piping, and the existing wetlands located to the southwest of the proposed development area, Jones & Beach concluded that the stormwater runoff generated at the Site as a result of the proposed development will flow to the Analysis Point #1 located to the southwest of the proposed development.
- As indicated by Jones & Beach, the "proposed design does not directly discharge any stormwater to the North towards Analysis Point #2."

Based on the information presented by Jones & Beach, the intent of the proposed drainage design described allows for the stormwater runoff and infiltration to be directed towards the southwest of the Site and not toward the north and northwest of the Site where the drainage channel that received flow from former Lagoon 3 and sections of Lagoon 3 itself exist. GZA agrees with the stated objective of not directly discharge to the north and northwest towards areas formerly associated with the former tannery operations. Our review did not include an evaluation of the drainage design proposed by Jones & Beach.

COMMENTS RELATED TO THE FEBRUARY 15, 2024, REPORT PREPARED BY GRADIENT

DOCUMENT REVIEWED

Report titled, *Site Investigation and Environmental Impact Analysis for the Land Off Industrial Drive (Lot 120-1) in Raymond, NH*, prepared by Gradient and provided to GZA by Mr. John Kondzoilka (Gradient) electronically on February 15, 2024:

Summary of Selected Information

- The information presented by Gradient is generally supportive of the assertion, as described in the Drainage Analysis prepared by Jones & Beach, that stormwater drainage at the Site in the proposed development area will "be routed primarily to the south, toward a local pond called Raymond Pond."
- As part of their investigation activities, Gradient installed ten bedrock groundwater monitoring wells across the Site during October 2023 to depths ranging between 41.3 feet to 57 feet below ground surface. Bedrock was encountered at shallow depths across the development area ranging between 2 feet (MW-6; northwest- most location) to 15 feet below ground surface (MW-8; southern-most location). Bedrock rock quality designations (RQD) ranged from very poor (0%) to excellent (100%) conditions and reportedly consisted of phyllite and schist.
- Based on the groundwater elevations measured from the ten newly installed bedrock wells during November 15, 2023, November 16, 2023, and December 4, 2023, Gradient reported that a groundwater divide is located in the proposed development area "north of which bedrock groundwater flows to the northwest/north and south of which groundwater flows to the west." Refer to Figure 2.4 in Gradient's February 15, 2023 report.
- Geophysical data collected from nine of the ten bedrock wells (geophysical logs from MW-8 were not provided) indicated the fractures identified generally strike north-south and dip to the west/northwest with slight variations of dip direction to the south and southwest. The heat pulse flow meter (HPFM) used during the geophysical logging indicated that groundwater was detected flowing upward at locations MW-6 and MW- 7 (located along the northwestern boundary of the proposed development area) and flowing downward at location MW-9 (located in the south-central portion of the proposed development area).
- Slug tests were performed at each of the bedrock wells (with the exception of MW-6, which was frozen at the time of testing) to monitor the hydraulic conductivity at each location. The hydraulic conductivities ranged from 0.0026 feet/day at MW-2 (northwestern portion of development area) to 1.5 feet/day at MW-7 (southwestern portion of the development area).
- Gradient sampled each of the bedrock monitoring wells for total and dissolved arsenic. The analytical results indicated that dissolved arsenic was detected at concentrations between 0.58 µg/L and 21 µg/L. Total arsenic was detected at concentrations between 1.6 µg/L and 21 µg/L, with six samples exceeding the AGQS of 5 µg/L.
- Gradient reiterated that the detections of arsenic at the Site in soil and groundwater at elevated concentrations are likely background concentrations from naturally occurring conditions in the area. Moreover, in response to NHDES letter dated December 5, 2023, requesting Gradient to assess "whether rock mining and crushing activities at the property have contributed to elevated arsenic concentrations in sediment at Lagoon 3," Gradient indicated that it is unlikely for concentrations of arsenic to have contributed to the sediment at Lagoon 3 because "runoff from the quarry area currently discharges downstream from the former Lagoon 3 area and, under the proposed property development plan, would discharge toward Raymond Pond."

- Groundwater samples were also collected from the ten bedrock monitoring wells and submitted for laboratory analysis of dissolved and total chromium. The analytical results indicated that dissolved chromium was not detected above laboratory detection limits in the groundwater samples collected. Total chromium was detected at concentrations between 1.4 µg/L and 1,200 µg/L. Although Gradient indicated that the total chromium analytical results were below the AGQS of 100 µg/L, one sample location, bedrock well MW-3, exceeded the AGQS at a concentration of 1,200 µg/L during the November 2023 sampling event. However, an additional sample was collected in December 2023 at MW-3 with results indicating total chromium was detected at a concentration below the laboratory detection limit.
- In November 2023, dissolved and total mercury was also detected at concentrations exceeding its AGQS of 2 µg/L in a groundwater sample collected from monitoring well MW-3 (dissolved mercury, below laboratory reporting limits; total mercury, 3.8 µg/L) and in a sample collected from monitoring well MW-5 (dissolved mercury, 3.0 µg/L; total mercury, 2.7 µg/L). Monitoring well MW-3 was resampled in December 2023, and the reported concentrations of dissolved and total mercury were below the laboratory reporting limits.
- Gradient indicates that "samples will be collected from MW-5 and analyzed for mercury as part of the site- specific stormwater and groundwater monitoring plan" outlined in their report and discussed below.
- Groundwater samples were collected from the ten bedrock monitoring wells and submitted for laboratory analysis of PFAS. The analytical results indicated that PFOA, PFOS, perfluoroheptanoic acid (PFHpA), perfluorobutanesulfonic acid (PFBS), perfluorohexanoic acid (PFHxA), and N-MeFOSAA (NMeFOSAA) were detected at concentrations between 0.91 ng/L and 11 ng/L in the samples collected from wells MW-1, MW- 5, MW-6, and MW-7 with PFOS detected in the sample collected from monitoring well MW-7 at a concentration of 11 ng/L. These reported concentrations are below their respective established AGQS. GZA notes that as of April 10, 2024, USEPA established new Final MCLs for PFOA at 4 ng/L, PFOS at 4 ng/L, PFHxS at 10 ng/L, PFNA at 10 ng/L, and HFPO-DA (commonly known as GenX Chemicals) 10 ng/L.
- The ten bedrock monitoring wells were sampled for analysis of VOCs, PAHs, and RCRA-8 metals. None of the target parameters were detected at concentrations exceeding their respective AGQS.
- During October 2023, 23 additional soil/sediment samples were collected from the former Lagoon 3 area and ten soil/sediment samples were collected from further downstream of former Lagoon 3; each of these soil/sediment samples were analyzed for chromium. Chromium was detected exceeding its threshold effect concentration (TEC) and probable effect concentration (PEC)11 12 of 43.4 mg/kg and 111 mg/kg, respectively, in each of the samples collected from former Lagoon A. The detected concentrations ranged between 57 mg/kg to 24,000 mg/kg. Six of the ten samples collected downstream from former Lagoon 3 also exceeded their respective TEC and PEC values, ranging between 87 mg/kg to 660 mg/kg.
- The 33 soil/sediment samples were also analyzed for arsenic. Arsenic was detected at concentrations exceeding its threshold effect concentration (TEC) and probable effect concentration (PEC) of 9.79 mg/kg and 33 mg/kg, respectively, in 17 of the 23 samples collected from former Lagoon A. These concentrations ranged between 10 mg/kg to 150 mg/kg. Seven of the ten samples collected downstream from former Lagoon 3 also exceeded their respective TEC and PEC values ranging between 12 mg/kg to 470 mg/kg.

[11] Consensus-Based Sediment Quality Guidelines (SQGs) from: MacDonald D.D., Ingersoll C.G. and Berger T.A. 2000. Development and Evaluation of Consensus-Based Sediment Quality Guidelines for Freshwater Ecosystems. Archives of Environmental Contamination and Toxicology 39(1). 20-31.

[12] Buchman M.F. 2008. NOAA Screening Quick Reference Tables. NOAA OR&R Report 08-1. Office of Response and Restoration Division, National Oceanic and Atmospheric Administration, Seattle, WA. 34 pp. http://response.restoration.noaa.gov/sites/default/files /SQuiRTs.pdf.

- The 33 soil/sediment samples were also analyzed for PAHs and RCRA-8 metals and compared to their respective PECs. Gradient indicates that although concentrations of several of these compounds were detected above the laboratory reporting limits, none were detected at concentrations exceeding their respective PECs, or they did not have applicable PEC to compare with (e.g., barium, selenium, and silver) with the exception of lead.
- Lead was detected at one location collected in the drainage channel downstream from former Lagoon 3 (adjacent to Old Manchester Road) at a concentration of 1,300 mg/kg, exceeding its PEC of 35.8 mg/kg. Gradient inferred that "given the proximity of the sampling location to an active roadway and the significantly lower lead concentrations detected in upstream drainage area samples, the former Lagoon 3 area and the rock quarry are not likely sources of the observed impacts at" the sampled location.
- Gradient included a brief discussion regarding the elevated concentration of PFOS detected in a surface water sample collected from a location north of former Lagoon 3 in response to the NHDES response letter dated December 1, 2023 (discussed above). Gradient concluded that due to "the two order of magnitude disparity between PFOS concentrations observed at LS-SW5-2023 (18 ng/L) and the tannery area (PFOS up to 2,410 ng/L), and the evidence of other former tannery impacts at LS-SW5-2023 (*i.e.*, elevated chromium concentrations), the PFOS observed at LS-SW5-2023 is a dilute tannery-related impact." Additionally, in their conceptual site model discussion, Gradient concludes that the PFOS concentration detected in the surface water sample LS-SW5-2023 is likely "expected to be derived from surface runoff, rather than groundwater."

Refer to GZA's comments below for a discussion of the Gradient's February 15, 2024 report.

SUMMARY COMMENTS

GZA's review focused on the recently collected hydrogeologic and contaminant information relative to the comments provided in our October 19, 2023, memorandum. Our review focused on the qualitative evaluation of the potential impacts of the updated proposed development plans relative to the potential for encountering, disturbing, or influencing known or potential historical contamination conditions related to the former tannery. We did not include review, evaluation, or comments regarding the adequacy of the proposed design of the stormwater management system relative to the management of stormwater or impacts related to the operation of the quarry at the Site. The following are a summary of our comments:

1. GZA understands that it is the intent of the proposed updated drainage design[1] to direct all stormwater runoff resulting from the proposed Onyx development towards the southwest of the Site (ultimately discharging to Raymond Pond). Additionally, we understand that these drainage design plans have been updated showing that no infiltration will occur in the portion of the proposed Onyx development north of the shallow bedrock groundwater divide delineated by Gradient on Figure 2.4 of their February 15, 2024 report.
2. Although treatment of stormwater is not described in detail, Gradient and Jones & Beach both indicate that the stormwater directed toward Raymond Pond will be treated prior to its discharge. The design of the stormwater management system increases the flow of stormwater to Raymond Pond. While beyond the scope of our review, our comments herein assume that Raymond Pond has the capacity to receive this increased flow post-development without causing adverse effects and that NHDES will opine regarding this aspect of the design.

[1] Refer to the Jones & Beach design plans included in their February 8, 2024.

3. Based on the mounding evaluation and information regarding the proposed stormwater management system for the Site summarized in the Technical Memorandum[14] prepared by Waterstone Engineering and Jones & Beach dated February 14, 2024, GZA understands that:

   - Estimated groundwater mounding at the location of the stormwater infiltration from 1-year and 10-year storms are approximately 8 feet and 14 feet, respectively.
   - The estimated width of the mound is 50 feet.

GZA did not evaluate the methodologies used and the calculation of the estimates. We offer the following comments:

- The methodology used does not evaluate the effects of the mounding on groundwater flow at the site post-development. The addition of a groundwater mound at the proposed location of the subsurface infiltration system could locally alter the direction of groundwater flow, given that the estimated height of the mound at times would be greater than the groundwater divide. Three-dimensional modeling could be used to further evaluate the effects of the mounding. However, given that the subsurface infiltration system components are located south of the estimated location of the groundwater divide under current conditions, the distance from the impacted areas in the northern portion of the Site, and the inherent difficulties in modeling groundwater flow in fractured bedrock at the scale of the Site, the proposed approach of monitoring groundwater and surface water flow and quality is anticipated to address long-term concerns about the effects of the development.

4. The recent sediment/soil sampling reported by Gradient provides confirmation the presence of historical contamination within former Lagoon 3 and in the drainage channel downstream of former Lagoon 3 and the need to restrict stormwater flow from the development to this area and implement the proposed Activity and Use Restriction (AUR) for this area. The information included in Gradient's report indicates that stormwater will not flow to this area of the Site and that an AUR "will be implemented for impacted Lagoon 3 soil/sediment left in place at the site, consistent with the site investigation recommendations from GZA (GZA GeoEnvironmental, Inc., 2004, p.29)," which will assist with preventing the mobilization of contaminants within this area.

5. The various investigations performed by Gradient and others have identified contaminants and certain potentially naturally occurring metals at concentrations exceeding their respective state and federal guidelines in soil/sediment and groundwater samples in areas at the Site. We understand that Gradients February 15, 2024 report was provided to NHDES for review and comment and refers the Town and Applicant to NHDES for their comments.

6. Regarding the proposed monitoring program, GZA offers the following comments:

   a. The duration of surface water flow monitoring should be anticipated to be seasonal, as described, and extend over several years to capture annual variations in precipitation. Monitoring should be initiated as soon as possible to provide as much pre-construction data as possible.

   b. Based on the proposed location of the Site building and locations of the monitoring wells at the Site, it will be necessary to decommission most of the existing wells. We recommend the following:

[14] Technical memorandum titled *"Response to Stormwater Management Recommendations from the 10/19/2024, Memo by GZA Geoenvironmental, Inc. for the Proposed Onyx Raymond LLC, Development, Industrial Drive (Lot 120-1)."*

i. Preserving one or more wells within the interior of the building, if possible.

ii. Providing a long-term monitoring location plan, including well locations and designs, for review and approval by the Town prior to construction. Given the central location of the building on the Site, we anticipate that the wells would be located around the building perimeter. Gradient should consider the distribution of contaminants detected by Gradient and include figures depicting the spatial location of contaminants.

iii. Construction of as many of the long-term monitoring wells prior to construction as possible to provide pre-construction background water level and quality data.

iv. Including an upgradient monitoring well within the monitoring program to provide upgradient water level and quality data.

v. The monitoring program should include a contingency plan to address water level and/or quality data indicating the presence of adverse effects of the development related to surface water quality or the long-term stability of the historical tannery-related contamination.

vi. Inspection for potential groundwater breakouts following major storm events.

c. GZA anticipates the Applicant would develop the monitoring program with collaboration and approval from NHDES.

7. A Soil and Groundwater Management Plan (SGMP) was prepared by Gradient and indicates what actions would be taken if contaminated soil or groundwater is encountered during the subsurface and earthwork activities as part of the proposed Onyx development. GZA understands that NHDES will provide comment on the SGMP and refers the Town and Applicant to NHDES for their comments.

We would be pleased to attend the Town Planning Board's next meeting to discuss our comments and answer your questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Megan E. Murphy
Project Manager

Jeffrey D. Rowell, P.E.
Consultant / Reviewer

James M. Wieck, P.G.
Principal

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The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Robert R. Scott, Commissioner

EMAIL ONLY

May 7, 2024

Douglas Richardson
Executive Vice President
Onyx Raymond, LLC
200 Reservoir Street
Needham, MA 02494

Subject: Raymond - Land Off Industrial Drive (Lot 120-1), Industrial Drive
NHDES Site #202302096, Project #41468

Site Investigation and Environmental Impact Analysis, prepared by Gradient, dated February 15, 2024

Addendum to Site Investigation Report, prepared by Gradient, dated May 2, 2024

Dear Douglas Richardson:

The New Hampshire Department of Environmental Services (NHDES) is in receipt of the above-referenced submittal for the Land Off Industrial Drive (Lot 120-1) site in Raymond, New Hampshire. The submittal was prepared on your behalf by Gradient to address requests from NHDES included in our letters dated May 17, 2023, and December 1, 2023, and separate requests from the Town of Raymond (Town) to support the Town Planning Board in their review of a permit application. NHDES notes that Env-Or 600 requires the tabulation of data within submittals and requests, for ease of review, that any future reports tabulate all detections for each media sampled.

Based on our review of the above-referenced document, NHDES has the following comments:

Arsenic

Sediment

Based on the estimated directions of surface water and groundwater flow, NHDES concurs with the conclusion in *Site Investigation and Environmental Impact Analysis* (Environmental Impact Report) that rock mining and crushing activities have not contributed to concentrations of arsenic in sediment and wetland soil at and downgradient of the Former Lagoon 3. NHDES will not require additional investigation relative to arsenic in sediment.

Soil

As stated in our letter dated December 1, 2023, NHDES concurs with the conclusion in *Response of Arsenic Soil Sampling* that the concentrations of arsenic detected in the soil within the quarry area of the property represent naturally occurring arsenic. NHDES will not require additional investigation relative to arsenic in soil.

toxicity bioassay in a site investigation (SI) report to NHDES within 120 days of receipt of this letter.

NHDES notes that an Activity and Use Restriction (AUR) (which is an institutional control to limit the potential for contact with the impacted media through a deed restriction) is not an appropriate remedial alternative for a site with unacceptable ecological risk.

- Based on our review of the data, detected chromium concentrations did not exceed SRS in Wetland A or the area downstream of Former Lagoon 3. NHDES will not require additional investigation of chromium in soil/sediment at Wetland A and downstream of Former Lagoon 3 relative to SRS and human health risk.

- Chromium was detected at multiple locations in Former Lagoon 3 at concentrations exceeding the SRS for trivalent chromium of 1,000 milligrams per kilograms (mg/kg). Because the soil contamination is shallow, it has not yet been demonstrated that an AUR remedy (which is an institutional control) for Former Lagoon 3 would meet the criteria included in Env-Or 606.13 *Remedial Action Plan Approval*. A discussion of the benefits and drawbacks of an AUR remedy as compared to other potential remedies should be discussed in a Remedial Action Plan (RAP) in accordance with Env-Or 606.10. As a RAP should be prepared following completion of site assessment activities and preferably should address the entirety of the site, NHDES will request preparation and submission of a site-wide RAP following completion of the additional items requested in this letter.

  Alternatively, Onyx may consider developing site-specific soil remediation standard (SS-SRS) in accordance with Env-Or 606.19(c) and (d). NHDES requests that Onyx inform us if they intend to develop SS-SRS and, if so, provide a work scope for development of SS-SRS within 60 days of receipt of this letter.

Per- and Polyfluoroalkyl Substances (PFAS)

Surface Water

Based on the data provided in the Environmental Impact Report, NHDES concurs that surface water location LS-SW5-2023 appears to be fed by overland flow and direct precipitation rather than groundwater seep. As such, the perfluorooctane sulfonic acid (PFOS) concentration detected in the surface water sample collected from LS-SW5-2023 does not indicate an exceedance of AGQS. NHDES has not yet developed surface water standards for PFAS and will not require additional investigation relative to PFAS in surface water at this time.

Groundwater

Concentrations of PFAS detected in groundwater samples collected from the bedrock monitoring wells located in the quarry area of the property did not exceed the AGQS. NHDES will not require additional investigation relative to PFAS in bedrock groundwater at this time.

- Completion of a sediment toxicity bioassay and submittal of the results in a SI report within 120 days of receipt of this letter. The requirements for a SI report are included in Env-Or 606.03 through Env-Or 606.09. The SI and report shall be completed by, or under the direction of, a professional engineer or professional geologist licensed in the State of New Hampshire under RSA 310-A, and the report shall bear the seal of the professional responsible for the work.
- Collection of a confirmatory round of surface water samples from Wetland A and Former Lagoon 3 during late summer/fall 2024 and submittal of the results within 45 days of sampling.

NHDES will advise on the need for additional characterization, site-wide RAP, and/or an Application for Groundwater Management Permit following review of submittals/site investigation. NHDES is willing to meet to discuss the requests included in this letter.

For all contaminants where NHDES states herein that no additional investigation is required, please note that NHDES may require additional investigations, remedial measures, or groundwater monitoring if further information indicating the need for such work becomes known.

Should you have any questions, please contact me at NHDES' Waste Management Division.

Sincerely,

Waste Management Division
Digitally signed by Waste Management Division
Date: 2024.05.07 14:53:18 -04'00'

Tanya P. Justham, P.G.
Hazardous Waste Remediation Bureau
Tel: (603) 271-6572
Email: Tanya.P.Justham@des.nh.gov

ec: Andrew Bittner, P.E., Gradient
Todd Greenwood, P.G., Enviro North American Consulting, LLC
Raymond Health Officer
Dee Luszcz, Raymond Planning Board Chair
Kenneth Edwardson, Watershed Management Bureau
Jeffrey Marts, P.G., Bureau Administrator, HWRB

ONYX
PARTNERS LTD

Application #2022-008
Onyx Warehouse

Information Packet

Planning Board Meeting
June 20, 2024 – 7:00pm

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EMAIL ONLY

May 7, 2024

Douglas Richardson
Executive Vice President
Onyx Raymond, LLC
200 Reservoir Street
Needham, MA 02494

Subject: Raymond - Land Off Industrial Drive (Lot 120-1), Industrial Drive
NHDES Site #202302096, Project #41468

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Based on our review of the above-referenced document, NHDES has the following comments:

Arsenic

Sediment

Based on the estimated directions of surface water and groundwater flow, NHDES concurs with the conclusion in *Site Investigation and Environmental Impact Analysis* (Environmental Impact Report) that rock mining and crushing activities have not contributed to concentrations of arsenic in sediment and wetland soil at and downgradient of the Former Lagoon 3. NHDES will not require additional investigation relative to arsenic in sediment.

Soil

As stated in our letter dated December 1, 2023, NHDES concurs with the conclusion in *Response of Arsenic Soil Sampling* that the concentrations of arsenic detected in the soil within the quarry area of the property represent naturally occurring arsenic. NHDES will not require additional investigation relative to arsenic in soil.

Groundwater

Arsenic was detected at concentrations exceeding its Ambient Groundwater Quality Standard (AGQS) in six of the ten site monitoring wells. Based on the lines of evidence provided by Gradient, NHDES concurs that the arsenic concentrations in groundwater are consistent with a naturally occurring background contribution of arsenic in bedrock groundwater. NHDES will not require additional investigation relative to arsenic in groundwater.

Chromium

Surface water

In accordance with our May and December 2023 letters, **NHDES requests that Onyx attempt to collect a confirmatory round of surface water samples from the Wetland A and Former Lagoon 3 area during late summer/fall 2024**, assuming conditions are more favorable than fall 2023, to confirm that concentrations of chromium are not affected by seasonal changes. As previously stated in our May 2023 letter, because hexavalent chromium has not been detected at the site, NHDES is not requesting that you speciate chromium for the next round of surface water samples. However, surface water data should be compared to the Water Quality Criteria for Toxic Substances (WQCTS) for Protection of Aquatic Life (Fresh Chronic Criteria) for trivalent chromium included in Env-Wq 1700 *Surface Water Quality Standards*.

The data for the confirmatory surface water sampling should be submitted to NHDES within 45 days of sampling in accordance with Env-Or 610.03(a).

Sediment and Soil

Soil and sediment are subject to different rules and regulatory/screening values. Soil Remediation Standards (SRS) included in Env-Or 600 apply to soil, but not to sediment. Sediment Threshold and Probable Effect Concentrations (TECs and PECs) for the protection of aquatic life are considered by NHDES to apply to sediments in rivers and streams, as well as to the hydric soils in wetlands that are seasonally inundated. Because it was unclear from the Environmental Impact Report which solids samples collected from the Wetland A/Former Lagoon 3 and downgradient areas would be classified as soil, sediment, or both (in the case of hydric wetland soils), NHDES requested in an email dated April 19, 2024, the submittal of an addendum identifying the samples in Table 3.4 as either soil, sediment, or hydric wetland soils.

In *Addendum to Site Investigation Report*, Onyx classified all the solids samples as representing hydric soils. As such, both SRS and TECs/PECs apply to each of the solids samples.

- Based on our review of the data, multiple locations exceed the TEC or both the TEC and PEC for trivalent chromium identifying potential ecological risk. In accordance with our letter dated May 17, 2023, and the *Draft Evaluation of Sediment Quality Guidance Document*, NHDES again **requests the completion of a sediment toxicity bioassay to evaluate whether the concentrations of trivalent chromium in sediment are affecting the benthic community in Wetland A, Former Lagoon 3, or downgradient areas.** Please submit the results of the sediment

toxicity bioassay in a site investigation (SI) report to NHDES within 120 days of receipt of this letter.

NHDES notes that an Activity and Use Restriction (AUR) (which is an institutional control to limit the potential for contact with the impacted media through a deed restriction) is not an appropriate remedial alternative for a site with unacceptable ecological risk.

- Based on our review of the data, detected chromium concentrations did not exceed SRS in Wetland A or the area downstream of Former Lagoon 3. NHDES will not require additional investigation of chromium in soil/sediment at Wetland A and downstream of Former Lagoon 3 relative to SRS and human health risk.
- Chromium was detected at multiple locations in Former Lagoon 3 at concentrations exceeding the SRS for trivalent chromium of 1,000 milligrams per kilograms (mg/kg). Because the soil contamination is shallow, it has not yet been demonstrated that an AUR remedy (which is an institutional control) for Former Lagoon 3 would meet the criteria included in Env-Or 606.13 *Remedial Action Plan Approval*. A discussion of the benefits and drawbacks of an AUR remedy as compared to other potential remedies should be discussed in a Remedial Action Plan (RAP) in accordance with Env-Or 606.10. As a RAP should be prepared following completion of site assessment activities and preferably should address the entirety of the site, NHDES will request preparation and submission of a site-wide RAP following completion of the additional items requested in this letter.

  Alternatively, Onyx may consider developing site-specific soil remediation standard (SS-SRS) in accordance with Env-Or 606.19(c) and (d). NHDES requests that Onyx inform us if they intend to develop SS-SRS and, if so, provide a work scope for development of SS-SRS within 60 days of receipt of this letter.

Per- and Polyfluoroalkyl Substances (PFAS)

Surface Water

Based on the data provided in the Environmental Impact Report, NHDES concurs that surface water location LS-SW5-2023 appears to be fed by overland flow and direct precipitation rather than groundwater seep. As such, the perfluorooctane sulfonic acid (PFOS) concentration detected in the surface water sample collected from LS-SW5-2023 does not indicate an exceedance of AGQS. NHDES has not yet developed surface water standards for PFAS and will not require additional investigation relative to PFAS in surface water at this time.

Groundwater

Concentrations of PFAS detected in groundwater samples collected from the bedrock monitoring wells located in the quarry area of the property did not exceed the AGQS. NHDES will not require additional investigation relative to PFAS in bedrock groundwater at this time.

Soil/Sediment

Based on our review of the data, the concentrations of PFAS detected in the solid samples collected from the Former Lagoon 3, Wetland A, and downgradient areas are indicative of a discharge of PFAS to the environment. TEC and PEC values are not currently available for PFAS in sediment, nor has NHDES promulgated SRS for PFAS as of the date of this letter. However, the issue of PFAS in soil may need to be revisited in the future.

Lead

Lead was detected at sampling location OX-WL-SD-10 at a concentration of 1,300 mg/kg, which exceeds its SRS of 400 mg/kg. **NHDES requests the collection of a confirmatory sample from location OX-WL-SD-10 for analysis of lead within 60 days of receipt of this letter.** Please submit the results of the sampling with the submittal for the confirmatory groundwater sampling requested below. Please include in the submittal whether location OX-WL-SD-10 is classified as a sediment, soil, or hydric soil sampling location.

Groundwater

Based on our review of the data provided in the Environmental Impact Report, mercury was detected in the groundwater sample collected from bedrock monitoring well MW-5 at a concentration exceeding AGQS. **NHDES requests the collection of a confirmatory groundwater sample for analysis of total mercury from well MW-5 within 60 days of receipt of this letter.** The results of the groundwater sampling and confirmatory lead sampling should be submitted to NHDES within 45 days of sampling and the submittal should include interpretation of the data and recommendations for additional work, as appropriate. Should the AGQS exceedance be confirmed, NHDES may request a Site Investigation for mercury in groundwater in accordance with Env-Or 606.01 *Site Investigation Required*.

Onyx has proposed a long-term groundwater and stormwater management plan (Plan), which includes collection of groundwater and surface water samples and submission of the data to NHDES. NHDES will review groundwater and surface water data submitted for the site; however, the Plan would not replace a Groundwater Management Permit (Permit), should data indicate the need for a Permit.

Summary of Requests

NHDES has requested the following activities and submittals in this letter. Please refer to the text of the letter for additional details related to the activities and submittals.

- Collection of a confirmatory groundwater sample from well MW-5 for analysis of total mercury within 60 days of receipt of this letter and submittal of the results within 45 days of sampling.
- Collection of a confirmatory sample from sediment/soil sampling location OX-WL-SD-10 for analysis of lead within 60 days of receipt of this letter and submittal of the results with the confirmatory groundwater data within 45 days of sampling.
- Should Onyx choose to develop an SS-SRS for chromium, submittal of a work scope for SS-SRS development within 60 days of receipt of this letter.

- Completion of a sediment toxicity bioassay and submittal of the results in a SI report within 120 days of receipt of this letter. The requirements for a SI report are included in Env-Or 606.03 through Env-Or 606.09. The SI and report shall be completed by, or under the direction of, a professional engineer or professional geologist licensed in the State of New Hampshire under RSA 310-A, and the report shall bear the seal of the professional responsible for the work.
- Collection of a confirmatory round of surface water samples from Wetland A and Former Lagoon 3 during late summer/fall 2024 and submittal of the results within 45 days of sampling.

NHDES will advise on the need for additional characterization, site-wide RAP, and/or an Application for Groundwater Management Permit following review of submittals/site investigation. NHDES is willing to meet to discuss the requests included in this letter.

For all contaminants where NHDES states herein that no additional investigation is required, please note that NHDES may require additional investigations, remedial measures, or groundwater monitoring if further information indicating the need for such work becomes known.

Should you have any questions, please contact me at NHDES' Waste Management Division.

Sincerely,

Waste Management Division
Digitally signed by Waste Management Division
Date: 2024.05.07 14:53:18 -04'00'

Tanya P. Justham, P.G.
Hazardous Waste Remediation Bureau
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ec: Andrew Bittner, P.E., Gradient
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Dee Luszcz, Raymond Planning Board Chair
Kenneth Edwardson, Watershed Management Bureau
Jeffrey Marts, P.G., Bureau Administrator, HWRB

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MEMORANDUM

To:	Ken Robichaud, Raymond Town Manager, Town of Raymond
From:	Megan E. Murphy, James M. Wieck, and Jeffrey D. Rowell
Date:	May 3, 2024
File No:	04.0191548.01
Re:	Environmental Services – Document Review Proposed Onyx Raymond LLC. Development

GZA GeoEnvironmental, Inc. (GZA) has prepared this memorandum to provide the Town of Raymond, New Hampshire (the Town) with our technical review comments related to the report[1] prepared by Gradient on behalf of Onyx Partners, Ltd. (Onyx; the Applicant) dated February 15, 2024. GZA understands that Gradient's report was prepared, in part, in response to our comments included in GZA's memorandum[2] dated October 19, 2023. This memorandum provided a summary of our technical comments based on our review of the letter prepared by Gradient et al.[3] dated September 7, 2023, associated with the proposed redevelopment of a portion of the Former Regis Tannery property in Raymond, New Hampshire (Site[4]) and our understanding of the proposed development of the Site and Site vicinity environmental conditions.

Modifications to the design of the stormwater management system described in the February 14, 2024, Technical Memorandum[5] by Waterstone Engineering and Jones & Beach and information provided in Gradient's February 15, 2024 report substantially address the comments presented in our October 19, 2023 memorandum. GZA's specific comments regarding documents reviewed by GZA following issuance of our October 2019 memorandum are summarized below.

[1] Report by Gradient titled *"Site Investigation and Environmental Impacts Analysis, Land Off Industrial Drive (Lot 120-1), Raymond, New Hampshire, NHDES Site #202302096."*

[2] Technical memorandum dated October 19, 2023 by GZA titled, *"Response to Gradient, et al. September 7, 2023 Letter Proposed Onyx Raymond LLC Development."*

[3] Letter dated September 7, 2023, by Gradient, et al. titled *"Responses to GZA GeoEnvironmental* [sic], *Inc. Updated Recommendations Memorandum for the Proposed Onyx LLC Development, Raymond, NH, dated August 8, 2023, and a Detailed Workplan of Follow-up Actions, Property located on Industrial Drive (Lot 120-1), Site #202302096, Project #41468."* Letter provided to GZA on September 15, 2023, by Mr. Jason Cleghorn.

[4] Site identified as Town of Raymond, New Hampshire Tax Map 22. Lots 44, 45, 46, 47 and Tax Map 28, Block 3, Lot 120-1.

[5] Technical memorandum titled *"Response to Stormwater Management Recommendations from the 10/19/2024, Memo by GZA Geoenvironmental, Inc. for the Proposed Onyx Raymond LLC, Development, Industrial Drive (Lot 120-1)."*

As noted above, the subject of GZA's review and comments below is the February 15, 2024 report prepared by Gradient. In support of our review, GZA also reviewed related documents prepared by Gradient, Jones & Beach, Tomforde Environmental Services, LLC (TES), and the New Hampshire Department of Environmental Services (NHDES) that were not available to GZA when preparing our October 19, 2023, memorandum.

Our review focused on evaluating recently collected hydrogeologic and contaminant information relative to the comments provided in our October 19, 2023, memorandum relative to the potential for the increased mobilization of environmental contaminants due to the proposed development in consideration of the potential for encountering disturbing or influencing known or potential contamination conditions at the Site. Our comments are based on the data and conclusions presented in the documents reviewed. GZA did not evaluate or verify the data quality and/or the evaluation of the data except as specifically described in this memorandum.

The remainder of this memorandum is organized into information regarding Related Documents and our comments related to the February 15, 2024 report prepared by Gradient.

SUMMARY OF RELATED DOCUMENTS

Related Documents reviewed by GZA are listed below and include selected documents available on the NHDES OneStop Online Database (OneStop). The following provide selected information regarding the related documents reviewed and our comments as they relate to the February 15, 2024, report prepared by Gradient. For each of the Related Documents, we provide the name of the document reviewed, a summary of selected information, and our comments.

DOCUMENT REVIEWED

Letter titled, *Response of Arsenic Soil Sampling, LAND OFF INDUSTRIAL DRIVE (LOT 120-1), INDUSTRIAL DRIVE (LOT 120-1), RAYMOND, NH 03077*, prepared by Gradient on October 12, 2023:

Summary of Selected Information

- During September 2023, six surficial soil samples (depths between 5 to 12 inches below ground surface) were collected from the "developed" area of the Site (defined as the "quarry area"), and six surficial soil samples were collected from undisturbed areas of the Site. The samples collected from the undisturbed areas of the Site were intended to be representative of background conditions. The collected soil samples were submitted for laboratory analysis of arsenic using the United States Environmental Protection Agency (USEPA) Method 6020A. The analytical results indicated arsenic was detected in soils from the developed area of the Site at concentrations ranging between 3.8 milligrams per kilogram (mg/kg) to 12 mg/kg and was detected in soils from the representative background areas at concentrations ranging from 7.4 mg/kg to 14 mg/kg.
- The Gradient letter references the *Background Metal Concentration Study, New Hampshire Soils,*[6] commissioned by the NHDES in 1998. Gradient infers that the arsenic concentrations detected in the soil samples at the Site are within the acceptable range to be considered likely background concentrations from naturally occurring conditions in the area. Based on this information, Gradient concluded that "the development of the property [Site] is not adversely impacting site soils."

[6] Prepared by Sanborn Head & Associates in November 1998.

- During February 2023, three surface water samples (depths at approximately 12 inches below water surface and approximately 6 feet from the shoreline) were collected from Raymond Pond, located in the southwestern portion of the Site outside the proposed extent of development area by Enviro North American Consulting, LLC on behalf of Onyx. The collected surface water samples were submitted for laboratory analysis of volatile organic compounds (VOCs), Resource Conservation Recovery Act 8-metals (RCRA-8), polycyclic aromatic hydrocarbons (PAHs), per- and polyfluoroalkyl substances (PFAS), nitrite, nitrate, total phosphorous, turbidity, and ammonia. The analytical results indicate the selected parameters were detected at concentrations below their laboratory reporting limits with the following exceptions:
    - Turbidity was detected at a concentration of 1 nephelometric turbidity unit (NTU),
    - Barium was detected at a concentration between 19 to 21 micrograms per liter (µg/L), which is below the NHDES Water & Fish Ingestion criteria of 1,000 µg/L,
    - Arsenic was detected at a concentration between 1.2 and 1.3 µg/L, which is below the NHDES Acute and Chronic Surface Water criteria of 340 µg/L and 150, respectively, above the NHDES Water and Fish Ingestion criteria of 0.018 µg/L.
    - Five PFAS (perfluorooctanoic acid [PFOA], perfluorooctane sulfonic acid [PFOS], perfluorohexanoic acid [PFHxA], perfluoroheptanoic acid [PFHpA], and perfluorononanoic acid [PFNA]) were each detected a concentration below 4.1 nanograms per liter (ng/L), which is below the currently established New Hampshire Maximum Contaminant Limits (MCLs) for drinking water and Ambient Groundwater Quality Standards[7] (AGQS). Currently, the State of New Hampshire has not established standards for PFAS in surface water.
- Based on the surface water quality data, Enviro North American Consulting, LLC concluded that "there is no evidence suggestive of existing water impacts from blasting activities. Detected concentrations of arsenic in recent pond water samples are indicative of background and naturally occurring."
- In their letter, Gradient references the report *Arsenic Concentrations in Private Bedrock Wells in Southeastern New Hampshire,* authored by the US Geological Survey (USGS) during July 2003, and infers that the arsenic concentrations detected in surface water samples previously collected from Raymond Pond during February 2023 at concentration between 1.2 to 1.3 µg/L are likely background concentrations related to naturally-occurring conditions in the area and are below the New Hampshire AGQS and MCL of 5 µg/L and the USEPA MCL of 10 µg/L. Based on this information, Gradient concluded that "[r]esuming quarry activities is not expected to adversely impact arsenic concentrations in Raymond Pond."

GZA has no additional comments.

[7] As defined in State of New Hampshire Code of Administrative Rules Env-Or 603.03 (Ambient Groundwater Quality Standards [AGQS], Table 600-1, amended by #13147, effective January 1, 2021.

DOCUMENT REVIEWED

Report titled, *Groundwater Monitoring Data Transmittal (June 2023), Former Regis Tannery, Old Manchester Road & Wight Street, Raymond, New Hampshire 03077*, prepared by Tomforde Environmental Services on October 18, 2023:

Summary of Selected Information

- Tomforde Environmental Services, LLC (TES) performed a round of groundwater sampling during June 2023 in accordance with the groundwater management permit (GMP; GWP-198705081-R-002) associated with the former Regis Tannery facility located along Old Manchester Road and Wight Street in Raymond, New Hampshire. Groundwater samples were collected from 13 groundwater monitoring wells located throughout the former tannery property and submitted for laboratory analysis. Of the 13 groundwater samples collected, each of the 13 were analyzed for PFAS, while seven were analyzed for total dissolved chromium.
- The analytical results indicate that total dissolved chromium was detected at a concentration exceeding its AGQS of 100 µg/L at one location in the northern-most portion of the former tannery property, PFOA and PFOS were detected at concentrations exceeding their respective AGQS of 12 µg/L and 15 µg/L at 10 locations throughout the property, and PFHxS was detected at a concentration exceeding its AGQS of 18 µg/L at seven locations throughout the former tannery property.
- Based on this information, TES concluded that the sampling results are relatively consistent with previous sampling rounds with the exception of "PFHxS detected at a concentration moderately higher in the sample from MW-1(43) when compared to previous sampling rounds."

GZA has no additional comments.

DOCUMENT REVIEWED

Letter titled, *Response to Letter from Gradient dated June 14, 2023, LAND OFF INDUSTRIAL DRIVE (LOT 120-1), INDUSTRIAL DRIVE (LOT 120-1), RAYMOND, NH 03077*, prepared by Gradient on October 24, 2023:

Summary of Selected Information

- Gradient provided an updated schedule to NHDES that included a brief summary of the investigations performed since Gradient's June 14, 2023, letter. Gradient's June 14, 2023 letter[8] was in response to the NHDES letter dated May 17, 2023,[9] that requested additional assessments and investigations concerning the elevated detections of PFAS in surface water as well as chromium and arsenic in surface water and sediment in areas of Wetland A, former Lagoon 3, and uphill of former Lagoon 3.

GZA has no additional comments.

[8] Gradient Letter Correspondence, *RE: Letter from Tanya P. Justham dated May 17, 2023, Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, Site #202302096, Project #41468*, Letter to Tanya P. Justham (NHDES), dated June 14, 2023.

[9] NHDES Correspondence, *RE: Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, Site #202302096, Project #41468*, Letter to Douglas Richardson (Onyx Raymond, LLC), dated May 17, 2023.

DOCUMENT REVIEWED

NHDES response letter titled, *Raymond – Land Off Industrial Drive (Lot 120-1), Industrial Drive, NHDES Site #202302096, Project #41468, Response to Letter dated May 17, 2023, prepared by Gradient, dated June 14, 2023, Response of Arsenic Soil Sampling, prepared by Gradient, dated October 12, 2023, Response to Letter from Gradient dated June 14, 2023, prepared by Gradient, dated October 24, 2023, Raymond Pond Laboratory Sampling Results, prepared by Enviro North American Consulting, LLC, dated May 3, 2023,* prepared by NHDES on December 1, 2023:

Summary of Selected Information

- In response to Gradient's June 14, 2023, letter, NHDES acknowledged that Gradient should wait to sample chromium in surface water until more favorable conditions (e.g., less wet) are viable and suggested late summer/fall 2024 if samples could not be successfully collected during December 2023.
- NHDES continued to request that a sediment toxicology assessment be performed for chromium in sediment in the areas associated with Wetland A and the former Lagoon 3 to "evaluate whether the concentrations of trivalent chromium are affecting the benthic community" in those areas. NHDES indicated that previous assessments have already "identified a moderate to high priority risk for sediment" at the Site and that performing a sediment toxicology assessment is the next step "in assessing ecological resource risk."
- NHDES reiterated the need for an assessment and further discussion in an updated conceptual site model concerning the detection of PFOS at elevated concentrations from "the area uphill of former Lagoon 3 (surface water sample LS-SW5-2023)."
- Although NHDES concurred with the conclusion made in Gradient's *Response of Arsenic Soil Sampling* report dated October 12, 2023, NHDES reiterated the need to assess whether "natural arsenic may be mobilizing from the quarry area due to anthropogenic activities and concentration within the sediment of Lagoon 3." NHDES again requested that an assessment be performed looking into "whether rock mining and crushing activities at the property have contributed to elevated arsenic concentrations in sediment at Lagoon." Additionally, NHDES cautioned that leaching calculations should be based on site-specific information and not based on "published values ranging by four orders of magnitude." NHDES also cautioned that leaching calculations for soil to surface water are not directly applicable to sediment concentrations.

Based on the information provided by NHDES, GZA agrees with NHDES's comments.

DOCUMENT REVIEWED

NHDES response letter titled, *Raymond – Former Regis Tannery, Lot 43, Old Manchester Road, NHDES Site #198705081, Project #278, Former Regis Tannery, Lot 120, Old Manchester Road, NHDES Site #201110061, Project #27227, Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report, prepared by Tomforde Environmental Services, LLC, dated May 17, 2023, Groundwater Monitoring Data Transmittal (June 2023), prepared by Tomforde Environmental Services, LLC, dated October 18, 2023*, prepared by NHDES on December 5, 2023:

Summary of Selected Information

- In general, NHDES concurs that the *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* dated May 17, 2023, and the *Groundwater Monitoring Data Transmittal (June 2023)* dated October 18, 2023, are "complete and generally meets" the GMP requirements. However, based on the concentrations of PFAS, exceeding AGQS, detected in groundwater downgradient of the GMP boundary, NHDES requested that a supplemental site investigation be performed for PFAS to "investigate the nature, location, and extent of PFAS contamination in groundwater related to releases at the Tannery sites."
- NHDES also comments that due to PFOA and PFOS exceeding their concentrations at the newly installed, upgradient monitoring well MW-4(120), it remains unclear whether the PFAS detected in this well are from the former tannery contamination at Lagoon 2 or from an "upgradient, off-site source, or from a combination of the two."
- Lastly, NHDES requested that two additional groundwater monitoring wells be installed as part of the supplemental site investigation based on the following indications:
    - Previous groundwater flow assessments in the area of MW-1 (43)[10] indicate the potential for radial flow from the area of MW-1 (43). Therefore, NHDES requested that an additional monitoring well be installed to the east/northeast of MW-1 (43) to assess whether groundwater flow could be towards the east under certain conditions.
    - The northwestern portion of the plume is not well defined, and the *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* proposed including several properties in that direction to be included in the updated groundwater management zone (GMZ). To assist with determining which properties should be included within the GMZ, NHDES requested that a groundwater monitoring well be installed to the northwest of MW-5.

Based on the information provided by NHDES, GZA agrees with NHDES's comments.

DOCUMENT REVIEWED

Application for Renewal of Groundwater Management Permit, Former Regis Tannery - Lot 43, Old Manchester Road, Raymond, New Hampshire 03077, prepared by Tomforde Environmental Services on February 27, 2024:

Summary of Selected Information

- For the next 5-year GMP associated with the former tannery property, TES recommended that no revisions were needed for the chromium monitoring at the property. For the PFAS contamination existing at the property, TES recommended that five additional monitoring wells be added to the future GMP sampling schedule in addition to installing two new groundwater monitoring wells as recommended by NHDES in their letter dated December 5, 2023, discussed above. Additionally, TES recommended adding 13 additional properties to the GMZ associated with the northern portion of the property defined as Lot 43. These properties are located to the north and northwest of Lot 43.

[10] The *Periodic Summary Report (2021-2023) and Supplemental Site Investigation Report* prepared by TES on May 17, 2023 indicates that "during periods of lower water levels, the groundwater gradient across Lot 120 and Lot 43 is reduced and occasionally groundwater appears to mound in the area of MW-1(43) and MW-4(43) most likely due to stormwater that collects and infiltrates in this area. Neither of these phenomena are considered to have a significant influence on the overall groundwater flow direction to the north."

Based on the information presented by TES, GZA has no additional comments.

DOCUMENT REVIEWED

Drainage Report (Rev. 02-07-24), prepared by Jones & Beach and provided to GZA by Ms. Stefanie Michaud (Jones & Beach) electronically on February 8, 2024:

Summary of Selected Information

- Jones & Beach provided an *Alteration of Terrain (AoT) Permit Application* dated August 2022 that summarizes the drainage/discharge operations associated with the proposed industrial development at the Site. The permit indicates that post-development, the Site will directly discharge to the surrounding wetlands and the Raymond Pond (located southwest of the proposed development). The proposed development at the Site is anticipated to consist of a 12-acre industrial building used as a distribution center that will have approximately 158 loading docks, 244 trailer spaces, and 326 vehicle spaces.
- As part of the proposed developed, Jones & Beach estimated approximately 750,000 cubic yards of blast rock will be generated. Per the AoT, a groundwater monitoring program must be developed.
- In their *Drainage Analysis*, Jones & Beach describe the mitigation measures to reduce the predicted increase of stormwater runoff caused by the proposed development at the Site. Jones & Beach describe the following Analysis Points for the Site:
    - Analysis Point #1 is described as an existing pond located to the southwest of the proposed development area; and
    - Analysis Point #2 is described as an existing box culvert located to the northwest of the proposed development area within an old railroad bed.
- By using a series of catch basins, underground piping, and the existing wetlands located to the southwest of the proposed development area, Jones & Beach concluded that the stormwater runoff generated at the Site as a result of the proposed development will flow to the Analysis Point #1 located to the southwest of the proposed development.
- As indicated by Jones & Beach, the "proposed design does not directly discharge any stormwater to the North towards Analysis Point #2."

Based on the information presented by Jones & Beach, the intent of the proposed drainage design described allows for the stormwater runoff and infiltration to be directed towards the southwest of the Site and not toward the north and northwest of the Site where the drainage channel that received flow from former Lagoon 3 and sections of Lagoon 3 itself exist. GZA agrees with the stated objective of not directly discharge to the north and northwest towards areas formerly associated with the former tannery operations. Our review did not include an evaluation of the drainage design proposed by Jones & Beach.

COMMENTS RELATED TO THE FEBRUARY 15, 2024, REPORT PREPARED BY GRADIENT

DOCUMENT REVIEWED

Report titled, *Site Investigation and Environmental Impact Analysis for the Land Off Industrial Drive (Lot 120-1) in Raymond, NH,* prepared by Gradient and provided to GZA by Mr. John Kondzoilka (Gradient) electronically on February 15, 2024:

Summary of Selected Information

- The information presented by Gradient is generally supportive of the assertion, as described in the Drainage Analysis prepared by Jones & Beach, that stormwater drainage at the Site in the proposed development area will "be routed primarily to the south, toward a local pond called Raymond Pond."
- As part of their investigation activities, Gradient installed ten bedrock groundwater monitoring wells across the Site during October 2023 to depths ranging between 41.3 feet to 57 feet below ground surface. Bedrock was encountered at shallow depths across the development area ranging between 2 feet (MW-6; northwest- most location) to 15 feet below ground surface (MW-8; southern-most location). Bedrock rock quality designations (RQD) ranged from very poor (0%) to excellent (100%) conditions and reportedly consisted of phyllite and schist.
- Based on the groundwater elevations measured from the ten newly installed bedrock wells during November 15, 2023, November 16, 2023, and December 4, 2023, Gradient reported that a groundwater divide is located in the proposed development area "north of which bedrock groundwater flows to the northwest/north and south of which groundwater flows to the west." Refer to Figure 2.4 in Gradient's February 15, 2023 report.
- Geophysical data collected from nine of the ten bedrock wells (geophysical logs from MW-8 were not provided) indicated the fractures identified generally strike north-south and dip to the west/northwest with slight variations of dip direction to the south and southwest. The heat pulse flow meter (HPFM) used during the geophysical logging indicated that groundwater was detected flowing upward at locations MW-6 and MW- 7 (located along the northwestern boundary of the proposed development area) and flowing downward at location MW-9 (located in the south-central portion of the proposed development area).
- Slug tests were performed at each of the bedrock wells (with the exception of MW-6, which was frozen at the time of testing) to monitor the hydraulic conductivity at each location. The hydraulic conductivities ranged from 0.0026 feet/day at MW-2 (northwestern portion of development area) to 1.5 feet/day at MW-7 (southwestern portion of the development area).
- Gradient sampled each of the bedrock monitoring wells for total and dissolved arsenic. The analytical results indicated that dissolved arsenic was detected at concentrations between 0.58 µg/L and 21 µg/L. Total arsenic was detected at concentrations between 1.6 µg/L and 21 µg/L, with six samples exceeding the AGQS of 5 µg/L.
- Gradient reiterated that the detections of arsenic at the Site in soil and groundwater at elevated concentrations are likely background concentrations from naturally occurring conditions in the area. Moreover, in response to NHDES letter dated December 5, 2023, requesting Gradient to assess "whether rock mining and crushing activities at the property have contributed to elevated arsenic concentrations in sediment at Lagoon 3," Gradient indicated that it is unlikely for concentrations of arsenic to have contributed to the sediment at Lagoon 3 because "runoff from the quarry area currently discharges downstream from the former Lagoon 3 area and, under the proposed property development plan, would discharge toward Raymond Pond."

- Groundwater samples were also collected from the ten bedrock monitoring wells and submitted for laboratory analysis of dissolved and total chromium. The analytical results indicated that dissolved chromium was not detected above laboratory detection limits in the groundwater samples collected. Total chromium was detected at concentrations between 1.4 µg/L and 1,200 µg/L. Although Gradient indicated that the total chromium analytical results were below the AGQS of 100 µg/L, one sample location, bedrock well MW-3, exceeded the AGQS at a concentration of 1,200 µg/L during the November 2023 sampling event. However, an additional sample was collected in December 2023 at MW-3 with results indicating total chromium was detected at a concentration below the laboratory detection limit.
- In November 2023, dissolved and total mercury was also detected at concentrations exceeding its AGQS of 2 µg/L in a groundwater sample collected from monitoring well MW-3 (dissolved mercury, below laboratory reporting limits; total mercury, 3.8 µg/L) and in a sample collected from monitoring well MW-5 (dissolved mercury, 3.0 µg/L; total mercury, 2.7 µg/L). Monitoring well MW-3 was resampled in December 2023, and the reported concentrations of dissolved and total mercury were below the laboratory reporting limits.
- Gradient indicates that "samples will be collected from MW-5 and analyzed for mercury as part of the site- specific stormwater and groundwater monitoring plan" outlined in their report and discussed below.
- Groundwater samples were collected from the ten bedrock monitoring wells and submitted for laboratory analysis of PFAS. The analytical results indicated that PFOA, PFOS, perfluoroheptanoic acid (PFHpA), perfluorobutanesulfonic acid (PFBS), perfluorohexanoic acid (PFHxA), and N-MeFOSAA (NMeFOSAA) were detected at concentrations between 0.91 ng/L and 11 ng/L in the samples collected from wells MW-1, MW- 5, MW-6, and MW-7 with PFOS detected in the sample collected from monitoring well MW-7 at a concentration of 11 ng/L. These reported concentrations are below their respective established AGQS. GZA notes that as of April 10, 2024, USEPA established new Final MCLs for PFOA at 4 ng/L, PFOS at 4 ng/L, PFHxS at 10 ng/L, PFNA at 10 ng/L, and HFPO-DA (commonly known as GenX Chemicals) 10 ng/L.
- The ten bedrock monitoring wells were sampled for analysis of VOCs, PAHs, and RCRA-8 metals. None of the target parameters were detected at concentrations exceeding their respective AGQS.
- During October 2023, 23 additional soil/sediment samples were collected from the former Lagoon 3 area and ten soil/sediment samples were collected from further downstream of former Lagoon 3; each of these soil/sediment samples were analyzed for chromium. Chromium was detected exceeding its threshold effect concentration (TEC) and probable effect concentration (PEC)11 12 of 43.4 mg/kg and 111 mg/kg, respectively, in each of the samples collected from former Lagoon A. The detected concentrations ranged between 57 mg/kg to 24,000 mg/kg. Six of the ten samples collected downstream from former Lagoon 3 also exceeded their respective TEC and PEC values, ranging between 87 mg/kg to 660 mg/kg.
- The 33 soil/sediment samples were also analyzed for arsenic. Arsenic was detected at concentrations exceeding its threshold effect concentration (TEC) and probable effect concentration (PEC) of 9.79 mg/kg and 33 mg/kg, respectively, in 17 of the 23 samples collected from former Lagoon A. These concentrations ranged between 10 mg/kg to 150 mg/kg. Seven of the ten samples collected downstream from former Lagoon 3 also exceeded their respective TEC and PEC values ranging between 12 mg/kg to 470 mg/kg.

[11] Consensus-Based Sediment Quality Guidelines (SQGs) from: MacDonald D.D., Ingersoll C.G. and Berger T.A. 2000. Development and Evaluation of Consensus-Based Sediment Quality Guidelines for Freshwater Ecosystems. Archives of Environmental Contamination and Toxicology 39(1). 20-31.

[12] Buchman M.F. 2008. NOAA Screening Quick Reference Tables. NOAA OR&R Report 08-1. Office of Response and Restoration Division, National Oceanic and Atmospheric Administration, Seattle, WA. 34 pp. http://response.restoration.noaa.gov/sites/default/files /SQuiRTs.pdf.

- The 33 soil/sediment samples were also analyzed for PAHs and RCRA-8 metals and compared to their respective PECs. Gradient indicates that although concentrations of several of these compounds were detected above the laboratory reporting limits, none were detected at concentrations exceeding their respective PECs, or they did not have applicable PEC to compare with (e.g., barium, selenium, and silver) with the exception of lead.
- Lead was detected at one location collected in the drainage channel downstream from former Lagoon 3 (adjacent to Old Manchester Road) at a concentration of 1,300 mg/kg, exceeding its PEC of 35.8 mg/kg. Gradient inferred that "given the proximity of the sampling location to an active roadway and the significantly lower lead concentrations detected in upstream drainage area samples, the former Lagoon 3 area and the rock quarry are not likely sources of the observed impacts at" the sampled location.
- Gradient included a brief discussion regarding the elevated concentration of PFOS detected in a surface water sample collected from a location north of former Lagoon 3 in response to the NHDES response letter dated December 1, 2023 (discussed above). Gradient concluded that due to "the two order of magnitude disparity between PFOS concentrations observed at LS-SW5-2023 (18 ng/L) and the tannery area (PFOS up to 2,410 ng/L), and the evidence of other former tannery impacts at LS-SW5-2023 (*i.e.*, elevated chromium concentrations), the PFOS observed at LS-SW5-2023 is a dilute tannery-related impact." Additionally, in their conceptual site model discussion, Gradient concludes that the PFOS concentration detected in the surface water sample LS-SW5-2023 is likely "expected to be derived from surface runoff, rather than groundwater."

Refer to GZA's comments below for a discussion of the Gradient's February 15, 2024 report.

SUMMARY COMMENTS

GZA's review focused on the recently collected hydrogeologic and contaminant information relative to the comments provided in our October 19, 2023, memorandum. Our review focused on the qualitative evaluation of the potential impacts of the updated proposed development plans relative to the potential for encountering, disturbing, or influencing known or potential historical contamination conditions related to the former tannery. We did not include review, evaluation, or comments regarding the adequacy of the proposed design of the stormwater management system relative to the management of stormwater or impacts related to the operation of the quarry at the Site. The following are a summary of our comments:

1. GZA understands that it is the intent of the proposed updated drainage design[13] to direct all stormwater runoff resulting from the proposed Onyx development towards the southwest of the Site (ultimately discharging to Raymond Pond). Additionally, we understand that these drainage design plans have been updated showing that no infiltration will occur in the portion of the proposed Onyx development north of the shallow bedrock groundwater divide delineated by Gradient on Figure 2.4 of their February 15, 2024 report.
2. Although treatment of stormwater is not described in detail, Gradient and Jones & Beach both indicate that the stormwater directed toward Raymond Pond will be treated prior to its discharge. The design of the stormwater management system increases the flow of stormwater to Raymond Pond. While beyond the scope of our review, our comments herein assume that Raymond Pond has the capacity to receive this increased flow post-development without causing adverse effects and that NHDES will opine regarding this aspect of the design.

[13] Refer to the Jones & Beach design plans included in their February 8, 2024.

3. Based on the mounding evaluation and information regarding the proposed stormwater management system for the Site summarized in the Technical Memorandum[14] prepared by Waterstone Engineering and Jones & Beach dated February 14, 2024, GZA understands that:

   - Estimated groundwater mounding at the location of the stormwater infiltration from 1-year and 10-year storms are approximately 8 feet and 14 feet, respectively.
   - The estimated width of the mound is 50 feet.

GZA did not evaluate the methodologies used and the calculation of the estimates. We offer the following comments:

- The methodology used does not evaluate the effects of the mounding on groundwater flow at the site post-development. The addition of a groundwater mound at the proposed location of the subsurface infiltration system could locally alter the direction of groundwater flow, given that the estimated height of the mound at times would be greater than the groundwater divide. Three-dimensional modeling could be used to further evaluate the effects of the mounding. However, given that the subsurface infiltration system components are located south of the estimated location of the groundwater divide under current conditions, the distance from the impacted areas in the northern portion of the Site, and the inherent difficulties in modeling groundwater flow in fractured bedrock at the scale of the Site, the proposed approach of monitoring groundwater and surface water flow and quality is anticipated to address long-term concerns about the effects of the development.

4. The recent sediment/soil sampling reported by Gradient provides confirmation the presence of historical contamination within former Lagoon 3 and in the drainage channel downstream of former Lagoon 3 and the need to restrict stormwater flow from the development to this area and implement the proposed Activity and Use Restriction (AUR) for this area. The information included in Gradient's report indicates that stormwater will not flow to this area of the Site and that an AUR "will be implemented for impacted Lagoon 3 soil/sediment left in place at the site, consistent with the site investigation recommendations from GZA (GZA GeoEnvironmental, Inc., 2004, p.29)," which will assist with preventing the mobilization of contaminants within this area.

5. The various investigations performed by Gradient and others have identified contaminants and certain potentially naturally occurring metals at concentrations exceeding their respective state and federal guidelines in soil/sediment and groundwater samples in areas at the Site. We understand that Gradients February 15, 2024 report was provided to NHDES for review and comment and refers the Town and Applicant to NHDES for their comments.

6. Regarding the proposed monitoring program, GZA offers the following comments:

   a. The duration of surface water flow monitoring should be anticipated to be seasonal, as described, and extend over several years to capture annual variations in precipitation. Monitoring should be initiated as soon as possible to provide as much pre-construction data as possible.

   b. Based on the proposed location of the Site building and locations of the monitoring wells at the Site, it will be necessary to decommission most of the existing wells. We recommend the following:

[14] Technical memorandum titled *"Response to Stormwater Management Recommendations from the 10/19/2024, Memo by GZA Geoenvironmental, Inc. for the Proposed Onyx Raymond LLC, Development, Industrial Drive (Lot 120-1)."*

i. Preserving one or more wells within the interior of the building, if possible.

ii. Providing a long-term monitoring location plan, including well locations and designs, for review and approval by the Town prior to construction. Given the central location of the building on the Site, we anticipate that the wells would be located around the building perimeter. Gradient should consider the distribution of contaminants detected by Gradient and include figures depicting the spatial location of contaminants.

iii. Construction of as many of the long-term monitoring wells prior to construction as possible to provide pre-construction background water level and quality data.

iv. Including an upgradient monitoring well within the monitoring program to provide upgradient water level and quality data.

v. The monitoring program should include a contingency plan to address water level and/or quality data indicating the presence of adverse effects of the development related to surface water quality or the long-term stability of the historical tannery-related contamination.

vi. Inspection for potential groundwater breakouts following major storm events.

c. GZA anticipates the Applicant would develop the monitoring program with collaboration and approval from NHDES.

7. A Soil and Groundwater Management Plan (SGMP) was prepared by Gradient and indicates what actions would be taken if contaminated soil or groundwater is encountered during the subsurface and earthwork activities as part of the proposed Onyx development. GZA understands that NHDES will provide comment on the SGMP and refers the Town and Applicant to NHDES for their comments.

We would be pleased to attend the Town Planning Board's next meeting to discuss our comments and answer your questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Megan E. Murphy
Project Manager

Jeffrey D. Rowell, P.E.
Consultant / Reviewer

James M. Wieck, P.G.
Principal

MEM/JMW/JDR:jkm
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April 12, 2024

Anton Melchionda
Onyx Partners LTD
60 Center Street
Dover, MA 02030
sent via email: (anton@onyxpartnersltd.com)

Permit: AoT-2467A
Original permit issuance: September 28, 2023

RE: Raymond Distribution
Tax Map 22 & 28, Lot 44-47 & 120-1
Raymond, NH

Dear Applicant:

Based upon a recent request, we are hereby amending RSA 485-A:17 Alteration of Terrain Permit AoT-2467. **The amendment consists of a plan change including as shown on the "Grading and Drainage Plan" by Jones and Beach Engineers, Inc, latest revision dated February 6, 2024.** The amended permit number is AoT-2467A and is subject to the following conditions:

PROJECT SPECIFIC CONDITIONS:

1. The approved plans, latest revision dated **February 6, 2024**, and supporting documentation in the permit file are a part of this approval.

2. **This permit expires on September 28, 2028.** No earth moving activities shall occur on the project after this expiration date unless the permit has been extended by the Department. If requesting an extension, the request must be received by the department before the permit expires. The Amendment Request form is available at: https://www.des.nh.gov/land/land-development

3. Pursuant to Env-Wq 1504.18, the Permittee shall comply with wildlife protection notes that are incorporated into the project plans, and, if applicable, all recommendations by the New Hampshire Fish and Game Department related to state or federally listed threatened or endangered species that are incorporated into the project plans.

4. Groundwater Monitoring of private wells must be performed prior to, throughout the duration of, and following completion of blasting pursuant to the Groundwater Monitoring Plan prepared by Maine Drilling and Blasting dated November 11, 2022.

5. Due to the proximity of the Regis Tannery site, if any visible signs of contamination are encountered during earthwork (ie skins/hides, discolored soil, odors etc) work should be stopped and NHDES should be consulted.

6. A letter signed by a qualified engineer must be provided to NHDES Alteration of Terrain stating that the individual observed the underground detention and infiltration systems being installed prior to being backfilled, and that in her or his professional opinion, the systems conform to the approved plans and specifications. Representative photographs of each system should be included with the letter in accordance with Env-Wq 1503.21.

7. A Certified Professional in Erosion and Sediment Control or a Professional Engineer licensed in the State of New Hampshire ("Monitor") shall be employed to inspect the site from the start of alteration of terrain activities until the site is in full compliance with the Alteration of Terrain Permit ("Permit").
    - During this period, the Monitor shall inspect the subject site at least once a week, and if possible, during any ½ inch or greater rain event (i.e. ½ inch of precipitation or more within a 24 hour period). If unable to be present during such a storm, the Monitor shall inspect the site within 24 hours of this event.
    - The Monitor shall provide technical assistance and recommendations to the Contractor on the appropriate Best Management Practices for Erosion and Sediment Controls required to meet the requirements of RSA 485-A:17 and all applicable DES permit conditions.
    - Within 24 hours of each inspection, the Monitor shall submit a report to DES via email (to Gloria Andrews at: gloria.andrews@des.nh.gov).
    - Prior to beginning construction, the contractor's name, address, and phone number shall be submitted to DES via email (see above).

GENERAL CONDITIONS:

1. Activities shall not cause or contribute to any violations of the surface water quality standards established in Administrative Rule Env-Wq 1700.

2. You must submit revised plans for permit amendment prior to any changes in construction details or sequences. You must notify the Department in writing within ten days of a change in ownership.

3. You must notify the Department in writing prior to the start of construction and upon completion of construction. Forms can be submitted electronically at:. https://www.des.nh.gov/land/land-development Paper forms are available at that same web page.

4. **All stormwater practices shall be inspected and maintained in accordance with Env-Wq 1507.07 and the project Inspection and Maintenance (I&M) Manual.** All record keeping required by the I&M Manual shall be maintained by the identified responsible party, and be made available to the department upon request. Photographs of the site and BMPs must accompany the I&M submittals.

5. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (e.g., from US EPA, US Army Corps of Engineers, etc.). Projects disturbing over 1 acre may require a federal stormwater permit from EPA. Information regarding this permitting process can be obtained at: use https://www.epa.gov/npdes/2022-construction-general-permit-cgp.

6. In accordance with Env-Wq 1503.21 (c)(1), a written notice signed by the permit holder and a qualified engineer shall be submitted to DES stating that the project was completed in accordance with the approved plans and specifications. If deviations were made, the permit holder shall review the requirements in Env-Wq 1503.21(c)(2).

7. If applicable, no activity shall occur in wetland areas until a Wetlands Permit is obtained from the Department. Issuance of this permit does not obligate the Department to approve a Wetlands Permit for this project.

8. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have not been surveyed in detail, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

Sincerely,

Gloria S. Andrews, PE
Alteration of Terrain Bureau

ec: Raymond Planning Board (cmccarthy@raymondnh.gov)
Eben Lewis, NHDES Wetlands Bureau (eben.lewis@des.nh.gov) File 2022-02474
Wayne Morrill, Jones and Beach Engineers (wmorrill@jonesandbeach.com)
Erik Poulin, Jones and Beach Engineers (epoulin@jonesandbeach.com)
NHFG (NHFGreview@wildlife.nh.gov) NHB21-3049

WETLANDS AND NON-SITE SPECIFIC PERMIT 2022-02474 PAGE 1 OF 4

PERMITTEE: **ONYX PARTNERS LLC**
C/O ANTON MELCHIONDA **NOTE CONDITIONS**
60 CENTRE ST
DOVER MA 02030

PROJECT LOCATION: **INDUSTRIAL DR, RAYMOND TAX MAP 22 LOT 45**

WATERBODY: **UNNAMED WETLANDS**

APPROVAL DATE: **SEPTEMBER 26, 2023** **EXPIRATION DATE: SEPTEMBER 26, 2028**

Based upon review of permit application 2022-02474 in accordance with RSA 482-A and RSA 485-A:17, the New Hampshire Department of Environmental Services (NHDES) hereby issues this Wetlands and Non-Site Specific Permit. To validate this Permit, signatures of the Permittee and the Principal Contractor are required.

PERMIT DESCRIPTION: Permanently impact 87,117 square feet of palustrine forested wetland to include vernal pools and along 1,008 linear feet of intermittent streams for lot development for the construction of a 550,000 square foot commercial warehouse, associated parking, and drainage features. Compensatory mitigation includes a one-time payment $1,324,276.92 submitted to the Aquatic Resources Mitigation (ARM) fund for impacts to palustrine forested wetlands, vernal pools, and intermittent streams.

THIS PERMIT IS SUBJECT TO THE FOLLOWING PROJECT-SPECIFIC CONDITIONS:

1. **The permit is contingent on submittal of a check in the amount of $1,324,276.92 into to the Aquatic Resource Mitigation Fund by the applicant as calculated per Env-Wt 803.07 and RSA 482-A:30 and no work is authorized in RSA 482-A jurisdiction under this permit until the full in-lieu fee payment has been deposited and cleared.**
2. In accordance with Env-Wt 307.16, all work shall be done in accordance with the plans by Jones & Beach Engineers, Inc. revised through May 9, 2023 as received by the NH Department of Environmental Services (NHDES) on June 8, 2023.
3. In accordance with Env-Wt 524.05(a), residential, commercial, or industrial development projects in non-tidal wetlands shall submit a construction notice with the department at least 48 hours prior to commencing work.
4. Blanding's turtle (state endangered), spotted turtle (state threatened), and Northern black racer (state threatened) occur within the vicinity of the project area. All operators and personnel working on or entering the site shall be made aware of the potential presence of these species and shall be provided flyers that help to identify these species, along with NHFG contact information.
5. Rare species information (e.g. identification, observation and reporting of observations, when to contact NHFG immediately and NHFG contact information) shall be communicated during morning tailgate meetings prior to work commencement during the construction phase of the project. See Plan Sheet 42 of 46 (D10) Include attached flyers to plan sheet set.
6. Observations of northern black racers in the months of April-May and September-October may indicate the potential for a den site on or near the project site. Observations of this species during this timeframe shall be reported immediately to the New Hampshire Fish and Game Department Nongame and Endangered Wildlife Environmental Review Program. Please contact Melissa Winters (603-479-1129) and Brendan Clifford (603-944-0885). Observations of this species outside of this timeframe can follow general reporting guidance. Please include photograph with text if feasible.

7. Turtles and snakes may be attracted to disturbed ground during nesting season. Turtle nesting season occurs approximately May 15th - June 30th. All turtle species nests and northern black racer nests are protected by NH laws. If a nest is observed or suspected, operators shall contact Melissa Winters (603-479-1129) and Josh Megyesy (978-578-0802) at NHFG immediately for further consultation. The nest or suspected nest shall be marked (surrounding roped off or cone buffer deployed) and avoided; this shall be communicated to all personnel onsite. Site activities shall not occur in the area surrounding the nest or suspected nest until further guidance is provided by NHFG.
8. All observations of threatened or endangered species on the project site shall be reported immediately to the NHFG nongame and endangered wildlife environmental review program by phone at 603-271-2461 and by email at NHFGreview@wildlife.nh.gov, with the email subject line containing the NHB DataCheck tool results letter assigned number, the project name, and the term Wildlife Species Observation.
9. Photographs of the observed species and nearby elements of habitat or areas of land disturbance shall be provided to NHFG in digital format at the above email address for verification, as feasible.
10. In the event a threatened or endangered species is observed on the project site during the term of the permit, the species shall not be disturbed, handled, or harmed in any way prior to consultation with NHFG and implementation of corrective actions recommended by NHFG.
11. Site operators shall be allowed to relocate wildlife encountered if discovered within the active work zone if in direct harm from project activities. Wildlife shall be relocated in close proximity to the capture location but outside of the work zone and in the direction the individual was heading. NHFG shall be contacted immediately if this action occurs.
12. The NHFG, including its employees and authorized agents, shall have access to the property during the term of the permit.
13. Wildlife flyers shall be permanently posted in a high visible area for personnel entering the facility. These informational documents shall remain in place and be maintained after the completion of the construction in perpetuity in accordance with Fis 1003.2(e). See Plan Sheet 42 of 46 (D10).
14. Catch basins grates shall have openings of 2" x 2" or smaller. See Plan Sheet 34 of 46 (D2)
15. Outlet control structures shall not contain sumps, shall rise at least 12"-18" above grade, and shall be set back at least 3' from adjacent banks. See Plan Sheet 36 of 46 (D6).
16. Sloped or "Cape Cod" style curbing shall be utilized. See Plan Sheet 42 of 46 (D10).
17. All manufactured erosion and sediment control products, with the exception of turf reinforcement mats, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, inlet protection, check dams, and sediment traps shall not contain plastic, or multifilament or monofilament polypropylene netting or mesh with an opening size of greater than 1/8 inches.
18. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
19. In accordance with Env-Wt 307.10(b), work shall be done during low flow or in the dry unless a dredge dewatering, diversion, or cofferdam plan has been approved as part of the project.
20. In accordance with Env-Wt 307.10(f), dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins; and located outside of any jurisdictional area.
21. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
22. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and
23. In accordance with Env-Wt 307.03(b), all work, including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands using the techniques described in Env-Wq 1505.02, Env-Wq 1505.04, Env-Wq 1506, and Env-Wq 1508; the applicable BMP manual; or a combination thereof, if the BMP manual provides less protection to jurisdictional areas than the provisions of Env-Wq 1500.
24. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
25. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands
26. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.

27. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
28. In accordance with Env-Wt 307.12(h), any trees cut in an area of authorized temporary impacts shall be cut at ground level with the shrub and tree roots left intact, to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area.
29. In accordance with Env-Wt 307.12(b), upon completion of construction, all disturbed wetland areas shall be stabilized with wetland seed mix containing non-invasive plant species only.
30. In accordance with Env-Wt 307.12(c), any seed mix used shall not contain plant species that are exotic aquatic weeds.
31. In accordance with Env-Wt 307.12(a), within 3 days of final grading or temporary suspension of work in an area that is in or adjacent to surface waters, all exposed soil areas shall be stabilized by seeding and mulching, if during the growing season; or mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1 if not within the growing season.
32. In accordance with Env-Wt 307.12(f), if any temporary impact area that is stabilized with seeding or plantings does not have at least 75% successful establishment of wetlands vegetation after 2 growing seasons, the area shall be replanted or reseeded, as applicable.

THIS PERMIT IS SUBJECT TO THE FOLLOWING GENERAL CONDITIONS:

1. Pursuant to RSA 482-A:12, a copy of this permit shall be posted in a secure manner in a prominent place at the site of the approved project.
2. In accordance with Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, work shall not infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
3. In accordance with Env-Wt 314.01, a standard permit shall be signed by the permittee, and the principal contractor who will build or install the project prior to start of construction, and will not be valid until signed.
4. In accordance with Env-Wt 314.03(a), the permittee shall notify the department in writing at least one week prior to commencing any work under this permit.
5. In accordance with Env-Wt 314.08(a), the permittee shall file a completed notice of completion of work and certificate of compliance with the department within 10 working days of completing the work authorized by this permit.
6. In accordance with Env-Wt 314.06, transfer of this permit to a new owner shall require notification to, and approval of, the NHDES.
7. The permit holder shall ensure that work is done in a way that protects water quality per Env-Wt 307.03; protects fisheries and breeding areas per Env-Wt 307.04; protects against invasive species per Env-Wt 307.05; meets dredging activity conditions in Env-Wt 307.10; and meets filling activity conditions in Env-Wt 307.11.
8. This project has been screened for potential impact to known occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.
9. In accordance with Env-Wt 307.06(a) through (c), no activity shall jeopardize the continued existence of a threatened or endangered species, a species proposed for listing as threatened or endangered, or a designated or proposed critical habitat under the Federal Endangered Species Act, 16 U.S.C. §1531 et seq.; State Endangered Species Conservation Act, RSA 212-A; or New Hampshire Native Plant Protection Act, RSA 217-A.
10. In accordance with Env-Wt 307.02, and in accordance with federal requirements, all work in areas under the jurisdiction of the U.S. Army Corps of Engineers (USACE) shall comply with all conditions of the applicable state general permit.

APPROVED:

Eben M. Lewis
Southeast Region Supervisor, Wetlands Bureau
Land Resources Management, Water Division

THE SIGNATURES BELOW ARE REQUIRED TO VALIDATE THIS PERMIT (Env-Wt 314.01).

_____ PERMITTEE SIGNATURE (required)

_____ PRINCIPAL CONTRACTOR SIGNATURE (required)

ENGINEERING • PLANNING • DEVELOPMENT • MANAGEMENT

328545P
April 22, 2024

Ms. Diana Luszcz, Chairwoman
Raymond Planning Board
4 Epping Street
Raymond, New Hampshire 03077

Subject: Warehouse Building "Raymond Distribution" - Engineering Review Services
Industrial Drive – Tax Map 22, Lot 44, 45, 46, 47 & Tax Map 28, Block 3, Lot 120-1
PB Case 2022-008

Dear Ms. Luszcz:

As requested, we have completed our review of the plans and materials submitted for the above referenced project. The submitted materials consist of the following:

- Response Letter prepared by Jones & Beach Engineers Inc., and dated April 17, 2024.
- Site Plans, prepared by Jones & Beach Engineers Inc., consisting of 13 sheets (Grading and Drainage Plans C3 to C3-4 and Plan and Profile Plans P1-A to P5), dated August 18, 2022 and revised on April 16, 2024.
- Drainage Analysis Report Sections, consisting in filtration practice design criteria for focal point pond #5 and proposed watershed calculations for 2, 10, 25 and 50 –year storm, prepared by Jones & Beach Engineers Inc., dated August 18, 2022 and revised on April 17, 2024.

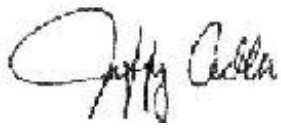
Based on the partial submittal from April 17, 2024 it appears that the applicant has addressed our previous comments. We have no further comments.

We request the applicant send a full set of plans and complete drainage report (hard copy) to our office for our records.

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

DuBOIS & KING, Inc.



Jeffrey A. Adler, P.E.

Principal

15 Constitution Drive, Suite 1L • Bedford, New Hampshire 03110 (603) 637-1043 (866) 783-7101 (FAX) http://www.dubois-king.com

Randolph, Vermont Springfield, Vermont South Burlington, Vermont Gilford, New Hampshire

CONDITIONS OF APPROVAL (DRAFT)

Application #2022-008
Onyx Warehouse
Raymond Tax Map 28 /Block 3, Lot 120-1
Tax Map 22 /Lots 44, 45, 46, 47
Industrial Drive

Date of Decision:

The following conditions shall apply:

1. The conditions of approval designated as conditions precedent must be completed within twelve (12) months, unless otherwise specified, or this approval shall become null and void.

   The following are conditions precedent:

   a. The Applicant shall abide by all site plan regulations, building codes, and the Town of Raymond Zoning Ordinance in effect as of the date herein.

   b. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of same to the Community Development Department.

   c. All fees authorized to be charged to the applicant pursuant to the Raymond Site Plan Review Regulations including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant.

   d. Deeds, easements, conservation easements, maintenance agreements, and any other legal documentation pertinent to this project are subject to review and approval by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;

   e. The applicant shall address, to the satisfaction of the Town's Review Engineer, any remaining engineering issues identified during peer review. Written concurrence, from the Town's Review Engineer and the Raymond Community Development Director, with the design corrections of any identified engineering issues shall be required prior to final plan approval.

   f. Within 30 days of the date of the decision, a performance guarantee agreement shall be executed between the Town of Raymond and the Applicant.

2. This approval is subject to the following variances, as granted by the Raymond Zoning Board of Adjustment:

   a. Application no: 2022-004 - Article 2 section 2.7 Building Height – approval for a sprinklered building of 44 feet in height where 40 feet is allowed- GRANTED 11/16/2022

3. This approval is subject to the following Special Permit, as granted by the Raymond Planning Board:

   a. To propose a 550,025 SF industrial distribution warehouse which will require wetland fill.

4. This approval is subject to the following Conditional Use Permit, as granted by the Raymond Planning Board:

    a. Section 5.2.11.2 Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.

5. Final approval shall expire one (1) year from the date of such approval unless the Applicant has started construction. The Town Planner may extend approval for one (1) additional year for good cause, provided a written request for extension is submitted before the expiration of the approval. The Town Planner may refer any request for extension to the Planning Board for decision.

6. Prior to the start of construction, a preconstruction meeting may be required by the Town. The meeting shall include the appropriate Town Staff, The Developer, and their Site Contractor and is to be coordinated through the Planning Department.

7. Prior to the issuance of the building permit, the Applicant shall execute and record the Stormwater Maintenance Agreement, including post-construction Stormwater Management Plan.

8. Reports certified by a qualified stormwater inspector shall be submitted to the Code Enforcement Officer on or before June 1 of each year, certifying that the person has inspected the Stormwater Facilities and that they are adequately maintained and functioning as intended by the approved design site plans. If any maintenance or repair is required, description of such maintenance or deficiencies found during inspection shall be included in said report.

9. The Applicant shall complete all site improvements as shown on the approved site plans.

10. No permit for full or partial occupancy shall be issued by the Code Enforcement Officer until they, or their designee are satisfied that the property has been constructed in accordance with the approved site plans and conditions of approval, or the Town has received a performance guarantee for the completion of specific outstanding site elements within a specified timeframe.

11. Other Conditions imposed by the Planning Board:

    a. Install all signage on Industrial Drive and Old Manchester Road as shown on the plan set

    b. Developer shall install signage, as approved by the Raymond Conservation commission, around the two conservation restriction areas as depicted on the development plan set.

    c. Prior to issuance of a building permit, developer shall obtain approval from NHDES for the subsurface sewage disposal approval.

    d. Developer shall complete all improvements to Industrial Drive prior to Certificate of occupancy as shown on the development plan set.

e. Developer shall construct the water storage tank and waterlines to hydrants and building, approved by the fire department, prior to Certificate of occupancy.

Any persons aggrieved by any decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition in accordance with New Hampshire RSA 677:15 (or, as applicable, to the Zoning Board of Adjustment pursuant to RSA 676:5, III), within thirty (30) days of the Date of Decision identified above. This notice has been placed on file and made available for public inspection in the records of the Planning Board.

JONES&BEACH
ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

October 5, 2022

Raymond Planning Board
Attn. Brad Reed, Chair
4 Epping Street
Raymond, NH 03077

RE: Conditional Use Application
Industrial Drive, Raymond, NH
Tax Map 22, Lots 44, 45, 46 7 47
Tax Map 28, Block 3, Lot 120-1
JBE Project No. 21130

Dear Mr. Reed,

Jones & Beach Engineers, Inc. respectfully submits a Conditional Use Application for the above-referenced parcels on behalf of our client, ONYX Partners LTD. The intent of this application is to propose a 550,025 S.F. industrial distribution warehouse with associated loading docks, truck parking, and employee vehicle parking. The project will have impervious within aquifer per Section 5.2.11.2.

The following items are provided in support of this Application:

1. Conditional Use Application

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Wayne Morrill
President

cc: Anton Melchionda, ONYX Partners LTD (application and plans via email)
Jeff Adler, DuBois & King (application & plans via email & U.S. Mail)

Application for Conditional Use Permit
Groundwater Conservation Overlay District
Town of Raymond, NH

Conditional Use Permits are Subject to Site Plan Approval by the Planning Board
Raymond Zoning Ordinance, Article 5, Section 5.2

Map 28, Block 3, Lot 120-1
Map # 22 Lot # 44,45, 46 & 47 Application Date 10/5/22 Application # _____
Project Name: Raymond Distribution

Location: Industrial Drive

Zone: D New Industrial/Commercial Square Footage: _____ or Number of Residential Units: _____

Applicant/Agent Information:

Name: Anton Melchionda Phone: 617-835-4770

Company: Onyx Partners, Ltd. Fax: _____

Address: 200 Reservoir Street, Needham, MA 02494

Signed*: _____ Date: 10-5-22

Please Check All that Apply:

5.2.11. CONDITIONAL USES: The issuance of a Conditional Use Permit is subject to Site Plan Approval by the Planning Board. The Planning Board may grant a Conditional Use Permit for a use that is otherwise permitted within the underlying district, if the permitted use is or is involved in one or more of the following:

[ ] 5.2.11.1. Storage, handling, and use of regulated substances in quantities exceeding 100 gallons or 800 pounds dry weight at any one time, provided that an adequate spill prevention, control and countermeasure (SPCC) plan prepared in accordance with Section 5.2.7 by a qualified professional, submitted to the Technical Review Committee for review and approval, with the final plan also submitted to the Raymond Fire Department and the Raymond Community Development Department for its records. The Technical Review Committee may employ the services of a qualified peer review professional to review the plan at the applicant's expense.

[X] 5.2.11.2. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.

5.2.11.3
In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use and will be in compliance with the Performance Standards as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guaranty or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards. The amount of this bond shall be in addition to any other bond required by the Board under either the Subdivision or Site Plan Review Regulations.

(Continued)

Application for Conditional Use Permit
Groundwater Conservation Overlay District
Town of Raymond, NH

If you chose 5.2.11.1, above, you must provide a SPCC plan in accordance with the following:

5.2.7 SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN: Conditional Uses, as described under Section 5.2.11 of this Ordinance shall submit a spill control and countermeasure (SPCC) plan to the Technical Review Committee (TRC) who shall determine whether the plan will prevent, contain, and minimize releases from ordinary or catastrophic events such as spills, floods or fires that may cause large releases of regulated substances. It shall include:

5.2.7.1 A description of the physical layout and a facility diagram, including all surrounding surface waters and wellhead protection areas;

5.2.7.2 Contact list and phone numbers for the facility response coordinator, cleanup contractors, and all appropriate federal, state, and local agencies who must be contacted in case of a release to the environment;

5.2.7.3 A list of all regulated substances in use and locations of use and storage;

5.2.7.4 A prediction of the direction, rate of flow, and total quantity of regulated substance that could be released where industry experience indicates a potential for equipment failure;

5.2.7.5 A description of containment and/or diversionary structures or equipment to prevent regulated substances from infiltrating into the ground; and

5.2.7.6 Emergency response plan describing and assigning responsibilities and actions to be taken.

JONES & BEACH
ENGINEERS INC.
85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

October 5, 2022

Raymond Planning Board
Attn. Brad Reed, Chair
4 Epping Street
Raymond, NH 03077

RE: Special Permit Application
Industrial Drive, Raymond, NH
Tax Map 22, Lots 44, 45, 46 7 47
Tax Map 28, Block 3, Lot 120-1
JBE Project No. 21130

Dear Mr. Reed,

Jones & Beach Engineers, Inc. respectfully submits a Special Permit Application for the above-referenced parcels on behalf of our client, ONYX Partners LTD. The intent of this application is to propose a 550,025 S.F. industrial distribution warehouse with associated loading docks, truck parking, and employee vehicle parking which will require wetlands to be filled.

The following items are provided in support of this Application:

1. Special Permit Application
2. Letters of Authorization.
3. Current Deeds.
4. Fee Check in the amount of $220.00.
5. Abutters List & Mailing Labels (3 sets).
6. Tax Map.

If you have any questions or need any additional information, please feel free to contact our office. Thank you very much for your time.

Very truly yours,
JONES & BEACH ENGINEERS, INC.

Wayne Morrill
President

cc: Anton Melchionda, ONYX Partners LTD (application and plans via email)
Jeff Adler, DuBois & King (application & plans via email & U.S. Mail)

Application for Special Permit

Town of Raymond, NH

Site Information

Property Address: Industrial Drive

Map #: 22 Lot #: 44, 45, 46 & 47
Map 28, Block 3, Lot 120-1

Property Owner Information

Name: Onyx Raymond, LLC Phone: _____

Address: 60 Centre Street, Dover, MA 02030

Address: _____

Applicant/Agent Information

Name: Anton Melchionda, Onyx Partners, Ltd. Phone: 617-835-4770

Address: 200 Reservoir Street, Needham, MA 02494

Address: _____

Project Description

To propose a 550,025 S.F. industrial distribution warehouse which will require wetland fill.

Applicant Signature* (see page 2): _____ **Date:** 10-5-22

Submission Checklist

- ***COMPLETED & SIGNED APPLICATION.** If the applicant is NOT the property owner, a notarized letter of permission from the property owner is required to be submitted with this application.

- **LIST OF ABUTTERS.** The list of abutters must include the following information:
  - Name of property owner(s)
  - Address of property owner(s)
  - Name of abutting property owner(s)
  - Address of abutting property owner(s)
  - Tax Map and Lot Numbers for all properties listed
  - Name and Address of any agents authorized by the applicant to represent them and whose professional seal appears on a plat submitted to the Planning Board (i.e. land surveyors, wetland scientists, engineers, etc.)

  (For more information, please refer to NH Revised Statues Annotated 672:3 for a definition of the term "abutter," and RSA 676:4 for legal notice requirements).

- **APPLICATION FEE.** The application fee to the Planning Board for a Special Permit is as follows:
  - $100.00 base application fee, plus;
  - $10.00 per abutter (including the applicant, property owner(s), and any agents authorized to represent the property owner(s))
  - **When writing a check, this amount must be kept separate from the Escrow Account (see below).** Please make checks payable to the Town of Raymond.

- **ESCROW ACCOUNT.** This is a separate account established by the applicant to cover the cost of any additional legal notification, engineering review, legal review, document recording or outside copying incurred by the Town. Any unused funds will be returned to the applicant.
  - $250.00 – Minimum amount required to establish Escrow Account.
  - **When writing a check, this amount must be kept separate from the Application Fee (see above).** Please make checks payable to the Town of Raymond.

- **PLANS.**
  - One (1) 24" x 36" copy of the plan, plus ten (10) 11" x 17" copies shall be provided.

    -OR-

  - If the original plan is smaller than 24" x 36" in size, then one (1) copy of the original plan, plus ten (10) 11" x 17" copies of the plan shall be provided.

Letter of Authorization

I, Anton Melchionda, ONYX Partners LTD, 200 Reservoir Street, Needham, MA 02494, developer of property located in Raymond, NH, known as Tax Map 22, Lots 44, 45, 46 & 47 and Tax Map 28, Block 3, Lot 120-1, do hereby authorize Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH, to act on my behalf concerning the previously mentioned property. The parcels are located on Industrial Drive in Raymond, NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process, to include any required signatures.

Witness

Anton Melchionda
ONYX Partners LTD

5/3/22
Date

Personally, appeared the above-named Anton Melchionda, known to me or satisfactorily proven to be the person whose signature appears on this letter of authorization and acknowledged that the facts contained in the letter of authorization are true based upon their knowledge, information, and belief. Before me,

Notary Public/Justice of the Peace

My commission expires 9/26/25

AARON K. HINCHLIFFE
MY COMMISSION EXPIRES SEPTEMBER 26, 2025
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS

Letter of Authorization

ONYX Raymond LLC. 60 Centre Street. Dover, MA 02030. owner of property located in Raymond, NH, known as Tax Map 22. Lots 44. 45, 46 & 47 and Tax Map 28. Block 3. Lot 120-1. do hereby authorize Jones & Beach Engineers. Inc.. PO Box 219, Stratham, NH. to act on my behalf concerning the previously mentioned property. The parcels are located on Industrial Drive in Raymond. NH.

I hereby appoint Jones & Beach Engineers, Inc., as my agent to act on my behalf in the review process. to include any required signatures.

Witness ONYX Raymond LLC 5/3/22 Date

Personally, appeared the above-named ONYX Raymond LLC, known to me or satisfactorily proven to be the person whose signature appears on this letter of authorization and acknowledged that the facts contained in the letter of authorization are true based upon their knowledge, information, and belief. Before me,

Notary Public Justice of the Peace

My commission expires 9/26/25

AARON K. HINCHLIFFE
MY COMMISSION EXPIRES SEPTEMBER 26, 2025
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS

E # [illegible] 01/11/2022 [illegible] AM
Book 6373 Page 1280 Page 1 of 2
Register of Deeds, Rockingham County

LCHIP	[illegible]	25.00
TRANSFER TAX	[illegible]	[illegible]
RECORDING		[illegible]
SURCHARGE		2.00

Return to:

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that **STOLI PROPERTIES, LLC**, a New Hampshire limited liability company with an address of P.O. Box 2750, Seabrook, New Hampshire 03874, pursuant to the provisions of NH RSA 304-C:139 for winding up the business of said company, for consideration paid, hereby grant to **ONYX RAYMOND LLC**, a Massachusetts limited liability company with an address of 60 Centre Street, Dover, Massachusetts 02030 with **WARRANTY COVENANTS**, the following described premises:

A certain piece of wood land situated in Raymond, County of Rockingham, State of New Hampshire, bounded and described as follows:

Commencing at land now or formerly of Aaron G. Whittier running northeast by a cart path 34 rods to a stone wall on the Blake land, so-called; thence northwest by a stone wall 38 rods to land now or formerly of Aaron G. Whittier land by a stone wall southeast 20½ rods to the first bound mentioned; containing two and one half (2½) acres, be the same more or less.

Meaning and intending to convey the same premises conveyed to the Grantor by Warranty Deed of Robert Sinclair and Lorraine Sinclair dated May 16, 2005 and recorded in the Rockingham County Registry of Deeds at Book 4481, Page 108 and being shown on Tax Map 22, Lot 44 on the Town of Raymond tax maps.

This is not homestead property.

Signed this __5__ day of January, 2022.

Stoli Properties, LLC

By: ______________________
Name: Ashleigh B. Greene
Title: Manager

Book: 6373 Page: 1282

E # 22001649 01/11/2022 09:25:52 AM
Book 6373 Page 1282 Page 1 of 2
Register of Deeds, Rockingham County

Return to:

LCHIP	ROA602939	25.00
TRANSFER TAX	RO112756	15,000.00
RECORDING		14.00
SURCHARGE		2.00

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that **WEST RIVER ROAD, L.L.C.**, a New Hampshire limited liability company with an address of P.O. Box 2750, Seabrook, New Hampshire 03874, for consideration paid, hereby grant to **ONYX RAYMOND LLC**, a Massachusetts limited liability company with an address of 60 Centre Street, Dover, Massachusetts 02030 with WARRANTY COVENANTS, the following described premises:

A certain tract or parcel of land with any buildings thereon situate northerly of State of N.H. Route 101, a limited access highway in Raymond, Rockingham County, New Hampshire, and shown as Tax Map 22, Lot 45 on a plan entitled "A Survey and Plat of Properties prepared for Hard Rock Development, LLC" dated May 26, 2005, prepared by RSA Layout & Design, Inc. and recorded or to be recorded in the Rockingham County Registry of Deeds, more particularly bounded and described as follows:

Beginning at a steel reinforcing rod on the northerly side of said State of N.H. Route 101 at the westernmost point of Tax Map 23, Lot 24; thence running N 16° 32' 12" E a distance of 566.59 feet to a granite/concrete bound; thence turning and running S 80° 25' 28" E a distance of 166.45 feet to a drill hole in a stone wall; thence running S 77° 51' 08" E a distance of 104.68 feet to a drill hole in a stone wall at land now or formerly of Est. of Josephine F. Welch; thence turning and running N 25° 21' 27" E a distance of 41.75 feet to a drill hole in a stone wall; thence running N 26° 13' 24" E a distance of 236.03 feet to a tree w/wire; thence running N 20° 52' 59" E a distance of 109.97 feet to a drill hole in a stone wall; thence running N 21° 25' 01" E a distance of 65.44 feet to a drill hole in a stone wall; thence running N 24° 23' 29" E a distance of 103.77 feet to a drill hole in a stone wall at land now or formerly of Hard Rock Development, LLC; thence turning and running N 80° 16' 26" W a distance of 195.99 feet to a drill hole in a stone wall; thence running N 79° 24' 32" W a distance of 203.68 feet to a drill hole in a stone wall; thence running N 75° 01' 56" W a distance of 156.10 feet to a drill hole in a stone wall; thence running N 66° 33' 02" W a distance of 18.18 feet to a drill hole in a stone wall at land now or formerly of Robert & Lorraine Sinclair; thence turning and running S 72° 23' 47" W a distance of 521. 89 feet to a drill hole in a stone wall at land now or formerly of the Town of Raymond; thence turning and running S 16° 35' 24" E a distance of 346.11 feet to a steel reinforcing rod at other land now or formerly of the Town of Raymond; thence turning and running S 16° 32' 12" W a distance of 848.67 feet to a point on the northerly side of State of N.H. Route 101; thence turning and running N 69° 40' 56" E a distance

of 463.91 feet to a granite/concrete bound; thence turning and running N 78° 16' 37" E a distance of 112.49 feet to a steel reinforcing rod at the point of beginning. Containing 17.8768 acres.

Meaning and intending to convey the same premises conveyed to the Grantor by Warranty Deed of Inez S. Welch dated June 23, 2005 and recorded in the Rockingham County Registry of Deeds at Book 4500, Page 1939.

This is not homestead property.

Signed this 5 day of January, 2022.

West River Road, L.L.C.

By: _____
Name: Arleigh B. Greene
Title: Sole Member

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this, the 5th day of January, 2022, before me, the undersigned Officer, personally appeared Arleigh B. Greene, as Sole Member of West River Road, L.L.C., known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes set forth therein.

_____
~~Justice of the Peace~~/Notary Public
My commission expires: _____

KEVIN MICHAEL BAUM
MY COMMISSION EXPIRES FEB. 1, 2022
NOTARY PUBLIC
NEW HAMPSHIRE

Book: 6373 Page: 1273

E # 22001646 01/11/2022 09:25:49 AM
Book 6373 Page 1273 Page 1 of 3
Register of Deeds, Rockingham County

LCHIP	ROA602936	25.00
TRANSFER TAX	RO112753	773.00
RECORDING		18.00
SURCHARGE		2.00

Return to:

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that **BBOC DEVELOPMENT, LLC**, a New Hampshire limited liability company with an address of P.O. Box 2750, Seabrook, New Hampshire 03874, for consideration paid, hereby grant to **ONYX RAYMOND LLC**, a Massachusetts limited liability company with an address of 60 Centre Street, Dover, Massachusetts 02030 with WARRANTY COVENANTS, the following described premises:

A certain parcel of land with the buildings thereon situated in Raymond, in the County of Rockingham and State of New Hampshire, identified as Town of Raymond Tax Map 22, Lot 46, bounded and described as follows:

Beginning at an iron monument set into the ground at the end of the Blake passway, so-called, by land of Everett E. Goodwin; thence Westerly by land of the Concord & Portsmouth Railroad 150 rods, more or less, to land formerly of Horatio D. Page; thence turning and running Southwesterly by land formerly of said Page 120 rods; thence Southeasterly by land of Plummer B. Carson 120 rods to land now or formerly of the heirs of Levi Moulton; thence Northeasterly by land of heirs of said Moulton 124 rods to land now or formerly of the Town of Raymond; thence Northwesterly 10 rods, more or less, by land of said Town of Raymond and land now or formerly of Edwin S. Poore to a stone monument; thence Northeasterly by land now or formerly of Edwin S. Poore, land of Stevens, land of Fellows & Abbott, land of heirs of Octavous W. Fellows and land of Everett E. Goodwin to the bound begun at. Containing 112 acres be the same more or less.

Excepting and reserving to the Town of Raymond the right of passing over the land above described or any part thereof which have heretofore been conveyed to said Town which are not to be conveyed or enlarged by this deed. Also a certain other parcel of land situated in said Raymond containing 40 acres be the same more or less, being known as and called the "Bean Land", bounded and described as follows: Southeasterly by land now or formerly of heirs of Daniel Robie; Southwesterly by land now or formerly of Joseph Davis, so-called; Westerly by land now or formerly of heirs of Horatio D. Page; Easterly, so-called, by land now or formerly of Daniel T. Wendell, and Northerly of land of Horatio D. Page.

EXCEPTED from the above-described premises those premises conveyed to Regis Tanning Company, Inc. by deed of Cora P. Falconer dated July 25, 1958 recorded at the Rockingham

County Registry of Deeds at Book 1474, Page 299, more particularly bounded and described as follows:

Two tracts of land with the buildings thereon situated in Raymond, County of Rockingham and State of New Hampshire, bounded and described as follows:

First Tract: Beginning at an iron pipe driven into the ground about 60 feet Westerly from Orchard Street, so-called, in Raymond Village by land now or formerly of the heirs of James L. Jones and land now or formerly of the Concord and Portsmouth Railroad; thence Westerly by land of said Railroad to the end of a stone wall by land now or formerly of Lewis A. Clough; thence Southeasterly by said Clough land to a large oak tree by land now or formerly of Edwin S. Poore; thence Northeasterly by a stone wall by said Poore land and land now or formerly of Fellows and Abbott to land now or formerly of the heirs of Octavous M. Fellows; thence in the same direction by land of the heirs of said Fellows to the bound first mentioned. Containing two acres, more or less.

The grantor also conveys the right of passing on foot and with vehicles for said grantee and his heirs and assigns between the land above described and the highway leading from Packer's Bridge, so-called, and Fremont as heretofore used, over land now or formerly of the Concord and Portsmouth Railroad. Said tract is also subject to rights of passage over a portion of the same for the owners of the land now or formerly of Lewis A. Clough and his assigns to pass from the land of said Clough to said highway as heretofore used by the owners of said land.

Second Tract: Beginning at the Northwest corner of land now or formerly of Aaron G. Whittier; thence North 70 degrees West 12 rods and 50 links to a spotted yellow oak tree; thence North 52 1/2° West 21 rods and 3 links to land now or formerly of the Concord and Portsmouth Railroad; thence by said Railroad Southwesterly 120 rods to land now or formerly of Horatio D. Page; thence turning and running Southwesterly by said Page land 120 rods; thence Southeasterly by land now or formerly of Daniel T. Wendell 120 rods to land now or formerly of Levie Moulton; thence Northeasterly by said Moulton land 124 rods to land now or formerly of said Aaron G. Whittier; thence Northwesterly 10 rods to the bound begun at.

Said premises referenced as contain 110 acres, more or less. There is an unobstructed passage to said tract or lot 2 rods wide agreeable to the reservation in the deed of Sherburne Blake to the Concord and Portsmouth Railroad. Reserving and excepting from said tract about 1 acre of land with the rights of way thereto that has been heretofore deeded to the Town of Raymond for its water works.

Meaning and intending to convey the same premises conveyed to the Grantor by Warranty Deed of the Town of Raymond dated June 30, 2006 and recorded in the Rockingham County Registry of Deeds at Book 4676, Page 1415.

This is not homestead property.

Signed this 5th day of January, 2022.

BBOC Development, LLC

By: _____
Name: Arleigh B. Greene
Title: Manager

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this, the 5 day of January, 2022, before me, the undersigned Officer, personally appeared Arleigh B. Greene, as Manager of BBOC Development, LLC, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes set forth therein.

_____
~~Justice of the Peace~~/Notary Public
My commission expires: _____

KEVIN MICHAEL BAUM
MY COMMISSION EXPIRES FEB. 1, 2022
NOTARY PUBLIC
NEW HAMPSHIRE

Book: 6373 Page: 1276

E # 22001647 01/11/2022 09:25:50 AM
Book 6373 Page 1276 Page 1 of 4
Register of Deeds, Rockingham County

Return to:

LCHIP	ROA602937	25.00
TRANSFER TAX	RO112754	44,040.00
RECORDING		22.00
SURCHARGE		2.00

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that **HARD ROCK DEVELOPMENT, LLC**, a New Hampshire limited liability company with an address of P.O. Box 2750, Seabrook, New Hampshire 03874, for consideration paid, hereby grant to **ONYX RAYMOND LLC**, a Massachusetts limited liability company with an address of 60 Centre Street, Dover, Massachusetts 02030 with WARRANTY COVENANTS, the following described premises:

TRACT 1

A certain tract or parcel of land located off of Old Manchester Road and Industrial Drive in the Town of Raymond, County of Rockingham and State of New Hampshire depicted as "Proposed Lot 120-1" on a plan of land entitled "Subdivision Plan of Land, Tax Map 28-3, Lot 120, Old Manchester Road & Industrial Drive, Raymond, NH" prepared by Eric C. Mitchell & Assoc, Inc. dated July 3, 2007 through revision E dated 4/23/13 recorded at the Rockingham County Registry of Deeds as Plan #D-37834 (hereinafter "Plan"); said parcel is more particularly bounded and described as follows:

Beginning at an iron pin at the southerly boundary of the abandoned railroad bed at the northeasterly corner of land now or formerly of MRCT Realty Co., LLC being the northwesterly corner of the within described premises as shown on said Plan; thence running along said abandoned railroad bed N71°36'16"E a distance of 715.25 feet to an iron pin at Proposed Lot 120 as shown on said Plan; thence turning and running along said Lot 120 S31°13'07"W a distance of 151.62 feet to an iron pin; thence turning and running still along said Lot 120 S58°46'53"E a distance of 273.87 feet to an iron pin; thence continuing along said Lot 120 S77°11'24"E a distance of 1036.64 feet to an iron pipe at Tax Map 28-3, Lot 16 as shown on said Plan; thence turning and running S67°09'04"E a distance of 147.35 feet to a drill hole in a stone wall at Tax Map 23, Lot 25 as shown on said Plan; thence turning and running along said Lot 25 and said stone wall the following eleven (11) courses and distances: S26°10'49"W, 101.34 feet; S24°17'47"W, 184.91 feet; S22°19'55"W, 52.48 feet; S24°22'25"W, 468.12 feet; S24°36'24"W, 337.71 feet; S24°14'00"W, 211.15 feet; S24°38'51"W, 213.98 feet; S33°16'21"W, 113.46 feet; S30°11'49"W, 33.21 feet; S19°03'38"W, 28.80 feet; S15°18'27"W, 14.64 feet to a drill hole at an intersection of stone walls at land now or formerly of West River Road, LLC as shown on said Plan; thence turning and running along said stone wall the following twelve (12) courses and distances:

N80°16'26"W, 195.99 feet; N79°24'32"W, 203.68 feet; N75°01'56"W, 156.10 feet; N66°33'02'W, 18.18 feet; N68°14'32"W, 36.67 feet; N73°57'31"W, 241.16 feet; N87°27'00"W, 39.02 feet; N66°33'27"W, 37.71 feet; N77°46'13"W, 148.15 feet; N79°22'58"W, 112.59 feet; N78°45'03"W, 179.83 feet; N78°45'03"W, 216.16 feet to a stone bound at land now or formerly of MRCT Realty Co., LLC as shown on said Plan; thence turning and running along said MRCT land the following eight (8) courses and distances: N20°24'26"E, 536.20 feet; N17°54'53"E, 108.93 feet; N20°30'13"E, 201.41 feet; N23°40'05"E, 106.20 feet; N21°10'51"E, 168.79 feet; N41°53'34"W, 73.21 feet; N40°25'45"W, 59.21 feet; N38°49'14"W, 146.11 feet to the iron pin at the point of beginning.

Said parcel containing 2,666,114 sq. ft. (61.21 acres), more or less, according to said Plan.

SUBJECT TO AND TOGETHER WITH the burden and benefit of certain rights of the Town of Raymond ("Raymond"), and Hardrock Development, LLC ("Hardrock") and BBOC Development, LLC ("BBOC") (collectively, the "Owners") as set forth in a written Agreement entitled "Second Amendment to Further Agreement re: Exercise of Option and Participation in Clean Up" dated May 2, 2013 and on file with the Raymond Town Clerk's office (the "Agreement"), as follows:

1. License of Raymond to use temporary construction road, to be constructed by the Owners or its assigns upon written notice from Raymond, from Industrial Drive over Lot 120-1 along the old logging road shown on the subdivision plan.

2. The right of Raymond for fifteen (15) years from the date of the Agreement to construct a permanent access road or driveway in a location reasonably and mutually agreed upon and tentatively shown on the Subdivision Plan on Lot 120-1 as "Possible Future Permanent Access Road or Driveway" (See Note 9 on the Plan) and "Proposed 50' Right of Way" on Lot 120 subject to the Reciprocal Option of the Owners or its assigns to upgrade to a Town accepted Road at Owners or its assigns' expense.

The foregoing reserved rights, unless earlier exercised, shall terminate at the earlier of fifteen (15) years from the date of the Agreement or three (3) years after the completion of a municipal waste water treatment facility on Lot 120.

Meaning and intending to convey the same premises conveyed to the Grantor by Warranty Deed of the Town of Raymond dated November 4, 2013 and recorded in the Rockingham County Registry of Deeds at Book 5577, Page 0135 and being shown on Tax Map 28, Block 3, Lot 120-1 on the Town of Raymond tax maps.

TRACT 2

A certain tract of land (with improvements and buildings thereon) located in Raymond, Rockingham County, New Hampshire, described as follows:

All of Lot 52-3 as identified and described on a Plan of Land entitled "Revised Subdivision Plan for Pike Industries, Inc. situated in the town of Raymond" by R.S.L. Layout & Design, Inc.,

Raymond, New Hampshire dated November 17, 1987 and recorded in the Rockingham County Registry of Deeds as Plan# D-17579, Said Lot 52-3 contains 12.8 acres, more or less.

SUBJECT TO any easements of record and the easements, conditions and restrictions shown and noted on the Plan including, but not limited to the following:

1. Easement to New England Telephone & Telegraph Company dated March 27, 1962, recorded in the Rockingham County Registry of Deeds at Book 1640, Page 39.

2. Easement to New Hampshire Electric Cooperative, Inc. and New England Telephone Company dated May 22, 1974, recorded in said Registry at Book 2227, Page 659.

3. Easement to New Hampshire Electric Cooperative, Inc. and New England Telephone Company dated May 22, 1974, recorded in said Registry at Book 2227, Page 660.

4. Easement to Public Service Company of New Hampshire and New England Telephone and Telegraph Company dated March 29, 1988, recorded in said Registry at Book 2760, Page 2530.

Meaning and intending to convey the same premises conveyed to the Grantor by Warranty Deed of the Town of Raymond dated June 30, 2006 and recorded in the Rockingham County Registry of Deeds at Book 4676, Page 1418 and being shown on Tax Map 22, Lot 47 on the Town of Raymond tax maps.

This is not homestead property.

Signed this 5 day of January, 2022.

Hard Rock Development, LLC

By: _____
Name: Arleigh Greene
Title: Manager

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this, the 5th day of January, 2022, before me, the undersigned Officer, personally appeared Arleigh Greene, as Manager of Hard Rock Development, LLC, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes set forth therein.

~~Justice of the~~ Peace/Notary Public
My commission expires: _____

KEVIN MICHAEL BAUM
MY COMMISSION EXPIRES FEB. 1, 2022
NOTARY PUBLIC NEW HAMPSHIRE

0 foot Abutters List Report

Raymond, NH
October 05, 2022

Subject Properties:

Parcel Number:	022-000-044-000	Mailing Address:	ONYX RAYMOND LLC.
CAMA Number:	022-000-044-000-000		200 RESERVOIR STREET SUITE 306
Property Address:	INDUSTRIAL DRIVE		NEEDHAM, MA 02494
Parcel Number:	022-000-045-000	Mailing Address:	ONYX RAYMOND LLC.
CAMA Number:	022-000-045-000-000		200 RESERVOIR STREET SUITE 306
Property Address:	INDUSTRIAL DRIVE		NEEDHAM, MA 02494
Parcel Number:	022-000-046-000	Mailing Address:	ONYX RAYMOND LLC.
CAMA Number:	022-000-046-000-000		200 RESERVOIR STREET SUITE 306
Property Address:	BATCHELDER ROAD		NEEDHAM, MA 02494
Parcel Number:	022-000-047-000	Mailing Address:	ONYX RAYMOND LLC.
CAMA Number:	022-000-047-000-000		200 RESERVOIR STREET SUITE 306
Property Address:	INDUSTRIAL DRIVE		NEEDHAM, MA 02494
Parcel Number:	028-003-120-001	Mailing Address:	ONYX RAYMOND LLC.
CAMA Number:	028-003-120-001-000		200 RESERVOIR STREET SUITE 306
Property Address:	INDUSTRIAL DRIVE		NEEDHAM, MA 02494

Abutters:

Parcel Number:	022-000-043-000	Mailing Address:	MRCT REALTY CO. , LLC
CAMA Number:	022-000-043-000-000		P.O. BOX 449
Property Address:	10 INDUSTRIAL DRIVE		LAWRENCE, MA 01842
Parcel Number:	022-000-048-000	Mailing Address:	RAYMOND AMBULANCE, INC
CAMA Number:	022-000-048-000-000		1 SCRIBNER ROAD
Property Address:	OLD MANCHESTER ROAD		RAYMOND, NH 03077
Parcel Number:	023-000-024-000	Mailing Address:	TUCK REALTY CORPORATION
CAMA Number:	023-000-024-000-000		P.O. BOX 190
Property Address:	ROUTE 101		EXETER, NH 03833
Parcel Number:	023-000-025-000	Mailing Address:	WELCH,JOSEPH & JOHN & ARDELL & INEZ BETSY PATTERSON & ROBIN PROULX
CAMA Number:	023-000-025-000-000		49 RAYMOND ROAD, ROUTE 156
Property Address:	MAIN STREET		NOTTINGHAM, NH 03290
Parcel Number:	027-004-032-000	Mailing Address:	BAIN, WARREN
CAMA Number:	027-004-032-000-000		P.O. BOX 123
Property Address:	24 OLD MANCHESTER ROAD		RAYMOND, NH 03077

0 foot Abutters List Report

Raymond, NH
October 05, 2022

Parcel Number:	027-004-033-000	Mailing Address:	RAYMOND SCHOOL DISTRICT
CAMA Number:	027-004-033-000-000		43 HARRIMAN HILL ROAD
Property Address:	OLD MANCHESTER ROAD		RAYMOND, NH 03077
Parcel Number:	028-003-016-000	Mailing Address:	RAYMOND, TOWN OF
CAMA Number:	028-003-016-000-000		4 EPPING STREET
Property Address:	ORCHARD STREET		RAYMOND, NH 03077
Parcel Number:	028-003-043-000	Mailing Address:	RAYMOND, TOWN OF
CAMA Number:	028-003-043-000-000		4 EPPING ST
Property Address:	OLD MANCHESTER ROAD		RAYMOND, NH 03077
Parcel Number:	028-003-120-000	Mailing Address:	RAYMOND, TOWN OF
CAMA Number:	028-003-120-000-000		4 EPPING ST
Property Address:	OLD MANCHESTER ROAD		RAYMOND, NH 03077

STATE OF NEW HAMPSHIRE, DEPT. OF TRANSPORTATION, 7 HAZEN DR, CONCORD, NH 03301

JONES & BEACH ENGINEERS, INC., ATTN. WAYNE MORRILL, PO BOX 219, STRATHAM, NH 03385

ONYX PARTNERS LTD., ATTN. ANTON MELCHIONDA, 200 RESERVOIR ST, NEEDHAM, MA 02494

GOVE ENVIRONMENTAL SERVICES, ATTN. LUKE HURLEY, 8 CONTINENTAL DR, UNIT H, EXETER, NH 03833

BAIN, WARREN
P.O. BOX 123
RAYMOND, NH 03077

MRCT REALTY CO. , LLC
P.O. BOX 449
LAWRENCE, MA 01842

RAYMOND AMBULANCE, INC
1 SCRIBNER ROAD
RAYMOND, NH 03077

RAYMOND SCHOOL DISTRICT
43 HARRIMAN HILL ROAD
RAYMOND, NH 03077

RAYMOND, TOWN OF
4 EPPING ST
RAYMOND, NH 03077

RAYMOND, TOWN OF
4 EPPING STREET
RAYMOND, NH 03077

TUCK REALTY CORPORATION
P.O. BOX 190
EXETER, NH 03833

WELCH,JOSEPH & JOHN & ARD
BETSY PATTERSON & ROBIN P
49 RAYMOND ROAD, ROUTE 156
NOTTINGHAM, NH 03290

STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION
7 HAZEN DR
CONCORD, NH 03301

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MELCHIONDA
200 RESERVOIR ST
NEEDHAM, MA 02494

GOVE ENVIRONMENTAL SERVICES
ATTN. LUKE HURLEY
8 CONTINENTAL DR, UNIT H
EXETER, NH 03833

Raymond, NH

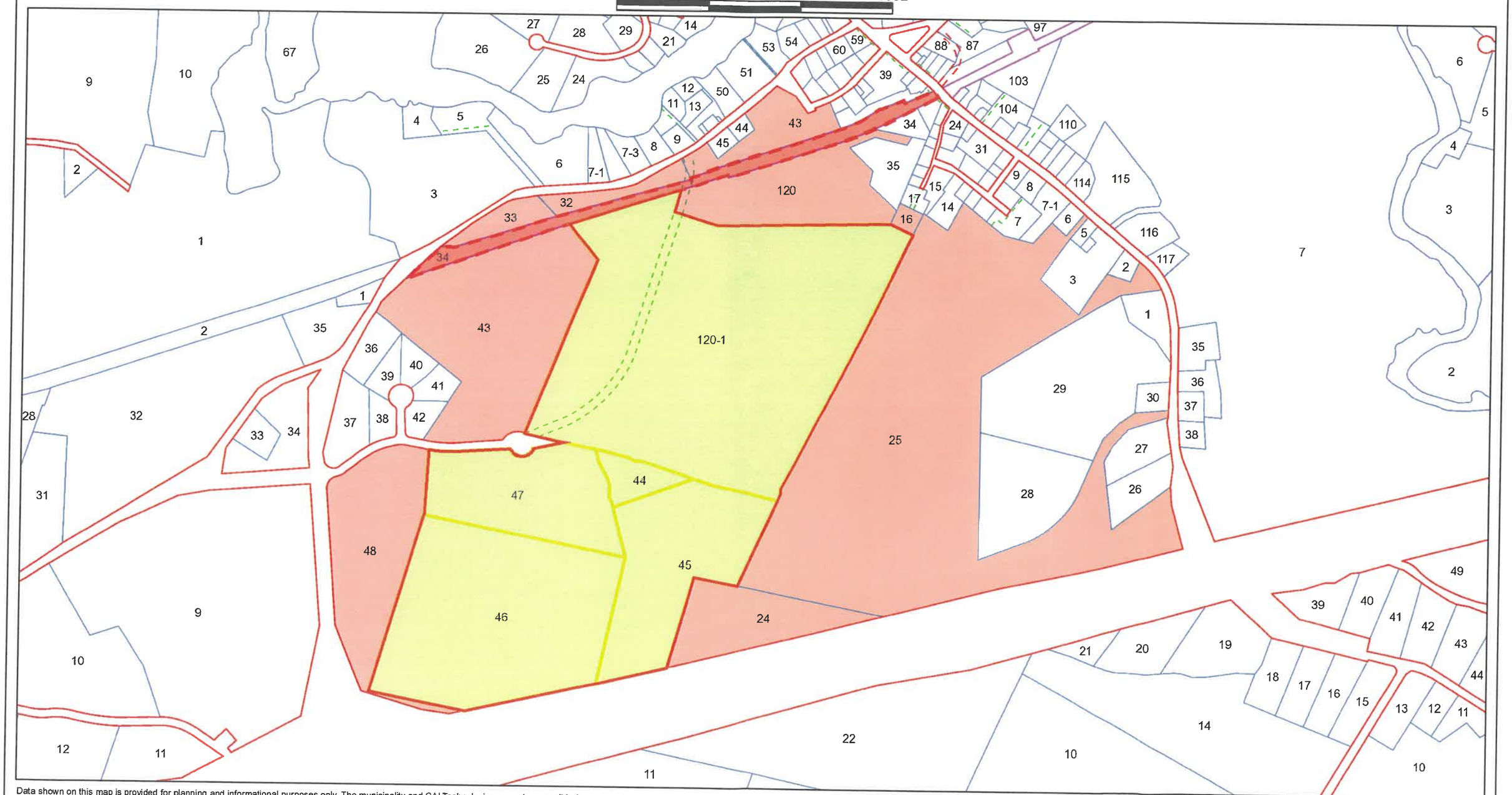
October 5, 2022

1 inch = 550 Feet

0 550 1101 1652

CAI Technologies
Precision Mapping Geospatial Solutions

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

APPLICATION #2022-010 ONYX EXCAVATION

Kera Clements

From: James McLeod
Sent: Thursday, June 13, 2024 4:00 PM
To: Kera Clements
Subject: FW: ONXY & GZA

HYG!

James McLeod
Director of Planning and Development
Town of Raymond New Hampshire
4 Epping Street
Raymond, NH 03077
Phone: 603-895-7018

From: Brian Kaplan <brian@onyxpartnersltd.com>
Sent: Tuesday, May 28, 2024 5:21 PM
To: James McLeod <communitydevdirector@raymondnh.gov>; Kera Clements <Planningtech@raymondnh.gov>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Jim,
Per our conversation an hour ago, I reconnected with the team on all matters and I apologize for the confusion on my part.

We would like for the Warehouse Application #2022-008 to be heard on June 20th as currently scheduled and to continue the Excavation Application #2022-010 to July 18th.

Please confirm receipt. We will follow up with you on the remaining items.

Thanks,
Brian

Brian Kaplan I Onyx Partners Ltd
Vice President
220 Reservoir Street, Suite 3, Needham, MA 02494

From: James McLeod <communitydevdirector@raymondnh.gov>
Sent: Tuesday, May 28, 2024 4:10 PM
To: Brian Kaplan <brian@onyxpartnersltd.com>; Kera Clements <Planningtech@raymondnh.gov>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Brian,

I am confirming your consent to continue Application #2022-008 to July 18th, 2024. I will also confirm GZA's previous agreement to be present on June 20th, when your Excavation Application #2022-010 will be taken up for the purpose of opening a discussion with GZA regarding their review. Thank you for getting back to me so quickly.

Regarding our meeting next week. I understand you are eager to make some progress, and I am committed to doing the same. With your consent I would like to audio record our meeting so I can do proper follow-up and make accurate notes for myself. I can provide you a copy of the recording and add it to the file for 91-A access later. Barring that, It would be helpful to have an outline with each item you would like addressed , it's current status from your perspective, and how you envision it being addressed by my office or the PB.

I am coordinating a meeting for next week on an unrelated matter , once that is sorted out, I will confirm my availability for our meeting. I think fewer cooks in the kitchen for this review would be more productive but let me know how many you expect to attend so I can arrange the proper venue.

Thanks again,

Jim

James McLeod
Director of Planning and Development
Town of Raymond New Hampshire
4 Epping Street
Raymond, NH 03077
Phone: 603-895-7018

From: Brian Kaplan <brian@onyxpartnersltd.com>
Sent: Tuesday, May 28, 2024 3:16 PM
To: James McLeod <communitydevdirector@raymondnh.gov>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Jim,
Following up on our phone call this afternoon, please see the below responses:

- We confirm that we would like GZA present for the June 20th warehouse planning board meeting
- Confirming July 18th meeting for the warehouse application
- In advance of our meeting next week in Raymond with you, the topics we would like to discuss are
    - Site Plan Review Approval
    - Special Permit Approval
    - Conditional Use Approval
    - Draft order of conditions

Please confirm receipt of this email and look forward to getting together next week.

Thank you,
Brian

Brian Kaplan I Onyx Partners Ltd
Vice President
220 Reservoir Street, Suite 3, Needham, MA 02494

From: James McLeod <communitydevdirector@raymondnh.gov>
Sent: Tuesday, May 28, 2024 2:07 PM
To: Brian Kaplan <brian@onyxpartnersltd.com>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Hi Brian,

Will you please send me a contact number to reach you, or will you please call me at the office ?

Thank you,

Jim

James McLeod
Director of Planning and Development
Town of Raymond New Hampshire
4 Epping Street
Raymond, NH 03077
Phone: 603-895-7018

From: Brian Kaplan <brian@onyxpartnersltd.com>
Sent: Tuesday, May 28, 2024 12:19 PM
To: James McLeod <communitydevdirector@raymondnh.gov>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Hi Jim,
You can discuss scheduling related matters with me.
Thank you,
Brian

Brian Kaplan I Onyx Partners Ltd
Vice President
220 Reservoir Street, Suite 3, Needham, MA 02494

From: James McLeod <communitydevdirector@raymondnh.gov>
Sent: Tuesday, May 28, 2024 11:45 AM
To: Brian Kaplan <brian@onyxpartnersltd.com>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton

melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Good Morning Brian,

I think a meeting to go over the current state of your warehouse and excavation applications is a good idea , however, I would like to check off a couple boxes first. Who can I discuss scheduling with? I have an option for you that you may beneficial. Also, I know there has been discussion prior to my hiring regarding the hearing on the 20th and GZA's participation; and I would like to confirm that it is still your desire to have GZA present at that meeting.

I look forward to hearing from you and scheduling a review meeting for next week.

Respectfully,

Jim

James McLeod
Director of Planning and Development
Town of Raymond New Hampshire
4 Epping Street
Raymond, NH 03077
Phone: 603-895-7018

From: Brian Kaplan <brian@onyxpartnersltd.com>
Sent: Tuesday, May 28, 2024 11:26 AM
To: James McLeod <communitydevdirector@raymondnh.gov>
Cc: Aaron K Hinchliffe <aaron@onyxpartnersltd.com>; Douglas Richardson <doug@onyxpartnersltd.com>; anton melchionda <anton@onyxpartnersltd.com>; Wayne Morril (wmorrill@Jonesandbeach.com) <wmorrill@Jonesandbeach.com>
Subject: RE: ONXY & GZA

Hi Jim,
Thank you for your email.

We would like to meet with you in person to discuss our application.

We are available next week, please let me know if any of the below days/times work for you:

- Monday, 6/3 – 12-3pm
- Tuesday, 6/4 – 11-4pm
- Wednesday, 6/5 – 9am-3pm
- Thursday, 6/6 – 9am-3pm
- Friday, 6/7 – 9am-3pm

We look forward to getting together.

Thank you,
Brian

Brian Kaplan I Onyx Partners Ltd
Vice President
220 Reservoir Street, Suite 3, Needham, MA 02494

From: James McLeod <communitydevdirector@raymondnh.gov>
Date: May 23, 2024 at 6:04:36 PM EDT
To: Wayne Morrill <wmorrill@jonesandbeach.com>
Cc: anton melchionda <anton@onyxpartnersltd.com>, Douglas Richardson <doug@onyxpartnersltd.com>, Kera Clement <Planningtech@raymondnh.gov>
Subject: ONXY & GZA

Good Afternoon Mr. Morrill,

I would like to confirm you want to have an open discussion similar to the last one, with GZA, at your June 20th, 2024 hearing. Based on my discuss with Chairwoman Luszcz and my review of the GZA submission regarding their scope of work, I believe it is appropriate to address it now so your applications can make progress through the review process. If you agree, I will coordinate that with GZA next week . I would also like to speak with you briefly about the way your applications are currently scheduled. I think there is a way for us facilitate a more expeditious review, then, perhaps we can schedule a more comprehensive discussion about the current state of your submissions.

Since our last contact I have been engaged by the Town of Raymond and I look forward to coordinating with you on your applications.

Respectfully,

Jim

James McLeod
Director of Planning and Development
Town of Raymond New Hampshire
4 Epping Street
Raymond, NH 03077
Phone: 603-895-7018

APPLICATION #PB-2024-009 AUTOZONE

67 STATE ROUTE 27, LLC
1 CHESTER TURNPIKE
CANDIA, NH 03034

FYC REAL ESTATE HOLDINGS
P.O. BOX 1267
RAYMOND, NH 03077

LTD MANAGEMENT, INC
63 ROUTE 27
RAYMOND, NH 03077

MARTIN REVOCABLE TRUST
JAMES F. MARTIN / TRUSTEE
55 ROBINSON LANE
BARRINGTON, NH 03825

NELLIE REAL ESTATE ACQUIS
P.O. BOX 405
RAYMOND, NH 03077

ROUTE 27 OZB LLC
304 INDIAN TRACE
SUITE 777
WESTON, FL 33326

S A S REALTY, LP
P.O. BOX 504
CONCORD, NH 03302-0504

VERNCO RAYMOND TWO, LLC
70 WASHINGTON STREET
SUITE 310
SALEM, MA 01970

67 STATE ROUTE 27, LLC
1 CHESTER TURNPIKE
CANDIA, NH 03034

FYC REAL ESTATE HOLDINGS
P.O. BOX 1267
RAYMOND, NH 03077

LTD MANAGEMENT, INC
63 ROUTE 27
RAYMOND, NH 03077

MARTIN REVOCABLE TRUST
JAMES F. MARTIN / TRUSTEE
55 ROBINSON LANE
BARRINGTON, NH 03825

NELLIE REAL ESTATE ACQUIS
P.O. BOX 405
RAYMOND, NH 03077

ROUTE 27 OZB LLC
304 INDIAN TRACE
SUITE 777
WESTON, FL 33326

S A S REALTY, LP
P.O. BOX 504
CONCORD, NH 03302-0504

VERNCO RAYMOND TWO, LLC
70 WASHINGTON STREET
SUITE 310
SALEM, MA 01970

67 STATE ROUTE 27, LLC
1 CHESTER TURNPIKE
CANDIA, NH 03034

FYC REAL ESTATE HOLDINGS
P.O. BOX 1267
RAYMOND, NH 03077

LTD MANAGEMENT, INC
63 ROUTE 27
RAYMOND, NH 03077

MARTIN REVOCABLE TRUST
JAMES F. MARTIN / TRUSTEE
55 ROBINSON LANE
BARRINGTON, NH 03825

NELLIE REAL ESTATE ACQUIS
P.O. BOX 405
RAYMOND, NH 03077

ROUTE 27 OZB LLC
304 INDIAN TRACE
SUITE 777
WESTON, FL 33326

S A S REALTY, LP
P.O. BOX 504
CONCORD, NH 03302-0504

VERNCO RAYMOND TWO, LLC
70 WASHINGTON STREET
SUITE 310
SALEM, MA 01970

2024-009

nobis

Letter of Transmittal

To: Town of Raymond
4 Epping Street
Raymond, NH 03077

Date: April 11th, 2024
File No.: 100779.000

Attention: Planning Department
Re: 64 Route 27-AutoZone ~~Conceptual Site Plan~~ Non-Binding Design Review

We are sending you the following via:

- ☐ Next Day Service
- ☐ Second Day Service
- ☐ Certified Mail
- ☒ U.S. Mail
- ☐ Hand Delivery
- ☐ Other:

No.	Copies	Date	Description
1	1	04/11/2024	Project Narrative
2	1	04/11/2024	Conceptual Site Plan Application
3	1	04/11/2024	Authorization Letter
4	6	04/11/2024	24 x 36 Conceptual Site Plan
5	10	04/11/2024	11 x 17 Conceptual Site Plan
5	1	04/11/2024	Check for Application

These are transmitted:

- ☐ For your use
- ☒ For review and comment
- ☐ As requested
- ☐ Other:

Signed: Elizabeth Lahti
Elizabeth Lahti

RECEIVED
APR 12 2024
TOWN OF RAYMOND

www.nobis-group.com

Nobis Group®
18 Chenell Drive
Concord, NH 03301
T (603) 224-4182

Map # 28 Lot # 2-20

Planning Board Application

In accordance with NH RSA 676:4 II

Conceptual Review X Design Review ___ Pre-Application Review ___
(Choose One)

Town of Raymond, NH

(please see back for copy of applicable RSA)

Project Name: AutoZone

Location: 64 NH-RTE 27

Project Description: See Attached Project Description

Zone: C1 Total Number of Lots: 1

Applicant/Agent Information:

Name: Zaremba Group / Matt Casey

Phone: (216) 226-2159 Fax: ___

Company: Zaremba Group

Address: 14600 Detroit Ave, Suite 1500, Lakewood, OH 44107

By signing this application, you are agreeing to all rules and regulations of the Town of Raymond, and are agreeing to allow agents of the Town of Raymond to conduct inspections of your property during normal business hours to ensure compliance with all Raymond Zoning and Subdivision Regulations while your application is under consideration and during any construction and operational phases after approval is granted.

Signed*: [signature] Date: 4/8/2024

*Requires notarized letter of permission

Owner Information:

Name: Mark Smith

Phone: ___ Fax: ___

Company: ___

Address: 106 Thistle Way, Manchester, NH 03109

Signed: [signature] Date: 4/11/24

Designers of Record: (Provide Name & License Number for each)

Engineer: Nobis Group / John Chris Nadeau (No. 9294)

Surveyor: Promised Land Survey, LLC / Neal Matthew McCarthy (No. 01066)

Soil Scientist: West Environmental, Inc. / Mark West

Landscape Architect: ___

Fire Protection Engineer: ___

Other(s): ___

FEES: $50.00 Application Fee, $300.00 Escrow and $10.00 per abutter.

For Office Use, Only:

Date Application Received: ___ Total Fees Collected w/Application: ___

Abutters List Received: ___ Plans & Checklist Received: ___

Authorization Letter

Mark Smith is the Owner of the property located at 64 NH RTE-27 in the Town of Raymond, New Hampshire identified as Tax Map 28 Lot 2-20. The Owner hereby authorizes Zaremba Group, LLC and Nobis Group to execute and submit applications and any applicable materials to local and state boards, commissions, agencies, and the like on behalf of the Owner, for the purpose of obtaining municipal and state permits and approvals for the development proposed on the property.

Mark Smith (Landowner)

Print: MARK SMITH

Sign: _____ Date: 4/11/24

NEW HAMPSHIRE NOTARY ACKNOWLEDGMENT

State of New Hampshire
County of Merrimack*

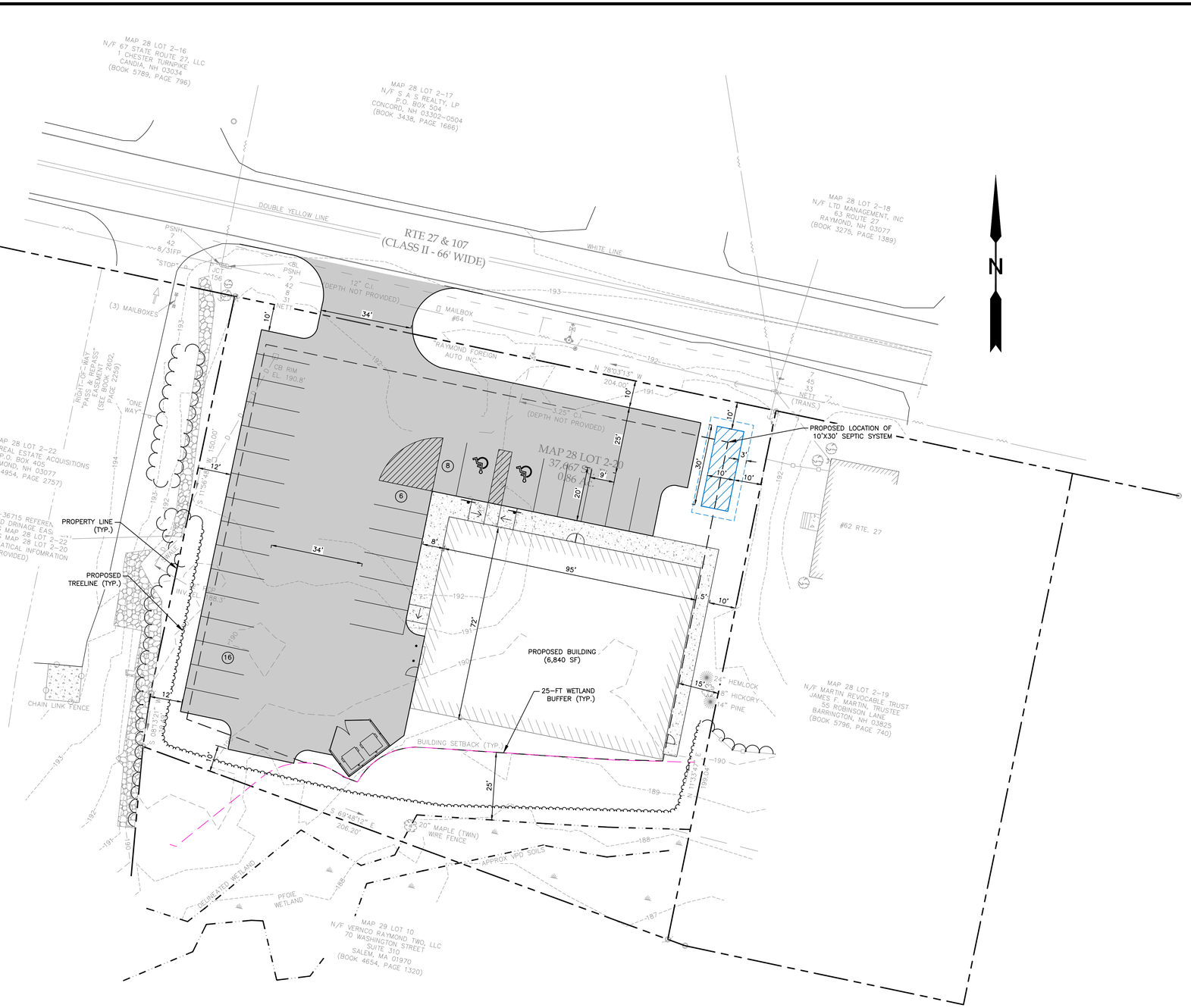
This instrument was acknowledged and signed before me on the Eleventh day of April, Two Thousand Twenty-Four, by Mark Smith.

Kerry Eriksen
C=US,
E=keriksen@nobis-group.com,
O=Nobis Group, CN=Kerry Eriksen
2024.04.11 13:55:46-04'00'

Signature of Notarial Officer
Notary Public, State of New Hampshire
My Commission Expires: March 30, 2026

(Seal) KERRY A ERIKSEN NOTARY PUBLIC NEW HAMPSHIRE

RECEIVED
APR 12 2024
TOWN OF RAYMOND



ZONING ANALYSIS

TAX MAP/BLOCK/LOT:	MAP 28 / LOT2-20
ADDRESS:	64 NH-27 RAYMOND, NH 03077
ZONING DISTRICT:	COMMERCIAL 1
MINIMUM LOT AREA 21,780 SF (0.5 ACRE)	PROVIDED 37,667 SF (0.86 ACRE)
MINIMUM LOT FRONTAGE 50'	PROVIDED 204'

BUILDING SETBACKS REQUIRED	REQUIRED
FRONT YARD	15'
SIDE YARD	15'
REAR YARD	15'
WETLAND	25'

PARKING SETBACKS REQUIRED	REQUIRED
FRONT YARD	10'
SIDE YARD	10'
REAR YARD	10'

REQUIRED PARKING SPACES
MEDIUM VOLUME RETAIL = 5 SPACE / 1,000 SF
6,840 SF / 1,000 SF = 6.84 X 5 = 35 SPACES

	REQUIRED	EXISTING	PROPOSED
TOTAL SPACES:	35	NA	30
ACCESSIBLE SPACES:	2	NA	2

nobis
Nobis Group®
18 Chenell Drive
Concord, NH 03301
T(603) 224-4182
www.nobis-group.com

NOT ISSUED FOR CONSTRUCTION

RAYMOND AUTOZONE

64 NH-27
RAYMOND, NH

NO.	DATE	DESCRIPTION

REVISIONS

0 20' 40'
GRAPHIC SCALE

DATE:	FEBRUARY 2024
NOBIS PROJECT NO.	100779.000
DRAWN BY:	GK
CHECKED BY:	XX
CAD DRAWING FILE:	100799.000-C-200-SITE.dwg

SHEET TITLE

PROPOSED SITE PLAN CONCEPT-2

SHEET
C-2

J:\100779.000-AutoZone 64 Route 27 Raymond, NH\CAD\DWG\100799.000-C-200-SITE.dwg 3/7/2024 1:04 PM