## 3 CENTRAL STREET CHANGE OF USE

## SP# 04-23 STAFF REPORT

June 28, 2023

**SITE:** 1, 3, 5 & 9 Central Street; Map 181 Lot 004 & Map 182 Lot 051

**ZONING:** Business (B)

**PURPOSE OF PLAN:** To show the expansion of the existing Limelight Salon into the adjacent unit at 3 Central Street.

#### PLANS UNDER REVIEW:

Change of Use Site Plan / Klimas Properties, LLC, Map 181 Lot 004 & Map 182 Lot 051; 1, 3, 5 & 9 Central Street, Hudson, New Hampshire, Hillsborough County; prepared by: Keach-Nordstrom Associates, Inc., 10 Commerce Park North, Suite 3B, Bedford, NH 03110; prepared for: Klimas Properties, LLC, 32 Burnham Avenue, Nashua, NH 03064; consisting of 2 sheets and general notes 1-14 on Sheet 2; dated February 2, 2023.

#### **ATTACHMENTS:**

A. Department Comments

#### **APPLICATION TRACKING:**

- April 6, 2023 Application received.
- June 28, 2023 Public hearing scheduled.

#### **COMMENTS & RECOMMENDATIONS:**

#### BACKGROUND

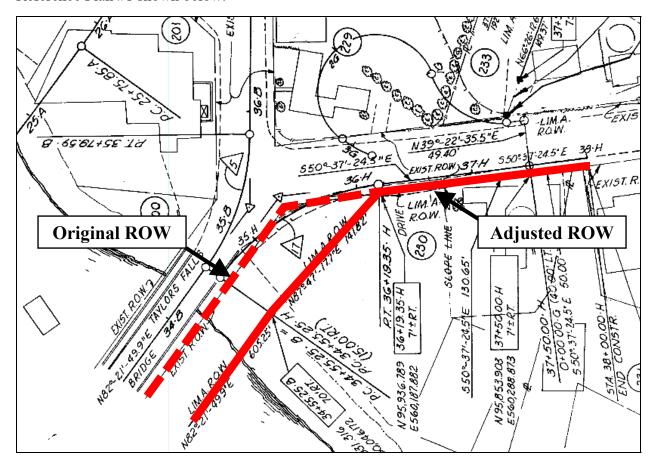
The site consists of two lots at 0.421 and 0.749 acres, totaling 1.17 acres. There is a building on each lot. A 30ft sewer easement runs along the western edge of the site, skirting around one of the existing buildings and then generally heading northeast. The Merrimack River forms the western boundary of the site, and the southwest corner of the site is in the Special Flood Hazard Area.

The two buildings are currently in use as a salon, automotive business, office space, storage, and retail. The applicant would like to expand the current Limelight salon (3 Central St.), currently comprised of five operator stations, into the adjacent unit (5 Central St.) to add six new operator stations, totaling eleven operator stations. This space was previously used as an office for a cabinet company. The Zoning Administrator determined that the expansion constituted a change of use, thereby requiring site plan approval from the Planning Board (**Attachment A**). No site development is being proposed. A small area of asphalt and parking signage is proposed to be removed from the Right-of-Way

#### **EXISTING CONDITIONS**

No site plan of record was discovered during research on this application. From a Zoning perspective, there are pre-existing nonconformities in terms of building setbacks; however there no expansion of non-conformity is proposed. Since no site plan approval can be found, the Applicant is seeking to address pre-existing nonconformities with the Town's site plan regulations with a series of waiver requests discussed later.

According to the Assessor's records, these buildings were erected in 1968 though. Shortly thereafter, the State of New Hampshire expanded their Right-of-Way to accommodate the construction of the Taylors Falls & Veterans Memorial bridges in 1970-1973, taking land from both tracts in the process. These takings may have resulted in additional regulatory conformance issues. The 1969 plan for the ROW expansion is referenced on the Applicant's plans as Reference Plan #1 shown below.



#### WAIVER REQUESTS

Due in part to the discussion above and due in part to the fact that no development is being proposed, the Applicant is requesting waivers from the following site plan related regulations:

- 1. §276-11.1.B(14) Location & details of all exterior lighting
- 2. §276-11.1.B(22) Green area between pavement and Right-of-Way
- 3. §276-11.1.B(24) Open space 35% of site

- 4. §276-11.1.B(25) –No parking or travel way within side or rear setbacks
- 5. §275-8.C(2) Parking calculations
- 6. §275-8.C(4) Parking space dimensions
- 7.  $\S 275-8.C(5)$  Minimum aisle widths
- 8. §275-8.C(7) Parking lot landscaping requirements

Rationale for the waiver requests are provided in a letter dated May 11, 2023 provided in the application materials.

#### DEPARTMENT COMMENTS

See **Attachment A** for comments from the Fire Marshal noting building code requirements for the applicant's and Board's information. These items will be addressed by Inspectional Services of the Fire Department

#### RECOMMENDATIONS

Staff recommends making the procedural determination of whether or not the application constitutes a development of regional impact (DRI). Unless determined to be a DRI, Staff recommends accepting the application and holding a public hearing, followed by deliberation and consideration of waiver requests and approval.

Staff also recommends the Applicant and Planning Board consider identifying, on the plan, that both Personal Services (D.3) and Office (D.17) are proposed for approval at 3 & 5 Central Street as part of this application.

#### **DRAFT MOTIONS**

# I move to determine that site plan application SP# 04-23, 3 Central Street Change of Use Site Plan, (<u>IS or IS NOT</u>) a development of regional impact. Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

#### **ACCEPT** the site plan application:

**REGIONAL IMPACT in accordance with RSA 36:56:** 

I move to accept the site plan application for the 3 Central Street Change of Use Site Plan SP# 04-23; 1, 3, 5, & 9 Central Street, Map 181 Lot 4 & Map 182 Lot 051.

Motion by:	Second:	Carried/Failed:	
•		•	

## To **GRANT** a waiver:

l.	$\S 2/6-11.1.B(14)$ – Location 6	& details of all exterior lighting	ng (no new lighting proposed)
	exterior lighting, based on the	e Board's discussion, the testi ance with the language includ	
	Motion by:	_Second:	Carried/Failed:
2.	§276-11.1.B(22) – Green are	nt-of-Way	
	area between pavement and I the Applicant's representativ Waiver Request Form for sai	Righ-of-Way, based on the Boe, and in accordance with the d waiver.	uire creation of a 35-foot green oard's discussion, the testimony of language included in the submitted
			Carried/Failed:
3.	§276-11.1.B(24) – Open space	ce 35% of site	
	based on the Board's discuss accordance with the language waiver.	ion, the testimony of the Apple included in the submitted W	8.7% open space as is existing, licant's representative, and in aiver Request Form for said Carried/Failed:
1.	§276-11.1.B(25) –No parking		
	setbacks as is existing, based representative, and in accordance Request Form for said waive	on the Board's discussion, the ance with the language includer.	arking and travel way within side e testimony of the Applicant's ed in the submitted Waiver Carried/Failed:
5.	§275-8.C(2) – Parking calcul	ations	
	based on the Board's discuss accordance with the language waiver.	ion, the testimony of the Apple included in the submitted W	-
	Motion by:	_Second:	Carried/Failed:
5.	§275-8.C(4) – Parking space	dimensions	
	existing, based on the Board'	s discussion, the testimony of	ed parking space dimensions as is the Applicant's representative, tted Waiver Request Form for said

	Motion by:	Second:	Carried/Failed:			
7.	7. §275-8.C(5) – Minimum aisle widths					
	existing, based	on the Board's discussion, the tes	ow reduced parking aisle width as is timony of the Applicant's representative, the submitted Waiver Request Form for said			
		Second:	Carried/Failed:			
8.	8. §275-8.C(7) – Parking lot landscaping requirements					
	I move to grant a waiver from §275-8.C(7), to allow reduced parking area landscaping as is existing, based on the Board's discussion, the testimony of the Applicant's representative, and in accordance with the language included in the submitted Waiver Request Form for said waiver.					
	Motion by:	Second:	Carried/Failed:			
I n 18 Hi No Av Fe	nove to approve 1 Lot 004 & Ma Ilsborough Cour orth, Suite 3B, B venue, Nashua, N bruary 2, 2023;	up 182 Lot 051; 1, 3, 5 & 9 Central nty; prepared by: Keach-Nordstrotedford, NH 03110; prepared for: NH 03064; consisting of 2 sheets a and,	m Associates, Inc., 10 Commerce Park Klimas Properties, LLC, 32 Burnham nd general notes 1-14 on Sheet 2; dated			
co wi for	nsideration of th th the Land Use th in the written	te provisions of Article VIII – Nor Regulations with consideration of	omplies with the Zoning Ordinances with conforming Uses, Structures and Lots, and the waivers granted; and for the reasons set stimony and factual representations made by			
Su	bject to, and rev	rised per, the following stipulation	s:			
	-	oulations of approval shall be incore recorded at the HCRD, together	porated into the Notice of Decision, which with the Plan.			
		the Planning Board endorsement strative review by Town Planner a	of the Plan, it shall be subject to final nd Town Engineer.			

Motion by: \_\_\_\_\_Second: \_\_\_\_\_Carried/Failed: \_\_\_\_\_

June 5, 2023

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

Subject:

Non-Residential Site Plan - Klimas Properties, LLC

Tax Map 181; Lot 4 & Tax Map 182; Lot 51

1, 3, 5 & 9 Central Street – Hudson, New Hampshire

KNA Project No. 22-0715-1

Dear Chairman and Board Members:

The above referenced parcels are being submitted for a Change of Use Site Plan approval from the Town of Hudson Planning Board. The properties, located at 1, 3, 5 & 9 Central Street, are approximately 1.17 acres in combined area. The fully developed parcels are currently being utilized as a mixed-use development which includes a salon, automotive business, office space, storage, and retail. The applicant is looking to expand the existing Limelight salon, comprised of five (5) existing operator stations, into the adjacent unit to add six (6) new operator stations for a total of eleven (11) operator stations. The attached documents outline the applicants request for approval. All required information has been included within the submittal package. Keach Nordstrom Associates, Inc. will be present to further discuss the Change of Use Site Plan Application at the scheduled hearing.

Enclosed is the following material for your review and approval:

1. Application for Site Plan Package

2. Application fee: \$602.55

3. Five (5) Full Size Plan sets

4. Fifteen (15) Half Size Plan sets

5. Submittal in a PDF form

If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely.

Katherine Cooper Project Engineer

Keach Nordstrom Associates 10 Commerce Park North, Suite 3

Bedford, NH 03110

Civil Engineering

Land Surveying

Landscape Architecture



## SITE PLAN APPLICATION

Revised August 1, 2022

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

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

The following information is required to filed with the Planning Department no later than 10:00 A.M., Tuesday ONE WEEK prior to the scheduled Planning meeting. The purpose of these materials is hardcopy distribution to Planning Board members, not review. Any plan revisions that require staff review must be submitted no later than 10:00A.M., Tuesday TWO WEEKS prior to the scheduled Planning meeting. Depending on the complexity of changes, more time may be required for review. Please contact the Town Planner if you have any questions on this matter.

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

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

### **SITE PLAN APPLICATION**

Date of Application: May 11, 2023		_ Tax Map #: _182 & 181 Lot #: _051 & 4	
Site Address: 1, 3, 5 & 9 Cer	tral Street		
Name of Project: Non-Reside	ential Site Plan - I	Klimas Properties, LLC	
Zoning District: Business		General SP#:	
Z.B.A. Action:		(For Town Use Only)	
PROPERTY OWNER:		DEVELOPER:	
Name: Klimas Properties, Ll	LC		
Address: 32 Burnham Ave			
Address: Nashua, NH 03064			
Telephone #			
Email: kennyklimas@gmail.	com	-	
PROJECT ENGINEER:		SURVEYOR:	
Name: Paul Chisholm		Chris Hickey, LLS	
Address: 10 Commerce Park North		10 Commerce Park North	
Address: Suite 3, Bedford, NH 03110		Suite 3, Bedford, NH 03110	
Telephone # 603-627-2881		603-627-2881	
Email: pchisholm@keachnordstrom.com		chickey@keachnordstrom.com	
		nsion of the existing Limelight Salon	
into the adjacent unit at 3 (	Central Street.		
	(For Town	Use Only)	
Routing Date:	Deadline Date:	Meeting Date:	
I have no comments	sI have	e comments (attach to form)	
		Date:	
(Initials)			
Department:			
Zoning: Engineering: A	Assessor: Police	e:Fire: DPW: Consultant:	

#### SITE DATA SHEET

PLAN NAME: Non-Residential Site Plan - Klimas Properties, LLC PLAN TYPE: SITE PLAN LEGAL DESCRIPTION: MAP 181 & 182 LOT 4 & 51 DATE: 5/11/2023 1, 3, 5 & 9 Central Street Location by Street: **Business** Zoning: Salon, Automotive, retail, office, and storage Proposed Land Use: Salon, Automotive, retail, office, and storage Existing Use: Retail, Religious, and Residential Surrounding Land Use(s): Number of Lots Occupied: Salon, Automotive, retail, office, and storage 9,517 sf Existing Area Covered by Building: None Existing Buildings to be removed: 9,517 sf (no proposed buildings) Proposed Area Covered by Building: Existing - 18.7% (both lots combined) Open Space Proposed: 35% Open Space Required: 18,325 S.F.: <u>& 32,638</u> Acres: 0.421 & 0.749 Total Area: 0 SF Area Steep Slopes: 0 SF Area in Wetland: 30,000 sf Required Lot Size: 165.30' **Existing Frontage:** 150' Required Frontage: Building Setbacks: Required\* Proposed (Existing) 50' 48.35' Front: 4.69' Side: 15' Rear: 35.7' from Merrimack River 15' 15.99' Map 182 Lot 51

# SITE DATA SHEET (Continued)

Flood Zone Reference:	330011CO514E		
Width of Driveways:	47.84'		
Number of Curb Cuts:	1 Existing		
Proposed Parking Spaces:	44 Existing Spaces		
Required Parking Spaces:	69 Spaces	Salon: 3/operator @ Automotive: 1 empl	oyee + 1 bay = 3
Basis of Required Parking (Use):		Office: 1/300sf @ 1	•
Dates/Case #/Description/Stipulations of ZBA, Conservation Commission, NH Wetlands Board Actions: (Attach stipulations on separate sheet)		Retail: 1/200sf @ 3 Storage: 1/600sf @	•
Waiver Requests			
Town Code Reference: Reg	ulation Description:		
276-11.1.B.(14)	kterior Lighting		-
276-11.1.B.(22) Gi	reen Area		-
276-11.1.B.(24) Op	pen Space		-
276-11.1.B.(25)	arking in Setbacks		-
	arking Calculations		-
275-8.C.(5) M	arking Space Dimer inimum Aisle Width andscaping		-
` ,	, -		

#### SITE PLAN APPLICATION AUTHORIZATION

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

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

Signature of Owner: Klimas Properties	
Print Name of Owner: Klings Proporties LL	L-Kerneth Klimas
If other than an individual, indicate name of organization corporate officers.	on and its principal owner, partners, or
Signature of Developer:	Date:
Print Name of Developer:	

•

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

## WAIVER REQUEST FORM

Name of Subdivision/Site Plan: Non-Residential Site Plan - Klimas Properties, LLC
Street Address: 1, 3, 5 & 9 Central Street
I Kenneth Klimas hereby request that the Planning Board
waive the requirements of item See Attached of the Hudson Land Use Regulations
in reference to a plan presented by Keach-Nordstrom Associates, Inc.
(name of surveyor and engineer) dated February 2, 2023 for
property tax map(s) 181 & 182 and lot(s) 4 & 51 in the Town of Hudson, NH.
As the aforementioned applicant, I, herein, acknowledge that this waiver is requested in accordance with the provisions set forth in RSA 674:36, II (n), i.e., without the Planning Board granting said waiver, it would pose an unnecessary hardship upon me (the applicant), and the granting of this waiver would not be contrary to the spirit and intent of the Land Use Regulations.  Hardship reason(s) for granting this waiver (if additional space is needed please attach the appropriate documentation hereto):
See attached
Reason(s) for granting this waiver, relative to not being contrary to the spirit and intent of the Land Use Regulations: (if additional space is needed please attach the appropriate documentation hereto):
See attached
Signed: Applicant or Authorized Agent



May 11, 2023

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

Subject:

Non-Residential Site Plan - Klimas Properties, LLC

Tax Map 181; Lot 4 & Tax Map 182; Lot 51

1, 3, 5 & 9 Central Street - Hudson, New Hampshire

KNA Project No. 22-0715-1

To Whom it May Concern:

The proposed change of use site plan application is being submitted for approval to allow for the expansion of the existing Limelight Salon, comprised of five (5) existing operator stations, into the adjacent retail space located at 5 Central Street in Hudson, New Hampshire. This expansion proposes to add six (6) new operator stations in the new space for a total of eleven (11) operator stations. The current site is a mixed-use development and will continue to be utilized in that manner after the change of use. The other uses on site have been outlined in the parking notes on the non-residential site plan. The property consists mostly of pavement and buildings with access from Central Street.

If you have questions or comments regarding this project, please contact this office at your convenience.

Sincerely, Kathline Coople

Katherine Cooper **Project Engineer** 

Keach Nordstrom Associates, Inc.

10 Commerce Park North Suite 3

Bedford, NH 03110

May 11, 2023

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

Subject:

Waiver Requests

Tax Map 181; Lot 4 & Tax Map 182; Lot 51

1, 3, 5 & 9 Central Street – Hudson, New Hampshire

KNA Project No. 22-0715-1

The Applicant is requesting waivers from the following sections of the Town of Hudson Site Plan Regulations:

#### • Section 276-11.1.B.(14) Exterior Lighting

Hardship reason(s) for granting this waiver:

This is an existing development. The Applicant is proposing a simple change of use for one unit located in the smaller building. No exterior changes to the existing buildings are proposed. The Applicant will continue to use the existing lighting onsite. Requiring additional site lighting would cause an unnecessary financial hardship for the Applicant.

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

The spirit and intent of this regulation is to provide adequate exterior lighting for safety and security purposes. The existing buildings will continue to utilize the existing exterior lighting. No exterior changes to the existing structures are proposed. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

#### • Section 276-11.1.B.(22) Green Area

Hardship reason(s) for granting this waiver:

This is an existing mixed-use development. The property is fully developed consisting of two buildings and other impervious surface areas. The proposal is for a simple change of use within the smaller of the two buildings to expand the salon. Exterior site improvements are limited. The existing conditions of the site restrict the Applicant's ability to meet the green area requirements without requiring significant changes to the exterior of the site. The scope of the project does not warrant this level of development. Strict conformity would provide an unnecessary hardship for the Applicant.

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

The spirt and intent of this regulation is to provide a green buffer between the development and the road right-of-way. However, this is an existing development. The site has been fully developed for many years, and the project proposes very few changes to the exterior of the site. The proposal is to simply change the use of one unit in the smaller building to expand the existing salon. Therefore, granting the waiver would not be contrary to the spirit and intent of the Hudson Site Plan Regulations.

#### • Section 276-11.1.B.(24) Open Space

Hardship reason(s) for granting this waiver:

This is an existing mixed-use development. The property is fully developed consisting of two buildings and other impervious surface areas. The proposal is for a simple change of use within the smaller of the two buildings to expand the salon. Exterior site improvements are limited. The existing conditions of the site restrict the Applicant's ability to meet the open space requirements without requiring significant changes to the exterior of the site. The scope of the project does not warrant this level of development. Strict conformity would provide an unnecessary hardship for the Applicant.

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

The spirit and intent of this regulation is to provide open space (grass, trees, landscaping, natural growth) on the property to avoid over development of the site. However, this is an existing development. The site has been fully developed for many years, and the project proposes very few changes to the exterior of the site. The proposal is to simply change the use of one unit in the smaller building to expand the existing salon. Approximately 18.7% of the property is in open space. This percentage will be maintained and is not expected to decrease due to the project. Therefore, the spirit and intent of the regulation is maintained.

#### • Section 276-11.1.B.(25) Parking in Setbacks

Hardship reason(s) for granting this waiver:

This is an existing development. The smaller of the two existing buildings is located approximately 4.69-ft from the southerly property line, and the larger building is approximately 19.63-ft away. The property also utilizes a shared driveway with the abutting property to the south (Map 182; Lot 50) which provides a means of access to the larger building. Due to these constraints from the existing site conditions, it is impossible to provide parking and access, in this area, outside of the side yard setbacks.

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

This property was previously developed many years ago. It shares an access drive with the abutting property to the south, and the buildings were built less than 20-ft from the property line. These existing site conditions restrict the Applicant's ability to provide any such buffer here. Therefore, granting this waiver would not be contrary to the spirit and intent of the regulation.

Civil Engineering

Land Planning

Landscape Architecture

#### Section 275-8.C.(2) Parking Calculations

Hardship reason(s) for granting this waiver:

The existing conditions of the site present a hardship for the Applicant, in meeting the parking calculations presented in this section of the Town regulations, as there is no suitable location for additional parking spaces to be provided onsite. The parcels are fully developed consisting mainly of impervious surfaces (paved parking/access & buildings). Parking spaces extend right to the northern and eastern property lines, there is limited spacing between the onsite appurtenances and those of the developed abutting property to the south, and the western border is restricted by the Merrimack River and associated buffer. Current parking conditions appear adequate for the site. The majority of the businesses onsite will remain unchanged by the proposed project. The proposal is for a reasonable expansion of the salon into the adjacent unit that was previously used for retail. This change is not expected to significantly increase the onsite parking demand. Additionally, the Applicant reports that it is typical for only three (3) operators to provide service at the same time in each of the units, which would reduce the parking demand for this use by nearly half.

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

The spirit and intent of this regulation is to provide sufficient off-street parking for the occupants, employees, and visitors that will be utilizing the businesses onsite. The current parking conditions onsite appear adequate. The majority of the businesses onsite will remain unchanged by the proposed project. The proposal is for a reasonable expansion of the salon into the adjacent unit that was previously used for retail. This change is not expected to significantly increase the onsite parking demand. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

#### • Section 275-8.C.(4) Parking Space Dimensions

Hardship reason(s) for granting this waiver:

The parcels were previously developed, including the parking spaces and access aisles, and have been utilized in this manner for many years. The Applicant is requesting a simple change of use for one unit inside the smaller building and is not proposing any exterior changes, with the exception of removing the existing pavement that crosses the property line adjacent to Central Street. Altering the entire parking lot to meet the current regulations would cause an unnecessary financial hardship for the Applicant.

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

The spirit and intent of this regulation is to provide parking spaces of sufficient size for vehicles to park onsite. The existing parking spaces, which have been utilized for many years, has varying dimensions ranging from 15-ft to >20-ft. In fact, many spaces meet or exceed the regulation whereas some fall short of the requirement. The existing lot appears to provide enough space for vehicles to park on the site. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

Civil Engineering

Land Planning

Landscape Architecture

#### • Section 275-8.C.(5) Minimum Aisle Widths

Hardship reason(s) for granting this waiver:

The parcels were previously developed, including the parking spaces and access aisles, and have been utilized in this manner for many years. The Applicant is requesting a simple change of use for one unit inside the smaller building and is not proposing any exterior changes, with the exception of removing the existing pavement that crosses the property line adjacent to Central Street. Altering the entire parking lot to meet the current regulations would cause an unnecessary financial hardship for the Applicant.

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

The spirit and intent of this regulation is to provide access aisles of sufficient width for vehicles to travel safely throughout the site. The existing parking lot, which has been utilized for many years, has varying aisle widths ranging from 22-ft to >24-ft for perpendicular spaces, and 14-ft to >18-ft for angled spaces. In fact, many sections of the existing parking lot meet or exceed the regulation whereas a few sections just fall short of the requirement. The existing lot appears to provide enough space for vehicles to travel safely through the site. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

#### • Section 275-8.C.(7) Landscaping

Hardship reason(s) for granting this waiver:

This is an existing development. The Applicant is requesting a simple change of use for one unit inside the smaller building and is not proposing any exterior changes, with the exception of removing the existing pavement that crosses the property line adjacent to Central Street. The existing site has been utilized as a mixed-use development for many years. Requiring the Applicant to meet the current landscaping regulations would involve many significant exterior changes that would cause an unnecessary financial hardship for the Applicant.

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

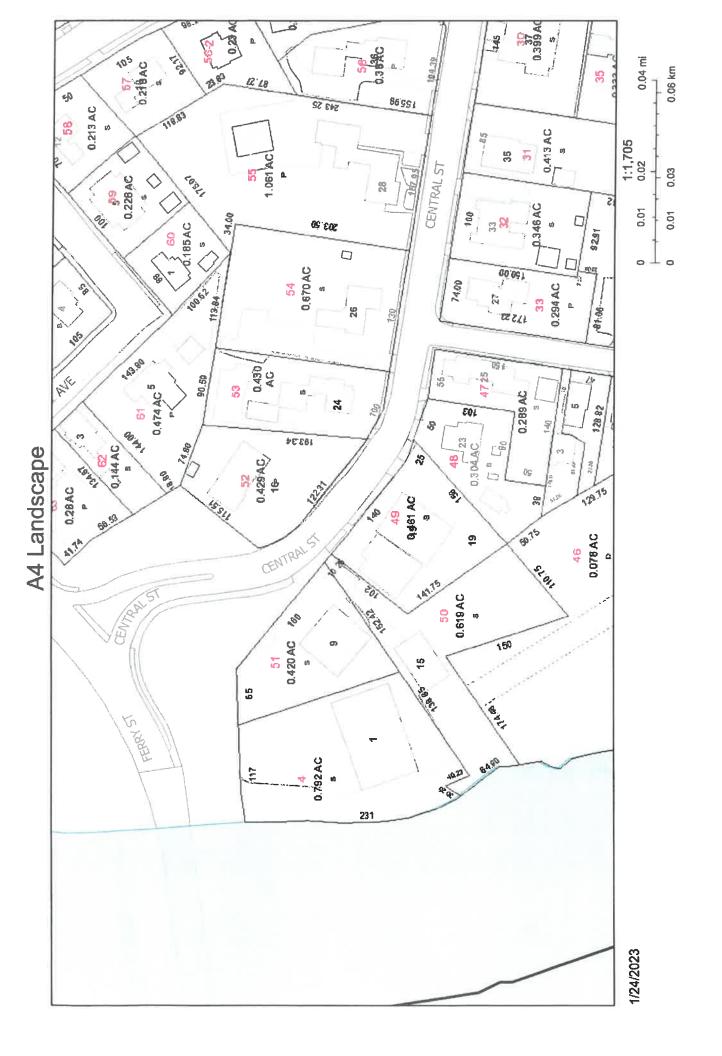
The spirit and intent of this regulation is to provide onsite landscaping in an effort to limit impervious surfaces. The parcels are fully developed, and the Applicant is requesting a simple change of use. Therefore, granting this waiver would not be contrary to the spirit and intent of the Town of Hudson Site Plan Regulations.

#### **Owner Affidavit**

I, <u>Kenneth Klimas</u>, authorized representative of Klimas Properties, LLC and owner of the properties referenced on Tax Map 181 & 182 as Lots 4 & 51, located along Central Street, Hudson, New Hampshire, hereby verify that I have authorized Keach-Nordstrom Associates, Inc. to submit on my behalf, any and all applicable State and local permit applications as they pertain to improvements on said property.

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

Signature of Owner:	and Ma
Printed Name of Owner:	Kenneth Klimas
Address of Owner:	32 Burnham Ave
	Nashua, NH 03064
Date:	2/6/443



# TOWN OF HUDSON SITE PLAN REVIEW CHECKLIST

Key: Y=Yes P=Pending

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

W=Waiver Request

Relevant Regulations: § 276-11.1 General Plan Requirements	
§§ 275-8 – 275-9 Site Plan Requirements	
$\underline{\underline{Y}} \ \underline{\underline{P}} \ \underline{\underline{W}}$	<u>Notes</u>
1. X	
2 X - Sets of plans and copies as indicated on application.	
3. X - Scale no smaller than 50 feet to the inch (1" = 50") [§ 276-11.1.B.(2)]	
4. X   - Title block in the lower right-hand corner of the plan, containing: [§ 276-11.1.B.(3)]	
5. X - Title, including the term "site plan" or "subdivision plan"	
6. X   - The name for whom the plan was prepared	
7. X - Preparer of the plan	
8. X   - The scale(s) of the plan	
9. X	
10. X	
11. X - Approval block (2"x6") located on the lower left corner of each sheet, with the required language and signature lines [§ 276-11.1.B.(4) & § 289-27.A]	
12. X - A space (2"x1.5") adjacent to the approval block containing the required statement [§ 276-11.1.B.(5)]	
13. X Owner's printed name and address and signature [§ 276-11.1.B.(6)]	
14. X - Name and address of all abutting property owners [§ 276-11.1.B.(7)]	
15. X — - A locus plan at one inch equals 1,000 feet (1" = 1,000') [§ 276-11.1.B.(8)]	
(Continue next page)	

#### TOWN OF HUDSON SITE PLAN REVIEW CHECKLIST

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

Key: Y=Yes P=Pending W=Waiver Request	
$\underline{Y}$ $\underline{P}$ $\underline{W}$	<u>Notes</u>
16. X — Boundary of the entire parcel held in single ownership with boundary dimensions and bearings [§ 276-11.1.B.(9)]	
17. X — - Error of closure shown and certified by a licensed land surveyor	
18. X	
19. \( \subseteq \subseteq \) - Zoning classification note of the tract and location of the zoning district boundaries if the property is located in two or more zoning district \( \subseteq \) 276-11.1.B.(10) \( \subseteq \)	
20. X - The location of all buildings within 50 feet of the tract [§ 276-11.1.B.(15)]	*Aerial provided
21. X — - The location of roadways, driveways, travel areas or parking areas within 200 feet of the tract, in accordance with § 276-11.1.B.(16)	*Aerial provided
22. X — Existing topography at two-foot contour intervals of that portion of the tract being proposed for development from a topographic survey and contours on the remainder of the tract from a reliable plan source [§ 276-11.1.B.(17)]	
N/A 23.	
24. X — - A note identifying the Tax Map and Lot Number of the tract [§ 276-11.1.B.(19)]	
25. \( \sum \) \( \sum \) - The location of all existing buildings (including size and height), driveways, sidewalks, parking spaces, loading area, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements landscaping and other pertinent items. [\( \) \( \)	
N/A 26.  - The location of all proposed construction, buildings, structures, pavement, etc. [§ 276-11.1.B.(21)]	
27.   A green area shown between the right-of-way line and any pavement, gravel or structure meeting the required minimum width [§ 276-11.1.B.(22)]	
N/A 28.  - Note any pertinent highway projects. [§ 276-11.1.B.(23)]	
(Continue next page)	

#### TOWN OF HUDSON SITE PLAN REVIEW CHECKLIST

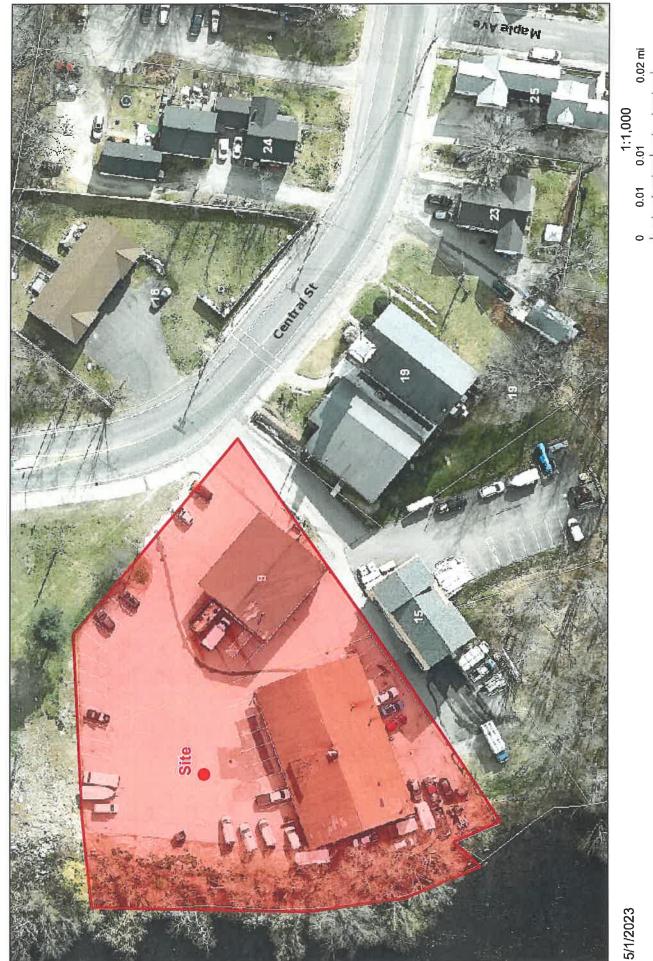
This checklist is intended to help the applicant and staff to ensure application completeness. Please refer to the regulations on the exact language of each requirement.

Key: Y=Yes	P=Pending W=Waiver Request NA=	Not Applicable (please explain)
Y P W	NA .	<u>Notes</u>
30. 🗓 🗌	- The location of all building setback lines required by Chapter 334, Zoning, and lines as required by § 276-11.1.B.(12).	s as setback
31. 🗓 🗌	- The location size and character of all sig note* stating "All signs are subject to a by the Hudson Zoning Administrator p installation thereof." [§ 276-11.1.B.(13	approval prior to
	*The discrepancy on the note langua correct – reference to the Planning B the regulations is outdated.	·
32. 🗌 🖺 🕱	- The location, detail and character of all elighting or a note stating: "There will be exterior lighting." [§ 276-11.1.B.(14)]	•
33. 🗌 🔲 🗓	- Required open space, including the calcustion showing the requirement is met [§ 276-11.1.B.(24)]	llation
34.	- Parking space calculation showing and a statement stating the required parking are provided [§ 275-8.C.(2) & (3)]	spaces
35. 🗌 🖺 🗓	- Required dimensions for parking space [§ 275-8.C.(4)]	
36. 🗌 🖺 🗓	- Required dimensions for aisle/access drives [§ 275-8.C.(5)]	ve
37. X 🔲 🔲	Required off-street loading spaces [§ 275	5-8.C.(6)]
38. 🗌 🔲 🕱	- Required landscaping for the parking lot, including calculation shown the planting requirement is met [§ 275-8.C.(7)]	
39. 🗌 🗎 🗎	X - Required screening for visual separation incompatible uses [§ 275-8.C.(8)]	of
40. 🗓 🗌	- Handicap accessibility provided in accorwith the latest ADA Regulations [§ 275-8.C.(11)]	dance
41. 🔲 🔲 🔲	X - Stormwater Management Plan [§ 275-9.4	A]
42. 🔲 🔲 🔲	X - Traffic Study, if required [§ 275-9.B]	
43. 🗌 🔲 🔲	X - Noise Study, if required [§ 275-9.C]	
(Continue next	page)	

#### TOWN OF HUDSON SITE PLAN REVIEW CHECKLIST

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

Key: Y=Yes	P =Pending	W=Waiver Request	NA=Not Applic	able (please explain)
<u>Y</u> <u>P</u> <u>W</u>	<u>NA</u>			<u>Notes</u>
44. 🔲 🔲 🔲	X - Fiscal Im	pact Study, if required [§	[ 275-9.D]	
45. 🗌 🔲 🔲	X - Utility St	udy [§ <b>275-9.E</b> ]		
46. 🛛 🗌	covena	any proposed or existing this, deed restrictions or a cent pertinent to the Site F	my other similar	
47. 🗌 🔲 🔲		f all applicable Town, sta approvals or application		
48. 🗌 🔲 🔲	X - Environm [§ 275-	nental Impact Study, if re	quired	
(End of checkl	ist)			



5/1/2023

0.02 mi

0.01

0.03 km

0.01

0.01

Return to: Robert B. Welts, Esq. Welts, White & Fontaine, P.C. P.O. Box 507, Nashua, NH 03061 Box 627 Doc# 7032620 Jul 17, 2017 2:39 PM Book 8988 Page 0680 Page 1 of 5 Register of Deeds, Hillsborough County Camela Caughtr





#### WARRANTY DEED

Kenneth J. Rodgers and Patricia A. Rodgers, Trustees of the Kenneth J. Rodgers Revocable Trust under trust instrument dated May 19, 1986 as amended December 27, 1996, of P.O. Box 31, Springfield, County of Sullivan and State of New Hampshire 03284, for consideration paid, grants to Klimas Properties, LLC, a New Hampshire Limited Liability Company, of 32 Burnham Avenue, Nashua, County of Hillsborough and State of New Hampshire 03064, with WARRANTY covenants,

Two tracts or parcels of land with the buildings thereon, situate at 1 Central Street (also known as 1A-C Central Street), and 9 Central Street (also known as 3, 5, 9 Central Street) Hudson, County of Hillsborough and State of New Hampshire. Said tracts are also shown on Property Map, Town of Hudson, Sheet 181 Lot 4, and Sheet 182 Lot 51, last updated by Nashua Regional Planning Commission in 2017. Said two tracts were previously described in prior deeds as the following four tracts:

Beginning at an iron pipe driven into the ground at the northeasterly corner of the following described premises at land now or formerly of Rodgers and Cummings Corporation, said point being 114.1 feet westerly from Central Street in said Hudson, measured on property line between Rodgers and Cummings Corporation; thence

- (1) South 55° 30' West three and 4/10 (3.4) feet to an iron pipe by land of said Rodgers; thence
- (2) South 55° 30' West twenty-nine (29) feet by land of said Rodgers to a stone bound; thence
- (3) South 55° 30' West seventy-five (75) feet to an iron pipe by land of said Rodgers; thence
  - (4) South 55° 30' West thirty-six (36) feet to the bank of said river; thence
- (5) Southerly forty (40) feet to an iron pipe at other land of said Cummings Corporation; thence

- (6) North 72° 15' East one hundred forty-one and 9/10 (141.9) feet by other land of said Cummings Corporation to an iron pipe driven into the ground; thence
- (7) North 63° East twenty-three and 1/10 (23.1) feet by other land of said Cummings Corporation; thence
- (8) North 30° 30′ West seventy-two and 6/10 (72.6) feet by other land of said Cummings Corporation to the point of beginning.

Together with a right of way in common with others over a strip of land lying east of the premises hereinabove described, twelve (12) feet in width, running between other land of said Rodgers and other land of said Cummings Corporation, all as shown on "Plan of Lot to Be Sold to George H. Rodgers, Now Owned by Cummings Corp., Hudson, N.H., Oct. 1, 1950, G. R. Hyde, Surveyor, Nashua, N.H."

Also another certain tract or parcel of land with the buildings thereon situate in said Hudson, bounded and described as follows:

Beginning at a stone bound at the southeasterly corner of the premises on the westerly side of the highway; thence

- (1) South 57 3/4° West parallel with the store building now or formerly of John J. Baker seventy-two (72) feet to a stone bound; thence
- (2) Continuing in the same course about fifty-five (55) feet to the Merrimack River; thence
- (3) Northerly up and by said river eighty-two (82) feet, more or less, to the highway; thence
  - (4) Easterly by said highway to the place of beginning.

Also another certain tract or parcel of land with the buildings thereon situate in said Hudson, bounded and described as follows:

Beginning at a stone bound in the westerly line of Central Street, formerly called Lowell Road, at the southeasterly corner of land now or formerly of Nashua Railway Company; thence

- (1) Southerly by the westerly line of said Central Street to land now or formerly of Cummings Brothers; thence
- (2) South 53 1/2° West by said Cummings land one hundred forty-six and one-half (146 ½) feet to a stone bound, and continuing in the same course by other land now or formerly of said Cummings Brothers to the Merrimack River; thence
- (3) Northerly by said river to the southwesterly corner of said Nashua Street Railway land; thence
- (4) North 32 1/4° East by said Nashua Street Railway land, parallel with the building on said conveyed property, fifty-five (55) feet to a stone bound, and continuing in the same course seventy-two (72) feet to the place of beginning.

Also another certain tract or parcel of land with the buildings thereon situate on the southwesterly side of Central Street in Hudson, County of Hillsborough and State of New Hampshire, more particularly bounded and described as follows:

Beginning at an iron pipe in the southwesterly side of Central Street at the northerly corner of the premises and the easterly corner of other land of Rodgers Realty, Inc.; thence

- (1) South 36° 45' East by said southwesterly side of Central Street one hundred eight and 75/100 (108.75) feet to an iron pin at land now or formerly of C & R Furniture Co., Inc.; thence
- (2) South 70° 12' West by said C & R Furniture Co., Inc. land one hundred six and 22/100 (106.22) feet to a stone bound; thence
- (3) South 79° 06' West by said C & R Furniture Co., Inc. land twenty-two and 40/100 (22.40) feet to an iron pipe at other land of Rodgers Realty, Inc.; thence
- (4) North 30° 33' West by said Rodgers Realty, Inc. land seventy-two and 70/100 (72.70) feet to an iron pipe; thence
- (5) North 55° 30' East by said Rodgers Realty, Inc. land one hundred fourteen and 34/100 (114.34) feet to the place of beginning.

Containing 10,940 square feet, more or less.

Together with a right of way in common with others over a certain driveway lying southerly of the premises hereinabove described and reserving to Rodgers Realty, Inc. and the C & R Furniture Co., Inc., their rights of way over such part of said driveway as lies on or over said premises herein described.

Meaning and intending to describe and convey the same premises conveyed to Kenneth J. Rodgers and Patricia A. Rodgers, Trustees of the Kenneth J. Rodgers Revocable Trust under trust instrument dated May 19, 1986 as amended December 27, 1996, by deed of PAK Rodgers dated August 25, 2005, and recorded in the Hillsborough County Registry of Deeds in Book 7532, Page 1018.

Said premises are not the homestead of Kenneth J. Rodgers or his wife, Patricia A. Rodgers.

Dated this 17<sup>th</sup> day of July, 2017.

Kenneth J. Rodgers Trustee of the Kenneth J. Rodgers Revocable Trust

Patricia A. Rodgers, Trustee of the Kenneth J. Rodgers Revocable Trust

Kenneth J. Rodgers

Patricia A. Rodgers

# STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of July, 2017, by Kenneth J. Rodgers, individually and as Trustee of the Kenneth J. Rodgers Revocable Trust.

Robert B. Wells Notary Public

ROBERT B. WELTS

NOTARY PUBLIC - NEW HAMPSHIRE 
My Commission Expires August 22, 2017

# STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of July, 2017, by Patricia A. Rodgers, individually and as Trustee of the Kenneth J. Rodgers Revocable Trust.

Robert B. Wells

Notary Public

ROBERT B. WELTS

NOTARY PUBLIC - NEW HAMPSHIRE
My Commission Expires August 22, 2017

#### Trustees Certificate (pursuant to R.S.A. 564-A:T)

The undersigned Trustees, as Trustees under the Kenneth J. Rodgers Revocable Trust under trust instrument dated May 19, 1986 as amended December 27, 1996, and thereto have full and absolute power in said trust agreement to convey any interest in real estate and improvements thereon held in said Trust and no purchaser or third party shall be bound to inquire whether the Trustees have said power or are properly exercising said power or to see to the application of any trust asset paid to the Trustees for a conveyance thereof.

Executed this 17<sup>th</sup> day of July, 2017.

Kenneth J. Rodgers, Trustee of the Kenneth J. Rodgers Revocable Trust

Patricia A. Rodgers, Trustee of the Kenneth J. Rodgers Revocable Trust

#### STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 17th day of July, 2017, by Kenneth J. Rodgers, Trustee of the Kenneth J. Rodgers Revocable Trust.

> Robert B Welly Notary Public

STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

ROBERT B. WELTS 🖈 NOTARY PUBLIC - NEW HAMPSHIRE 🛣 My Commission Expires August 22, 2017

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of July, 2017, by Patricia A. Rodgers, Trustee of the Kenneth J. Rodgers Revocable Trust.

> Robert B. Welte Notary Public

ROBERT B. WELTS \* NOTARY PUBLIC - NEW HAMPSHIRE \* My Commission Expires August 22, 2017

Rodgers Realty, Inc., a New Hampshire corporation having a place of business in Hudson, Hillsborough County, New Hampshire, for consideration received, grants to the Town of Hudson, a municipal corporation established under the laws of the State of New Hampshire, the easements described hereinbelow:

A permanent easement thirty (30) feet wide, fifteen (15) feet on each side of the centerline of the sewer line, as shown on the Plan referred to hereinbelow, and a construction easement fifty (50) feet wide, twenty-five (25) feet on each side of said sewer line running through land of the grantor situated on Ferry and Central Streets in said Hudson.

Said easements begin on said centerline at station 22+39, more or less, at land now or formerly of C & R Furniture Co., Inc. and end at station 25+70, more or less, at Ferry Street, said centerline being shown on plan entitled "TOWN OF HUDSON Proposed Easement On Land Of: Rodgers Realty Inc. HUDSON, N.H." dated February 1, 1974, revised December 6, 1977, and recorded in the Hillsborough County Registry of Deeds as Plan No. 10854.

The permanent easement includes the right to lay, construct, reconstruct, operate, maintain, replace and remove a sewer pipe line, with manholes and manhole covers as shown, with appurtenances, and all other rights and benefits necessary or convenient for the full enjoyment and use of the rights granted, including, but without limiting the same to, the right of ingress and egress over, under and across said permanent easement.

It is agreed that within these described easements, the grantor conveys to the Town the right to remove trees, bushes, undergrowth, and other obstructions interferring with the location, construction, maintenance and replacement of said sewer line The grantor further agrees that no building or structure will be constructed within or over the permanent easement.

The Town, by acceptance of this deed, agrees to do no unnecessary damage to the premises and to return the soil to as near the original grade as is practical.

Said construction easement shall be used during construction and installation of the sewer line and may be used in replacing or repairing the line.

Excepting from the above, that area where existing permanent structures are located.

There is no monetary consideration for this conveyance.

WITNESS its hand and seal this 23 nd day of Seconder 1977 KOS H.C. X. WALLES

WITNESS:

RODGERS REALTY

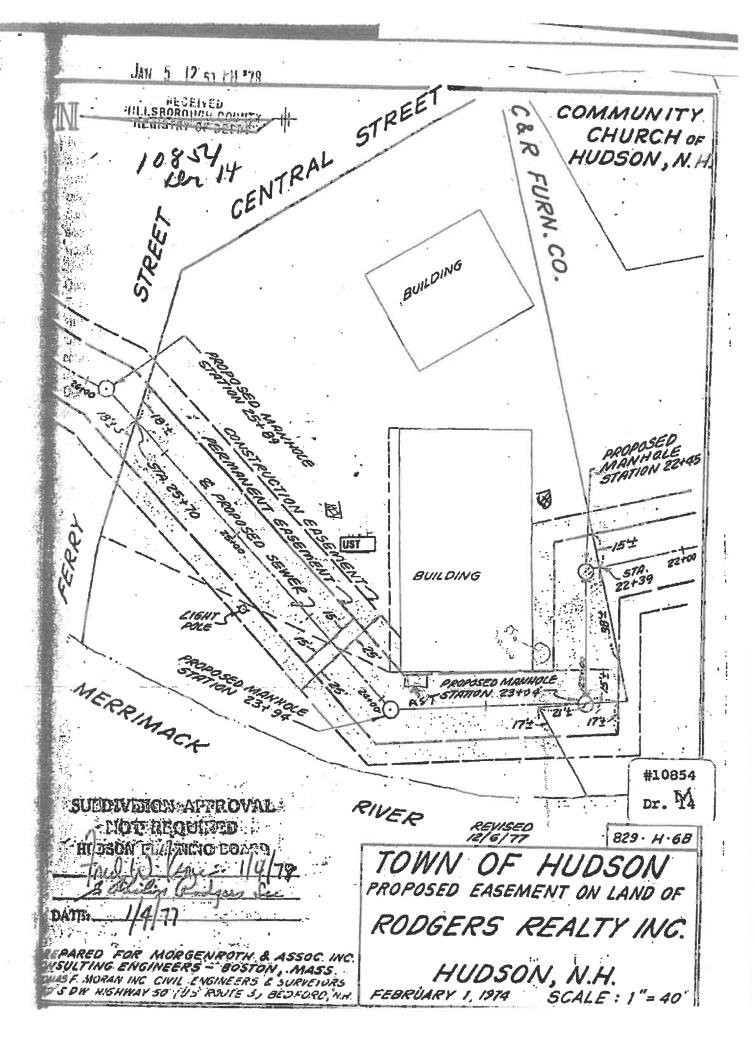
STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

On this the 3 day of Scorlor, 1977, before me, the undersigned officer, personally appeared of Rodgers Realty, Inc. and that he as such president being authorized so to do, executed the foregoing instrument for the numbers of the president of the personal transfer the numbers of the personal transfer the numbers of the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as pusded In Witness Whereof I have hereunto set my hand.

Lustice of the Peace

BK-2583 PGE-63

SMITH, WELTS & CURRIER PROFESSIONAL ASSOCIATION ATTORNEYS AT LAW 47 FACTORY STREET NASHUA, NEW HAMPSHIRE



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BOOK In Witness Whereof have hereunto set our hands and seals this in the year of our Lord, one thousand nine hundred and fifty. PAGE Signed, sealed and delivered in the presence of us:

State of New Hampshire County of Hillsborough

On this the

3/st day of Qct. , 1950 , before me

, the undersigned officer, personally appeared Michael Pirog, Sophia Richard, Ann Pirog and Roland J. Richard , known to me (or satisfactorily proven) to be the persons whose names / subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public

Received and recorded

M., November 2, 1950

Examined by

Souat

## Know all Men by these Presents,

That Cummings Corporation, a corporation duly organized under the laws of the State of New Hampshire, having its principal place of business in Hudson in the State of New Hampshire. in consideration of one dollar and other valuable considerations paid by Ella M. Rodgers of Hudson in the County of Hillsborough and State of

New Hampshire,

the receipt whereof it does to be hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given, granted, bargained, sold and conveyed, and do es for itself and its/ hereby acknowledge, have given granted, bargained, sold and conveyed, and do es for its leaf and its/ hereby acknowledge, have given granted, bargained, sold and conveyed, and do es for its leaf and its leaf a

her heirs and assigns, forever,

A certain tract or parcel of land situated on the easterly side of the Merrimack River in Hudson in the County of Hillsborough and State of New Hampshire and bounded and described as follows:

Beginning at an iron pipe driven into the ground at the Northeast corner of the following described premises at other land of said Rodgers and Cummings Corporation, said point being 114.1 feet westerly from Central Street in said Hudson, measured on property line between Rodgers and Cummings Corporation; thence

(1) South 55° 30' West three and four tenths (3.4) feet to iron pipe by land of

said Rodgers; thence

(2) South 55° 30' West twenty-nine (29) feet by land of said Rodgers to a stone bound: (3) South 55° 30' West seventy-five (75) feet to iron pipe by land of said Rodgers; thence (4) South 55° 30' West thirty-six (36) feet to bank of said river; thence 5) Southerly forty (40) feet to iron pipe at other land of said Cummings Corporation; thence (6) North 72° 15' East one hundred forty-one and nine tenths (141.9) feet by other land of said Cummings Corporation to an iron pipe driven into the ground; thence
(7) North 63° East twenty-three and one tenth (23.1) feet by other land of said Cummings Corporation; thence
(8) North 30° 30' West seventy-two and six tenths (72.6) feet by other land of said Cummings Corporation to the point of beginning. Meaning and intending to convey a portion of the premises conveyed to the grantor by deed of Bertha C. Nokes dated April 1, 1946, recorded in Volume 1103, page 48 of the Hillsborough County Registry of Deeds. Together with a right of way in common with others over a strip of land lying east of the premises hereinabove described, twelve (12) feet in width, running between other land of said Rodgers and other land of said Cummings Corporation, all as shown on "Flan of Lot to Be Sold to George H. Rodgers, Now Owned By Cummings Corp. Hudson, N. H., Oct. 1, 1950, G. R. Hyde, Surveyor, Nashua, N. H., " to be recorded herewith. Nashua, New Hampshire, November 1, 1950.
The mortgage of Cummings Corporation to Nashua Trust Company, dated April 1, 1946, and recorded in Volume 1104, Page 224, of the Hillsborough County Registry of Deeds, is hereby discharged with respect to the premises described in this deed, and not otherwise. ASHUA TRUST COMPANY. usssunk 1 SOLEAR 1 TO HAVE AND TO HOLD the afore described premises, with all the privileges and appurtenances thereunto belonging to the said grantee, its successors and assigns

the ir use and behoof forever. And it was covenants with the said grantee her heirs and assigns, that it is premises; that they are free of all incumbrances; that it has xxxx covenants with the said grantee lawfully seized in fee of the aforedescribed thas issue good right to sell and convey the same it and its xandssuccessors is as will warrant and to the said grantee in manner aforesaid; and that defend the same premises to the said grantee, her heirs and assigns forever, against the lawful claims and demands of all persons. inconsideration alone subphohenelog celeane xightxxxxtx hencetane and extraction at teath premises. And we and each of us, hereby release our several rights of Homestead in said premises under and by to virtue of any law of this State. See cute this deed in the corporation has caused its duly authorized officer to virtue of any law of this State. See cute this deed in the name of the corporation and to affix hereto IN WITNESS WHEREOF See this deed in the name of the corporation and to affix hereto the day of the corporate seal this in the year of our Lord one thousand, nine hundred and fifty. Signed, sealed and delivered in presence of witness to both State of New Hampshire County of Hillsborough County of Hillsborough.

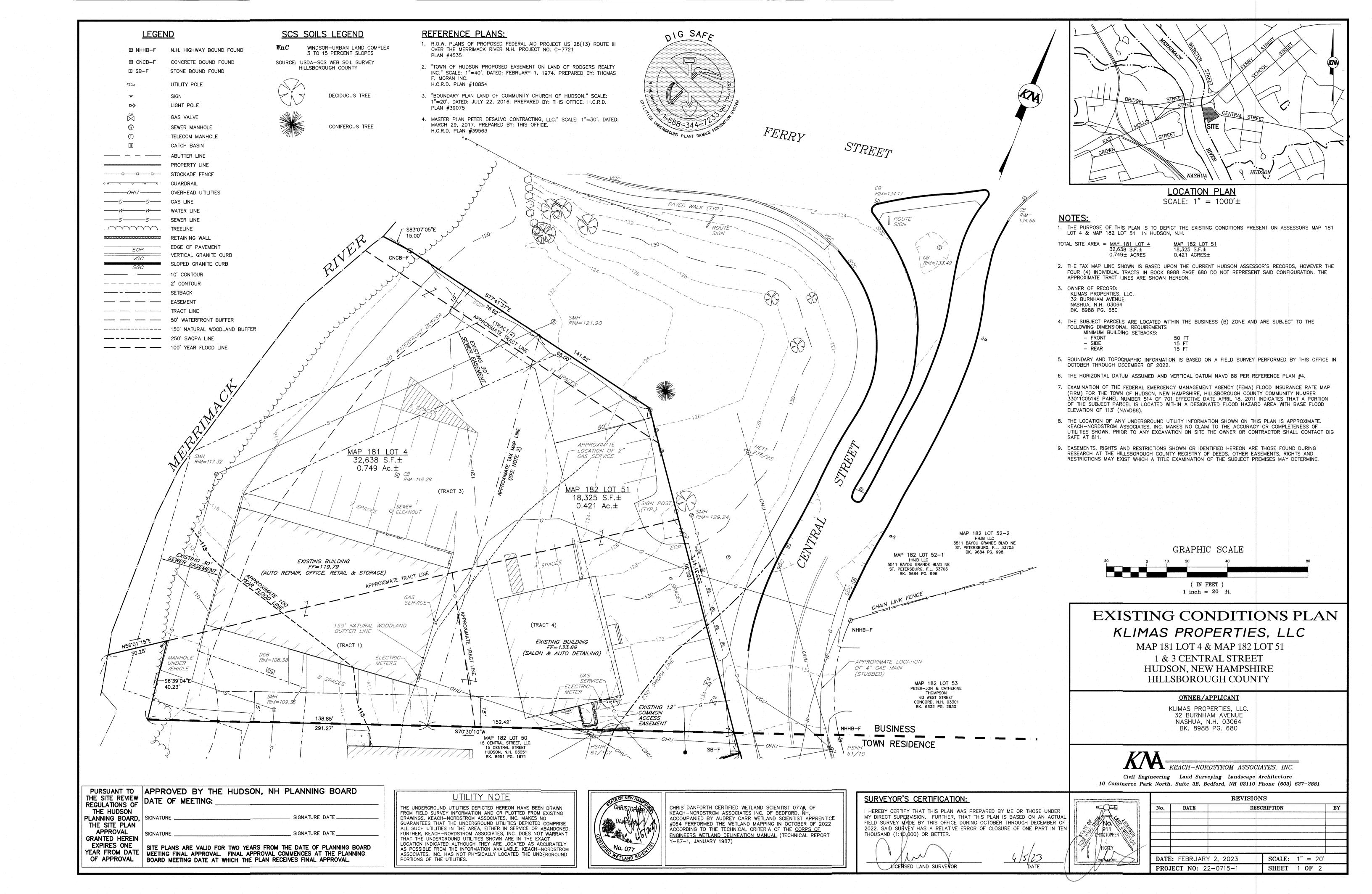
On this the first day of rescale, 1950, before me, who acknowledged himself to be the highest of Cummings Corporation, a corporation, and that they as such rescaled the least, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by Thanself as Checkent and the same happened by the second that the same happened by the second that the same happened by the same of the corporation by Thanself as the same whereof I hereunto set my hand and efficial same. Justice of the Peace.

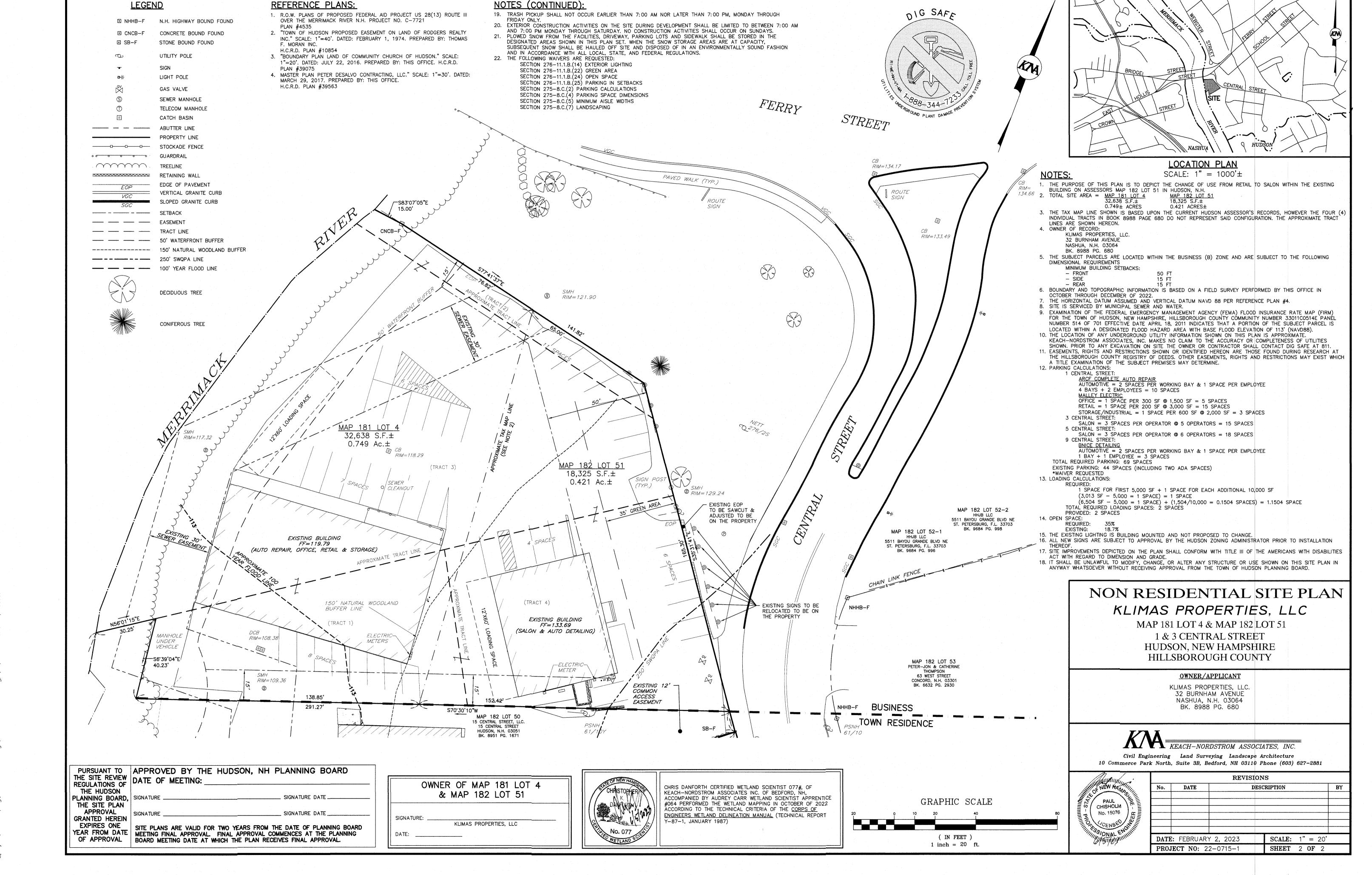
Examined by

- su of Porsivery

HILLSBOROUGH SS: Received and recorded 4-20 P. M., November 2, 1950

Register





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