

# **98 HIGHLAND STREET**

## **DRIVEWAY WAIVER REQUEST**

### **STAFF REPORT**

June 24, 2026

**SITE:** 98 Highland Street; Map 167, Lot 013-000

**ZONING:** Residential 2 (R-2)

**PURPOSE OF WAIVER:** To allow a cumulative driveway width of approximately 58 feet where 50 feet is the maximum width allowed per §193-8(F) – Design criteria.

**PLANS UNDER REVIEW:** Driveway Layout Plan from the Applicant.

- A. Memo from Town Planner, dated June 17, 2025 and Driveway Permit Application, dated May 27, 2026 – Attachment “A”.
- B. Request Memo and layout from Kevin Burns, dated June 4, 2026 – Attachment “B”.
- C. Departmental Comments – Attachment “C”.

### **APPLICATION TRACKING:**

- June 4, 2026 – Driveway Waiver Request received.
- June 24, 2026 – Meeting scheduled.

### **COMMENTS & RECOMMENDATIONS:**

#### BACKGROUND

The subject property is currently developed with a single-family dwelling and an attached carport. The site includes an existing 18-foot-wide driveway located along the west side of the lot, as well as a retaining wall situated within the front yard area.

The applicant is requesting approval to pave the area adjacent to the retaining wall to address ongoing drainage and erosion concerns. According to the applicant, stormwater runoff frequently washes sand from the roadway and deposits dirt across the driveway, contributing to the deterioration of the existing pavement over time. Limiting the proposed paving to a distance of 50 feet would not allow the full area in front of the retaining wall to be paved, thereby reducing the effectiveness of the proposed improvements in mitigating these conditions.

#### STAFF COMMENTS

**Waiver Requested:** The applicant is requesting a waiver to §193-8(F) within the Driveways Regulations Chapter, which reads:

Maximum cumulative DRIVEWAY width of 50 feet, except that a DRIVEWAY may be flared beyond a width of 50 feet, at and near its junction with the HIGHWAY, to accommodate the turning radius of vehicles expected to use the particular DRIVEWAY.

The proposed driveway expansion cannot take place without a waiver from the Planning Board.

DEPARTMENTAL COMMENTS

Engineering Department, Zoning Department, DPW, and Fire all had “No comment”.

Complete comments can be found in Attachment “C”.

**DRAFT MOTIONS:**

**APPROVE the driveway waiver:**

**Driveway Width - To GRANT a waiver:**

I move to grant a waiver from §193-8(F) Design criteria - regarding the maximum cumulative driveway width to exceed 50 feet, 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: \_\_\_\_\_

**DENY the driveway waiver:**

I move to deny the driveway waiver for 98 Highland Street, Map 167, Lot 013-000, based on the following: \_\_\_\_\_.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_



# TOWN OF HUDSON


## Planning Department

12 School Street  
Hudson, New Hampshire 03051

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Brooke Dubowik, Town Planner  
bdubowik@hudsonnh.gov · Tel: 603-886-6008 · Fax: 603-816-1291

To: Tim Malley, Chairman, Planning Board

From: Brooke Dubowik, Town Planner 

Date: June 17, 2026

Re: 98 Highland Street Driveway Waiver Request

The subject property is improved with a single-family dwelling, an attached carport, and an existing 18-foot-wide driveway located along the west side of the lot. The applicant is requesting approval to extend paving beyond the 50-foot limitation to include the area adjacent to the existing retaining wall.

According to the applicant, stormwater runoff routinely washes sand and debris from the roadway onto the driveway, contributing to the deterioration of the existing pavement. Limiting the paving to 50 feet would leave a portion of the affected area untreated and reduce the effectiveness of the proposed improvements.

Staff finds that the request is intended to address an existing drainage and erosion concern rather than expand parking or intensify the use of the property. As such, staff supports the requested waiver and recommends approval, as the proposal is consistent with the intent of the regulations and is not anticipated to adversely impact neighboring properties or the character of the neighborhood.



Town of Hudson, NH  
**DRIVEWAY PERMIT**

Hudson Fire - Inspectional Services Division  
 12 School Street  
 Hudson, NH 03051  
 603-886-6005

**Permit Number**  
 2026-00525  
**Date of Issue**  
 5/27/2026  
**Expiration Date**  
 11/23/2026

**Owner:** BURNS, KEVIN M. TRUDEL, SCOTT A.

**Applicant:**

**Location of Work:** 98 HIGHLAND ST  
 (No. and Street) (Unit or Building)

**Description of Work:** Widening driveway area near the street. Paved area can not be wider than 50 feet where it connects with the road, unless a Variance has been issued.

**ZONING DATA:** District: Map\Lot: 167-013-000

**REMARKS:**

A FINAL DRIVEWAY INSPECTION IS REQUIRED. PLEASE CALL 603-886-6008 TO SCHEDULE ONCE COMPLETE.

DRIVEWAYS GREATER THAN 150 FEET IN LENGHT MUST BE A MINIMUM OF 12 FEET WIDE.

<b>Permit Holder:</b>	(Taking Responsibility for the Work)		
<b>Company/Affiliation:</b>	<b>Job Site Phone Number:</b>		

<b>Constr Cost:</b>	\$0	<b>Permit Fee:</b>	\$50.00	<b>Check No.:</b>	1169	<b>Cash:</b>	\$0.00
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**The Permit Card Shall be Posted and Visible From the Street During Construction**

**This permit authorizes all code officials, inspectors, and assessors or their agents to conduct inspections from time to time during and upon completion of work which this permit is issued**

Code Official	Permit Holder	5/27/2026 Date
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Town of Hudson
Driveway Permit Application

OFFICE USE CK# 1169
Application Fee \$50.00
Receipt # 867,181
Date: 5/26/26
Permit # 2026-00525

Date 5-27-26 Map 167 Lot 013-000

Driveway Address 98 HIGHLAND ST.

Applicant Name DAVID THERIAULT Telephone # 887-7283

Applicant Address 10 ASLIPPY DR ANTONIO ST. N.J. 03021

Email Address SALES@TSIPAVE.COM Cell Phone # 603-345-2561

Driveway grade percent (% 12% (10% maximum grade).

Driveway surface (check one): [X] Paved [ ] Gravel [ ] Stone

Length of driveway from street to end 12 ft.

Width of driveway at street entrance 21 ft.

At the point of intersection with the street, the driveway, at a 3.5 ft. elevation above the driveway grade, shall provide in both directions of the street an AASHTO Stopping Sight Distance on grades, as shown in Table 3.2, A Policy on Geometric Design of Highways and Streets 2018, 7th Edition.

Sight distance: Left Right Speed Limit:

Distance to nearest intersection: Left Right

Proposed roadway drainage improvements:

- [ ] Swale [ ] Curb & Catch Basins [ ] Other (describe)

Special conditions requested (e.g., construct a turnaround at end of driveway):

\* No Water Shut-offs and/or Sewer Clean-outs will be allowed on new residential driveways.
\* Single and two-family dwellings must have a minimum driveway width of 12 feet for driveways that are longer than 150 feet in length.



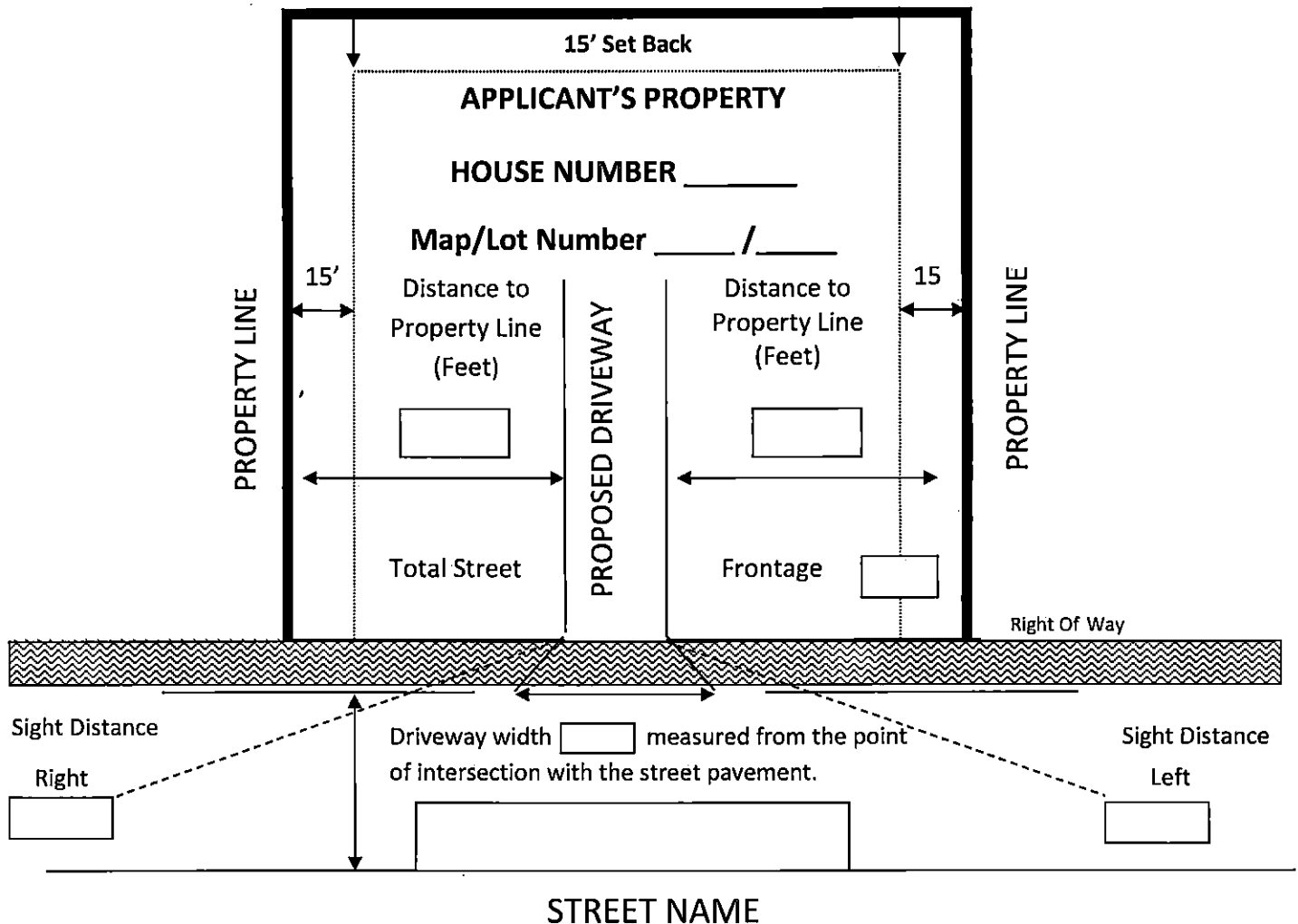
Town of Hudson  
Driveway Permit Application

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**Driveway Layout Plan**

In the below Driveway Layout Plan, please fill-in all blank boxes with their respective actual measurements in feet. In accordance with the Planning Board’s Driveway Regulations, Chapter 193, the minimum setback for driveways is 15 feet from side and rear lot lines. Also, driveways shall intersect with the adjoining street at 90° (degrees), and the dimensions indicated below must include the street frontage of the parcel.

**\* A Plan and Profile will be required for any driveway accessing public roads.**





TOWN OF HUDSON  
DRIVEWAY PERMIT APPLICATION  
AND NH RSA 36-A: 4 (III) DISCLOSURES

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By filing this application, the owner(s) hereby grants permission to the members of the Hudson Planning Board and Conservation Commission, as well as their assigned agents, to enter upon the associated property at all reasonable times and for the express purpose of conducting examinations, surveys, tests and inspections as may be appropriate to enable the office of the Town Engineer to process this application. I/we also hereby waive and release any claim or right I/we may have now or hereafter against any of the aforementioned parties resulting from said examinations, surveys, tests and inspections conducted on my/our property in connection with this application.

I/we hereby attest to the accuracy of the information submitted herein, including any attachments, and acknowledge that any inaccuracies or omissions can result in revocation of this permit and loss of any rights, vested or otherwise to this permit.

The undersigned hereby acknowledges that before signing this application s/he/they read this application form that contains the follow disclosure as required by NH RSA 36-A:4 (III). The inspection to be conducted by the Hudson Conservation Commission is undertaken to evaluate the impact of the proposed permit on protected wetlands and wetland buffers as defined in Article IX – Wetland Conservation District – Town of Hudson Zoning Ordinance, §§334-33 through 334-39. The specific features to be studied by the Hudson Conservation Commission would be the area of land that is subject to the activity described in the permit application, and associated landforms, wetlands, and water bodies. The data to be collected by the Conservation Commission will be collected through personal observation by the Conservation Commission members and those observations may be recorded through hand written notes and through digital and cell phone photography. In addition to members of the Hudson Conservation Commission, inspection and data collection may also be carried out by the Public Works Director, the Hudson Fire Department and the Hudson Town Engineer or his designee. The Information collected by the Conservation Commission, or other representatives of the Town of Hudson, would then be further distributed through public discussion at Conservation Commission and Planning Board meetings and that information may also be committed to written documents that may be distributed by the Community Development Department to other interested parties, including but not limited to, the New Hampshire Department of Environmental Services, the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the United States Environmental Protection Agency and members of the public. The possible known consequences of this inspection and data collection include, and are not limited to, denial of a special exception to construct the proposed driveway, the requirement to redefine and readjust a wetland boundary and designation and the associated costs to the applicant for the hiring of a wetlands scientist for this purpose, possible code enforcement actions by the Town of Hudson to abate observed violations of the Hudson Zoning Ordinance and Land Use Regulations and possible enforcement actions against the applicant for violations of State or Federal Law.

Signature(s) of Applicant

date

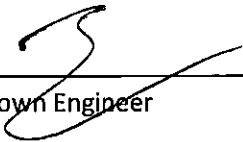
Town of Hudson  
Driveway Permit Application

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Routing Sheet

[FOR OFFICE USE ONLY]

\*\*Reviewed by Road Agent if connecting to existing Town accepted road

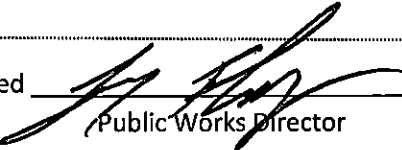
Approved

  
Town Engineer

5/12/26  
Date

Comments/stipulations

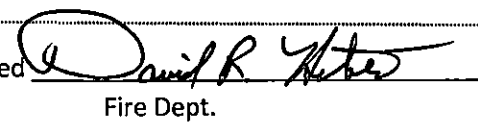
Approved

  
Public Works Director

6/3/26  
Date

Comments/stipulations

Approved

  
Fire Dept.

5/27/26  
Date

Comments/stipulations

Driveway satisfactorily completed

\_\_\_\_\_  
Civil Engineer / Town Engineer

\_\_\_\_\_  
Date

Comments/Final Inspection



AC

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Buf

98

84

524.57 ft<sup>2</sup>

*No larger than 50' wide*

Highland St

Kevin Burns  
 98 Highland St, Hudson, NH  
 Phone # 603 234 3261  
 Email, blindmansluck71@yahoo.com

**RECEIVED**

JUN 04 2026

TOWN OF HUDSON  
 PLANNING DEPT.

The reason I am looking for additional pavement that is allowed up to the road is: Rainwater is constantly washing up sand from the road. As well as dirt across my driveway and underneath. It is causing my driveway to deteriorate. My retaining wall is 40 ft. It travels along Highland st.

F.T.I., stop proposed pavement at the 50 ft. you allow, that will only bring it 3/4 of the way down my wall. and therefore looks unfinished. I am looking for a waiver for additional footage to pave the end of the wall.

Due to constant flow damage, weeds etc.

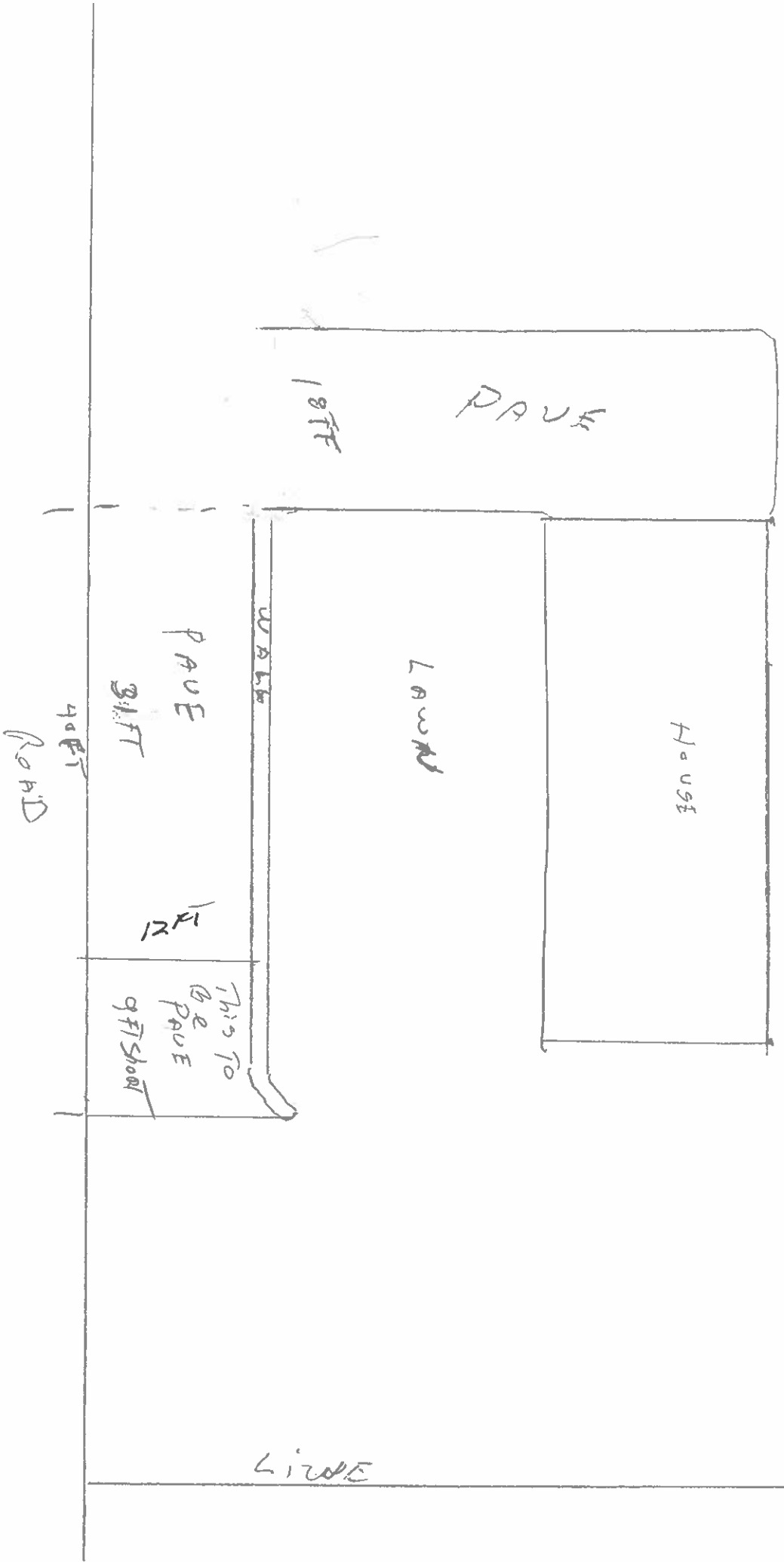
This would make my property look much cleaner. It would allow for easier plowing and provide additional parking if needed.

Thank You So Much

Sincerely

Kevin Burns

KEVIN BURNS      603-239-3261  
98 HIGHLAND ST.  
AUBURN  
YARD



**Dubowik, Brooke**

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**From:** Dhima, Elvis  
**Sent:** Thursday, June 4, 2026 3:25 PM  
**To:** Gradert Benjamin; Twardosky, Jason  
**Cc:** Kirkland, Donald; Dubowik, Brooke  
**Subject:** RE: Driveway Waiver - 98 Highland

No comment

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**TOWN OF HUDSON NH**

Elvis Dhima, P.E. – Development Services Director  
12 School Street  
Hudson, NH 03051  
(603) 886-6008

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**From:** Gradert Benjamin <bgradert@hudsonnh.gov>  
**Sent:** Thursday, June 4, 2026 11:11 AM  
**To:** Twardosky, Jason <jtwardosky@hudsonnh.gov>; Dhima, Elvis <edhima@hudsonnh.gov>  
**Cc:** Kirkland, Donald <dkirkland@hudsonnh.gov>; Dubowik, Brooke <bdubowik@hudsonnh.gov>  
**Subject:** Driveway Waiver - 98 Highland

All,

See attached for the submitted letter and depiction for 98 Highland. In lieu of the normal signoff form a response via email will suffice. The intent is for this to go in similar to a bond or the like, and not a full-blown hearing of the board.

Brooke, if there are any other departments you feel are pertinent let me know and I can loop them in.

Thank you,



**TOWN OF HUDSON NH**

Ben Withham-Gradert – Associate Planner  
12 School Street  
Hudson, NH 03051  
(603) 886-6008

## Dubowik, Brooke

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**From:** Twardosky, Jason  
**Sent:** Thursday, June 4, 2026 2:08 PM  
**To:** Gradert Benjamin; Dhima, Elvis  
**Cc:** Kirkland, Donald; Dubowik, Brooke  
**Subject:** RE: Driveway Waiver - 98 Highland

No comment.



### TOWN OF HUDSON NH

Jason Twardosky,  
Director of Public Works  
2 Constitution Dr.  
Hudson, NH 03051  
(603) 886-6018

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**From:** Gradert Benjamin <bgradert@hudsonnh.gov>  
**Sent:** Thursday, June 4, 2026 11:11 AM  
**To:** Twardosky, Jason <jtwardosky@hudsonnh.gov>; Dhima, Elvis <edhima@hudsonnh.gov>  
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