



# TOWN OF HUDSON

## Zoning Board of Adjustment



J. Bradford Seabury, Chairman      Ben Nadeau, Selectmen Liaison

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### HUDSON ZONING BOARD OF ADJUSTMENT MEETING MINUTES October 24, 2013

#### I. CALL TO ORDER

Chairman Seabury called this meeting of the Hudson Zoning Board of Adjustment to order at 7:32pm on Thursday, October 24, 2013, in the Paul Buxton Meeting Room in the Town Hall basement. Chairman Seabury then requested Clerk Davis to call the roll. Those persons present, along with various applicants, representatives, and interested citizens, were as follows:

#### Members

**Present:** Jim Pacocha, Mike Pitre, Donna Shuman, and J. Bradford Seabury

#### Members

**Absent:** Normand Martin (Excused)

#### Alternates

**Present:** Maryellen Davis, Gary Dearborn, Kevin Houle, and Marilyn McGrath

#### Alternates

**Absent:** Maurice Nolin (Excused)

#### Staff

**Present:** William Oleksak, Zoning Administrator

**Recorder:** Trish Gedziun

## **II. SEATING OF ALTERNATES AND ANNOUNCEMENTS**

For the benefit of all attendees, Chairman Seabury noted that copies of the agenda for the meeting, as well as an outline of the rules and regulations governing hearings before the Zoning Board of Adjustment, were available at the door of the meeting room. He noted the outline included the procedures that should be followed by anyone who wished to request a rehearing in the event the Board's final decision was not felt to be acceptable. Chairman Seabury pointed out that the Board allowed rehearings only if collectively convinced by a written request that the Board might have made an illogical or illegal decision or if there were positive indications of new evidence that for some reason was not available at the hearing.

Chairman Seabury seated Ms. McGrath in place of Mr. Martin, who was excused.

Chairman Seabury stated that the Board would hear case #2, first, as there was no one present to speak on behalf of case #1.

Ms. McGrath stated that she would step down from the case, as she was a regular voting member of the Planning Board and had heard the case a number of times. Ms. McGrath then left the meeting.

Chairman Seabury then seated Mr. Houle in place of Mr. Martin, who was excused.

Chairman Seabury stated that he would step down from the case and he handed the gavel over to Vice Chairman Pitre.

Acting Chairman Pitre seated Mr. Dearborn in place of Mr. Seabury, who had stepped down.

## **III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD**

2. **Case 170-038-000 (10/11/13): Century Park, LLC, the appealing party. This is an appeal pursuant to RSA 676:5 III of so much of the September 11, 2013, decision of the Town of Hudson Planning Board as determined that the applicant, John W. Jamer/Unicorn Industrial Park (the "Applicant"), could construct a building within 50 feet of Hudson Park Drive, contrary to Section 334-27.2 of the Hudson Zoning Ordinance.**

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Clerk Davis read aloud the posted notice, as recorded above.

Attorney Brad Westgate and Attorney David Rayment on behalf of the application, requested a short break before the case was heard.

Acting Chairman Pitre declared a break at 7:43pm, calling the meeting back to order at 8:02pm.

Acting Chairman Pitre asked who was present to speak in favor with regard to the application.

Attorney Westgate and Attorney Rayment requested that the case be deferred to the next available meeting, date specific, to December 12, 2013.

Mr. Dearborn made a motion to defer the case, date specific, to the December 12, 2013, meeting.

Mr. Houle seconded the motion.

VOTE: Acting Chairman Pitre asked Clerk Davis to poll the Board on the motion to defer the case, date specific, to the December 12, 2013, meeting and to record the members' votes, which were as follows:

Mr. Dearborn	To defer
Mr. Houle	To defer
Ms. Shuman	To defer
Mr. Pacocha	To defer
Mr. Pitre	To defer

Acting Chairman Pitre declared that, there having been five votes to defer the case, date specific, to the December 12, 2013, meeting, the motion had carried.

Mr. Seabury returned to his seat as Chairman with Mr. Pitre returning to his seat as a regular voting member of the Board, and Mr. Dearborn returned to his seat as a non-voting alternate.

- 1. Case 222-029-000 (9/12/13): Maiko Veilleux, 23 Wason Road, Hudson, NH, requests an Accessory Living The Unit (ALU) for an existing living unit in the basement that was established prior to the purchase of the house. They were unaware that it was illegal, and now want to rectify that issue. [Map 222, Lot 029, Zoned G, HZO**

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**Article XIII A, Section 334-73.8. Existing legal nonconforming and illegal Accessory Living Units.]**

Chairman Seabury stated that the applicant or applicant’s representative had still not arrived.

Ms. Shuman made a motion to defer the case, date specific, to the December 12, 2013, meeting.

Mr. Houle seconded the motion.

VOTE: Chairman Seabury asked Clerk Davis to poll the Board on the motion to defer the case, date specific, to the December 12, 2013, meeting and to record the members’ votes, which were as follows:

Ms. Shuman	To defer
Mr. Houle	To defer
Mr. Pacocha	To defer
Mr. Pitre	To defer
Mr. Seabury	To defer

Chairman Seabury declared that, there having been five votes to defer the case, date specific, to the December 12, 2013, meeting, the motion had carried.

**VI. ADJOURNMENT**

All scheduled items having been processed, Mr. Pitre made a motion to adjourn the meeting.

Ms. Shuman seconded the motion.

VOTE: All members voted in favor. The motion passed unanimously.

Chairman Seabury declared the meeting to be adjourned at 8:16pm.

Date: November 5, 2013

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J. Bradford Seabury, Chairman

Recorder: Trish Gedziun