



# 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 July 25, 2013

#### I. CALL TO ORDER

Chairman Seabury called this meeting of the Hudson Zoning Board of Adjustment to order at 7:40pm on Thursday, July 25, 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:** Normand Martin, Donna Shuman, J. Bradford Seabury

#### **Members**

**Absent:** Jim Pacocha and Mike Pitre (Both Excused)

#### **Alternates**

**Present:** Maryellen Davis, Gary Dearborn, Kevin Houle, Marilyn McGrath, & Maurice Nolin

#### **Alternates**

**Absent:** None

#### **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 Mr. Houle in place of Mr. Pacocha, and seated Mr. Nolin in place of Mr. Pitre, who were both excused.

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

1. **Case 186-012-000 (7/25/13): David Segatto, (New Owner) 1 Gates Lane, Hudson, NH, requests continued use of a previously approved Accessory Living Unit (ALU) located at 1 Gates Lane, Hudson, NH. [Map 186, Lot 12; Zone G, HZO Article XIII A, Section 334-73.3, Accessory Living Unit.]**

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

Chairman Seabury stated that he was concerned that the applicant for this case may have been sent the wrong notice due to the re-organization of administrative personnel in the Community Development Department. He further stated that he felt that may have been why the applicant was not present at this meeting.

Mr. Martin made a motion to defer the case, date specific, to the August 22, 2013, meeting and for the town to ensure that Mr. Segatto would be sent the correct notice.

Mr. Houle seconded the motion.

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Mr. Martin, speaking on his motion, stated that he felt the wrong notice was sent and the applicant should be given the benefit of the doubt.

Mr. Houle, speaking on his second, stated that he concurred with what Mr. Martin had said.

VOTE: Chairman Seabury asked Clerk Davis to poll the Board on the motion to defer the case, date specific, to the August 22, 2013, meeting, and to record the members’ votes, which were as follows:

Mr. Martin	To defer
Mr. Houle	To defer
Ms. Shuman	To defer
Mr. Nolin	To defer
Mr. Seabury	To defer

Chairman Seabury declared that, there having been five votes to defer the case, date specific, to the August 22, 2013, meeting, the motion had carried.

**IV. OTHER BUSINESS**

\*Mr. Oleksak asked the Boards opinion as to whether or not the background of a non-freestanding sign would be considered as part of the total size of a sign. The Board had some discussion and decided to look at similar signs and then have further discussion.

\*Chairman Seabury asked Mr. Oleksak to review when Certified Plot Plans were required. Mr. Oleksak replied that Certified Plot Plans were required for anything deemed as “permanent” – i.e. required for in-the-ground pools but not for above-the-ground pools. He further stated that Certified Plot Plans were required for all new construction.

Mr. Oleksak also stated that if something had drastically changed on a property, he would require an updated Certified Plot Plan.

**V. ADJOURNMENT**

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

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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: August 26, 2013

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J. Bradford Seabury, Chairman

Recorder: Trish Gedziun