



# TOWN OF HUDSON

## Zoning Board of Adjustment



Charlie Brackett, Chairman      Marilyn E. McGrath, Selectmen Liaison

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MEETING MINUTES – June 25, 2020 – approved

### **COVID-19 Meeting Procedure**

In response to the NH State of Emergency Order #12 Pursuant to Executive Order 2020-04 regarding COVID-19, The Hudson Zoning Board of Adjustment conducted a virtual public meeting and hearings, held electronically by remote video & conference call and physically at the Community Center, 12 Lions Ave on Thursday, June 25, 2020, at 7:00 PM. Written comments were requested to be sent in advance either by: 1) Email to [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov) prior to 5:00 pm, June 25, 2020; or 2) Mail June 22, 2020 to ZBA, c/o Bruce Buttrick, Hudson Town Hall, 12 School St., Hudson, NH 03051. For public to participate and comment, please follow the instructions on the town website: <https://www.hudsonnh.gov/bc-zba/page/public-hearing-process> or call (603) 886-6008 prior to the date of the meeting. Applications on the agenda may be viewed online at: <https://www.hudsonnh.gov/bc-zba> (click: View Agendas, Minutes, Packets & Videos). The meeting will be streamed live on Hudson Community Television, Cable Channel 22 and online at: <http://hudsonctv.com/CablecastPublicSite/watch/2?channel=3>.

### **I. CALL TO ORDER**

Chairman Brackett called the meeting to order at 7:18 PM and apologized for the late start due to technical difficulties; read the Covid-19 Meeting Procedure into the record; noted that the physical location had been set at the Hudson Community Center to observe and listen contemporaneously to this meeting and in addition it is being electronically sent out for people to listen remotely; and in conformance with the Emergency Order confirmed the following: (a) providing public access to meeting by telephone and video access; (b) provided public notice on how to access the meeting; (c) mechanism to advise if there is a problem with accessing meeting and (d) should there be an issue with accessibility, the meeting will need to be adjourned and rescheduled; and (e) that voting would be by roll call vote. Mr. Brackett stated that the Board would go into recess so that the public could call in their questions or concerns during public testimony and added that if anyone cannot gain access, that the meeting would need to be adjourned. Mr. Brackett noted that specific instructions for meeting access was included in both the Applicant Notification and the Abutter Notification and on the website.

Mr. Dearborn read the Preamble into the record, identified as Attachment A of the Board's Bylaws, that included the procedure and process for the meeting, and the importance of the 30-day time period for appeal.

Mr. Brackett invited all to stand for the Pledge of Allegiance.

Clerk Daddario took the roll call. Members present were Charlie Brackett (Regular/Chair), Gary Daddario (Regular/Clerk), Gary Dearborn (Regular/Vice Chair), Brian Etienne (Regular, connected via audio and visual remote access), Leo Fauvel

(Alternate) and Jim Pacocha (Regular, connected via audio thru HCTV and not visual remote access due to technical difficulties). Also present were Bruce Buttrick, Zoning Administrator, and Louise Knee, Recorder (via remote access) and Marilyn McGrath, Selectman Liaison. The remotely connected individuals each attested that they were alone at their access location. Mr. Brackett welcomed the newest Member/Alternate Leo Fauvel. For the record, all Regular Members voted. Ms. McGrath clarified her role as Selectman Liaison and noted that she does not vote.

## II. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. Case 173-022 (06-25-20) (deferred from 05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 15 Tolles St., Hudson, NH to modify stipulations 3 and 6 of the three (3) variances granted by the ZBA on June, 7, 2018 for 15 & 17 Tolles St. [Map 173, Lot 022-000; Zoned Town Residence (TR); HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].
2. Case 173-012 & 014 06-25-20) (deferred from 05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 4 & 14 Tolles St., Hudson, NH to be allowed to extend the same uses to Lots 173-012 & 014 as were granted by the ZBA on June 7, 2018 for three (3) variances at 15 & 17 Tolles St. [Map 173, Lot 012-000 and Lot 173-014-000; Zoned Town residence (TR); HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].

Mr. Buttrick read both Cases into the record and noted that they were both continued from the 5/28/2020 meeting and noted a modification has been made to extend the requested extension to one (1) year. Via remote visual and audio connection, Atty. Patricia Panciocco of Bedford, NH introduced herself as representing the Property Owner and noted that she is unable to see the meeting room table but could see Mr. Etienne and Ms. Knee along with Brent Cole, PE, of Granite State Engineering, who were connected through remote access and also noted that the audio had feedback.

Attempts to remedy the technical difficulties were made, unsuccessfully. With no apparent technical resolution in sight, the suggestion was made to postpone the meeting. Mr. Brackett apologized to the public and polled the Board. Mr. Dearborn agreed with a postponement for a week or two, not until the next regular scheduled meeting. A possible date of July 9<sup>th</sup> was discussed and found to be agreeable to everyone except Mr. Daddario who noted a prior commitment and who also noted that his absence might not be missed seeing as how the Board now has an Alternate.

Motion made by Mr. Dearborn and seconded by Mr. Daddario to postpone the meeting to July 9, 2020 due to the technical difficulties encountered 6/25/2020. Vote was 5:0. Meeting postponed.

Mr. Brackett apologized and noted that others meetings have been successfully held at the Community Center and that they did have successful dress rehearsals for this meeting that did not encounter these technical issues. Mr. Buttrick was asked to contact the other two Cases, schedule the meeting and notifications and work with the

technicians to resolve the issues encountered. Ms. McGrath stated that it seemed unfair to Mr. Buttrick to deal with the technical issues and manage the call-ins while participating in the meeting and recommended technical assistance be present and engaged during the upcoming meetings.

The following two Cases were not read into the record.

3. Case 158-035 (06-25-20): Carolyn Sassak, 145 Highland Street, Hudson, NH requests a home Occupation Special Exception for a home beauty salon business in the garage of the primary residence. [Map 158, Lot 035-000; Zoned Residential-Two (R-2); HZO Article VI, Special Exceptions, §334-24, Home Occupation
4. Case 204-002 (06-25-20): Keri Demers, 23 Dexter Street, Nashua, NH requests a Special Exception for 153 Lowell Rd., Hudson NH to allow a dog day care, grooming, animal rescue services, retail sales, community pet education and kennel (day & overnight boarding) facility. [Map 204, Lot 002-000; Zoned Business (B); HZO Article VI, Special Exceptions, §334-23, General Requirements].

After encountering unresolved technical issues, the 6/25/2020 ZBA meeting closed at 7:33 PM and continued to 7/9/2020.

Respectfully submitted,

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Charles J. Brackett  
ZBA Chairman