



# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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### **MEETING MINUTES – July 22, 2021 - approved**

The Hudson Zoning Board of Adjustment met on Thursday, **July 22, 2021** at **7:00 PM** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**

Chairman Daddario called the meeting to order at 7:03 PM, invited everyone to stand for the Pledge of Allegiance and took attendance.

Members present were: Gary Daddario (Regular/Chair), Leo Fauvel (Regular) and Marcus Nicolas (Regular). Also present were Bruce Buttrick, Zoning Administrator, and Kara Roy, Selectman Liaison. Excused were Brian Etienne (Regular/Clerk), Jim Pacocha (Regular/Vice Chair) and Louise Knee, Recorder. Absent was Ethan Severance (Alternate).

**III. PUBLIC HEARINGS-** No scheduled applications before the Board.

**IV. REQUEST FOR REHEARING:** None received for Board consideration.

**V. REVIEW OF MINUTES:** 06/24/21 edited Minutes

Motion made by Mr. Fauvel, seconded by Mr. Nicolas and unanimously voted to approve the 6/24/2021 Minutes as edited

**VI. OTHER:**

1. ZBA Application fee increase request presented at 7/13/21 Board of Selectman Meeting.

Mr. Buttrick stated the fee increase was presented to the Selectmen and noted that ZBA Public Hearings still have to be advertised in the newspaper and with the loss of the Hudson Litchfield News, the next cost effective newspaper is the New Hampshire Union Leader which is at a higher rate/cost and added that the charge for the recording of the Notices of Decision at the Registry of Deeds has also been included in the fee increase. As required by Town Code, the Board of Selectmen held a Public Hearing on 7/13/2021 for the proposed fee increase and could vote to adopt at their next meeting.

Not Official until reviewed, approved and signed.  
Approved 8/26/2021 as edited

## 2. Workshop Continuation - Review Zoning Application Drafts

Mr. Buttrick referred to the colored drafts. Discussion arose on the abutters – both the direct abutters required by State Law (Statute) and the indirect Abutters required by the Town of Hudson – the utilization of the GIS system and the assistance provided by Town Staff. Mr. Buttrick demonstrated using the Town Office at 12 School Street as the example. It was noted that the GIS system is a service provided by the Town and the accuracy of the list rests with the Applicant who is best served by checking with the Assessor's Office to insure that there has been no recent sales that hasn't yet been entered into the GIS system.

Also discussed was: (1) Application deadline, (2) Application Checklist, (3) Agenda cut off and limitation to four (4) Cases/Applications per meeting with utilization of the second meeting in a given month; and (5) the fine line between being able to educate, but *not* advise, an Applicant. Suggestion made that emphasis needs to be made to Applicant(s) that a "preview" or "preliminary review" of their application with Staff should be completed prior to the posted deadline and before they make the required number of copies.

Appeal Administrator's Decision Application and Decision Worksheet were reviewed and no amendments were offered.

Equitable Waiver of Dimensional Requirements Application and Decision Worksheets were reviewed. Several amendments presented for the Decision Worksheet that included the separation of the two (2) criteria options onto their individual pages and a description of each criteria. Discussion arose on the apparent confusion in the Application Form and suggestion made to distinguish each option separately.

Home Occupation Special Exception Application and Decision Sheet were reviewed. Mr. Buttrick noted that a correction was made to the Application in May 2021 when it was discovered that the criteria prohibiting retail sales was not included. Suggestion made to add the HZO prohibiting retail sales to Application Form

Special Exception Application and Decision Sheet reviewed. Discussion arose on Accessory Dwelling Unite (ADUs), the four criteria for the determination of a dwelling unit (cooking, sanitation, living and sleeping) and the slippery slope with 'wet bars' and 'man caves' etc. Suggestion made to include reference Section 334:18 of the Zoning Ordinance for a description and purpose/intent of each Zone District on the Application Form, page 6.

Variance Application and Decision Sheet were reviewed. Discussion arose on the fifth criteria – Hardship – and the reference to the word "ordinance" in the criteria was questioned. Mr. Buttrick read from the OSI Manual. To paraphrase, the Zoning Ordinance may place restrictions, such as minimum lot size, setback, zone districts etc., that in turn force the need for a Variance. Suggestion made to show visible separation of the two options in the fifth criteria and highlight that hardship pertains to the property.

Discussion arose on what to include in the Meeting Packet. Examples cited: whether copies of the Permits should be included or just a statement in the Staff Report that

they were issued – Case specific, to be available at meeting; Abutter sheets – only need to know they were duly noticed (on Staff Report) and no need to include the list to Members; and Assessment Record recap – Case specific, to be available for viewing at meeting.

General consensus: this has been a good and informative process. Appreciation expressed to everyone involved.

Motion made by Mr. Fauvel, seconded by Mr. Daddario and unanimously voted to adjourn the meeting. The 7/22/2021 ZBA meeting adjourned at 8:36 PM.

Respectfully submitted,

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Gary M. Daddario, ZBA Chairman