



TOWN OF HUDSON

Zoning Board of Adjustment

12 School Street
Hudson, New Hampshire 03051

Tristan Dion, Chairman Xen Vurgaropulos, Selectmen Liaison
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MEETING MINUTES – JUNE 25, 2026 – Approved

I. CALL TO ORDER

Mr. Dion called the meeting to order at 7:02 PM.

II. PLEDGE OF ALLEGIANCE

Mr. Dion invited all to participate in the Pledge of Allegiance and read through the Chairperson's introduction/order of business and cited housekeeping items.

III. ROLL CALL - ATTENDANCE

Mr. Dion asked the Clerk to call for attendance.

Full members present were: Tristan Dion, Tim Lanphear, Dean Sakati

Full members excused were: Todd Boyer

Alternate members present were: Brendon Sullivan, Zachary McDonough – Clerk

Others present were: Ben Witham-Gradert – Town Liaison, Xen Vurgaropulos – Selectman Liaison

Remote attendance: Kristan Patenaude – Recording Secretary

IV. SEATING OF ALTERNATES

Alternates Brendon Sullivan and Zachary McDonough were appointed to vote.

V. PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD: DEFERRED HEARINGS: (Deferred from 04-23-26)

APPLICANT REQUEST FOR DEFERRAL TO JULY 23, 2026:

1. **Case 173-033 (05-28-26) (Continued to 06-25-26):** Robert B. Thomson, & Maria Stratakis, Trustees, **53 Derry St.**, Hudson, NH requests a variance to allow multifamily dwellings (A-3) in the Town Residence (TR) Zone where this use is not permitted. [Map 173, Lot 033, Sublot-000; Zoned Town Residence (TR); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

Mr. Witham-Gradert read the Case into the record and noted that the applicant requested a deferral to the July 23, 2026, meeting.

Mr. Lanphear moved to grant the requested deferral to July 23, 2026, duly seconded by Mr. Sakati.

Vote: 5-0-0 motion carried unanimously to approve the deferral request.

Not Official until reviewed, approved and signed.

Approved 07/23/2026

VI. REVIEW OF MINUTES:

05/28/2026 edited draft Meeting Minutes

Mr. Lanphear moved to approve the meeting minutes of 05/28/2026, as edited and amended, duly seconded by Mr. Sakati.

Vote: 5-0-0 motion carried unanimously to approve the meeting minutes.

VII. OTHER BUSINESS:

1. Zoning Bylaws, Application, and Land Use Ordinance discussion.

Mr. Witham-Gradert asked the Board to consider potential amendments to the application process or zoning bylaws specifically.

Mr. McDonough stated that he would like to consider the home business zoning and/or the use of a home for ecommerce type situations, where there is no actual business other than digital occurring. This section of the ordinance seems outdated, given that people can do work entirely from their computer. Mr. Witham-Gradert stated that the general consensus by staff of the current zoning around this is that any form of working at home for gain can be interpreted as a home occupation, though this is not always how it is applied in terms of remote work qualifying. There is the potential to model this after neighboring towns who have this set up as a tier list of intensity of uses. This would be a mixture of how much of the property is being used for the business, such as around 1/3, in order to determine if it is a mixed use versus a home business use. Mr. Vurgaropulos asked how growth is monitored. Mr. Witham-Gradert stated that this is usually through self-reporting and a complaint system. Currently, a business can be no more than 50% of the finished living space. Mr. Lanphear stated that the requirement could be closer to 33%-35% of the main house, not counting the garage, or closer to what the government allows for an in-home business. Mr. Witham-Gradert explained that the other part of the threshold system is intensity of use. If someone can drive by a property and have no clue that the person is operating a business, then they should be allowed to do so. Mr. Sakati stated that he would like to see a tier system and some principles in place around this item. Noise, lighting, and signage need to be considered in terms of how onerous a home business is to others. Mr. Witham-Gradert noted that home based businesses can be idiosyncratic in that they may all be quite different from one another. The consultants will likely hammer down to tier system further. Altering the definition will be important as it is currently very strict in stating that home businesses are any use that leads to any type of gain.

There was discussion regarding signage on the roadsides. Mr. Witham-Gradert stated that these are not allowed and staff often removes the ones they find. It was noted that there is a specific limit for signage inside the windows of convenience stores. Some amount of temporary signage for sales and events is allowed. The enforcement mechanism for Hudson currently is a court date and so staff must consider the egregiousness of the offense. Some towns have a dedicated code enforcement officer. Some towns also allow for fines to be assessed and paid at Town Hall. This could be further considered by the Board. He tends to focus enforcement on items that are a harm to people, health, the environment, or the general public good. There is a tracking of the actions for each case which includes all details. Mr. Vurgaropulos suggested a three strike rule and a fine, prior to a court date. Mr. Witham-Gradert stated that the action may have to be to pay a fine

or appeal it to the ZBA, as the Board must be included in the process at some point. He will look further into this.

The Board discussed induced traffic. Mr. Witham-Gradert stated that the main idea was to alleviate traffic via off roads. The intention is to allow for a proper throughway. Currently, Hudson does not have good east-west communication of traffic. The vast majority of people are cutting through tight residential areas to create new forms of access to main roads. Incentive zones could be considered by the Town to encourage building out of specific areas. Mr. Sakati stated that he would also like the Town to consider incentives to protect residential areas as well. Mr. Witham-Gradert noted that row homes could be considered in order to pack in more density in certain areas. A mixed use development would likely have a different, more direct process. Mr. Dion stated that mixed use development is great at bridging the gaps between business and residential districts. Mr. Witham-Gradert stated that these also have a great use in redevelopment.

There was discussion regarding historical zoning which created the problem of residential uses abutting business uses with no buffer of which to speak. Mr. Witham-Gradert stated that he would like to consider rectifying the zoning map to be on a per parcel basis and getting rid of as much split zoning as possible. The Town seems to have areas where there is business after business in a row, with the back half of the parcel in an industrial area. These could be rectified to be fully in a business zone. It does not benefit anyone to have half a parcel zoned business. Another issue is that Hudson is not very walkable or bikeable. Mr. Witham-Gradert stated that the intention was to build out a main network of sidewalks in the Town using a pot of funding for this purpose, but this did not pass with the voters. This is a push and pull because once there are sidewalks, the Town is responsible for maintenance of them. The intention was to prioritize sidewalks along main routes in Town where pedestrians should be separated from vehicles and not dead end cul-de-sacs.

Mr. Witham-Gradert discussed some potential changes to the application process. Currently, this is an outdated process where applicants submit paper copies for everything, and staff mails those paper copies to each Board member. He suggested a similar approach to the Planning Board's which is to send one copy with all the wet signatures. Any items on special sized paper have to be submitted by paper copy. The rest of the application is digital. He asked which Board members would like a paper copy of the full packet for each meeting. Otherwise, staff could send these files digitally, rather than spend Town money on reams of paper copies that then get thrown in the recycle bin. He noted that decision sheets will always have a paper copy to be filled out by the Board. Any plan sets with specialized sizes would be received in paper form. Mr. Dion suggested that each Board member could decide to receive items digitally, as long as paper copies could be available as needed. This could be done in a hybrid approach. Mr. Sakati suggested that the digital copies be mailed out, but that physical copies be available for the Board meetings. There was agreement for this by the Board.

Mr. Witham-Gradert discussed cases of multiple variances for one project. He would like for there to be one set of materials in terms of the overall narrative for the project, but then a separate sheet for the arguments for each separate variance. There will still be individual hearings and decisions for each variance. Mr. Sakati agreed that this would be easier for review. Mr. Witham-Gradert stated that currently extensions are treated as full, fresh applications before

the Board. He would like to develop a separate form for extensions because granting these does not lead to the Board relitigating the case. It may make more sense to allow for a reduction in the amount of paperwork submitted for extensions.

Mr. Vurgaropulos stated that the recycling program in Town is currently not cost effective. He suggested using the documents collected as a sustainability initiative by using a section of the dump site as a collection area to grind up the documents and make fire bricks to sell back to the community. This could recoup some of the funding and provide a service to the Town. Mr. Witham-Gradert stated that the best type of recycling program is to not create the waste in the first place. Management of paper at Town Hall could be discussed at a future Board of Selectmen meeting. The intention is to minimize the amount of paper being printed and sent to each Board member. A revised set of application materials and procedures will be drafted and brought to the ZBA for review at a future meeting.

Mr. Witham-Gradert suggested that Board members review the bylaws prior to a full revising of the ordinance language as these are intermingled documents. A change was made fairly recently to allow the staff liaison and the Selectmen's liaison to speak during a portion of the meeting, but this is a living document and can be updated whenever the Board wants. He suggested that the Board review this during the summer months when caseloads tend to be lower.

Mr. Sakati asked for additional consideration of form based code. Mr. Witham-Gradert explained that this would be a complete change in the philosophy of the ordinance process. This could be considered as part of the ordinance amendment process. He is not interested in rezoning any of the land in Town, as there have been two massive rezones in the last three years. Mr. Vurgaropulos stated that he believes there will be rezoning as part of the proposed amendments. Mr. Witham-Gradert stated that he believes there will be changes in terms of how the existing zones are governed. For example, the RR Zone could be toned down in terms of setbacks as preexisting nonconforming dimensional requirements are being created.

Mr. Vurgaropulos stated that he would like for there to be a consideration of the TR Zone in terms of the multifamily issue. Mr. Witham-Gradert explained that the table of minimum dimensional requirements effectively permits multifamily in the business zone, and so the business zone received the footnote for that additional space requirement. The fix for this is to remove this from being a specific business zone requirement and make it a requirement writ large. This is included as an item of cleanup. Mr. Vurgaropulos stated that he would like to see clarity on the rules in this area. Mr. Witham-Gradert stated that the complete ordinance has not been overhauled since the 1990s. It is overdue for a complete redrafting.

Mr. Sakati stated that he would also like to further consider specific uses, such as garages in front yards. There should be consideration as to how things like that get approved. It was noted that Mr. Boyer previously mentioned that in the City of Manchester, someone cannot install a garage past the front façade of a house. Mr. Witham-Gradert stated that he is considering changing the way that the shed regulation is worded. The rule is currently being applied to cover sheds being allowed behind the apparent front façade of a home. Accessory structures could be required to be behind the front façade of a home. However, it is unclear if someone is harmed by a shed being next to the driveway instead. Rules should be for the public good, environmental good, or the health and safety. Mr. Dion suggested that breaking the façade could be considered

as a special exception instead of a variance. Mr. Sakati agreed that large shed-like structures in the front yard could become a large problem. Mr. McDonough stated that consideration should be given to material choice. Mr. Witham-Gradert stated that there is a general caveat for stepping in if there is an issue in terms of health or safety of a structure. An unsafe situation cannot be created for others.

There was discussion regarding social districts for Town and that this would likely have to be considered by the Board of Selectmen. Mr. Dion suggested incentivizing housing such as row houses by making it more attractive for developers by allowing for this type of development. It was noted that there would likely be opposition regarding this type of mixed use. Mr. Witham-Gradert explained that there have been some issues regarding the roadways around similar developments such as Tuscan Village, including access to the site and development of the site. Incentives could be considered in other forms such as a break on impact fees, fewer restrictions in terms of parking or landscaping. There are few incentive structures currently in Town and new ones could be considered.

VIII. ADJOURNMENT:

Motion made by Mr. Lanphear, duly seconded by Mr. Sakati and unanimously voted to adjourn the 06/25/2026 ZBA Meeting at 9:02PM.

Vote: 5-0-0 motion carried to adjourn the meeting.

Respectfully submitted,
Kristan Patenaude, Recording Secretary

Tristan Dion, ZBA Chairman