

TOWN OF HUDSON

Zoning Board of Adjustment

Charlie Brackett, Chairman

Marilyn E. McGrath, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

MEETING AGENDA – April 25, 2019

The Hudson Zoning Board of Adjustment will hold a meeting on April 25, 2019, in the Community Development Paul Buxton Meeting Room in the basement of Hudson Town Hall (please enter by ramp entrance at right side). The public hearings for applications will begin at 7:00 PM, with the applications normally being heard in the order listed below.

SUITABLE ACCOMMODATIONS FOR THE SENSORY IMPAIRED WILL BE PROVIDED UPON ADEQUATE ADVANCE NOTICE BY CALLING 886-6008 OR TDD 886-6011. The following items before the Board will be considered:

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. Case 247-045-010 (4-25-19): Gabriele Vernacchio, 8 Lucier Park Drive, Hudson, NH requests a Home Occupation Special Exception to allow the medical fostering of dogs, which would allow the registration of their physical address and meet the licensing requirement with the State of NH. [Map 247, Lot 045-010, Zoned Town Residential (TR); HZO Article VI, §334-24, Home Occupations].
2. Case 169-011 (4-25-19): Stephen Hebert, 27 Windham Road, Hudson, NH requests an Equitable Waiver of Dimensional Requirement to allow a newly poured detached garage foundation that encroaches 2.6 ft. into the rear setback. [Map 169, Lot 011, Zoned Business (B); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].
3. Case 198-157 (4-25-19): Tim and Mandy Powers, 36 Pelham Road, Hudson, NH requests a Variance to permit enlargement and rebuilding of existing front stoop to construct a 27'-7" x 8'-0" farmer's porch which will encroach in the front setback of the existing non-conforming structure, leaving resultant front setback of 8.45 ft. [Map 198, Lot 157, Zoned Town Residential (TR); HZO Article VIII §334-31 and Article VII §334-27, Alteration and expansion of non-conforming structures and Table of Minimum Dimensional Requirements].
4. Case 198-173 (4-25-19): Leroy & Denise Thompson, 140 Melendy Road, Hudson, NH requests a Variance to subdivide and create a new lot with insufficient frontage required to create a new flag lot with a shared driveway. [Map 198, Lot 173, Zoned General (G); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].

IV. REVIEW OF MINUTES:

1. 04/11/19 Minutes

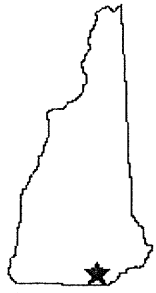
V. REQUEST FOR REHEARING: None

VI. OTHER:

1. OSI June 1, 2019 Spring Planning & Zoning Conference – registrations.
2. Continued discussion of possible ZBA Bylaws revisions regarding Clerk, Selectman's Rep. & Recorder duties.

A handwritten signature in black ink, appearing to read "Bruce Buttrick", written over a horizontal line.

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Administrator Staff Report

Meeting Date: April 25, 2019

BA 4-16-19

Case 247-045-010 (4-25-19): Gabriele Vernacchio, 8 Lucier Park Drive, Hudson, NH requests a Home Occupation Special Exception to allow the medical fostering of dogs, which would allow the registration of their physical address and meet the licensing requirement with the State of NH. [Map 247, Lot 045-010, Zoned Town Residence (TR); HZO Article VI, §334-24, Home Occupations].

Address: 8 Lucier Park Drive

Zoning district: Town Residence (TR)

Property description: This as a developed lot of record with 10,000sqft (10,000 sqft required) and 100.00 ft of frontage (90 ft required). This is an existing conforming lot. Existing structure appears to satisfy all required setbacks.

Summary: Applicant wishes to be licensed from the State of NH for medical fostering. This is strictly a paper trail for the State of NH. This is not a Kennel.

In-House correspondence: Email from Hudson Animal Control Officer.

HISTORY:

Certificate of Occupancy #2017-00910 dated 4/26/18

ATTACHMENTS:

“A” Assessment record

“B” Certificate of Occupancy #2017-00910

“C” Hudson Animal Control Officer email

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2018	101 - ONE FAMILY	250,100	0	84,600	0.23	0.00	334,700
2018	101 - ONE FAMILY	250,100	0	84,600	0.23	0.00	334,700
2017	130 - VAC RESD	0	0	38,100	0.23	0.00	38,100
2017	130 - VAC RESD	0	0	36,300	0.23	0.00	36,300
2017	130 - VAC RESD	0	0	38,100	0.23	0.00	38,100



Town of Hudson, NH
Certificate of Occupancy



Hudson Fire - Inspectional Services Division
12 School Street
Hudson, NH 03051
603-886-6005

Owner, Lessee or Occupant: K&M DEVELOPERS, LLC

Location of Work: 8 LUCIER PARK DR (Unit or Building)
(No. and Street)

Desc of Work: Construct a two-story, three bedroom single-family dwelling with a 22' x 22' attached two car garage and a 10' x 12' rear deck

Map\Lot: 247-045-010

District: TR

Permit(s): 2017-00910, 2017-00910-1-WA, 2017-00910-3-FD, 2017-00910-4-DR, 2017-00910-5-EL, 2017-00910-6-PL, 201

Use Group: R-3

Fire Sprinkler System Required: NO
Fire Alarm System Required: NO

This is to certify that K&M DEVELOPERS, LLC has\have obtained all final inspections and has been found to substantially conform to all regulations and codes and is hereby approved for occupancy and use, as limited or otherwise noted below.

This Certificate of Occupancy is issued for a single family home as applied for in the above referenced building permit. Any other use is strictly prohibited, and shall require additional permits for any alteration, renovation, addition, change of use, or other changes to the premises.

"B"

Date of Issue: 4/26/2018

Signed: *Robert B. [Signature]*

Buttrick, Bruce

From: McMillan, Jana
Sent: Wednesday, April 3, 2019 1:49 PM
To: Buttrick, Bruce; Gabriele Vernacchio
Cc: Goodwyn, Tracy
Subject: RE: 19-037 Zoning Determination - 8 Lucier Park Drive.pdf

Hello,

I am just making sure we are all on the same page. The state doesn't make things easy!

The term "pet vendor," under RSA 437, covers a few things, the license Gabriele currently has, which used to be called Broker, only allows her to facilitate placement of animals (no hands on). The "pet vendor" license that is currently being applied for, that needs zoning approval, allows for a foster home to hold medical fosters, which Gabriele states is her focus and main goal. However, it does allow her to actually transfer an animal to a member of the public from her home, which will be the licensed facility.

Please let me know if you have any other questions.

Kind Regards,

Jana McMillan
Animal Control Supervisor
Deputy Health Officer
Hudson Police Department
1 Constitution Dr
Hudson, NH 03051
Email: jmcmillan@hudsonnh.gov
General: (603)886-6011
Direct: (603)889-7387
Fax: (603)886-0605

This e-mail communication (including any attachments) is covered by the Electronic Communications Privacy Act, 18 USC 2510 et seq. This communication is CONFIDENTIAL. The advice and work product contained herein are PRIVILEGED and intended only for disclosure to or use by the person(s) listed above. If you are neither the intended recipient(s), nor a person responsible for the delivery of this communication to the intended recipient(s), you are hereby notified that any retention, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by using the "reply" feature or by calling me at (603) 886-6011, and then immediately delete this message and all attachments from your computer.

From: Buttrick, Bruce
Sent: Wednesday, April 3, 2019 1:25 PM
To: Gabriele Vernacchio <harveyshopeanimalrescue@gmail.com>
Cc: Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>; McMillan, Jana <jmcmillan@hudsonnh.gov>
Subject: RE: 19-037 Zoning Determination - 8 Lucier Park Drive.pdf

Gabby,


I highlighted the section on that License, as to why you are doing what needs to be done.

Regards,



Bruce

Bruce Buttrick, MCP
Zoning and Code Enforcement


Town of Hudson
Land Use Division
12 School Street
Hudson, NH 03051
Ph: (603) 886-6008
F: (603) 594-1142

From: Gabriele Vernacchio [<mailto:harveyshopeanimalrescue@gmail.com>]
Sent: Wednesday, April 3, 2019 1:11 PM
To: Buttrick, Bruce <bbuttrick@hudsonnh.gov>
Cc: Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>
Subject: Re: 19-037 Zoning Determination - 8 Lucier Park Drive.pdf

Hi there,

I talked to Jana at Animal Control and she said you may be unaware that the zoning request would grant the Pet Vendor License for the state (application attached). We do already have the license to transfer pets in the state of NH (included in the packet I sent an hour ago). The zoning approval would grant a renewal of that license to transfer animals, with the registered address of 8 Lucier Park Drive, AND the ability to have medical fosters in the home.

I hope this helps!

Gabby

On Wed, Apr 3, 2019 at 12:23 PM Gabriele Vernacchio <harveyshopeanimalrescue@gmail.com> wrote:

Attached!

I did some math on my own..\$179.50? Please let me know before I write it in and I have to redo page 1. Thank you!

On Wed, Apr 3, 2019 at 12:16 PM Buttrick, Bruce <bbuttrick@hudsonnh.gov> wrote:

I like that description/explanation.

You wrote:



I have printed letters for my neighbors and will distribute today.

Good, as they will be getting letters from us about the Hearing on the 25th

I also contacted the Hudson ACO for her support in writing.

Good

I may not have them back in time for the deadline of April 9. Can I bring them to the meeting on the 25th?

That's ok, you can provide them at the mtg/Hearing on the 25th.

If there is anything else I am missing please let me know. I need to drop off 13 copies of the entire package, correct?

Please send us (Tracy and me) a clean application to review via email, or drop one off, we'll review and once you get our OK make the 12 sets = (original + 12 copies).

Bruce

From: Gabriele Vernacchio [mailto:harveyshopeanimalrescue@gmail.com]
Sent: Wednesday, April 3, 2019 11:44 AM
To: Buttrick, Bruce <bbuttrick@hudsonnh.gov>
Cc: Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>
Subject: Re: 19-037 Zoning Determination - 8 Lucier Park Drive.pdf

Please see the amendment to Page 7.

I have printed letters for my neighbors and will distribute today. I also contacted the Hudson ACO for her support in writing. I may not have them back in time for the deadline of April 9. Can I bring them to the meeting on the 25th?

If there is anything else I am missing please let me know. I need to drop off 13 copies of the entire package, correct?



TOWN OF HUDSON

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

APR 15 2019

To: Zoning Board of Adjustment
Town of Hudson
Zoning Department

Entries in this box are to be filled out by Land Use Division personnel

Case No. 247-045-010
Date Filed *original application recvd 4/4/19

Name of Applicant Gabriele Vernacchio Map: 247 Lot: 45-19 Zoning District: TR

Telephone Number (Home) 603 484 4951 (Work) 781 389 4833

Mailing Address 8 Water Park Drive Hudson, NH 03051

Owner Nicholas Bernardo | Gabriele Vernacchio

Location of Property 8 Water Park Drive Hudson, NH 03051
(Street Address)

Signature of Applicant [Signature] Date 4/2/2019

Signature of Property-Owner(s) [Signature] Date 4/2/2019

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described home occupation special exception.

Items in this box are to be filled out by Land Use Division personnel

COST:

Application fee:	<u>\$130.00</u>	Date received: _____
_____ Direct Abutters x \$4.05 =	_____	
_____ Indirect Abutters x \$0.55 =	_____	
Total amount due:	<u>\$ _____</u>	Amt. received: \$ _____

* see attached original *

Received by: Special Exception Application
Received on 4/4/19

Receipt No.: _____

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

A home occupation is a sales or service operation for goods produced or services provided on-site and is permitted only as a special exception upon approval by the Zoning Board of Adjustment. In granting such an exception, the Board must find the home occupation to be in full compliance with the requirements listed below.

Please explain, in detail, the nature of your home business.

Harvey's Hope Animal Rescues (HHAR) goal is to save unwanted, stray animals and rehabilitate them to become loved, family pets. We are not running a kennel, but rather need to register an address with the state to have medical fosters.

Is the home occupation secondary to the principal use of the home as the business owners' residence? Please explain.

This is my primary residence and it will be a registered address with the state to allow medical foster permissions and licensure.

Will the home occupation business be carried on within the residence and/or within a structure accessory to the residence? Please explain.

No structures will be added. The business is not conducted "on-site" but rather through a social/online network of volunteers. The request will allow the address to be registered.

Other than the sign(s) permitted under Article XII, will there be exterior display or other exterior indications of the home occupation? Will there be any variation from the primarily residential character of the principal or accessory building? Please explain.

No signs will be displayed unless required by the town. No structural changes will be made.

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION (CONTINUED)

Will there be exterior storage and will it be screened from neighboring views by a solid fence or by evergreens of adequate height and bulk at the time of planting to effectively screen the area? In situations where a combination of existing foliage and/or long distances to neighboring views provide screening, the fencing requirements may be waived at the discretion of the Board. Please explain how you will comply.

No exterior storage.

Will there be noise, vibrations, dust, smoke, electrical disturbances, odors, heat or glare produced? Please explain, and if there will be electrical disturbances, describe the frequency.

No disturbances expected.

Will the traffic generated by the home occupation activity be substantially greater in volume than would normally be expected in the neighborhood? Please explain the expected traffic to your business.

There should be little to no impact to traffic volume, i.e. If an adopter comes to pick up a dog in my personal care = 1 car. This would be the same as a family/friend visiting.

Where will customer/client parking for the home occupation be located? Please explain.

If someone picks up their dog at my house, they would park in my driveway.

Who will be conducting the home occupation? Please explain.

I will be conducting the home occupation - Gabriele Vernacchio.

Will there be a vehicle(s) for the home occupation? Please explain the type and number of vehicle(s).

No vehicles.

→ Most dogs will be transferred off-site (public location, new adopter home, etc).

Goodwyn, Tracy

From: Gabriele Vernacchio <harveyshopeanimalrescue@gmail.com>
Sent: Monday, April 15, 2019 2:27 PM
To: Buttrick, Bruce
Cc: Goodwyn, Tracy
Subject: Re: 19-037R Zoning Determination - 8 Lucier Park Drive.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Thank you! Nick will be bringing the revised 3 original pages this afternoon (if he has not already).

On Mon, Apr 15, 2019 at 2:23 PM Buttrick, Bruce <bbuttrick@hudsonnh.gov> wrote:

Gabby,

I attach the “revised” Zoning Determination which directs you to a Home Occupation Special Exception.

We will make the 12 copies and insert into your application packet.

Regards,

Bruce

Bruce Buttrick, MCP

Zoning and Code Enforcement

Town of Hudson



Land Use Division

12 School Street

Hudson, NH 03051

Ph: (603) 886-6008

Goodwyn, Tracy

From: Gabriele Vernacchio <harveyshopeanimalrescue@gmail.com>
Sent: Friday, April 12, 2019 11:14 AM
To: Goodwyn, Tracy
Cc: Buttrick, Bruce
Subject: Re: Your Zoning Application

Follow Up Flag: Follow up
Flag Status: Completed

Good morning!
I can drop it off Monday- probably faster than the mail? I received Bruce's original notification of the exception on Wednesday... :) (is that almost two weeks?)

Have a great weekend!
Gabby

On Fri, Apr 12, 2019 at 11:07 AM Goodwyn, Tracy <tgoodwyn@hudsonnh.gov> wrote:

Gabby,

Good Morning and Happy Friday!

I am in receipt of your attached Home Occupation Application attachment. Would you be able to mail the original of these pages which will include your wet signature for our records? We will re-assemble the packet using your previously submitted application and the new pages. Thank you and have a great weekend!

Tracy Goodwyn

Zoning and Code Enforcement

Administrative Aide

Town of Hudson



Land Use Division

12 School Street

Hudson, NH 03051

Ph: (603) 886-6008

Fax: (603) 594-1142

From: Gabriele Vernacchio [mailto:harveyshopeanimalrescue@gmail.com]

Sent: Thursday, April 11, 2019 3:27 PM

To: Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>

Cc: Buttrick, Bruce <bbuttrick@hudsonnh.gov>

Subject: Re: Your Zoning Application

Please see attached. Thank you!

On Thu, Apr 11, 2019 at 1:00 PM Goodwyn, Tracy <tgoodwyn@hudsonnh.gov> wrote:

Gabby,

Bruce asked me to reach out to you and requested you fill out a Home Occupation Special Exception rather than your submitted Special Exception Application. As we read further into your application, it states you founded Harvey's Hope Animal Rescue (HHAR) in 2019 and if this is a business operating in your home, then you would need a Home Occupation Special Exception. Please fill out the attached application. You do not need to fill out the box on page 1- to be filled by Land Use personnel. Also, your direct and indirect abutter lists will be the same as your submitted application. You will not need to resubmit abutter mailing labels. Sorry for any inconveniences. If you have any further questions, please contact Bruce Buttrick directly.

Tracy Goodwyn

Zoning and Code Enforcement

Administrative Aide

TOWN OF HUDSON

APPLICATION FOR A SPECIAL EXCEPTION

APR 04 2019

Zoning Department

To: Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel

Case No. 247-045-010

Date Filed 4-4-19

Name of Applicant Gabriele Vernacchio Map: 247 Lot: 45-10 Zoning District: TR

Telephone Number (Home) 603 484 4951 (Work) 781 389 4833

Mailing Address 8 Lucier Park Drive Hudson, NH 03051

Owner Nicholas Bernardo | Gabriele Vernacchio

Location of Property 8 Lucier Park Drive Hudson, NH 03051
(Street Address)

[Signature]
Signature of Applicant

4/2/2019
Date

[Signature]
Signature of Property-Owner(s)

4/2/2019
Date

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described special exception.

Items in this box are to be filled out by Land Use Division personnel

COST:		Date received: <u>4/4/19</u>
Application fee:	\$130.00	
<u>9</u> Direct Abutters x \$4.05 =	<u>36.45</u>	
<u>12</u> Indirect Abutters x \$0.55 =	<u>6.60</u>	
Total amount due:	<u>\$ 173.05</u>	Amt. received: \$ <u>173.05</u>
		Receipt No.: <u>545,237</u>
Received by: <u>BA</u>		

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

CHK#
111

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>gv</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
_____	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	_____
<u>gv</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, <u>Special Exception</u> , Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>N/A</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>gv</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>gv</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>gv</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

PLOT PLAN-

- GV Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted): TG.
- a) GV The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. TG.
- b) GV The plot plan shall be up-to date and dated, and shall be no more than three years old. TG.
- c) GV The plot plan shall have the signature and the name of the preparer, with his/her/their seal. TG.
- d) GV The plot plan shall include lot dimensions and bearings, with any bounding streets and with any ~~rights-of-way~~ and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) TG.
- e) GV The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. TG.
- f) GV The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. TG.
- g) NA The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. N/A.
- h) GV The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. TG.
- i) NA The plot plan shall indicate all parking spaces and lanes, with dimensions. N/A.

The applicant has signed and dated this form to show his/her awareness of these requirements.

[Signature]
 Signature of Applicant(s)

4/2/2019
 Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board’s decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board’s decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board’s opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
247	45-1	Michael Maynard	2 Chestnut Street Hudson, NH 03051
247	45-2	Debbie Cole	4 Chestnut Street Hudson, NH 03051
247	45-9	Kevin Duffey Sara Duffey	6 Water Park Drive Hudson, NH 03051
247	45-11	Kantik Sarker Parani Yerra	10 Water Park Drive Hudson, NH 03051
247	45-12	Andrew Matteo Margoth Matteo	15 Water Park Drive Hudson, NH 03051
247	45-13	Ramon Amill Tammié Amill	13 Water Park Drive Hudson, NH 03051
247	45-14	Cody Decker Kiana Decker	11 Water Park Drive Hudson, NH 03051
247	45-15	Jose Esquin Marcia Esquin	9 Water Park Drive Hudson, NH 03051
247	45-10	Gabriele Vernacchio Nicholas Bernardo	8 Water Park Drive Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
247	40	Allen Mckenney Susan Mckenney	2 Walnut Street Hudson, NH 03051
247	51-1	Michael Camire Megan Camire	29 Eayrs Pond Road Hudson, NH 03051
247	51-2	Thomas Dennett Donna Dennett	1 Chestnut Street Hudson, NH 03051
247	45-4	Scott Audy Jr. Melissa White	8 Chestnut Street Hudson, NH 03051
247	45-7	Samantha Ward Corey Landry	2 Lucier Park Drive Hudson, NH 03051
247	45-16	Matthew Mayfield	7 Lucier Park Drive Hudson, NH 03051
247	42	Michael Lacroix Dorothy Lacroix	38 Eayrs Pond Road Hudson, NH 03051
247	43	David Wilder Karen Wilder	40 Eayrs Pond Road Hudson, NH 03051
247	44	Robert Stevens Michelle Stevens	42 Eayrs Pond Road Hudson, NH 03051
247	41	Tammy Robinson	1462 Andover Street Tewksbury, MA 01876
247	45-3	Nicholas Petropoulos	6 Chestnut Street Hudson, NH 03051
247	45-8	Brett Thomas	4 Lucier Park Drive Hudson, NH 03051

SENDER: TOWN OF HUDSON
12 SCHOOL STREET
HUDSON, NH 03051

US POSTAL SERVICE - CERTIFIED MAIL

Case# 247-045-010
8 Lucier Park Drive
Map 247/Lot 045-010

Variance
Special Exception
1 of 1

Have Occupation

ARTICLE NUMBER	Name of Addressee, Street, and post office address	04/25/19 ZBA Meeting
1	VERNACCHIO, GABRIELE P. & BERNARDO, NICHLOAS J.	APPLICANT/OWNER NOTICE SENT
2	8 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
3	MAYNARD, MICHAEL WALTER	ABUTTER NOTICE SENT
4	2 CHESTNUT ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
5	COLE, DEBBIE A.	ABUTTER NOTICE SENT
6	4 CHESTNUT ST, HUDSON, NH 03051	ABUTTER NOTICE SENT
7	DUFFEY, KEVIN A. & SARA	ABUTTER NOTICE SENT
8	6 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
9	SARKAR, KANTIK & YERRA, PAVANI	ABUTTER NOTICE SENT
10	10 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
11	MATTEO, ANDREW & MARGOTH	ABUTTER NOTICE SENT
12	15 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
13	AMILL, RAMON E. & TAMMIE M.	ABUTTER NOTICE SENT
14	13 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
15	DECKER, CODY A. & KIANA R.	ABUTTER NOTICE SENT
16	11 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
17	ESQUILIN, JOSE L. & MARCIA E.	ABUTTER NOTICE SENT
18	9 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
19		
20		

Total Number of pieces listed by sender 9

Total number of pieces rec'd at Post Office

Postmaster (receiving Employee)

HUDSON, NH 03051

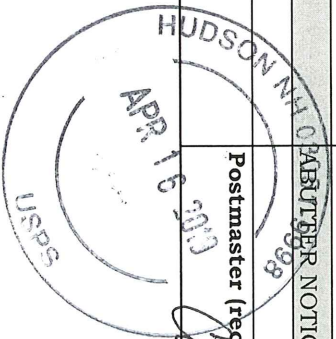


9
Shirley Fawcett

*Home Occupation
Variance
Special Exemption
1 of 1*

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 247-045-010 8 Lucier Park Drive Map 247/Lot 045-010
ARTICLE NUMBER			04/25/19 ZBA Meeting
1	N/A-mailed First Class	NAME of Addressee, Street, and post office address MCKENNEY, ALLEN R. & SUSAN D. 2 WALNUT STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
2	N/A-mailed First Class	CAMIRE, MICHAEL RONALD & MEGAN ELIZABETH 29 EAYRS POND RD, HUDSON, NH 03051	ABUTTER NOTICE SENT
3	N/A-mailed First Class	DENNETT, THOMAS S. & DONNA M. 1 CHESTNUT ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
4	N/A-mailed First Class	AUDY JR, SCOTT J. & WHITE, MELISSA A. 8 CHESTNUT ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
5	N/A-mailed First Class	WARD, SAMANTHA J. & LANDRY, COREY J. 2 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
6	N/A-mailed First Class	MAYFIELD, MATTHEW A. 7 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
7	N/A-mailed First Class	LACROIX, MICHAEL A. & DOROTHY E. 38 EAYRS POND RD., HUDSON, NH 03051	ABUTTER NOTICE SENT
8	N/A-mailed First Class	WILDER, DAVID L. & KAREN L. 40 EAYERS POND ROAD	ABUTTER NOTICE SENT
9	N/A-mailed First Class	STEVENS, ROBERT A. & MICHELLE L. 42 EAYRS POND RD., HUDSON, NH 03051	ABUTTER NOTICE SENT
10	N/A-mailed First Class	ROBINSON, TAMMY T. 1462 ANDOVER ST., TEWKSBURY, MA 01876	ABUTTER NOTICE SENT
11	N/A-mailed First Class	PETROPOULOS, NICHOLAS C. & ELISABETH C. 6 CHESTNUT ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
12	N/A-mailed First Class	THOMAS, BRETT M. 4 LUCIER PARK DR., HUDSON, NH 03051	ABUTTER NOTICE SENT
	Total Number of pieces listed by sender 12	Total number of pieces recvd at Post Office	Postmaster (Receiving Employee)

[Handwritten signature]





TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

COPY

ABUTTER NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

- 1. Case 247-045-010 (4-25-19): Gabriele Vernacchio, 8 Lucier Park Drive, Hudson, NH requests a Home Occupation Special Exception to allow the medical fostering of dogs, which would allow the registration of their physical address and meet the licensing requirement with the State of NH. [Map 247, Lot 045-010, Zoned Town Residential (TR); HZO Article VI, §334-24, Home Occupations].**

Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this Application is available for your review on the Hudson Town Hall website: www.hudsonnh.gov or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

 **COPY**

APPLICANT NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

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Please be advised, the above notice is being sent to all abutters listed on the application. You, or a representative, are expected to attend the hearing, and make a presentation.

Respectfully,

Bruce Buttrick
Zoning Administrator

For any appeal, the application form must be properly filled out. The application form is intended to be self-explanatory, but be sure that you show:

1. Who owns the property? If the applicant is not the owner, please include a statement from the owner that you have permission to speak on his/her behalf.
2. Where the property is located.
3. What you propose to do. Supply twelve copies of an 8.5" x 11" or 11" x 17" scale plan which gives lot area, frontage, side and rear lot lines, natural features, existing and proposed structures, alteration to the lot, and distance to lot lines or wetlands. Pictures and construction plans are helpful.
4. Why your proposed use requires an appeal. Please fill out the attached appeal forms completely. Include why the appeal should be granted.
5. List of abutters, per NH RSA 672:3. This includes property and the name(s) of the owner(s) of properties which physically touch the subject property, across the street and kitty-corner to the subject property.

Prepare a list of all abutting property owners using the Assessing Office records, and attach it to your application. **The accuracy of the list is your responsibility. If the list is found to be incorrect, you may be required to appear before the ZBA a second time, at your expense.**

6. Deliver the completed application, with all attachments, to the office of the Zoning Administrator. A fee is charged sufficient to cover the cost of preparing and mailing the legally required notices. If paying by check, make the check payable to the Town of Hudson and submit with your application.

The Zoning Office will schedule a public hearing within thirty (30) days of receipt of your **properly-completed** application. Applications are scheduled on a first come, first serve basis. **Only completed applications will be scheduled for a hearing.** Public notice of the hearing will be posted and printed in a newspaper, and a notice will be mailed to you, all abutters and other parties whom the Board may deem to have an interest.

After the public hearing, the Board will reach a decision. You will be sent a Notice of Decision.

If you believe that the Board's decision is wrong, you have the right to appeal. Any party affected has the right to appeal the decision of your case. To appeal, you just first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The motion must be made within thirty (30) days of the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in its' opinion, good reason is stated in the motion. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

See **NH RSA Chapter 677** for more detail on rehearing and appeal procedures.

Requests before the Board may require connection to the municipal sewer system. Please contact the Town Engineer prior to submittal of this application to determine if connection is required, and the procedures for such application.

APPLICATION FOR A SPECIAL EXCEPTION

Note: This form is not for filling of wetlands.

Description of proposed use showing justification for a Special Exception, as specified in the Zoning Ordinance.

ARTICLE: V: Permitted Uses SECTION(S): 334-22: Table of Permitted Accessory Uses

I would like to register my home with the State of NH so that we may have medical fosters for Harvey's Hope Animal Rescue. A medical foster is needed after surgery or when a dog has emotional/behavioral issues and needs additional training prior to adoption. There will be no effect to any surrounding property or value, as the dogs in medical foster will be maintained similar to a family pet. There is no difference between the way we will take care of these dogs and our own pets. The state is requiring us to license a physical address. This use is very similar to residential use of a home when someone dog-sits for a friend or family member. All dogs will arrive fully vaccinated and vetted per state requirements (rabies, distemper and parvo shots, health certificate, etc.). Ideally, there will be 1 foster at a time unless there is bonded pair (mother/baby, siblings, etc.).
I do not wish to run a kennel or shelter facility at 8 Lucier Park Drive. The approval of this Special Exception will allow us to register with the State and have medical fosters under Harvey's Hope Animal Rescue.

Hello!

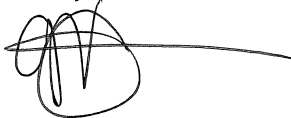
My name is Gabriele Vernacchio. I live at 8 Lucier Park Drive. I sent an email this week to all of the contacts I have, but I wanted to give you a paper copy in case you did not receive it. I have applied for a Special Exception for 8 Lucier Park Drive with the Town of Hudson. You will be getting a certified letter from the town in the next few weeks asking for your support for our Special Exception. Below you will find some information on my request. I hope to have your support so that Harvey's Hope Animal Rescue can save and rehabilitate more animals. The next page offers a support letter. If you agree, I would greatly appreciate if you could sign the letter. They can be dropped in my mailbox or I can come pick them up if you want to call or text me: 781 389 4833. You can also reach out with any questions you may have. Thank you for taking the time to read this!

I have been working in rescue since the age of 10. I have pulled stray cats from under sheds, rescued dogs from unsanitary and abusive homes, fostered dozens of dogs, and spent countless hours volunteering and transporting for multiple rescues. In the past year, I have been a volunteer for Poor Paws Rescue and Bark Animal Rescue and Rehabilitation for K9s.

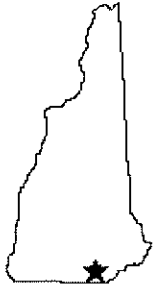
I founded Harvey's Hope Animal Rescue (HHAR) in 2019. Our goal is to save unwanted, stray animals and rehabilitate them to become loved, family pets. We do not have a physical kennel or facility, and we cannot save and rehabilitate animals without the ability to have medical foster homes. We do not plan to use foster homes as extra space to store animals, but rather to allow them to become ready for adoption. Foster homes are important to introduce these animals to a warm, safe place where they can relax, heal and learn to be a family pet. In our past experience, most dogs who are pulled from shelter or stray situations (where the majority of our dogs come from) need time to decompress or recover from spay/neuter surgery in a home environment. When a dog is not emotionally ready to enter a home, recently had surgery, or needs more behavioral training before being "adoptable," it needs a medical foster. This process can take several weeks. There will be no effect to any surrounding property or value as these dogs will not come on to other properties and they will be maintained inside the home, just like my own three dogs. The use of a property for a medical foster is much similar to that of a person who is pet-sitting for a friend or family member, but registration is required by the State. These dogs will arrive fully vaccinated and vetted per state requirements (health certificate, rabies, distemper and parvo shots, etc.). Ideally, there will be one foster at a time unless there is a bonded pair (mother/baby, siblings, etc).

I do not wish to run a kennel or shelter facility at 8 Lucier Park Drive. By approving the Special Exception, we will be able to register our residence with the state and have medical fosters under Harvey's Hope Animal Rescue.

Thank you,

A handwritten signature in black ink, appearing to be 'G. Vernacchio', with a long horizontal line extending to the right.

Gabriele Vernacchio
8 Lucier Park Drive
Hudson, NH 03051
Cell: 781 389 4833
Founder, Harvey's Hope Animal Rescue



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #19-037R

April 12, 2019

Gabriele Vernacchio
8 Lucier Park Drive
Hudson, NH 03051

Re: **8 Lucier Park Drive** **Map 247 Lot 045-010**
District: Town Residence (TR)

Dear Ms. Vernacchio,

Your request: In order to secure a license from the State, can you foster dogs during their medical recovery on your property?

Zoning Review / Determination:

Our records indicate this as a developed lot of record with 10,000sqft (10,000 sqft required) and 100.00 ft of frontage (90 ft required). This is an existing conforming lot. Existing structure appears to satisfy all required setbacks.

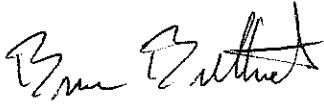
My determination:

Because of the name of your organization: "Harvey's Hope Animal Rescue" indicates to me a business type of activity, I would request that you apply for a Home Occupation Special Exception per Section §334-22 Table of Permitted Accessory Uses and the specific requirements of Section §334-24 Home Occupations.

I feel a Special Exception approval would satisfy the ZBA's concerns as to any possibility of this requested use expanding into and becoming a kennel, which is prohibited in this Zone.

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Buttrick". The signature is stylized with a large initial "B" and a long horizontal stroke.

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth – Town Planner
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #19-037

April 2 2019

Gabriele Vernacchio
8 Lucier Park Drive
Hudson, NH 03051

Re: **8 Lucier Park Drive** **Map 247 Lot 045-010**
District: Town Residence (TR)

Dear Ms. Vernacchio,

Your request: In order to secure a license from the State, can you foster dogs during their medical recovery on your property?

Zoning Review / Determination:

Our records indicate this as a developed lot of record with 10,000sqft (10,000 sqft required) and 100.00 ft of frontage (90 ft required). This is an existing conforming lot. Existing structure appears to satisfy all required setbacks.

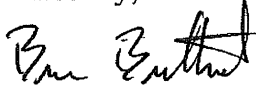
My determination:

- 1) Section §334-22 Table of Permitted Accessory Uses states: "Accessory uses, not provided for in the Table of Permitted Accessory Uses, that are appropriate to a district can be permitted as a special exception from the Zoning Board of Adjustment in accordance with the general requirements of Article VI." In my opinion the requested use is an appropriate accessory use to residential and a Special Exception would be required.
- 2) Section §334-22 Table of Permitted Accessory Uses states: "The addition of such accessory uses does not result in the mixed or dual use of a parcel and does not require additional lot area, frontage or setbacks." There would not be any variances required from the ZBA.

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.

I feel a Special Exception would satisfy the ZBA's concerns as to any possibility of this requested use expanding into and becoming a kennel, which would require a Variance to operate such activity as a kennel.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Buttrick". The signature is stylized and cursive.

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth - Town Planner
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.



STATE OF NEW HAMPSHIRE
 DEPARTMENT OF AGRICULTURE, MARKETS & FOOD
 DIVISION OF ANIMAL INDUSTRY
 603-271-2404



Application to License Premises to Transfer Live Animals and Birds

The undersigned hereby applies for a license to house, harbor, or display live animals and birds intended for transfer to the public at the following described premises, in accordance with the provisions of RSA 437, for the period ending June 30, _____.

ANNUAL FEE: \$200.00 per each premise. (Fiscal Year July 1, _____ to June 30, _____.)

Any **new** applicant applying for a license after January 1 and before June 30 of the current fiscal year, the license fee shall be \$100.00.

Name of Entity applying for license: _____

_____ NH _____
 Physical Address of Premises to be licensed per RSA 437:1 City/Town Zip

Telephone: _____ E-mail address: _____

Do you plan to operate as a Pet shop (RSA 437:2 III) ___ or Animal shelter facility (RSA 437:2 I) ___

List reasonable hours as required by RSA 437:8 and Agr 1700: _____

Program of disease control & prevention per RSA 437:5: _____

Veterinarian of Record: _____

Proof of local zoning approval per RSA 437:3. _____ Microchip reader available: _____

Submitted By: _____
 Individual, firm or Corporate Name

_____ Mailing Address City/Town State Zip

Signature of Owner or Authorized Agent: _____
 (Please also print name if signature is illegible)

_____ Title Telephone (If different from above)

Make checks payable to: Treasurer, State of New Hampshire
Application fee is non-refundable

Mail application and fee to: Division of Animal Industry
 P.O. Box 2042
 Concord, NH 03302-2042

247 045 010
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPRAISED: 334,700 / 334,700
USE VALUE: 334,700 / 334,700
ASSESSED: 334,700 / 334,700



Patriot
Properties Inc.

PROPERTY LOCATION

No 8 Alt No LUCIER PARK DR, HUDSON

OWNERSHIP

Owner 1: BERNARDO, NICHLOAS J.
Owner 2: VERNACCHIO, GABRIELE P.
Owner 3:
Street 1: 8 LUCIER PARK DR.
Street 2:
Town/City: HUDSON

S/Prov: NH Cntry Owm Occ:
Postal: 03051 Type:

PREVIOUS OWNER

Owner 1: K&M DEVELOPERS, LLC -
Owner 2:
Street 1: 46 LOWELL RD.
Town/City: HUDSON
S/Prov: NH Cntry
Postal: 03051

NARRATIVE DESCRIPTION

This parcel contains .23 ACRES of land mainly classified as ONE FAMILY Y with a COLONIAL Building built about 2018, having primarily VINYL Exterior and 1872 Square Feet, with 1 Bth, 1 Bath, 1 3/4 Bath, 1 Hall/Bath, 6 Rooms, and 3 Balms.

OTHER ASSESSMENTS

Code Descr/No Amount Com. Int

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.230	250,100		84,600	334,700
Total Card	0.230	250,100		84,600	334,700
Total Parcel	0.230	250,100		84,600	334,700
Source: Market Adj Cost			Total Value per SQ unit /Card: 178.79	/Parcel: 178.79	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes
2018	101	FV	250,100	0	.23	84,600	334,700	334,700	Year End Roll
2018	101	JB	250,100	0	.23	84,600	334,700	334,700	Year End Roll
2017	130	FV		0	.23	38,100	38,100	38,100	Year End Roll
2017	130	PV		0	.23	38,100	38,100	38,100	Year End Roll
2017	130	JB		0	.23	36,300	36,300	36,300	Year End Roll

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif
K&M DEVELOPERS, HUDSON, TOWN OF	9068-0978	1	4/30/2018	IMP INCOMPL	371,500	No	No	
	8862-2168	2	6/3/2016	GOVT TRANS	297,000	No	No	

TAX DISTRICT

IMP INCOMPL
GOVT TRANS

PAT ACCT.

Notes: 10382

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
0				Sewer	2	TOWN SEWE
n				Electri		
Census:						
				Exmpt		
Flood Haz.	A			Topo	1	LEVEL
				Street		
				Gas		

BUILDING PERMITS

Date	Number	Descr	Amount	C/O	Last Visit	Fed Code	F. Descr	Comment
1/26/2018	2017-00910	MECHANIC		C				
12/29/2017	2017-00910	ELECTRIC	7,000	C				
12/18/2017	2017-00910	MECHANIC	1,700	C				
12/18/2017	2017-00910	PLUMBING	8,000	C				
12/5/2017	2017-00910	PROPANE		C				
9/28/2017	2017-00910	DWELLING	140,000	C				
9/12/2017	2017-00910	DRIVEWAY		C				
9/11/2017	2017-00910	FOUNDATI	140,000	C				
9/11/2017	2017-00910	H2O hook		C				
8/17/2017	2017-00838	SEPTIC		C				

ACTIVITY INFORMATION

Date	Result	By	Name
3/26/2018	Permit Visit	12	TECH ASMT
3/6/2017	Info Fm Plan	1	ASST ASSES

AND SECTION (First 7 lines only)

Use Code	LUC	No of Units	Depth/ Price/Units	Unit Type	Land Type	LT	Factor	Base Value	Unit Price	Adj	Neigh Infl	Neigh Infl	Neigh Infl	%	%	%	%	Appraised Value	Alt Class	Spec Land Code	Fact Use Value	Notes
101	ONE FAMILY	0.23		SITE ACRE SITE				0 110,000.	3.34	RE								84,590			84,600	

Total AC/H/A: 0.23000 Total SF/SM: 10019 Parcel LUC: 101 ONE FAMILY Prime NB Desc: RES AVG

Total: 84,590 Spt Credit: Total: 84,600

Appraised Value: 84,590
Alt Class: %
Spec Land Code: J
Fact Use Value: 84,600
Notes:

EXTERIOR INFORMATION

Type: 06 - COLONIAL	
Sy Hr: 2 - TWO STY	
(Liv) Units: 1 - CONCRETE	Total: 1
Foundation: 1 - CONCRETE	
Frame: 1 - WOOD	
Prime Wall: 04 - VINYL	
Sec Wall:	
Roof Struct: 1 - GABLE	
Roof Cover: 1 - ASPH SHING	
Color: TAN	
View / Desc:	

BATH FEATURES

Full Bath: 1	Rating: GOOD
A Bath:	Rating:
3/4 Bath: 1	Rating: GOOD
A 3QBth:	Rating:
1/2 Bath: 1	Rating: GOOD
A HBth:	Rating:
Other Fk:	Rating:

COMMENTS

Boundary Plat #39189.

RESIDENTIAL GRID

1st Res Grid	Desc: Line 1	# Units: 1
Level	PY LR DR D K FR RR BR FB HB L O	
Other		
Upper		
Lvl 2		
Lvl 1		
Lower		
Totals	Rms: 6 BRS: 3 Baths: 1 HB: 1	

INTERIOR INFORMATION

Avg H/F.L: STD	
Prim Int Wall: 1 - DRYWALL	
Sec Int Wall:	
Partition: T - TYPICAL	
Prim Floors: 03 - HARDWOOD	
Sec Floors: 04 - CARPET	30%
Bsmnt Flr: 12 - CONCRETE	
Subfloor:	
Bsmnt Gar:	
Electric: 3 - TYPICAL	
Insulation: 2 - TYPICAL	
Int vs Ext: S	
Heat Fuel: 4 - PROPANE	
Heat Type: 1 - FORCED AIR	
# Heat Sys:	
% Heated: 100	% AC: 1
Solar HW: NO	Central Vac: NO
% Corn Wal:	% Sprinkled

DEPRECIATION

Phys Cond: GD - Good	1.7%
Functional:	
Economic:	
Special: NC - New Constr	5.0%
Override:	
Total:	6.61%

REMODELING

RES BREAKDOWN

Exterior:	No Unit	RMS	BRS	FL
Interior:	1	6	3	M
Additions:				
Kitchen:				
Baths:				
Plumbing:				
Electric:				
Heating:				
General:	1	6	3	

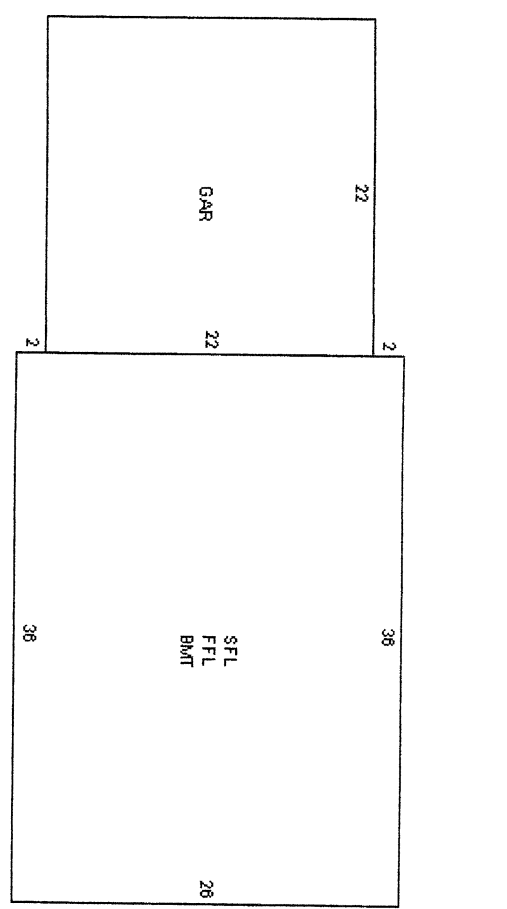
CALC SUMMARY

Basic \$ / SQ: 94.00	
Size Adj.: 0.98076922	
Const Adj.: 0.99371994	
Adj \$ / SQ: 91.613	
Other Features: 17200	
Grade Factor: 1.20	
NBHD Inf: 1.00000000	
NBHD Mod:	
LUC Factor: 1.00	
Adj Total: 267766	
Depreciation: 17699	
Depreciated Total: 250067	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
BMT	BASEMENT	936	18,320	17,150
FFL	FIRST FLOOR	936	91,610	85,750
SFL	SECOND FLR	936	91,610	85,750
GAR	GARAGE	484	35,720	17,288

SUB AREA DETAIL

Sub	%	Descrp	%	Qu #
Area	Usbl	Type		Ten

MOBILE HOME

Make:		Model:		Year:		Color:	
-------	--	--------	--	-------	--	--------	--

SPEC FEATURES/YARD ITEMS

Code	Description	A Yrs	Qty	Size/Dim	Qual	Con	Year	Unit Price	DIS	Dep	LUC	Fact	NB	Fa	Appr Value	JCode	Fact	Jurs	Value	

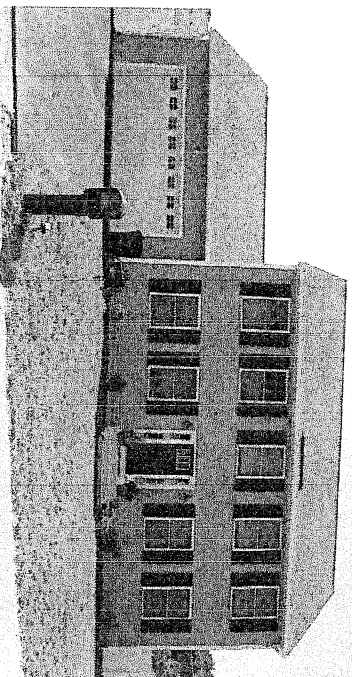
PARCEL ID

Parcel ID	247-045-010
-----------	-------------

IMAGE

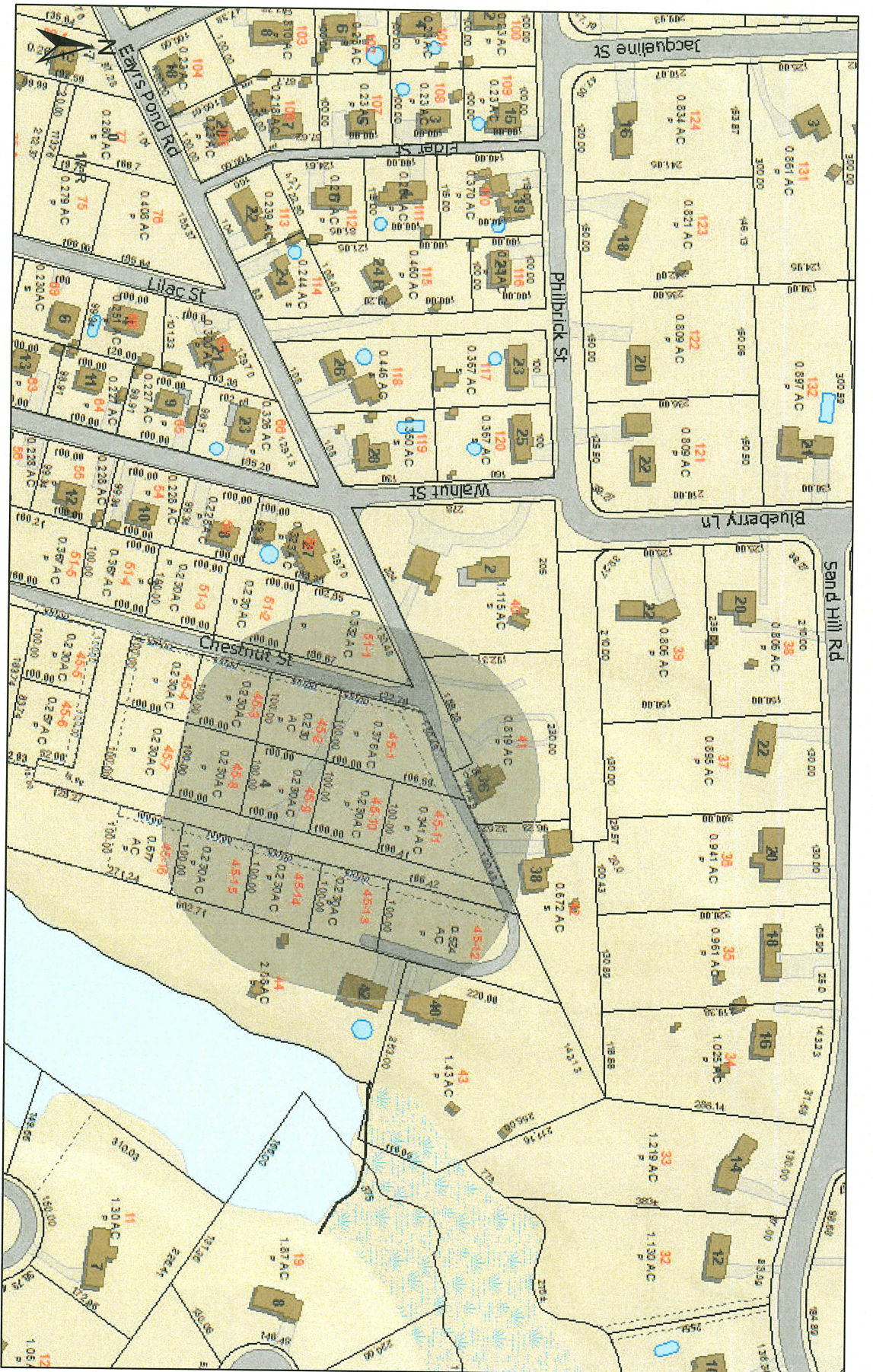
Net Sketched Area: 3,292	Total:	205,938
Size Adj: 1872 Gross Area	3292 Fin Area	1872

AssessPro Patriot Properties, Inc



More: N Total Yard Items: Total Special Features: Total:

8 Lucier Park Dr



April 2, 2019

Easement Lines

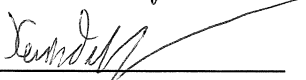
Parcels

1 inch = 185 feet



We have received notification from Gabriele Vernacchio of Harvey's Hope Animal Rescue regarding licensing their home as a medical foster with the State of New Hampshire, which requires approval of a Special Exception from the Town of Hudson. We would like to show our support of their wish to register their home address of 8 Lucier Park Drive in Hudson, NH 03051 as a medical foster with the State of New Hampshire. Please note that we take no exception to the approval of the zoning variance nor do we take exception to them having medical foster dogs in their home.

Name: Kevin Duffey

Signed: 

Address: 8 Lucier Park Drive
Hudson NH, 03051

Harvey's Hope Animal Rescue (HHAR) Foster Guidelines



You will be expected to keep the animal safe and secure, return it to HHAR when requested to do so, and not promise the animal to anyone, or imply that you have the authority to approve a potential adoption. HHAR retains ownership of all animals placed in foster care, and will make all decisions regarding the adoption and placement of the animals fostered.

Unless otherwise arranged, the foster parent is responsible for providing all food, bedding, and toys for the animal while it is in their care at home. If any supplies are provided (crate, bedding, medications, etc.), they are property of HHAR must be returned to the local Foster Coordinator when the dog is adopted. The foster parent is responsible for transporting the animals to and from veterinary appointments, surgery, behavior evaluations, vaccinations, etc., The foster parent may also be responsible for transporting the animal to and from adoption events, and to off-site training classes, at the Foster Coordinator's discretion. Upon return of your foster animal to HHAR you will be required to fill out a brief questionnaire about your foster animal's behavior and personality.

Unless approved by the Board, foster dogs are not permitted to use e-collars, prong collars, choke collars, muzzles, or e-fences. Under no circumstances should foster dogs be left outdoors unattended, including access via doggie doors. Foster dogs are not permitted in dog parks or off-leash in unfenced areas.

You will not be required to process adoption applications for your foster. However, we ask that you direct all interested applicants to HarveysHope.org or to email us at info@harveyshope.org.

New Hampshire Pickup Locations

Pickup is scheduled with 48 hours notice. If you fail to show for pickup, HHAR will be charged. Please let us know ASAP if you cannot make your scheduled pickup.

AVC Manchester Emergency Care/Quarantine
55 Carl Drive
Manchester, NH 03103
(603) 669-2002

Plaistow-Kingston Animal Medical Center
48 NH-125
Kingston, NH 03848
(603) 642-9700

Name of dog: _____ Pickup time/date: _____

My local foster coordinator is: _____

Phone: _____ Email: _____

Day 1

Review all medical/vetting records:

- Confirm rabies & distemper/parvo shots, spay/neuter, deworming, HW testing (4DX), Health Certificate
- Know when HW & flea/tick preventatives are due (whether immediately or in 1 month)
- If your foster recently had surgery, take a picture of the incision to compare over the next few weeks

If any of this information is missing, needed or dates are upcoming, contact your local Foster Coordinator immediately. All vetting will be scheduled by the local Foster Coordinator.

Day 3

- You may begin to slowly introduce your foster to your family members if you feel that they are ready
- Always introduce the foster on neutral grounds and keep the foster on a leash

Weeks 1-4

- Assess their general behavior, likes/dislikes, leash walking, commands, trainability, etc.
- Avoid situations that will cause your foster stress (e.g., stores, parties, too many people/dogs)
- Take a lot of photos and videos during this time! Upload your write-up with photos and videos to the HHAR Foster Facebook page

By Weeks 4-6, Your Foster Should be Ready for Adoption. *If you do not feel they are ready, please email your local Foster Coordinator and explain why. We will provide assistance if needed.*

Adoption: *A meet and greet will be arranged with approved adopters only. Prior to the meeting:*

- Scan and send a copy of all medical records to your local Foster Coordinator
- Confirm with local Foster Coordinator prior to the meeting whether or not the adopter can take the dog home that day (signed contract received, adoption fee paid, etc.). You are NOT to take a contract or payment unless you have written notification from your local Foster Coordinator.

Be sure to..

- Bring all original medical records to the visit. Your foster dog may be getting adopted today!
- Take a new family photo! Submit it to: info@harveyshope.org
- Feel free to exchange information with the new family if you both would like to keep in touch. We love to see our dogs settle in and grow with their new families.
- Take some time to reflect on your experience. Fill out the questionnaire that will be emailed to you 3-5 days after your foster is adopted.



Gabriele Vernacchio <harveyshopeanimalrescue@gmail.com>

Letter of Support

1 message

McMillan, Jana <jmcmillan@hudsonnh.gov>

Wed, Apr 3, 2019 at 1:18 PM

To: "harveyshopeanimalrescue@gmail.com" <harveyshopeanimalrescue@gmail.com>

Hi Gabriele,

Per our conversation, you have my support in your efforts to foster animals at your home, so long as you follow State Laws and Agriculture Rules in accordance with your license and follow the zoning requirements.

Thank you for forging through this process to do things appropriately, and thank you for helping the animals.

Kind Regards,

Jana McMillan

Animal Control Supervisor

Deputy Health Officer

Hudson Police Department

1 Constitution Dr

Hudson, NH 03051

Email: jmcmillan@hudsonnh.gov

General: (603)886-6011

Direct: (603)889-7387

Fax: (603)886-0605

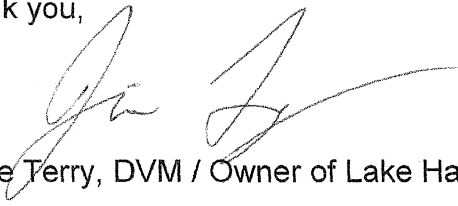
This e-mail communication (including any attachments) is covered by the Electronic Communications Privacy Act, 18 USC 2510 et seq. This communication is CONFIDENTIAL. The advice and work product contained herein are PRIVILEGED and intended only for disclosure to or use by the person(s) listed above. If you are neither the intended recipient(s), nor a person responsible for the delivery of this communication to the intended recipient(s), you are hereby notified that any retention, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by using the "reply" feature or by calling me at (603) 886-6011, and then immediately delete this message and all attachments from your computer.

Lake Hartwell Veterinary Clinic
1087 E. Franklin St
Hartwell, GA 30643
(706)377-7297

To whom it may concern,

Lake Hartwell Veterinary Clinic has been providing medical services for animals in the care of Harvey's Hope Animal Rescue. This rescue does all recommended vetting. All animals are spayed or neutered, tested and appropriately treated for all parasites (including heartworms), vaccinated and placed on parasite prevention prior to adoption. We are pleased to be working with them.

Thank you,


Jaime Terry, DVM / Owner of Lake Hartwell Veterinary Clinic

ABL
 REGISTERED LAND SURVEYORS
 P.O. Box 70702
 Quinsigamond Village Station
 WORCESTER, MA 01607
 508-752-8050 (PHONE)
 508-752-8004 (FAX)

A Division of H. S. & T. Group, Inc.

REGISTRY HILLSBOROUGH

MORTGAGE INSPECTION PLAN

NAME NICHOLAS J. BERNARDO & GABRIELE P. VERNACCHIO

LENDER _____

LOCATION 8 LUCIER PARK DRIVE

HUDSON, NH

SCALE 1" = 30' DATE 3/25/18

ABL #03-212-18

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW).
 NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

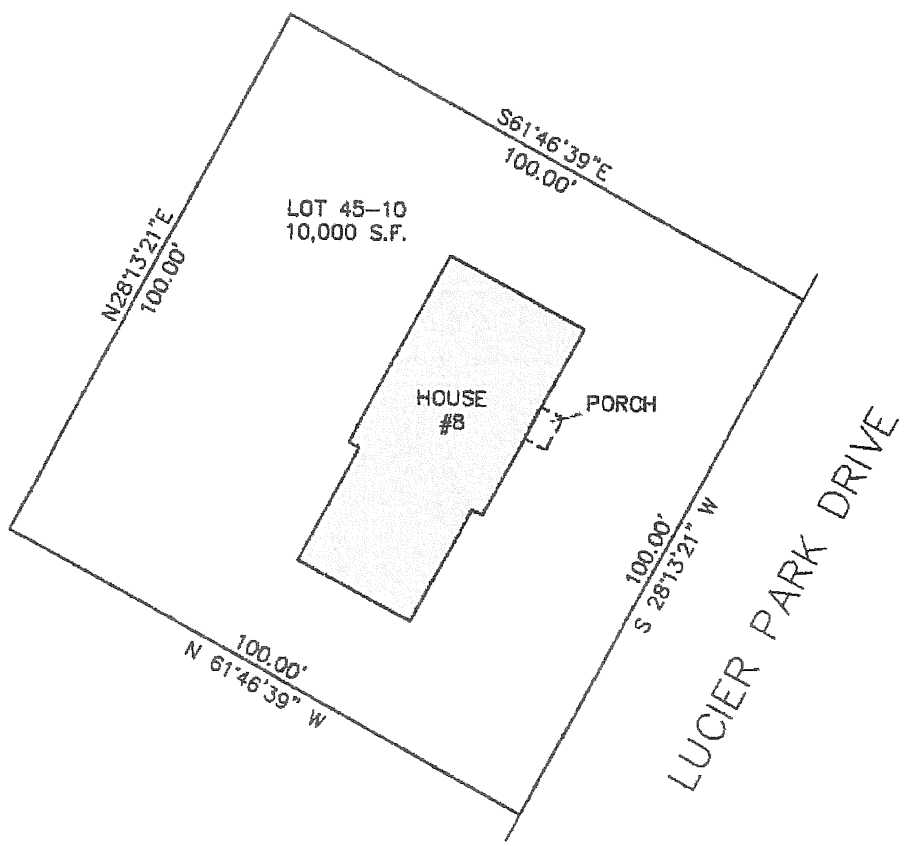
DEED BOOK/PAGE 8960/412

PLAN BOOK/PLAN #39187

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FEMA MAP:

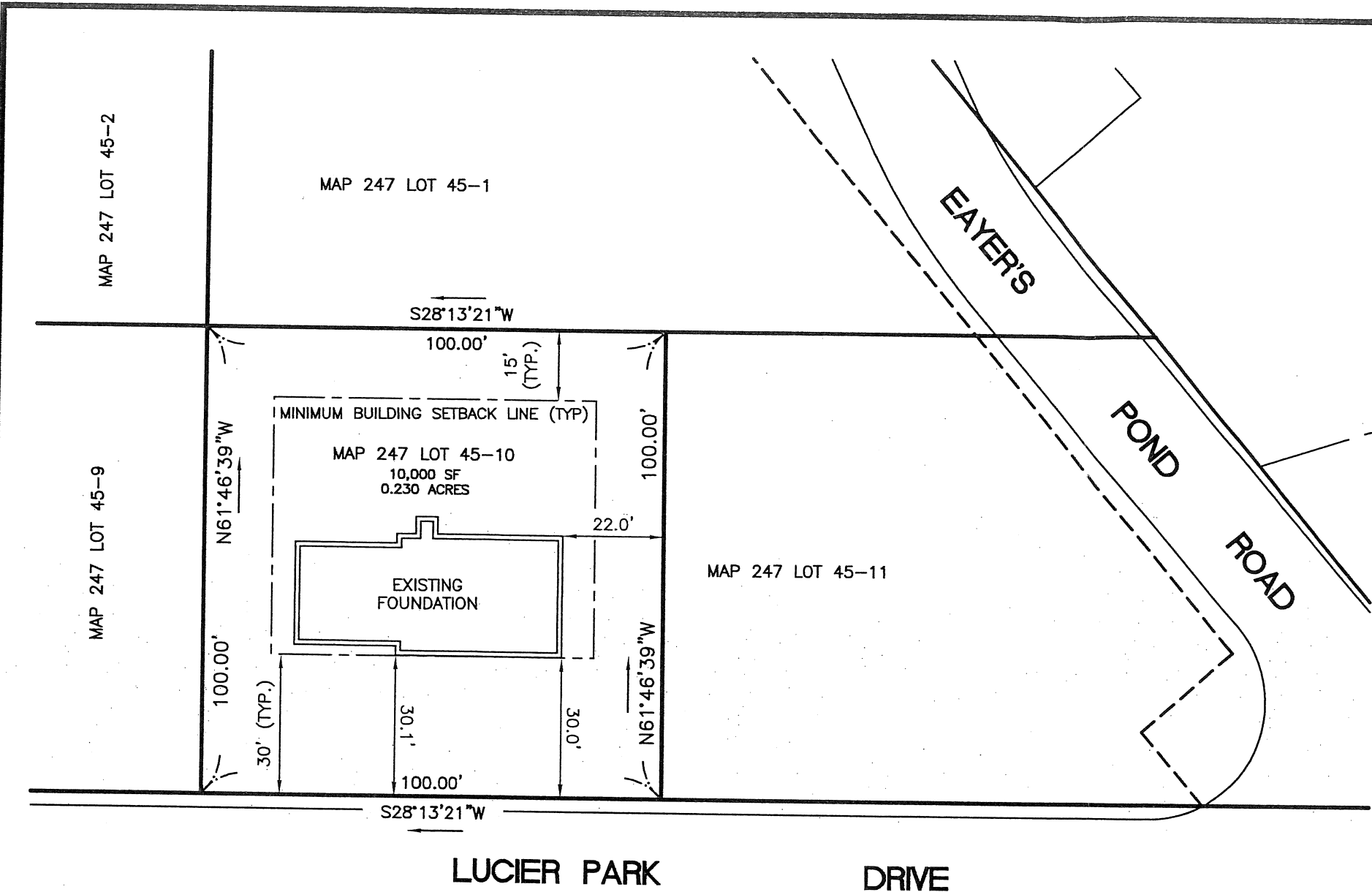
658D DTD 09-25-09

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY FEMA AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



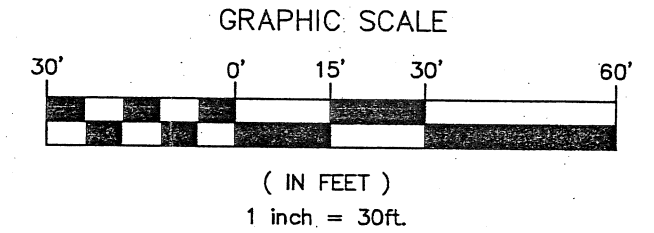
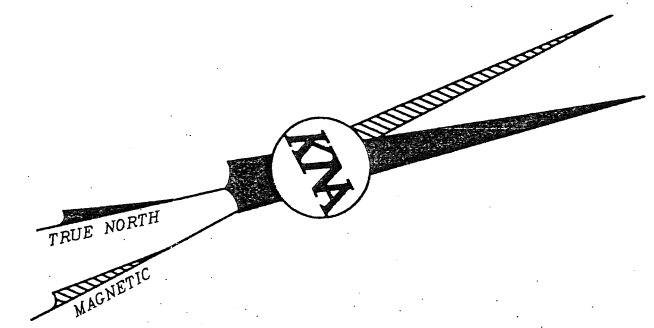
REQUESTING OFFICE: ROBERT G. PETERSON, ESQ.
 REQUESTED BY:

DRAWN BY: DA
 CHECKED BY:



NOTES

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING FOUNDATION LOCATION ON ASSESSORS MAP 247 LOT 45-10 ON LUCIER PARK DRIVE IN HUDSON, N.H. AND NO OTHER PURPOSE.
2. PLAN REFERENCE - MAP OF LUCIER PARK, HUDSON N.H., SCALE: 1"=80', APRIL 1917, PLATE NO. 1 AND PLATE NO. 2
3. PARCEL LIES WITHIN THE TOWN RESIDENCE ZONE
BUILDING SETBACKS: FRONT = 30 FT.,
SIDE = 15 FT., REAR = 15 FT.
4. OWNER OF RECORD; K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051



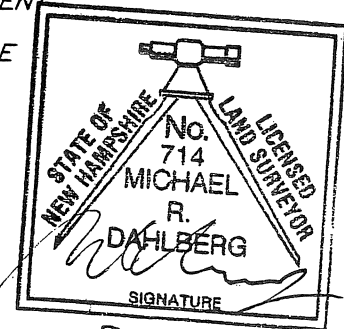
CERTIFIED FOUNDATION PLAN

MAP 247 Lot 45-10
8 LUCIER PARK DRIVE
HUDSON, NEW HAMPSHIRE

DRAWN BY: CGB	DATE: 09-25-17	JOB. NO.16-0608-2
CHECKED BY: MRD	SCALE: 1" = 30'	SHEET 1 OF 1

K&M KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110
Phone (603) 627-2881

EXISTING EASEMENT
WITH RIGHTS TO
DISPOSE SEWAGE
WITHIN LIMITS



9-25-17

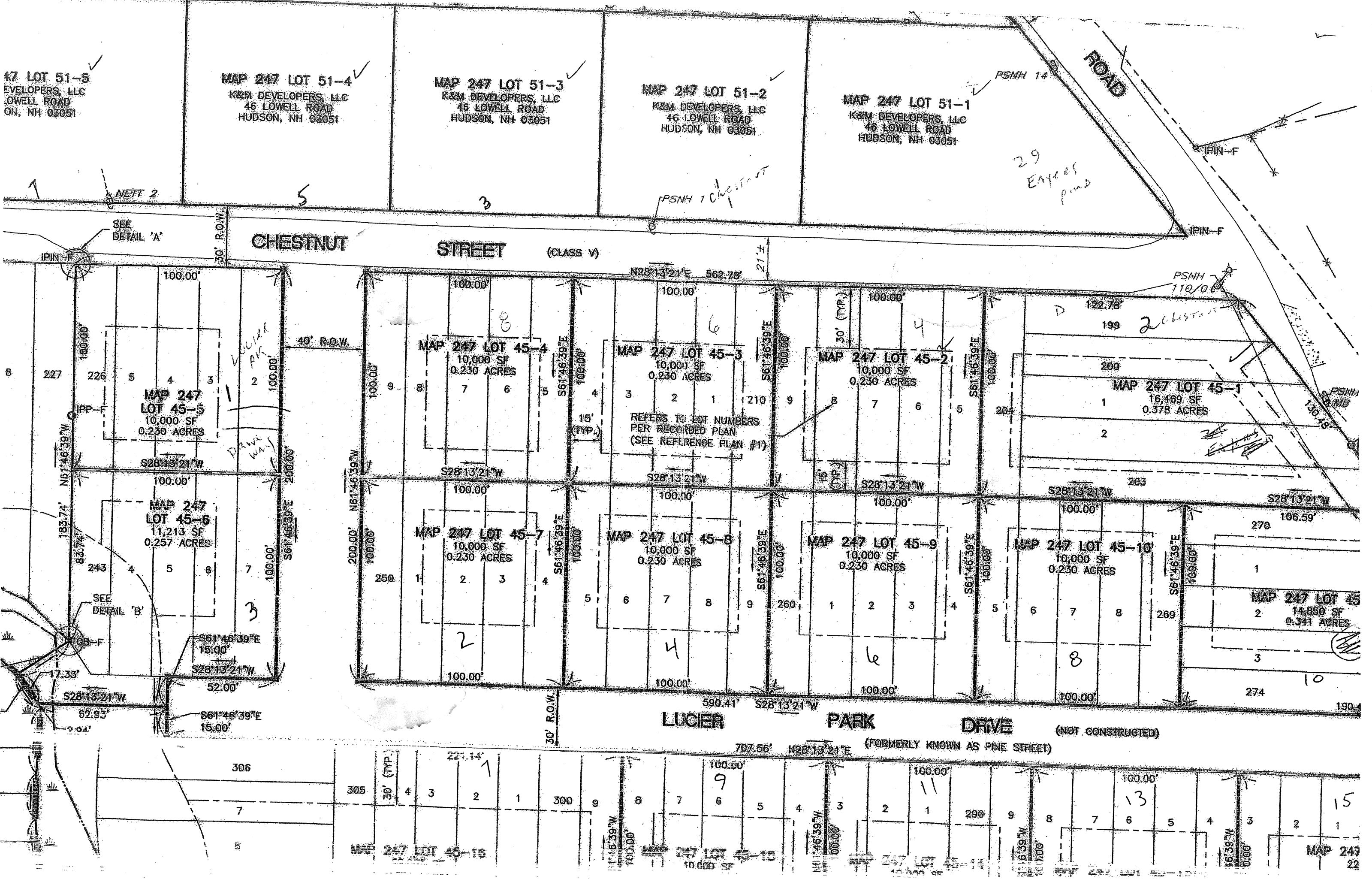
47 LOT 51-5
K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051

MAP 247 LOT 51-4
K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051

MAP 247 LOT 51-3
K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051

MAP 247 LOT 51-2
K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051

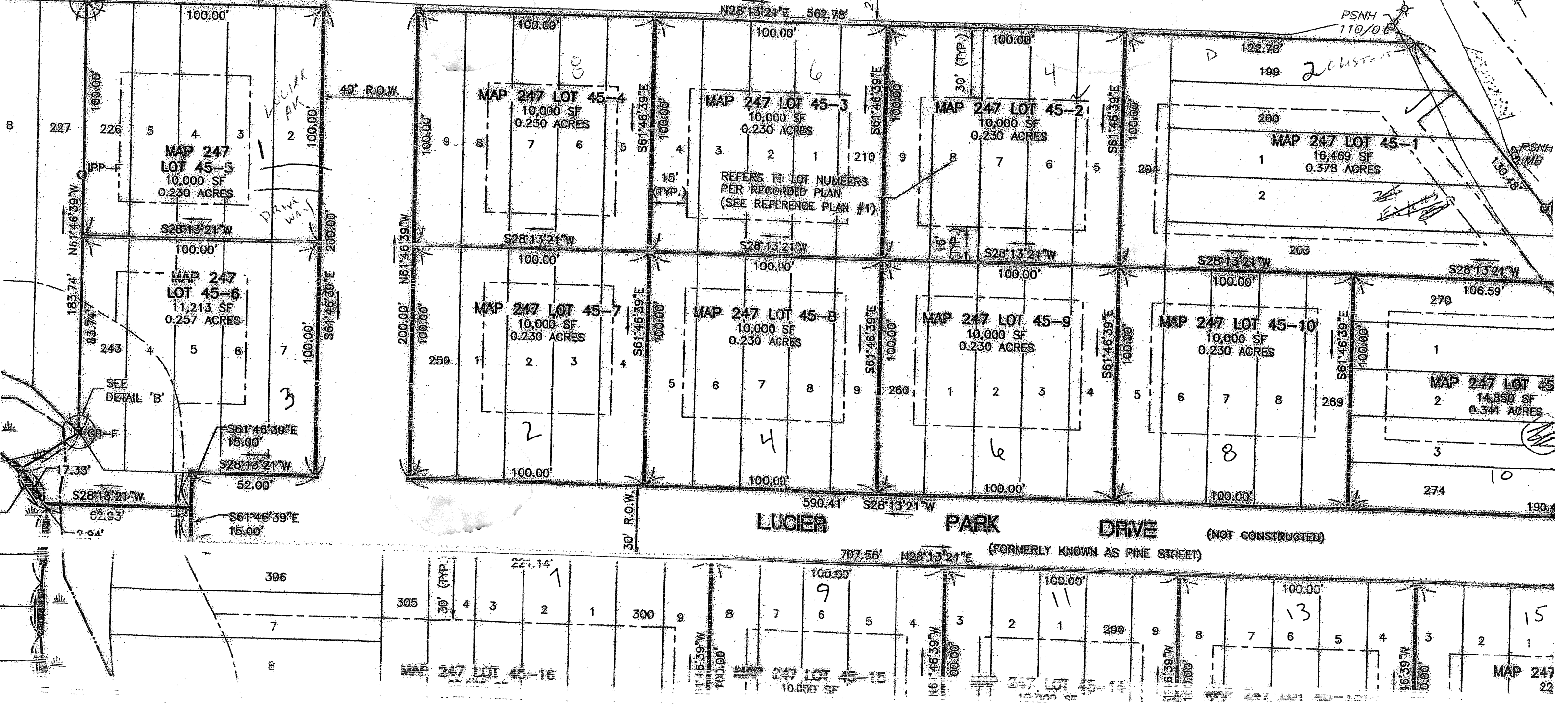
MAP 247 LOT 51-1
K&M DEVELOPERS, LLC
46 LOWELL ROAD
HUDSON, NH 03051



CHESTNUT STREET (CLASS V)

LUCIER PARK DRIVE (NOT CONSTRUCTED)

707.55' N28°13'21"E (FORMERLY KNOWN AS PINE STREET)



SEE DETAIL 'A'

SEE DETAIL 'B'

REFERS TO LOT NUMBERS
PER RECORDED PLAN
(SEE REFERENCE PLAN #1)

29
ACRES
POND

2
CHESTNUT



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Administrator Staff Report

Meeting Date: April 25, 2019

Bk 4-15-19

Case 169-011 (4-25-19): Stephen Hebert, 27 Windham Road, Hudson, NH requests an Equitable Waiver of Dimensional Requirement to allow a newly poured detached garage foundation that encroaches 2.6 ft. into the rear setback. [Map 169, Lot 011, Zoned Business (B); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].

Address: 27 Windham Road

Zoning district: Business (B)

Property description: This as a developed lot of record: Having approx. 32,365 sqft where 30,000 sqft required, and 220 ft of frontage where 150 ft is required. The existing structure (house) satisfies all required setbacks. The current use as residential is by Variance granted March 22, 2001.

Summary: Owner received Variance to construct a 48 ft x 28 ft residential garage, received Building Permit # 2018-01227 issued 2/01/19. Foundation was poured into the rear setback of approx. 2 ft. Code Enforcement issued Stop Work Order.

HISTORY:

ZBA: Granted variance on 1/24/19, to build 48 ft x 28 ft residential garage.

Building Permit: #2018-01227 Foundation only issued 2/01/19.

Code Enforcement: Stop Work Order issued March 29, 2019.

ATTACHMENTS:

“A” ZBA 1/24/19 Notice of Decision

“B” Building Permit # 2018-01227

“C” Stop Work Order issued March 29, 2019.

Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

On **01/24/19**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 169-011**, pertaining to a request by **Stephen Hebert, 27 Windham Rd, Hudson, NH** for a Variance **to construct a 48 ft. x 28 ft. residential garage, in the Business district where residential use is not a permitted use.** [Map 169, Lot 011, Zoned B; HZO Article V §334-21, Table of Permitted Principal Uses].

Following review of the testimony and deliberation, the Zoning Board members unanimously voted (4-0) that the variance should be granted with no stipulations, citing hardship is placed on the property being zoned as a Business Zone however, the applicant is just using their property by building a three car garage for residential use with existing home and does not alter the character of the neighborhood. The neighborhood is actually residential. The applicant is aware that the garage is for residential use only and not commercial.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be

A

considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Zoning Administrator to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and corrective action(s) will be enforced under N.H. R.S.A. 676:17, as well as recovery of costs and reasonable attorney's fees.

Signed:

Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Date: 1/31/19

Signed:

Barbara Zutter
Zoning Administrator

Date: 1-31-19

A₂



Town of Hudson, NH
FOUNDATION ONLY

Hudson Fire - Inspectional Services Division
 12 School Street
 Hudson, NH 03051
 603-886-6005

Permit Number
 2018-01227-1-FD
 Date of Issue
 2/01/2019
 Expiration Date
 7/31/2019

Owner: HEBERT, STEPHEN N. KHAMVONGSA, KIMBERLY

Applicant: HEBERT, STEPHEN N. KHAMVONGSA, KIMBERLY

Location of Work: 27 WINDHAM RD
 (No. and Street) (Unit or Building)

Description of Work: Foundation only for a 28' x 48' detached garage

ZONING DATA: District: B Map/Lot: 169-011-000

CONTRACTOR: The Barn Yard 203-740-7433

REMARKS:

A CERTIFIED FOUNDATION PLAN IS REQUIRED PRIOR TO ISSUANCE OF A FRAMING PERMIT. ADDITIONAL FEES WILL BE APPLIED.

Building Permit Issuance Conditions are as follows:

- THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY.
- THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION AND OR SITE PLAN APPROVAL REQUIREMENTS.
- APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE.
- NO BUILDING SHALL BE OCCUPIED OR USED UNTIL A FINAL INSPECTION IS PERFORMED.
- WHEN APPLICABLE, SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, AND MECHANICAL INSTALLATIONS.
- WORK MUST BE STARTED WITHIN 6 MONTHS FROM THE DATE OF PERMIT ISSUANCE.
- ALL CONSTRUCTION MUST CONFORM TO APPLICABLE STATE OF NEW HAMPSHIRE AND HUDSON TOWN CODES.

INSPECTION APPROVALS

Building _____ / _____ / _____ Date _____
 Plumbing _____ / _____ / _____ Date _____
 Electrical _____ / _____ / _____ Date _____
 Fire Sprinklers (rough) _____ (final) _____
 Other _____ / _____ / _____ Date _____

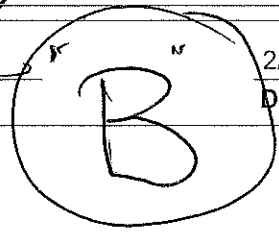
Permit Holder: HEBERT, STEPHEN N. KHAMVONGSA, KIMBERLY
 (Taking Responsibility for the Work)
 Company/Affiliation: Job Site Phone Number:

Constr Cost: \$75,000 Permit Fee: \$100.00 Check No.: 150 Cash: \$0.00

The Permit Card Shall be Posted and Visible From the Street During Construction

THIS BUILDING PERMIT AUTHORIZES ALL CODE OFFICIALS, BUILDING INSPECTOR AND ASSESSOR OR THEIR AGENTS TO CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON COMPLETION OF THE WORK FOR WHICH THIS PERMIT IS ISSUED.

Code Official _____ Permit Holder _____ Date 2/01/2019





TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #19-041 Stop Work Order - Building Permit 2018-01227-1

March 29, 2019

Stephen Hebert
27 Windham Rd
Hudson, NH 03051

Re: **27 Windham Road** **Map 169 Lot 011**
District: Business (B)

Dear Mr. Hebert,

This letter is a Stop Work Order as well as a Notice of Violation:
The current construction of your 28' x 48' detached garage is in violation of the required rear setback per the certified plot plan we received of the actual foundation layout.

Zoning Review / Determination:

Please cease the construction of the structure, and either:

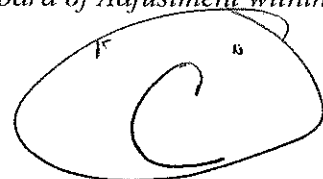
- 1) Remove the existing foundation encroachment in the required setback,
- Or,
- 2) Apply for an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment to allow the foundation in the setback area.

Sincerely,

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

encl: Equitable Waiver application
cc: Public Folder
J. Kennedy – Permit Technician
Dep. O'Brien – Inspectional Services
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.



TOWN OF HUDSON

APR 08 2019

APPLICATION FOR AN EQUITABLE WAIVER

Zoning Department

Planning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel

Case No. 169-011

Date Filed 4/8/19

Name of Applicant STEPHEN HEBERT Map: 169 Lot: 011 Zoning District: B

Telephone Number (Home) 781-640-7284 (Work) _____

Mailing Address 27 WINDHAM RD HUDSON NH 03051

Owner STEPHEN HEBERT

Location of Property 27 WINDHAM RD HUDSON NH
(Street Address)

[Signature] _____ Date 4/8/19

[Signature] _____ Date 4/8/19

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described equitable waiver.

Items in this box are to be filled out by Land Use Division personnel

COST:

Application fee:	\$130.00
<u>6</u> Direct Abutters x \$4.05 =	<u>24.30</u>
<u>2</u> Indirect Abutters x \$0.55 =	<u>1.10</u>
Total amount due:	<u>\$ 155.40</u>

Date received: 4-8-19

ok #159
Amt. received: \$ 155.40

Receipt No.: 545,513

Received by: [Signature]

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

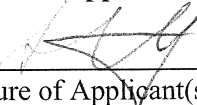
The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
SNH	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	BB
SNH	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	BB
SNH	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	BB
SNH	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	BB
SNH	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	BB
SNH	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	BB
SNH	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	BB
SNH	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	N/A

PLOT PLAN-

- | | | |
|---------------|---|------------|
| <u>SNH</u> | Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted): | <u>BB</u> |
| a) <u>SNH</u> | The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. | <u>BB</u> |
| b) <u>SNH</u> | The plot plan shall be up-to date and dated, and shall be no more than three years old. | <u>BB</u> |
| c) <u>SNH</u> | The plot plan shall have the signature and the name of the preparer, with his/her/their seal. | <u>BB</u> |
| d) <u>SNH</u> | The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) | <u>BB</u> |
| e) <u>SNH</u> | The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. | <u>BB</u> |
| f) <u>SNH</u> | The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. | <u>BB</u> |
| g) <u>SNH</u> | The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. | <u>BB</u> |
| h) <u>SNH</u> | The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. | <u>BB</u> |
| i) <u>SNH</u> | The plot plan shall indicate all parking spaces and lanes, with dimensions. | <u>N/A</u> |

The applicant has signed and dated this form to show his/her awareness of these requirements.



 Signature of Applicant(s)

4/2/19

 Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board’s decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board’s decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board’s opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

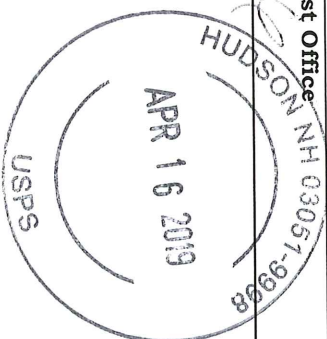
Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

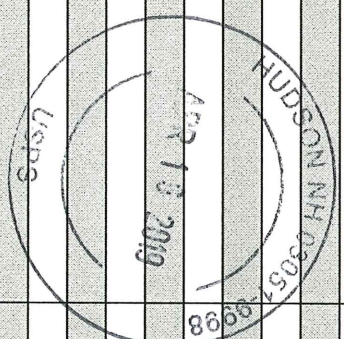
ALL DIRECT ABUTTERS

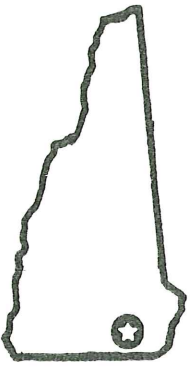
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
169	005	JASON W. SULLIVAN	22 WINDHAM RD HUDSON NH 03051
169	010	KRISTEN RETA PEREIRA TR.	25 WINDHAM RD HUDSON NH 03051
169 169 169	014 012 015	STATE OF NEW HAMPSHIRE	PO 483 CONCORD NH 03302
169	004	ANGEL GALVIS	28 WINDHAM RD HUDSON NH 03051
169	011	STEPHEN HEBERT	27 WINDHAM RD HUDSON NH 03051
169	013	STANLEY ALUKONIS	255 CENTRAL ST HUDSON NH 03051

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 169-011 27 Windham Road Map 169/Lot 011-000	Equitable Waiver 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	04/25/19 ZBA Meeting	
1	7016 2710 0000 0595 2711	Stephen Hebert, Kimberly Khanvongsa 27 Windham Rd., Hudson, NH 03051	APPLICANT/OWNER-NOTICE SENT	
2	7016 2710 0000 0595 2728	Jason W. Sullivan 22 Windham Rd., Hudson, NH 03051	ABUTTER NOTICE SENT	
3	7016 2710 0000 0595 2735	Kristen Reta Pereira, TR.; Pereira 2016 Trust 25 Windham Rd., Hudson, NH 03051	ABUTTER NOTICE SENT	
4	7016 2710 0000 0595 2742	State of New Hampshire; Dept of Transportation PO Box 483, Concord, NH 03302-0483	ABUTTER NOTICE SENT	
5	7016 2710 0000 0595 2759	Angel Galvis 28 Windham Rd., Hudson, NH 03051	ABUTTER NOTICE SENT	
6	7016 2710 0000 0595 2766	Stanley & Sophie Alukonis 123 Central Street, Hudson, NH 03051	ABUTTER NOTICE SENT	
7				
8				
9				
10				
	Total Number of pieces listed by sender 6	Total number of pieces rec'd at Post Office	Postmaster, Per (receiving Employee) <i>[Signature]</i>	



SENDER:		TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 169-011 27 Windham Road Map 169/Lot 011-000	Equitable Waiver 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	Andrew Gurski	ABUTTER NOTICE SENT	04/25/19 ZBA Meeting	
1	N/A-mailed First Class	23 Windham Rd., Hudson, NH 03051	ABUTTER NOTICE SENT		
2	N/A-mailed First Class	Village at Barretts Hill c/o Northpoint Management	ABUTTER NOTICE SENT		
3		55 Lake St, 4th Flr., Suite 7, Nashua, NH 03060			
4					
5					
6					
7					
8					
9					
10					
11					
Total Number of pieces listed by sender 2		Total number of pieces rec'd at Post Office	 Postmaster, Per (receiving Employee) <i>Trace Paulina</i>		



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

 **COPY**

ABUTTER NOTIFICATION

12 School Street

Hudson, New Hampshire 03051

603/886-6008



You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

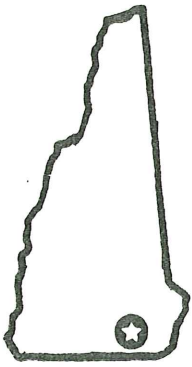
- 1. Case 169-011 (4-25-19): Stephen Hebert, 27 Windham Road, Hudson, NH requests an Equitable Waiver of Dimensional Requirement to allow a newly poured detached garage foundation that encroaches 2.6 ft. into the rear setback. [Map 169, Lot 011, Zoned Business (B); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].**

Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this Application is available for your review on the Hudson Town Hall website: www.hudsonnh.gov or in the Land Use Department located at Hudson Town Hall.

Respectfully,

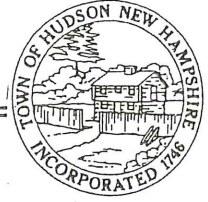
Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

COPY

APPLICANT NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

- 1. Case 169-011 (4-25-19): Stephen Hebert, 27 Windham Road, Hudson, NH requests an Equitable Waiver of Dimensional Requirement to allow a newly poured detached garage foundation that encroaches 2.6 ft. into the rear setback. [Map 169, Lot 011, Zoned Business (B); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].**

Please be advised, the above notice is being sent to all abutters listed on the application. You, or a representative, are expected to attend the hearing, and make a presentation.

Respectfully,

Bruce Buttrick
Zoning Administrator

For any appeal, the application form must be properly filled out. The application form is intended to be self-explanatory, but be sure that you show:

1. Who owns the property? If the applicant is not the owner, please include a statement from the owner that you have permission to speak on his/her behalf.
2. Where the property is located.
3. What you propose to do. Supply twelve copies of an 8.5" x 11" or 11" x 17" scale plan which gives lot area, frontage, side and rear lot lines, natural features, existing and proposed structures, alteration to the lot, and distance to lot lines or wetlands. Pictures and construction plans are helpful.
4. Why your proposed use requires an appeal. Please fill out the attached appeal forms completely. Include why the appeal should be granted.
5. List of abutters, per NH RSA 672:3. This includes property and the name(s) of the owner(s) of properties which physically touch the subject property, across the street and kitty-corner to the subject property.

Prepare a list of all abutting property owners using the Assessing Office records, and attach it to your application. **The accuracy of the list is your responsibility. If the list is found to be incorrect, you may be required to appear before the ZBA a second time, at your expense.**

6. Deliver the completed application, with all attachments, to the office of the Zoning Administrator. A fee is charged sufficient to cover the cost of preparing and mailing the legally required notices. If paying by check, make the check payable to the Town of Hudson and submit with your application.

The Zoning Office will schedule a public hearing within thirty (30) days of receipt of your **properly-completed** application. Applications are scheduled on a first come, first serve basis. **Only completed applications will be scheduled for a hearing.** Public notice of the hearing will be posted and printed in a newspaper, and a notice will be mailed to you, all abutters and other parties whom the Board may deem to have an interest.

After the public hearing, the Board will reach a decision. You will be sent a Notice of Decision.

If you believe that the Board's decision is wrong, you have the right to appeal. Any party affected has the right to appeal the decision of your case. To appeal, you just first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The motion must be made within thirty (30) days of the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in its' opinion, good reason is stated in the motion. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

See **NH RSA Chapter 677** for more detail on rehearing and appeal procedures.

Requests before the Board may require connection to the municipal sewer system. Please contact the Town Engineer prior to submittal of this application to determine if connection is required, and the procedures for such application.

APPLICATION FOR AN EQUITABLE WAIVER

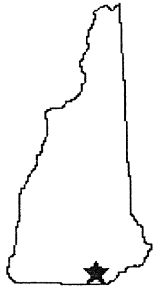
Equitable Waivers are granted for area violations of the ordinance and which have existed for a long period of time without negatively impacting the community. The following criteria must meet the satisfaction of the Zoning Board of Adjustment:

1. **INNOCENT MISTAKE.** Please explain how long the structure has been built, and under what circumstances was it permitted to be built in violation of the dimensional requirements of the ordinance:

The foundation is newly built. The excavation company mis-located the rear corner of the foundation 2ft over the set back of the property.

2. **DISCOVERED TOO LATE.** Please explain when it was discovered that the structure was built in violation.

The measurement error was discovered after the foundation was poured by the survey required for the framing permit.



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #19-041 Stop Work Order - Building Permit 2018-01227-1

March 29, 2019

Stephen Hebert
27 Windham Rd
Hudson, NH 03051

Re: **27 Windham Road** **Map 169 Lot 011**
District: Business (B)

Dear Mr. Hebert,

This letter is a Stop Work Order as well as a Notice of Violation:
The current construction of your 28' x 48' detached garage is in violation of the required rear setback per the certified plot plan we received of the actual foundation layout.

Zoning Review / Determination:

Please cease the construction of the structure, and either:

- 1) Remove the existing foundation encroachment in the required setback,
- Or,
- 2) Apply for an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment to allow the foundation in the setback area.

Sincerely,

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

encl: Equitable Waiver application
cc: Public Folder
J. Kennedy – Permit Technician
Dep. O'Brien – Inspectional Services
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.

169 011 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
287,700 / 287,700
APPRaised: 287,700 / 287,700
USE VALUE: 287,700 / 287,700
ASSESSed: 287,700 / 287,700



PROPERTY LOCATION

No	27	Alt No		Direction/Street/City	WINDHAM RD, HUDSON
Unit #					
Owner 1:	HEBERT, STEPHEN N.				
Owner 2:	KHAMVONGSA, KIMBERLY				
Owner 3:					
Street 1:	27 WINDHAM ROAD				
Street 2:					
Twn/City:	HUDSON				
Suf/Prov:	NH	Cnty		Own Occ:	
Postal:	03051				

PREVIOUS OWNER

Owner 1:	VIGEANT, DARRIN L.				
Owner 2:	VIGEANT, LEE ANN -				
Sheet 1:	27 WINDHAM ROAD				
Twn/City:	HUDSON				
Suf/Prov:	NH	Cnty		Own Occ:	
Postal:	03051				

NARRATIVE DESCRIPTION

This parcel contains .743 ACRES of land mainly classified as ONE FAMILY Y with a RANCH Building built about 2001, having primarily VINYL Exterior and 1600 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Description/No	Amount	Com. Int

IN PROCESS APPRAISAL SUMMARY

Use Code	101	Land Size	0.743	Building Value	191,300	Yard Items	96,400	Land Value	96,400	Total Value	287,700
Total Card		0.743		191,300				96,400		287,700	
Total Parcel		0.743		191,300				96,400		287,700	
Source:	Market Adj Cost Total Value per SQ unit/Card: 179.81 Parcel: 179.81										

PREVIOUS ASSESSMENT

Tax Yr	2018	Use	101	Cat	FV	Bldg Value	191,300	Yrd Items	0	Land Size	.743	Land Value	96,400	Total Value	287,700
	2018		101		JB	191,300				.743		96,400	287,700		
	2017		101		FV	191,300				.743		96,400	287,700		
	2017		101		PV	191,300				.743		96,400	287,700		
	2017		101		JB	158,200				.743		92,100	250,300		
	2016		101		FV	158,200				.743		92,100	250,300		
	2016		101		JB	158,200				.743		92,100	250,300		
	2015		101		FV	158,200				.743		92,100	250,300		

SALES INFORMATION

Grantor	VIGEANT, DARRIN	Legal Ref	7288-1496	Type	1	Date	7/30/2004	Sale Code		Sale Price	366,900	No	No
	BOUCHER, RICHAR		6367-1730				3/8/2001			70,000	Yes	No	

TAX DISTRICT

Parcel ID	169-011-000
-----------	-------------

PAT ACCT.

Notes	3326
-------	------

BUILDING PERMITS

Date	10/4/2018	Number	2018-00973	Descrp	ELECTRIC	Amount	3,000	C/O	C	Last Visit		Fed Code		F. Descrp		Comment	
	10/3/2018		2018-00973		FINISH B		15,000		O								

ACTIVITY INFORMATION

Date	7/9/2010	Result	Measured	By	14
	7/20/2005		New Maps		1
	4/9/2005		Measured		6
	12/9/2004		Other Change		1
	1/6/1991		Inspected		2

LAND SECTION (First 7 lines only)

Use Code	101	LUCC	0.743	No of Units		Depth / PricelUnits		Unit Type		Land Type		LT		Base Value	0.110,000.	Unit Price	1.18	Neigh Influ		Neigh Mod		Neigh Inf1		%	Neigh Inf2		%	Neigh Inf3		%	Appraised Value	96,443	Alt Class		Spec Land Code		Fact Use Value	96,400	Notes	

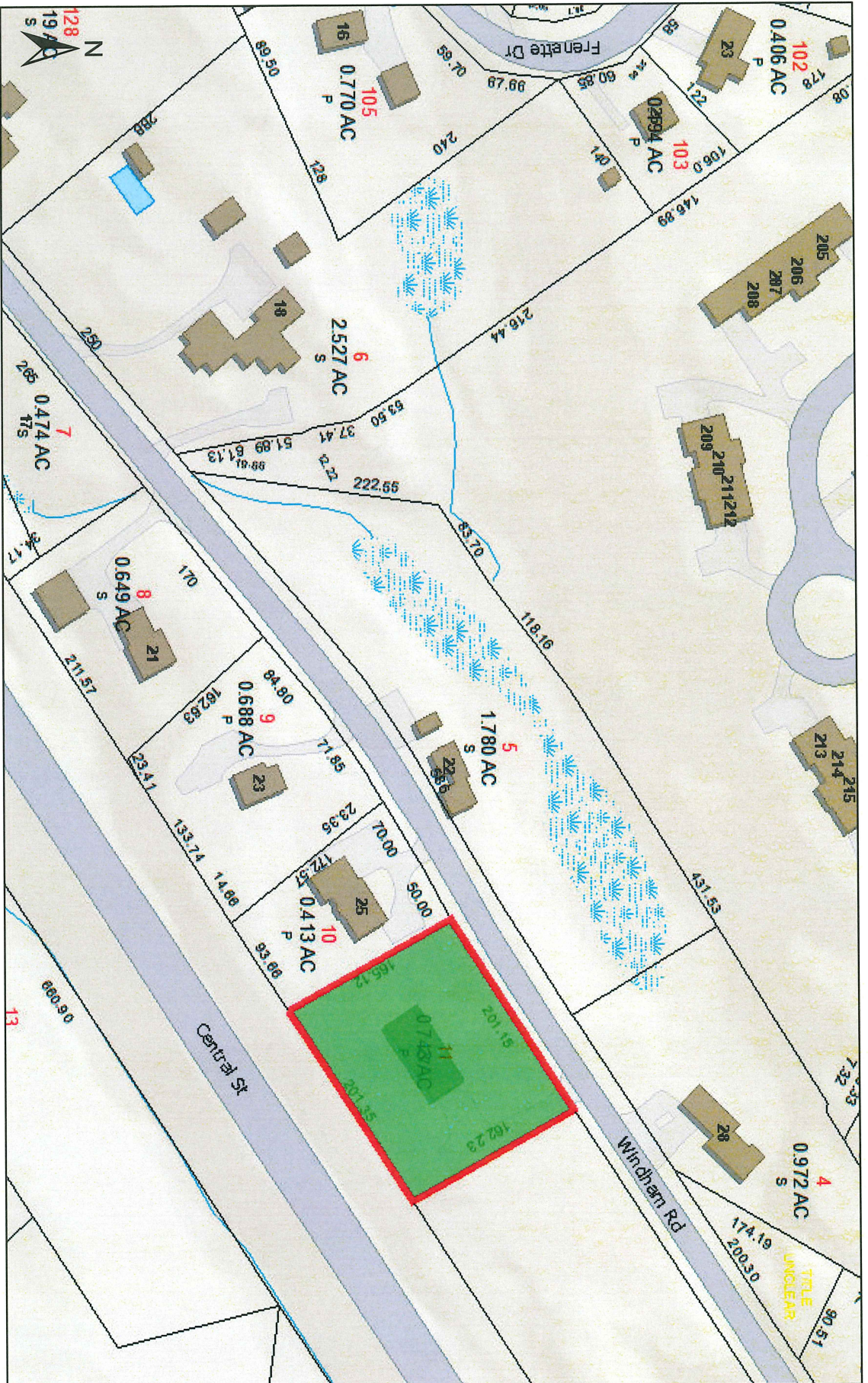
PROPERTY FACTORS

Item Code	Z	Description	water	%	3	Code	TOWN WATE	Description	
	O		Sewer		2		TOWN SEWE		
	n		Electri						
			Exmpt						
			Flood Haz: C						
	D		Topo		2		ABV ST		
	s		Street						
	t		Gas						

Total AC/H/A:	0.74300	Total SF/SM:	32385	Parcel LUC:	101	ONE FAMILY	Prime NB Desc:	RES AVG
Total:	96,443	Spl Credit:		Total:	96,400			

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: Assesspro - HudsonNH amym

27 Windham Rd



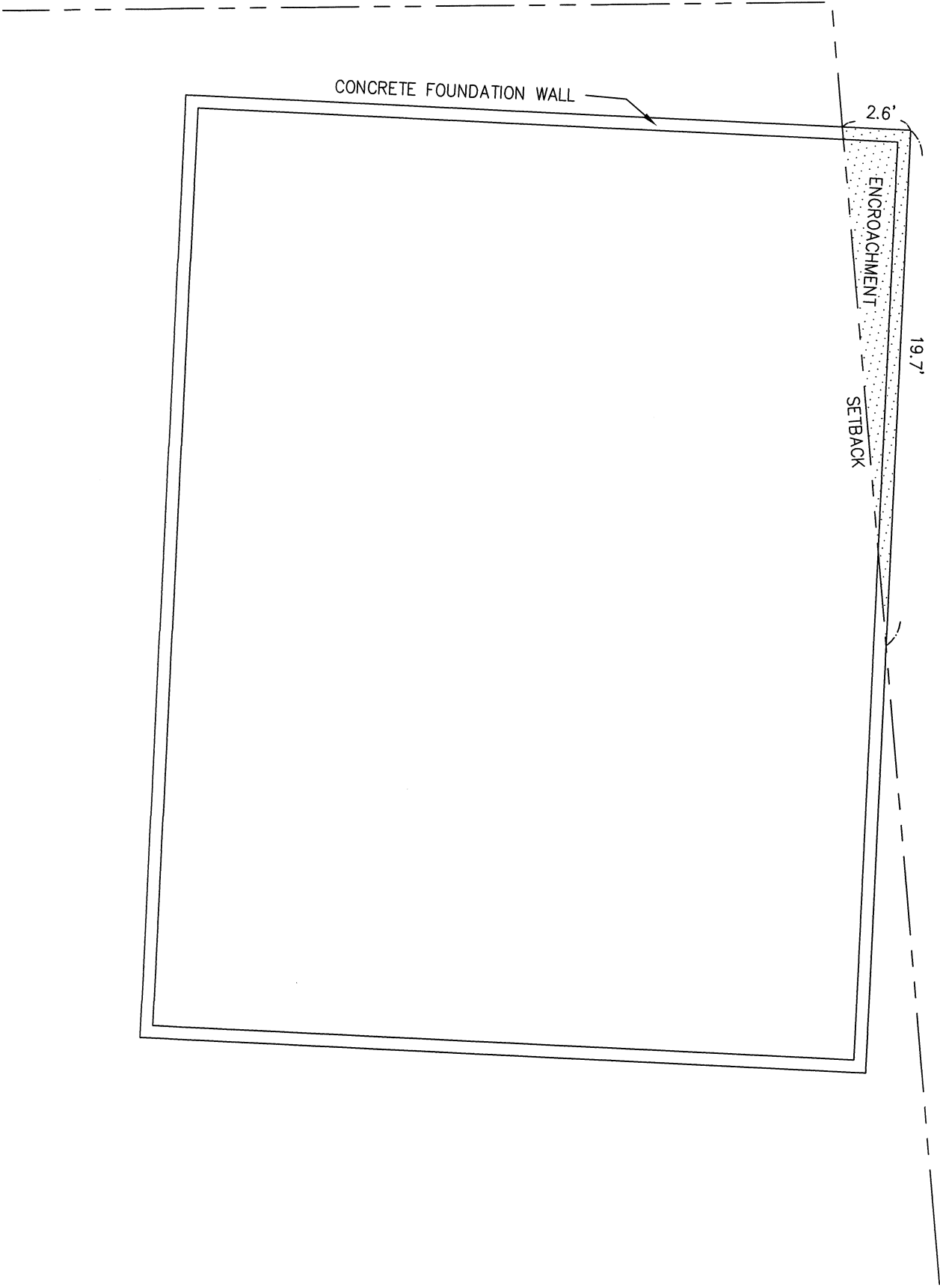
April 8, 2019

Parcels

1 inch = 122 feet

0 130 260 Feet





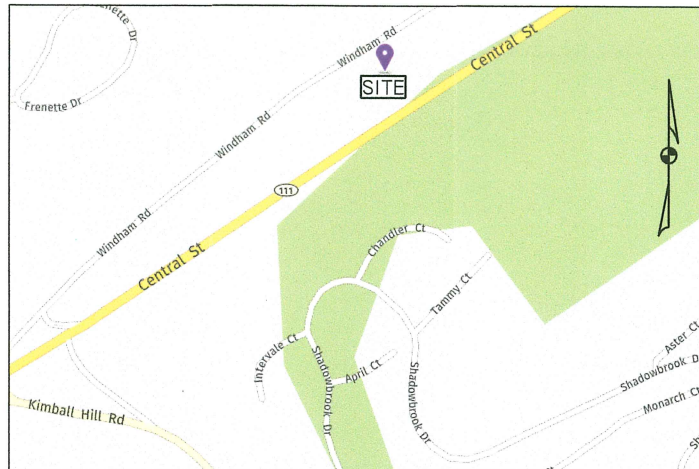
CONCRETE FOUNDATION WALL

2.6'

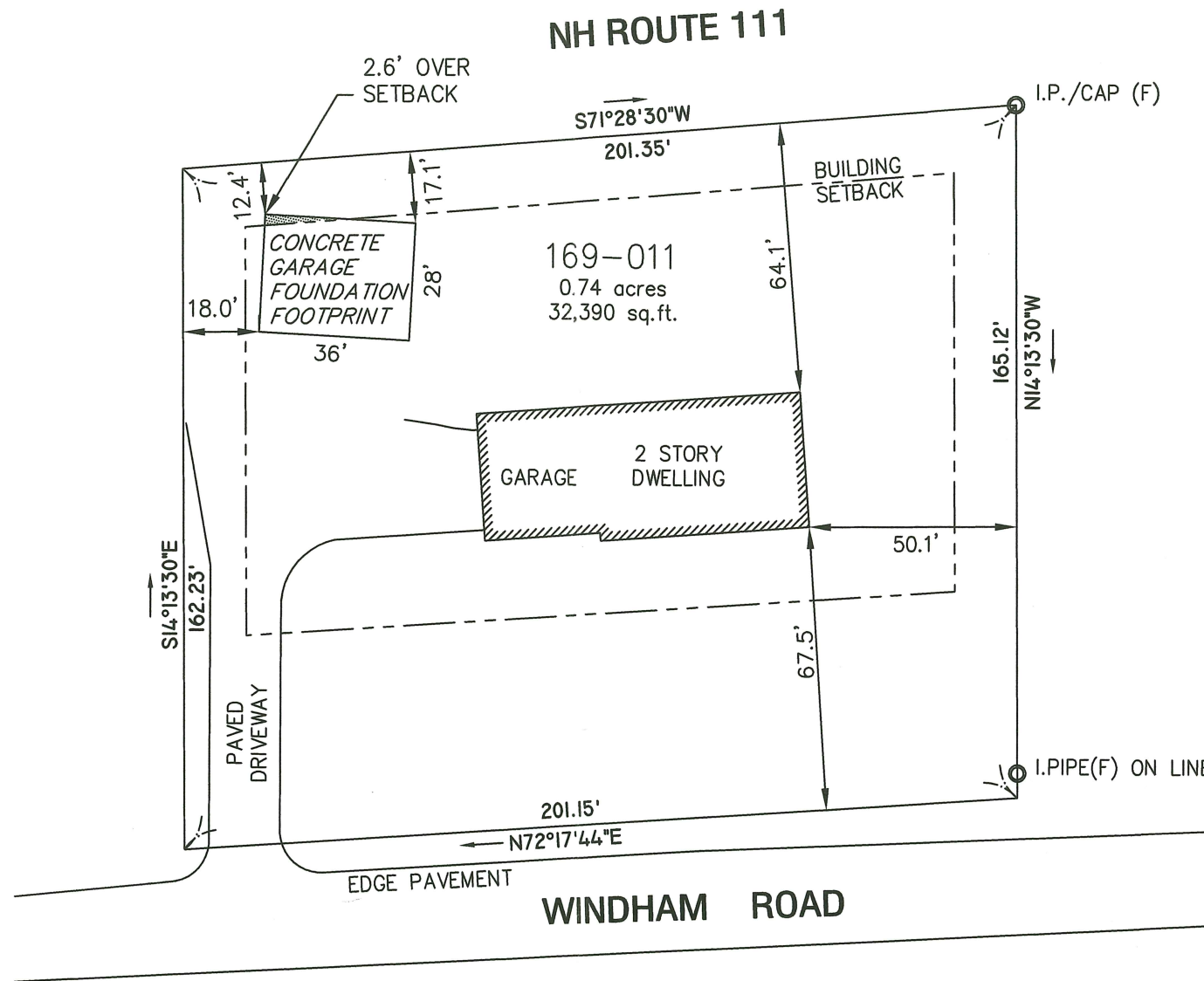
ENCROACHMENT

19.7'

SETBACK



VICINITY MAP

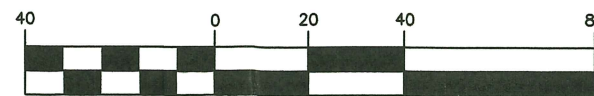
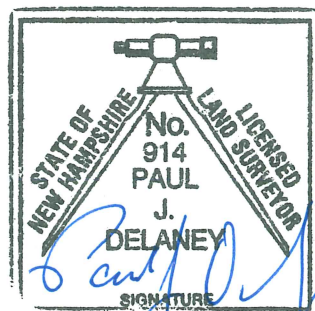


NOTES:

1. SUBJECT PARCEL:
27 WINDHAM ROAD
HUDSON, NH 03051
TAX ID: 169-011-000
 2. THE PURPOSE OF THIS PLAN IS TO SHOW THE ASBUILT LOCATION OF THE GARAGE FOUNDATION ON THE SUBJECT PARCEL.
 3. BOUNDARY SHOWN HEREON IS FROM A BOUNDARY PLAN RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS, PLAN NUMBER 31222.
- CURRENT ZONING: BUSINESS
MINIMUM BUILDING SETBACKS:
FRONT: 50'
SIDE: 15'
REAR-15'

I hereby certify that this plan is based on an actual on the ground survey conducted by this office on March 26, 2019 and according to the results of that survey the existing concrete garage foundation is located on the ground as shown.

Date: 3-27-19



1 inch = 40 ft.

CERTIFIED PLOT PLAN
27 Windham Road
Hudson, NH
TAX MAP 169 LOT 011



186 Pine Hill Road Hollis, NH 03049 Tel. 603-882-4655

PROJECT# 18252 DWG: CPP SCALE: 1"= 40' DATE: 03 / 27 / 19



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Administrator Staff Report

Meeting Date: April 25, 2019 *BR 4-16-19*

Case 198-157 (4-25-19): Tim and Mandy Powers, 36 Pelham Road, Hudson, NH requests a Variance to permit enlargement and rebuilding of existing front stoop to construct a 27'-7" x 8'-0" farmer's porch which will encroach in the front setback of the existing non-conforming structure, leaving resultant front setback of 8.45 ft. [Map 198, Lot 157, Zoned Town Residential (TR); HZO Article VIII §334-31 and Article VII §334-27, Alteration and expansion of non-conforming structures and Table of Minimum Dimensional Requirements].

Address: 36 Pelham Road

Zoning district: Town Residence (TR)

Property description: This property is a developed existing conforming lot with regards to area and frontage.

Lot Area: 71,786 sqft ; 10,000 sqft required

Frontage: 101.42 ft; 90 ft required

The existing structure is existing non-conforming regarding the required setbacks.

Summary: Applicant proposes to enlarge an existing front stoop (which currently has ~12 ft of front setback) into a farmers porch with resultant front setback of 8.45 ft.

Town Staff review/comments:

Town Planner: yes Town Engineer: yes Fire Dept: none

HISTORY:

Zoning: Case 198-157 (8-22-13) Variance: 13.1 ft Setback where 15 ft required.

Case 198-157 (8-22-13) Equitable Waiver: to allow existing dwelling to remain in the front setbacks.

ATTACHMENTS:

"A" ZBA 8-22-13 Variance

"B" ZBA 8-22-13 Equitable Waiver

"C" Town Engineer review comments

"D" Town Planner review comments

Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Doc # 3055260 Oct 3, 2013 1:10 PM
Book 8610 Page 0206 Page 1 of 2
Register of Deeds, Hillsborough County

Camela O'Laughlin

A43

FEES:	1446
SURCHARGE:	2-
CASH:	-

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Variance

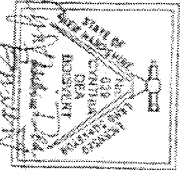
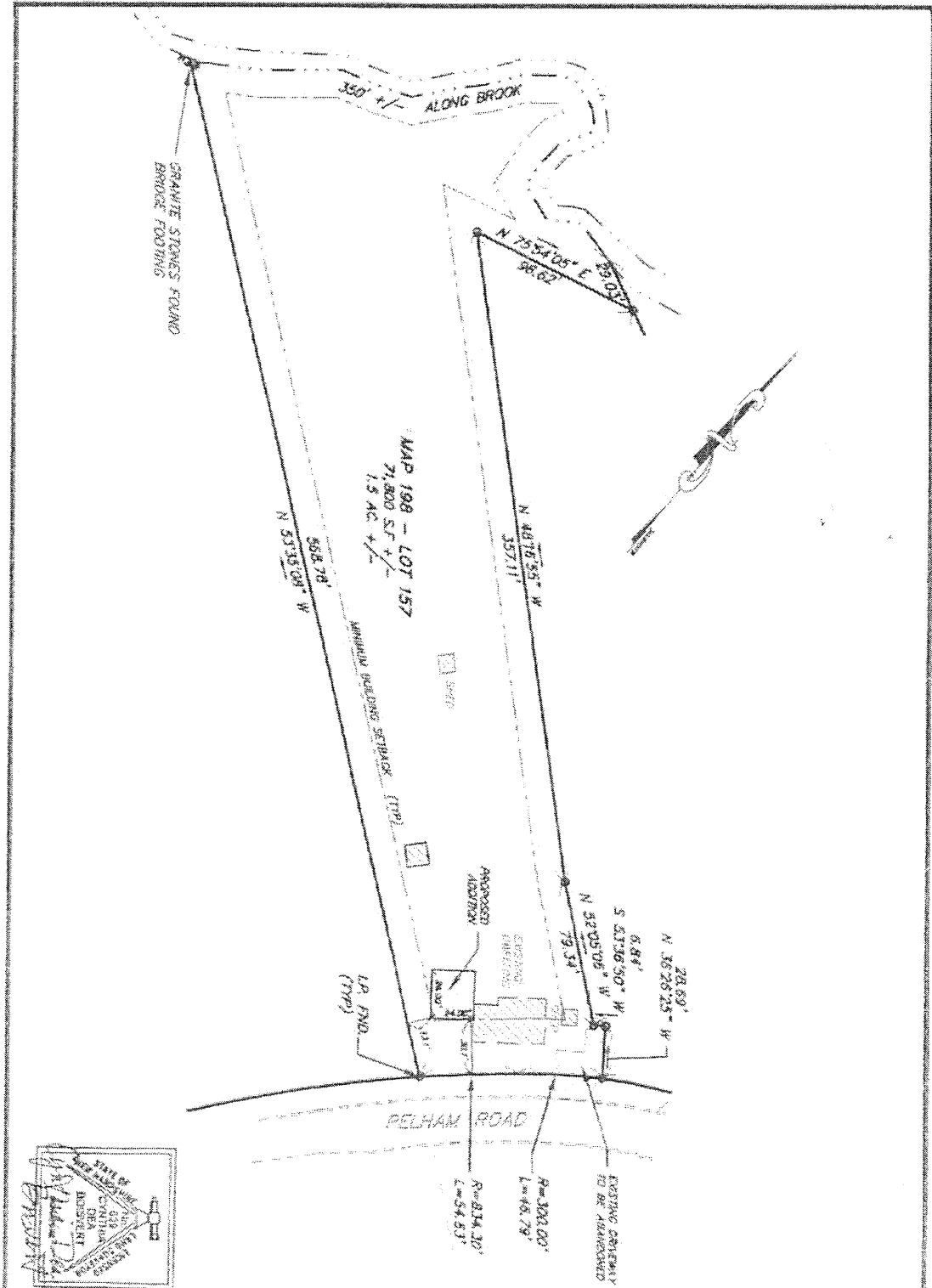
On **August 22, 2013**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 198-157**, pertaining to a request by **Mandy & Tim Powers, 36 Pelham Road** for a Variance **(to allow the construction of an addition encroaching within the side-yard setback; 15 feet required, 13.1 feet proposed at the front corner.** [Map 198, Lot 157, Zoned TR. ; HZO Article VII, Section 334-27, Table of Minimum Dimensional Requirements.]

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted that the variance should be granted.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

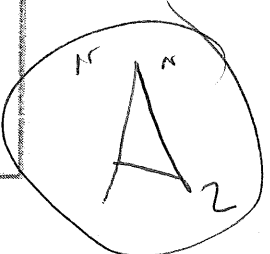
All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.

"A"



PREPARED BY:
CUOCO & CORMIER
 LAND PLANNING SERVICES
 CIVIL ENGINEERING
 LAND SURVEYING
 ENVIRONMENTAL SCIENCE
 24 NORTHEASTERN AVENUE, SUITE 101
 PELHAM, NH 03086-0101
 (603) 882-8822
 www.cuococormier.com
 7565A-PPP-WS.DWG FILE 7965A

HAPI98 / LOT 157
 PROPOSED PLOT PLAN
 36 PELHAM ROAD
 HUDSON, NH
 PREPARED FOR:
TIM & MANDY POWERS
 36 PELHAM ROAD, HUDSON, NH
 SCALE: 1" = 50'
 50 100 150
 SCALE IN FEET
 JULY 9, 2013
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Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Doc # 3055259 Oct 3, 2013 1:10 PM
Book 8610 Page 0204 Page 1 of 2
Register of Deeds, Hillsborough County

Camela O Coughlin

A43

FEES:	1446
SURCHARGE:	2-
CASH:	

Town of Hudson

Zoning Board of Adjustment

Decision to Grant an Equitable Waiver

On **August 22, 2013**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 198-157**, pertaining to a request by **Mandy & Tim Powers, 36 Pelham Road**, for an Equitable Waiver to **allow the existing dwelling to remain within the front setbacks** [Map 198, Lot 157, Zoned TR, HZO Article VIII, Section 334-31, Alteration and expansion of Non-conforming Structures

Following a review of the testimony and deliberation, a majority of the members of this Zoning Board voted to grant the requested equitable waiver.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Equitable Waiver permit shall be considered conditions of the Equitable Waiver, regardless of the fact that such facts or intentions may not have been specifically stated as part of the motion to grant.

B

**ZONING ADMINISTRATOR REQUEST FOR INTER DEPARTMENT REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

REQUEST FOR REVIEW/COMMENTS:

Case -198-157 (04/25/19)

36 Pelham Rd

For Town Use

Plan Routing Date: 04/10/19 Reply requested by: 4/15/19 ZBA Hearing Date: 4/25/19

 I have no comments I have comments (attach to form)

 EEN Title: TOWN ENGINEER Date: 4/11/19
(Initials)

DEPT: Town Engineer _____ Fire/Health Department _____ Town Planner _____

E1

Dhima, Elvis

From: Dhima, Elvis
Sent: Thursday, April 11, 2019 10:48 AM
To: Goodwyn, Tracy; Buttrick, Bruce
Subject: 36 Pelham Road Technical Review
Attachments: 36 Pelham Road.tif

Bruce

I have safety concerns about the front porch so close to the road.

During the construction of the new bridge on Pelham Road in 2016, speed and geometry of the road was the biggest concern.

There is currently no guard rail in front of this property

E

*Elvis Dhima, P.E.
Town Engineer*

Town of Hudson, NH
12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Mobile: (603) 318-8286



Town of Hudson
NEW HAMPSHIRE 03051



0 10 20ft
-71.419527, 42.751319



Guardrail Ends

C3

Buttrick, Bruce

From: Groth, Brian
Sent: Tuesday, April 16, 2019 3:09 PM
To: Buttrick, Bruce
Cc: Goodwyn, Tracy
Subject: Case 198-157

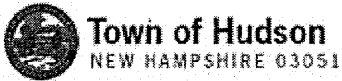
Bruce,

With respect to the proposed farmer's porch at 36 Pelham Road, Case 198-157:

- I share the safety concerns stated by the Town Engineer.
- The architectural character is consistent with that of the home and neighborhood.
- If the Board wishes, I recommend considering the following questions:
 - If there are to be stairs leading off the porch, how would they be orientated? In other words, would they further encroach into the front yard setback or would they be directed off to the side?
 - In the event the porch is built, would the existing stone wall remain/relocated/removed?

Regards,
Brian

Brian Groth
Town Planner



12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Fax: (603) 594-1142
bgroth@hudsonnh.gov



TOWN OF HUDSON

APPLICATION FOR A VARIANCE

APR 09 2019

Zoning Department
Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel
Case No. 198-157
Date Filed 4/9/19

Name of Applicant Tim and Mandy Powers Map: 198 Lot: 157-000 Zoning District: TR
Telephone Number (Home) 603-883-1657 (Work) Mandy cell- 603-475-5661
Mailing Address 36 Pelham Rd, Hudson NH
Owner Tim and Mandy Powers
Location of Property 36 Pelham Rd, Hudson NH
(Street Address)

[Signature] [Signature]
Signature of Applicant Date 04/05/19
[Signature] [Signature]
Signature of Property-Owner(s) Date 04/05/19

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel

COST:		Date received: <u>4/9/19</u>
Application fee:	\$130.00	
<u>16</u> Direct Abutters x \$4.05 =	<u>24.30</u>	<u>28.35</u>
<u>12</u> Indirect Abutters x \$0.55 =	<u>6.60</u>	
Total amount due:	<u>\$160.90</u>	Amt. received: <u>\$ 164.95</u>
	<u>\$ 164.95</u>	Receipt No.: <u>545,565</u>

Received by: [Signature]

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

Engineering Fire Department Health Officer Planner

chk#
1369

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>JLW</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>JLW</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>BJ</u>
<u>JLW</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>BJ</u> ? variance
<u>JLW</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG</u> N/A
<u>JLW</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>JLW</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u> single side only.
<u>JLW</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

PLOT PLAN-

[Handwritten signature]

Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted):

TG.

a) *[Handwritten signature]*

The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.

TG

b) *[Handwritten signature]*

The plot plan shall be up-to date and dated, and shall be no more than three years old.

TG.

c) *[Handwritten signature]*

The plot plan shall have the signature and the name of the preparer, with his/her/their seal.

TG.

d) *[Handwritten signature]*

The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.)

TG.

GIS ✓

e) *[Handwritten signature]*

The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements.

N/A

f) *[Handwritten signature]*

The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.

TG.

g) *[Handwritten signature]*

The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.

TG.

h) *[Handwritten signature]*

The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.

TG.

i) *[Handwritten signature]*

The plot plan shall indicate all parking spaces and lanes, with dimensions.

N/A

The applicant has signed and dated this form to show his/her awareness of these requirements.

[Handwritten signature]
Signature of Applicant(s)

04/05/19
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	156	NANCY GIBSON	32 PELHAM RD, HUDSON
198	095	PAUL DAWKINS PAMELA DAWKINS	12 TATE ST, HUDSON
198	178	JEAN GUY BERGERON JR SAMANTHA BERGERON	33 PELHAM RD, HUDSON
198	158	DONALD GENDRON SR	38 PELHAM RD, HUDSON
198	096	RICKY FRENETTE	14 TATE ST, HUDSON
198	177	CHRISTOPHER GRIFFIN KEIRSTON TAYLOR	35 PELHAM RD, HUDSON
198	157	Mandy Powers Tim Powers.	36 Pelham Rd

7

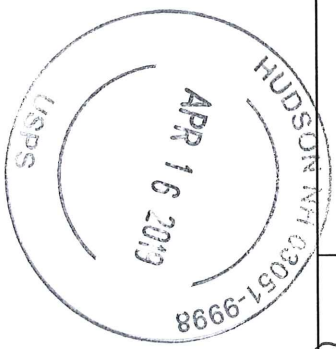
ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	091	STEVEN JARVIS RENEE JARVIS	6 TATE ST, HUDSON
198	176	NICHOLAS TSOUPRAKOS KATHRYN DEMETRI	37 PELHAM RD, HUDSON
198	097	JUSTIN MAHER	13 TATE ST, HUDSON
198	103	TODD GRAHAM	16 ALLYSON DR, HUDSON
198	179	RONALD BEAULIEU BARBARA GRINOLS	27A&B PELHAM RD, HUDSON
198	094	ROBERT WOOD	10 TATE ST, HUDSON
198	105	ADAM FLORACZAK TRUST MARY FLORACZAK TRUST	19 LORRAINE ST, HUDSON
198	098	JENNIFER PURDY ERIN WAKEHAM	9 TATE ST, HUDSON
198	159	WILLIAM WASLICK PAIGE PRIEST	42 PELHAM RD, HUDSON
198	155	DONALD BLACK	30 PELHAM RD, HUDSON
198	154	JOANNE CHAMPINE	26-28 PELHAM RD, HUDSON
198	104	DEBRA NELSON	1 WAYNE ST, HUDSON

12

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 198-157 36 Pelham Road Map 198/Lot 157-000 1 of 1	Variance
ARTICLE NUMBER	Name of Addressee, Street, and post office address	04/25/19 ZBA Meeting		
1	701b 2710 0000 0595 2841 POWERS, TIMOTHY J. & MANDY L. 36 PELHAM ROAD, HUDSON, NH 03051	APPLICANT/OWNER NOTICE SENT		
2	701b 2710 0000 0595 2858 GIBSON, NANCY A.; GIBSON, NANCY A. REV. TRUST 32 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT		
3	701b 2710 0000 0595 2865 DAWKINS, PAUL C. & PAMELA M. 12 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT		
4	701b 2710 0000 0595 2872 BERGERON, JR., JEAN GUY & SAMANTHA PO BOX 381, HUDSON, NH 03051-0381	ABUTTER NOTICE SENT		
5	701b 2710 0000 0595 2889 GENDRON, DONALD J. SR. 38 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT		
6	701b 2710 0000 0595 2896 FRENETTE, RICKY P. 14 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT		
7	701b 2710 0000 0595 2902 GRIFFIN, CHRISTOPHER; TAYLOR, KIERSTON 35 PELHAM RD., HUDSON, NH 03051	ABUTTER NOTICE SENT		
8				
9				
10				
	Total Number of pieces listed by sender 7	Total number of pieces rec'd at Post Office	Postmaster (receiving Employee)	

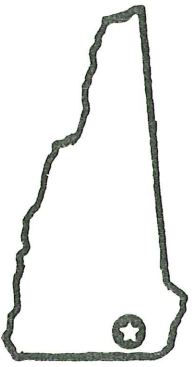


[Handwritten signature]

Direct Certified

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 198-157 36 Pelham Road Map 198/Lot 157-000	Variance 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	04/25/19 ZBA Meeting	
1	N/A-mailed First Class	JARVIS, STEVEN L. & RENEE L. 6 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
2	N/A-mailed First Class	TSOUPRAKOS, NICHOLAS; DEMETRI, KATHRYN 37 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT	
3	N/A-mailed First Class	MAHER, JUSTIN 13 TATE ST., HUDSON, NH 03051	ABUTTER NOTICE SENT	
4	N/A-mailed First Class	GRAHAM, TODD M. 16 ALLYSON DR., HUDSON, NH 03051	ABUTTER NOTICE SENT	
5	N/A-mailed First Class	BEAULIEU, RONALD L.; GRINOLS, BARBARA C. 27 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT	
6	N/A-mailed First Class	WOOD, ROBERT M. 10 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
7	N/A-mailed First Class	FLORCZAK, ADAM C., TR. & MARY E., TR. 19 LORRAINE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
8	N/A-mailed First Class	PURDY, JENNIFER L.; WAKEHAM, ERIN E. 9 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
9	N/A-mailed First Class	WASLICK, WILLIAM C.; PRIEST, PAIGE 42 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT	
10	N/A-mailed First Class	BLACK, DONALD S. 30 PELHAM ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT	
11	N/A-mailed First Class	CHAMPINE, JOANNE M. 28 PELHAM ROAD, HUDSON, NH 03051-4834ps	ABUTTER NOTICE SENT	
12	N/A-mailed First Class	NELSON, DEBRA A. 1 WAYNE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
Total Number of pieces listed by sender 12		Total number of pieces recvd at Post Office	12	Postmaster (receiving/Employee) <i>James White</i>

HUDSON NH 03051-1008
APR 13 2019



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

 **COPY**

ABUTTER NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

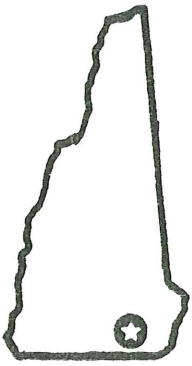
- 1. Case 198-157 (4-25-19): Tim and Mandy Powers, 36 Pelham Road, Hudson, NH requests a Variance to permit enlargement and rebuilding of existing front stoop to construct a 27'-7" x 8'-0" farmer's porch which will encroach in the front setback of the existing non-conforming structure, leaving resultant front setback of 8.45 ft. [Map 198, Lot 157, Zoned Town Residential (TR); HZO Article VIII §334-31 and Article VII §334-27, Alteration and expansion of non-conforming structures and Table of Minimum Dimensional Requirements].**

Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this Application is available for your review on the Hudson Town Hall website: www.hudsonnh.gov or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

 COPY

APPLICANT NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

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- 1. Case 198-157 (4-25-19): Tim and Mandy Powers, 36 Pelham Road, Hudson, NH requests a Variance to permit enlargement and rebuilding of existing front stoop to construct a 27'-7" x 8'-0" farmer's porch which will encroach in the front setback of the existing non-conforming structure, leaving resultant front setback of 8.45 ft. [Map 198, Lot 157, Zoned Town Residential (TR); HZO Article VIII §334-31 and Article VII §334-27, Alteration and expansion of non-conforming structures and Table of Minimum Dimensional Requirements].**

Please be advised, the above notice is being sent to all abutters listed on the application. You, or a representative, are expected to attend the hearing, and make a presentation.

Respectfully,

Bruce Buttrick
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article a. VIII & b, VII of HZO Section(s) a. 334-31 & b. 334.27 in order to permit the following change or use:

- a. permit enlargement of existing front stoop to construct a "farmer's porch"
- b. this will encroach into front set back of existing non-conforming structure

 The homeowner respectfully requests that the Zoning Board review the answers to the following questions to be answers for both Sections 334.31 & 334. 27

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

FACTS SUPPORTING THIS REQUEST:

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (b), as follows:

- I. "The Zoning Board of Adjustment shall have the power to:**
 - (b) Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:**
 - (1) The variance will not be contrary to the public interest;**
 - (2) The spirit of the ordinance is observed;**
 - (3) Substantial justice is done;**
 - (4) The values of surrounding properties are not diminished; and**
 - (5) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**
 - (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:**
 - (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and**
 - (ii) The proposed use is a reasonable one.**
 - (B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:
(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

Enlarging the existing stoop which is outdated and in poor condition, will enhance our ability to enjoy the front entrance/yard area and use of our home.

2. The proposed use will observe the spirit of the ordinance, because:
(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

The expansion and rebuilding of the stoop will enhance the safety, functionality and normal use of allowable expansion of “non-conformance”. A front farmer’s porch is in character to residential uses.

3. Substantial justice would be done to the property-owner by granting the variance, because:
(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

This house is approx. 140 years old and to deny normal/typical use (i.e.: farmer’s porch) would harm our use as a residential home. Farmer’s porches are a normal use of residential homes in Hudson.

4. The proposed use will not diminish the values of surrounding properties, because:
(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

The proposed farmer’s porch is a beneficial “amenity” to any residential property and actually adds value to the home.



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #19-013

January 29, 2019

Mandy Powers
36 Pelham Road
Hudson, NH 03051

Re: **36 Pelham Road Map 198 Lot 157**
District: Town Residence (TR)

Dear Ms. Powers,

This is a clarification of my previous zoning determination #18-78 dated June 6, 2018.

Zoning Review / Determination:

According to our records this property is a developed existing conforming lot with regards to area and frontage. The existing structure is existing non-conforming regarding the required setbacks.

Clarification:

- 1) You would need a variance from these sections of the Zoning Ordinance:
 - a. §334-31 Alteration and expansion of non-conforming structures: "A non-conforming structure may not be altered or expanded, except by variance."
 - b. §334-27 Table of Minimum Dimensional Requirements.

Sincerely,



Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

encl: Zoning Determination #18-78
cc: Public Folder
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.

198 157 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPRASSED: 241,600 / 241,600
USE VALUE: 241,600 / 241,600
ASSESSED: 241,600 / 241,600

PROPERTY LOCATION

No	Alt No	Direction/Street/City
36		PELHAM RD, HUDSON

OWNERSHIP

Owner 1:	POWERS, TIMOTHY J.
Owner 2:	POWERS, MANDY L.
Owner 3:	
Street 1:	36 PELHAM ROAD
Street 2:	
Town/City:	HUDSON
State:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	GAUTHIER, RODOLPHE A., JR.
Owner 2:	GAUTHIER, LYNN C.
Street 1:	36 PELHAM ROAD
Town/City:	HUDSON
State:	NH
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains 1.648 ACRES of land mainly classified as ONE FAMILY with a NEW ENGLANDR Building built about 1875, having primarily VINYL Exterior and 1760 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 0 HalfBath, 8 Rooms, and 3 Baths.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int

PROPERTY FACTORS

Item	Code	%	Item	Code	Description
Z	TR		water	3	TOWN WASTE
0			Sewer	2	TOWN SEWE
n			Electric		Exempt
Census:					
Flood Hazard					
D			Topo	4	ROLLING
S			Street		
I			Gas		

LAND SECTION (First 7 lines only)

Use Code	Description	LUCC	No of Units	Depth/ Price/Units	Unit Type	Land Type	LT	Base Value	Unit Price	Adj	Neigh Infru	Neigh Mod	Int 1 %	Int 2 %	Int 3 %	Appraised Value	Alt Class	% Spec Land	Code	Fact	Use Value	Notes
101	ONE FAMILY		1	0.648	SITE ACRE SITE	ACRES		0	4,750.	1.25 RE			LOCATIC	-5		104,500					104,500	
101	ONE FAMILY		1	0.648	EXCESS	ACRES		0	4,750.	1.25 RE						3,848					3,800	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	1.648	131,600	1,700	108,300	241,600
Total Card	1.648	131,600	1,700	108,300	241,600
Total Parcel	1.648	131,600	1,700	108,300	241,600

Source: Market Adj Cost Total Value per SQ unit (Card): 137.27 Parcel: 137.27

PREVIOUS ASSESSMENT

Tax Yr	Use Cat	Bldg Value	Yrd Items	Land Value	Total Value	Asses'd Value	Notes
2018	101	FV	131,600	1,700	108,300	241,600	241,600 Year End Roll
2018	101	JB	131,600	1,700	108,300	241,600	241,600 Year End Roll
2017	101	FV	131,600	1,700	108,300	241,600	241,600 Year End Roll
2017	101	PV	131,600	1,700	108,300	241,600	241,600 Year End Roll
2017	101	JB	98,000	1,648	104,700	204,300	204,300 Year End Roll
2016	101	FV	98,000	1,648	104,700	204,300	204,300 Year End Roll
2016	101	JB	98,000	1,648	104,700	204,300	204,300 Year End Roll
2015	101	FV	98,000	1,648	104,700	204,300	204,300 Year End Roll

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	1st	Verif
GAUTHIER, RODOLPHE A., JR.	7706-2820		7/14/2006		225,000	No	No	No
QUELLET, OMERIC	5828-0131		7/11/1997		95,500	No	No	No
QUELLET, RAYNAL	5349-1212		6/29/1992	UNCLASSIFIED	77,000	No	No	No
	2577-0555		12/21/1977			No	No	No

TAX DISTRICT

Parcel ID	198-157-000
-----------	-------------

PAT ACCT.

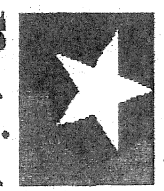
Date	Result	By	Name
3/27/2015	Permit Visit	15	APPR TECH 5
2/25/2014	Permit Visit	15	APPR TECH 5
11/9/2013	Measured	14	APPR TECH 4
1/27/2010	Permit Visit	10	APPRASER II
5/14/2007	Sale Data V	10	APPRASER II
8/7/2006	New Maps	7	DC
11/10/2005	Other Change	3	ASMMT TECH
6/11/2001	Meas/Inspect	0	PATRIOT
5/18/1991	Inspected	2	AVITAR

BUILDING PERMITS

Date	Number	Description	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
6/24/2014	2013-00488	CERT OCC	5,000	C				24x24 ATTACHED GAR
11/19/2013	2013-00488	ELECTRIC	5,000	C				
11/19/2013	2013-00488	ADDITION	5,000	C				
11/15/2013	2013-00488	MECHANIC	5,300	C				INSTALL LP PIPING
11/15/2013	2013-00488	PLUMBING	53,882	C				PLUMBING FOR ADDIT
8/29/2013	2013-00488	GARAGE	53,882	C				24 X24 GAR WITH 3
6/23/2009	2009-279	SHED	2,499	C				

ACTIVITY INFORMATION

Date	Result	By	Name
3/27/2015	Permit Visit	15	APPR TECH 5
2/25/2014	Permit Visit	15	APPR TECH 5
11/9/2013	Measured	14	APPR TECH 4
1/27/2010	Permit Visit	10	APPRASER II
5/14/2007	Sale Data V	10	APPRASER II
8/7/2006	New Maps	7	DC
11/10/2005	Other Change	3	ASMMT TECH
6/11/2001	Meas/Inspect	0	PATRIOT
5/18/1991	Inspected	2	AVITAR



Patriot
Properties Inc.

USER DEFINED

Prior Id #	1:0017
Prior Id # 2:	0003
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	

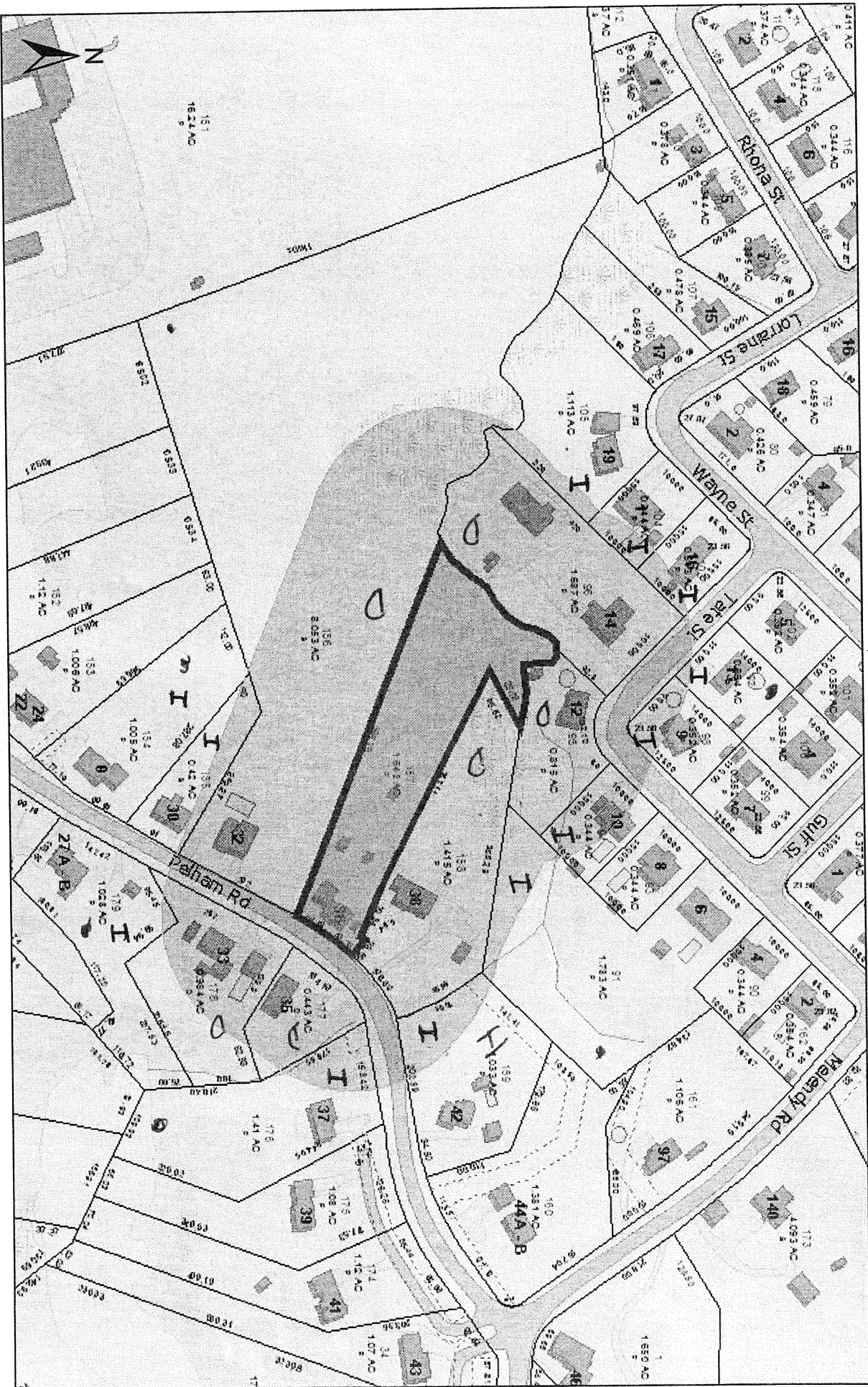
ASR MAP:

ASR Map:	2120
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ASR MAP:

ASR Map:	2120
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36 Pelham Rd

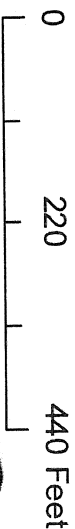


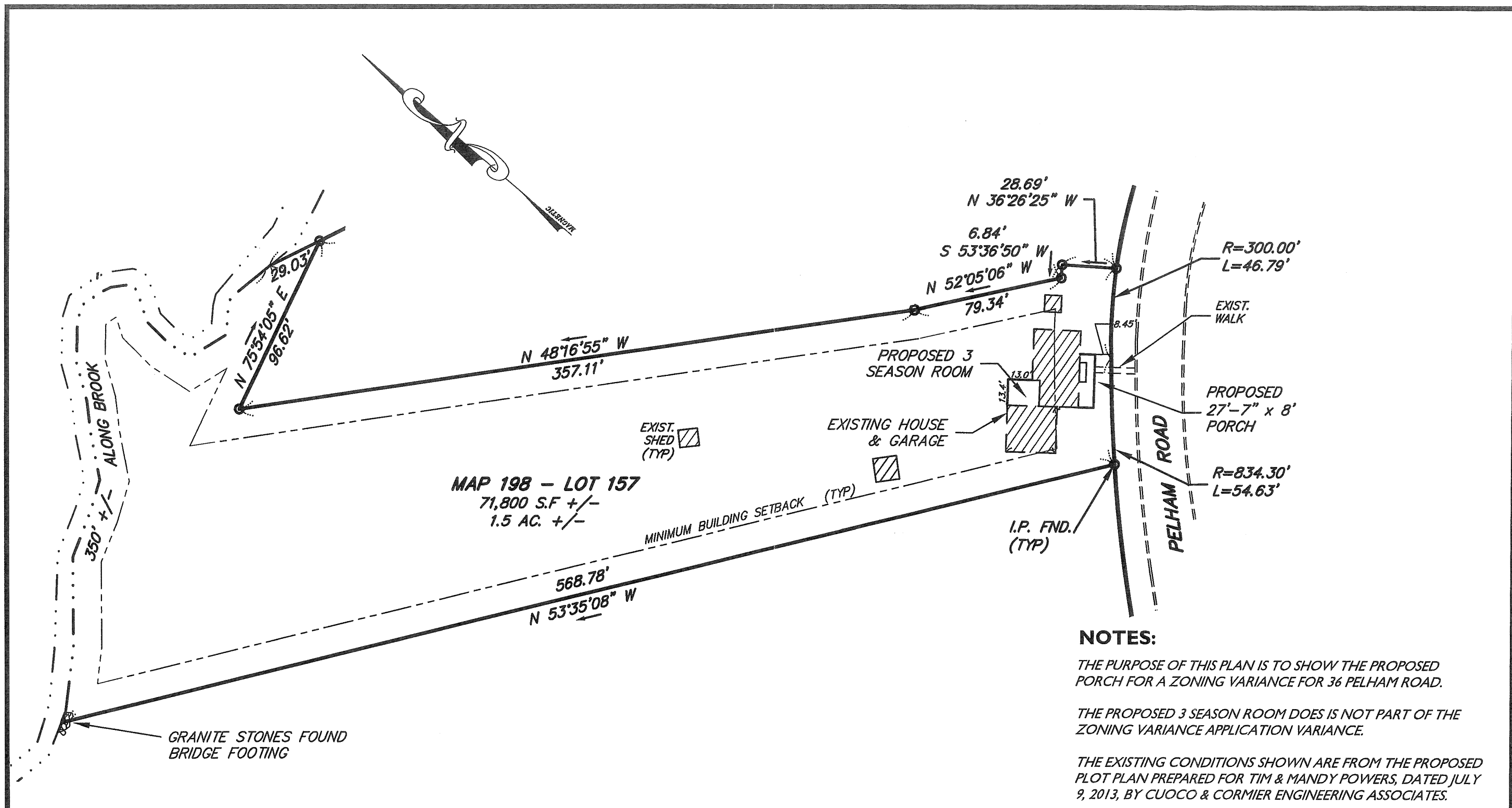
June 19, 2018

1 inch = 203 feet

----- Easement_Lines

▭ Parcels



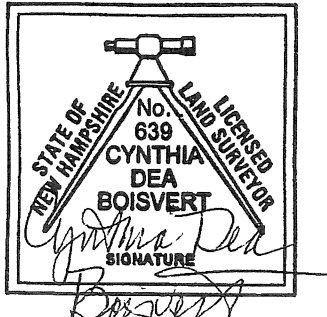


NOTES:

THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED PORCH FOR A ZONING VARIANCE FOR 36 PELHAM ROAD.

THE PROPOSED 3 SEASON ROOM DOES IS NOT PART OF THE ZONING VARIANCE APPLICATION VARIANCE.

THE EXISTING CONDITIONS SHOWN ARE FROM THE PROPOSED PLOT PLAN PREPARED FOR TIM & MANDY POWERS, DATED JULY 9, 2013, BY CUOCO & CORMIER ENGINEERING ASSOCIATES.



ARAGO

LAND CONSULTANTS, LLC

31 Old Nashua Road, Suite I
Amherst, NH 03031 (603) 732-0008

MAP198 / LOT 157
PROPOSED PLOT PLAN
36 PELHAM ROAD
HUDSON, NH

PREPARED FOR:
TIM & MANDY POWERS
36 PELHAM ROAD, HUDSON, NH

SCALE: 1" = 50'

50 0 50 100

SCALE IN FEET

© COPYRIGHT ARAGO



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Administrator Staff Report

Meeting Date: April 25, 2019

Bb
4-16-19

Case 198-173 (4-25-19): Leroy & Denise Thompson, 140 Melendy Road, Hudson, NH requests a Variance to subdivide and create a new lot with insufficient frontage required to create a new flag lot with a shared driveway. [Map 198, Lot 173, Zoned General (G); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].

Address: 140 Melendy Road

Zoning district: General (G)

Property description: This property is a developed existing conforming lot with regards to area and frontage.

Lot Area: 178,291 sqft ; 43,560 sqft required

Frontage: 321 ft; 150 ft required

The existing dwelling structure is existing conforming regarding the required setbacks, the existing garage by the road is in the front setback.

Summary: Applicant proposes to subdivide the lot into 2 lots with the back lot being configured as a "flag lot", having ~ 2.5 Acres (where 1 Acre is required), but insufficient proposed frontage of 62.3 ft where 150 is required.

Town Staff review/comments:

Town Planner: yes Town Engineer: yes Fire Dept: none

HISTORY:

Assessing: single family

Zoning: Case 198-157 (8-28-14) Home Occupation Special Exception: to conduct an art lessons in the detached garage

Case 198-157 (8-28-14) Equitable Waiver: to allow existing garage to remain in the front setback.

ATTACHMENTS:

"A" Assessing history

"B" ZBA 8-22-13 Home Occupation Special Exception

"C" ZBA 8-22-13 Equitable Waiver

"D" Town Engineer review comments

"E" Town Planner review comments

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2018	101 - ONE FAMILY	141,800	28,500	104,200	4.09	0.00	274,500
2018	101 - ONE FAMILY	140,100	25,000	104,200	4.09	0.00	269,300
2017	101 - ONE FAMILY	140,100	25,000	104,200	4.09	0.00	269,300
2017	101 - ONE FAMILY	105,000	21,400	106,600	4.09	0.00	233,000
2017	101 - ONE FAMILY	140,100	25,000	104,200	4.09	0.00	269,300
2016	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2016	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2015	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2015	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2014	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2014	101 - ONE FAMILY	102,600	18,900	106,600	4.09	0.00	228,100
2013	101 - ONE FAMILY	101,600	18,900	106,600	4.09	0.00	227,100
2013	101 - ONE FAMILY	101,600	18,900	106,600	4.09	0.00	227,100
2012	101 - ONE FAMILY	99,500	18,900	106,600	4.09	0.00	225,000
2012	101 - ONE FAMILY	128,400	14,300	146,600	4.09	0.00	289,300
2011	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2011	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2010	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2010	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2009	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2008	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2008	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2007	101 - ONE FAMILY	121,400	13,300	146,600	4.09	0.00	281,300
2007	101 - ONE FAMILY	126,400	57,600	113,900	4.09	0.00	297,900
2006	101 - ONE FAMILY	126,400	57,600	113,900	4.09	0.00	297,900
2006	101 - ONE FAMILY	126,400	57,600	113,600	4.01	0.00	297,600
2005	101 - ONE FAMILY	126,400	57,600	113,600	4.01	0.00	297,600
2005	101 - ONE FAMILY	126,400	57,600	113,600	4.01	0.00	297,600
2004	101 - ONE FAMILY	126,400	57,600	113,600	4.01	0.00	297,600
2004	101 - ONE FAMILY	94,500	59,600	87,900	4.01	0.00	242,000
2003	101 - ONE FAMILY	94,500	59,600	87,900	4.01	0.00	242,000
2003	101 - ONE FAMILY	94,500	59,600	87,900	4.01	0.00	242,000
2002	101 - ONE FAMILY	94,500	59,600	87,900	4.01	0.00	242,000
2002	101 - ONE FAMILY	94,500	59,600	87,900	4.01	0.00	242,000
2001	101 - ONE FAMILY	63,000	0	58,900		0.00	121,900
2000	101 - ONE FAMILY	55,400	7,600	58,900	4.01	0.00	121,900
1999	101 - ONE FAMILY	55,400	7,600	63,400	4.01	0.00	126,400



Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

A43

Doc # 4041403 Oct 21, 2014 9:37 AM
Book 8700 Page 2941 Page 1 of 2
Register of Deeds, Hillsborough County

Camela D Coughlin

FEES:	1489
SURCHARGE:	25
CASH:	—

Town of Hudson

Zoning Board of Adjustment

Decision to Approve a Request for a Home Occupation Special Exception

On August 28, 2014, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard Case 198-173, pertaining to a request by Leroy and Denise Thompson, 140 Melendy Road for a Home Occupation Special Exception in accordance with the provisions of the Hudson Zoning Ordinance Article VI, Section 334-24 for a Home Occupation in order to conduct art lessons out of the existing detached garage. [Map 198, Lot 173, Zoned G; HZO Article VI, Section 334-24].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted that the variance should be granted with the following stipulations:

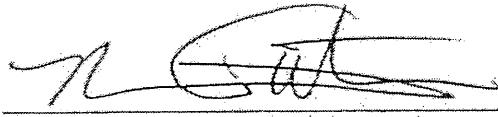
- 1) There shall be no more than 12 students at any one time.
- 2) Hours of operation shall be Monday through Friday 10:00 AM to 8:00 PM; Saturday 8:00 AM to 11:00 PM; no hours on Sunday.
- 3) The Art Studio shall be located in the existing garage at the rear of the property as indicated on the plot plan dated November 2010 and signed by Greg Jeffrey, land surveyor.
- 4) No discharge of students to occur on Melendy Road.
- 5) There shall be no outside storage.
- 6) There shall be no noise generated by this business.

"B₁"

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Equitable Waiver permit shall be considered conditions of the Equitable Waiver, regardless of the fact that such facts or intentions may not have been specifically stated as part of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Zoning Administrator to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restrictions, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and corrective action(s) will be enforced under N.H. R.S.A. 676:17, Fines and Penalties, which allows a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue, as well as recovery of costs and reasonable attorney's fees.

Signed: 
Chairman, Hudson Zoning Board of Adjustment

Date: 9-4-14

Signed: 
Zoning Administrator

Date: 9-4-14

"B₂"

PROPOSED PLOT PLAN
140 MELENDY ROAD, HUDSON, NH
MAP 198 LOT 173

REV. 2		BY:
REV. 1		BY:

ZONING DISTRICT: GEN
 REQUIRED SETBACKS:

FRONT - 30 FEET
 SIDE - 15 FEET
 REAR - 15 FEET

DEED REF: BK. 7840 PG. 1910
 PLAN REF.: H.C.R.D. PL. 6529
 PL. 13873
 PL. 25607

PLAN SCALE: 1"=50'

DATE: NOV. 2010

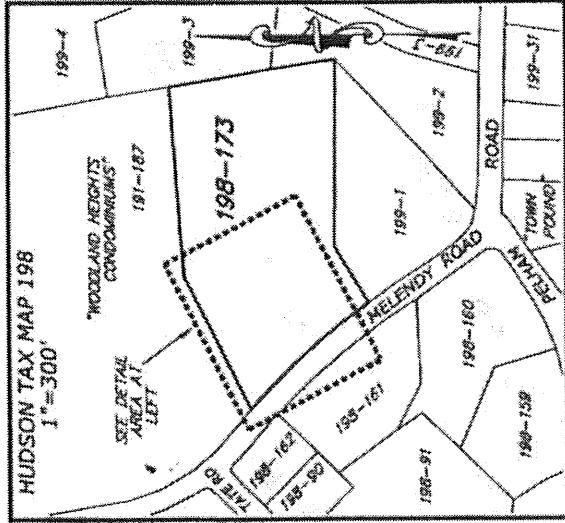
JOB REF.: 008-031-THOM
 XREF.:

I HEREBY CERTIFY:

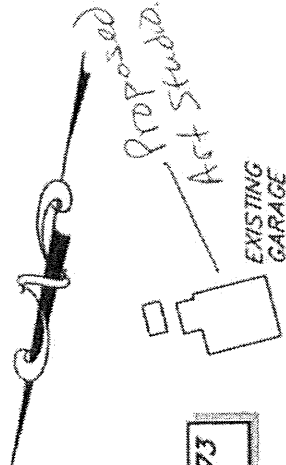
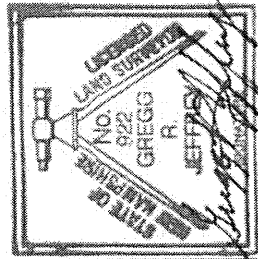
THAT THIS PLAN IS THE RESULT
 OF AN INSTRUMENT SURVEY
 AND THAT ALL MEASUREMENTS
 HEREON ARE TO BE CONSIDERED
 TRUE AND ACCURATE.

JEFFREY LAND SURVEY LLC

1 BURGESS DRIVE, LITCHFIELD, NH 03052
 (603) 424-4089



ORIGINAL IS A RED STAMP PLAN



PROPOSED ADDITION
 396 s.f. ±

EXISTING DIMELLING

EXISTING GARAGE

62.31
 N18°32'29"W

L=206.59'
 R=800.00

MELENDY ROAD

198-161



191-187

N79°01'23"E
 289.02

123.7'

44.2'

N
 45.22'
 33.33'
 20.14'
 W

B3

Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Town of Hudson

Zoning Board of Adjustment

Decision to Grant an Equitable Waiver

On **August 28, 2014**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 198-173**, pertaining to a request by **Leroy and Denise Thompson, 140 Melendy Road**, for an Equitable Waiver to **allow the existing lower garage built close to the road before zoning regulations** [Map 198, Lot 173, Zoned G, HZO Article VI, Section 334-24 of the Hudson Zoning Ordinance].

Following a review of the testimony and deliberation, a majority of the members of this Zoning Board voted to grant the requested equitable waiver with the following stipulations:

- 1) There shall be no more than 12 students at any one time.
- 2) Hours of operation shall be Monday through Friday 10:00 AM to 8:00 PM; Saturday 8:00 AM to 11:00 AM; no hours on Sunday.
- 3) The Art Studio shall be located in the existing garage at the rear of the property as indicated on the plot plan dated November 2010 and signed by Greg Jeffrey, land surveyor.
- 4) No discharge of students to occur on Melendy Road.
- 5) There shall be no outside storage.
- 6) There shall be no noise generated by this business.

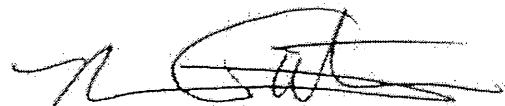
C₁

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Equitable Waiver permit shall be considered conditions of the Equitable Waiver, regardless of the fact that such facts or intentions may not have been specifically stated as part of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Zoning Administrator to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restrictions, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and corrective action(s) will be enforced under N.H. R.S.A. 676:17, Fines and Penalties, which allows a civil penalty of \$275 for the first offense and \$550 for subsequent offenses for each day that such violation is found to continue, as well as recovery of costs and reasonable attorney's fees.

Signed:



Chairman, Hudson Zoning Board of Adjustment

Date:

9-4-14

Signed:



Zoning Administrator

Date:

9-4-14



**PROPOSED PLOT PLAN
140 MELENDY ROAD, HUDSON, NH
MAP 198 LOT 173**

REV. 2	BY:
REV. 1	BY:

ZONING DISTRICT: GEN
REQUIRED SETBACKS:

FRONT - 30 FEET
SIDE - 15 FEET
REAR - 15 FEET

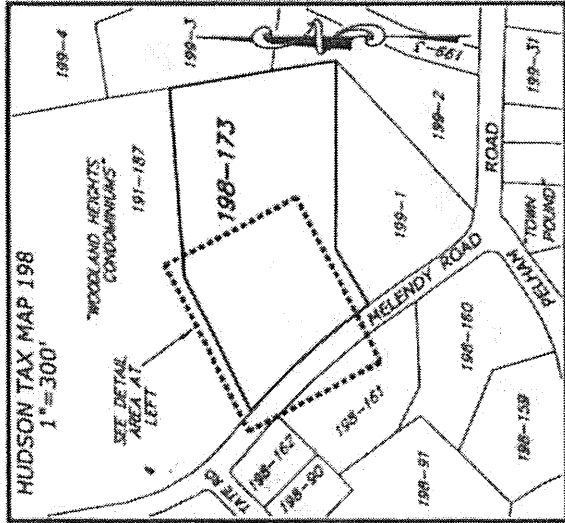
DEED REF: BK. 7840 PG. 1910
PLAN REF.: H.C.R.D. PL. 6529
PL. 13873
PL. 25607

PLAN SCALE: 1"=50'
DATE: NOV. 2010

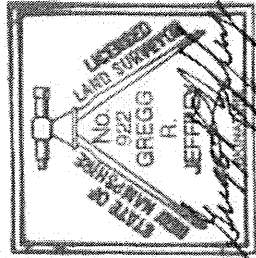
JOB REF.: 008-031-THOM
XREF.:

I HEREBY CERTIFY:

THAT THIS PLAN IS THE RESULT
OF AN INSTRUMENT SURVEY
AND THAT ALL MEASUREMENTS
HEREON ARE TO BE CONSIDERED
TRUE AND ACCURATE.

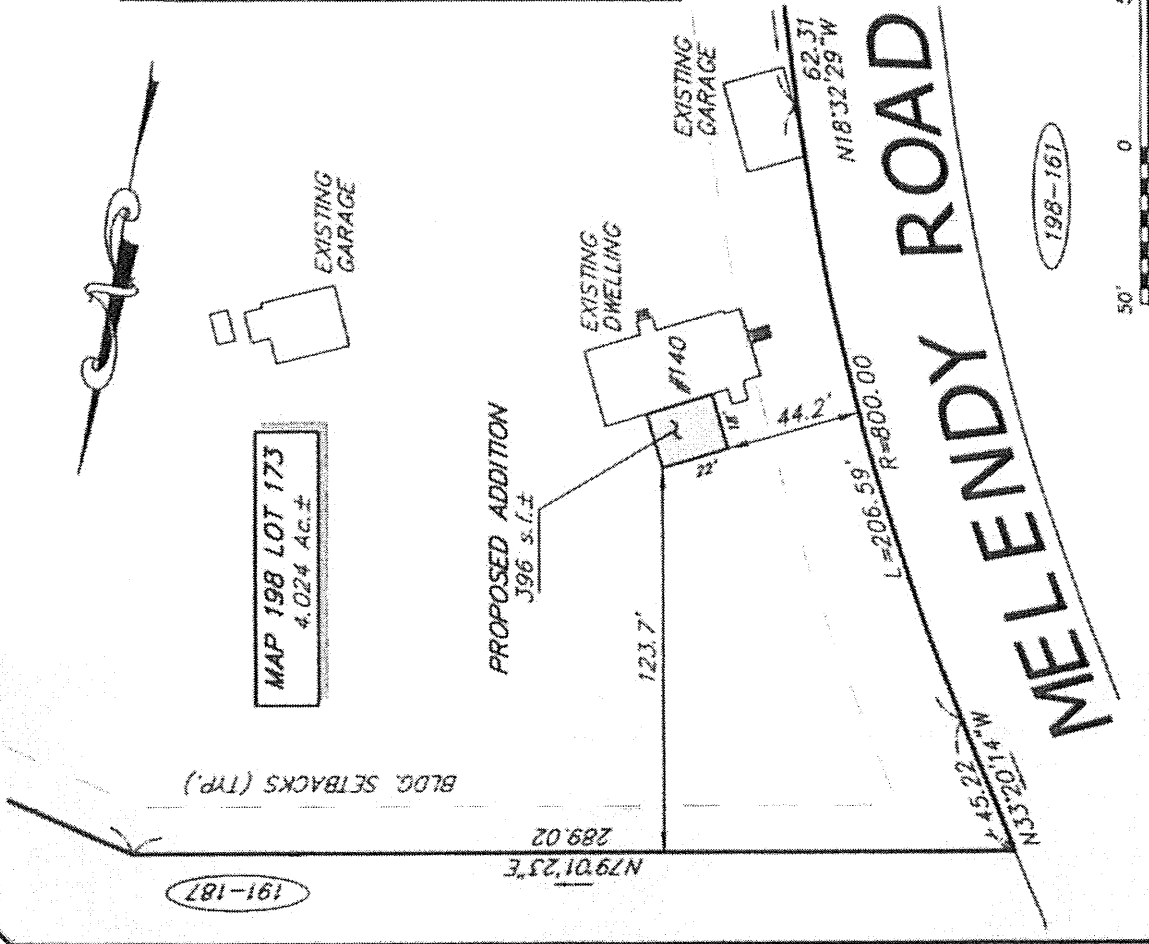


ORIGINAL IS A RED STAMP PLAN



JEFFREY LAND SURVEY, LLC

1 BURGESS DRIVE, LITCHFIELD, NH 03052
(603) 424-4089



ZONING ADMINISTRATOR REQUEST FOR INTER DEPARTMENT REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE

REQUEST FOR REVIEW/COMMENTS:

Case -198-173 (04/25/19)

140 Melendy Rd

For Town Use

Plan Routing Date: 04/10/19 Reply requested by: 4/15/19 ZBA Hearing Date: 4/25/19

I have no comments I have comments (attach to form)

ELO Title: Town Engineer Date: 4/11/19
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

-ONE CURB ~~CUT~~ FOR BOTH LOTS SEEMS ACCEPTABLE IN THIS CASE. DUE TO ROUGH TOPOGRAPHY.

"D"

**ZONING ADMINISTRATOR REQUEST FOR INTER DEPARTMENT REVIEW
TOWN OF HUDSON, NEW HAMPSHIRE**

REQUEST FOR REVIEW/COMMENTS:

Case -198-173 (04/25/19)

140 Melendy Rd

For Town Use

Plan Routing Date: 04/10/19 Reply requested by: 4/15/19 ZBA Hearing Date: 4/25/19

 I have no comments J I have comments (attach to form)

BG Title: Town Planner Date: 4/16/19
(Initials)

DEPT:
 Town Engineer Fire/Health Department Town Planner ✓

(E)

Groth, Brian

From: Groth, Brian
Sent: Tuesday, April 16, 2019 4:04 PM
To: Buttrick, Bruce
Cc: Goodwyn, Tracy
Subject: Case 198-173

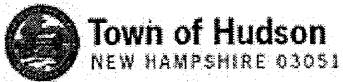
Bruce,

For consideration with respect to the variance request for insufficient frontage at 140 Melendy Rd:

- This parcel can be subdivided as-of-right into two parcels.
- The as-of-right scenario may result in unconventional lot geometry.
- The as-of-right scenario may result in an additional curb cut (driveway) with insufficient sight distance.
- Should the variance be granted, a shared curb-cut may be appropriate. Beyond the curb cut, there might be a shared drive way or two independent, parallel driveways. Two independent but parallel driveways would likely require an easement but would avoid shared ownership/maintenance associated with a shared driveway. These details would be examined by the Planning Board if the ZBA grants this variance.
- There are several neighboring parcels with similar lot geometry to this proposal.

Brian

Brian Groth
Town Planner



12 School Street
Hudson, NH 03051
Phone: (603) 886-6008
Fax: (603) 594-1142
bgroth@hudsonnh.gov

A handwritten signature in black ink, appearing to be "E2" enclosed in a hand-drawn oval shape.

APPLICATION FOR A VARIANCE

APR 09 2019

To: Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by Land Use Division personnel

Case No. 198-173

Date Filed 4/9/19

Zoning Department

Name of Applicant Leroy & Denise Thompson Map: 198 Lot: 173 ⁻⁰⁰⁰ Zoning District: G

Telephone Number (Home) 603-674-2911 - Leroy (Work) 603-438-7885 - Denise

Mailing Address 140 Melendy Rd. Hudson NH 03051

Owner Leroy & Denise Thompson

Location of Property 140 Melendy Rd. Hudson NH 03051
(Street Address)

Denise Thompson Leroy Thompson
Signature of Applicant Date 4.6.19

Denise Thompson Leroy Thompson
Signature of Property-Owner(s) Date 4.6.19

NOTE: Fill in all portions of the Application Form(s) as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate. If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak on his/her/their behalf or that you have permission to seek the described variance.

Items in this box are to be filled out by Land Use Division personnel

COST:		Date received: <u>4/9/19</u>
Application fee:	<u>\$130.00</u>	
<u>7</u> Direct Abutters x \$4.05 = 28.35	<u>28.35</u>	
<u>6</u> Indirect Abutters x \$0.55 = 3.30	<u>3.30</u>	
Total amount due:	<u>\$ 161.65</u>	Amt. received: \$ <u>161.65</u> <i>ca# 886</i>
Received by: <u>S. Gordon</u>		Receipt No.: <u>545, 566</u>

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:

Engineering Fire Department Health Officer Planner

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
<u>DT</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG.</u>
<u>DT</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG.</u>
<u>DT</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e. <u>Variance</u> , Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG.</u>
<u>N/A</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>DT</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG.</u>
<u>DT</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG.</u>
<u>DT</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>missing</u> <u>TG 4/9/19</u>
<u>NA</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A.</u>

PLOT PLAN-

- Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted): TG.
- a) The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. TG.
- b) The plot plan shall be up-to date and dated, and shall be no more than three years old. TG.
- c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal. ~~TG.~~ TG. 4/13/14
- d) The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) GIS
OK - TG.
- e) The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. TG.
- f) The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. TG.
- g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. TG.
- h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. TG.
- i) The plot plan shall indicate all parking spaces and lanes, with dimensions. TG.

The applicant has signed and dated this form to show his/her awareness of these requirements.

Denise Thayer / Corey Thayer
Signature of Applicant(s)

4.5.19
Date

The Land Use Division will schedule a public hearing at the next available meeting of the Hudson Zoning Board of Adjustment for your properly-completed application. Applications are scheduled on a first-come, first-served basis. Public notice of the hearing will be posted on public bulletin boards in the Town Hall, the Post Office, and the Rogers Library and also printed in a newspaper, and a notice will be mailed to the applicant, all abutters, and any other parties whom the Board may deem to have an interest.

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a Notice of Decision during the following week.

If you believe that the Board's decision is wrong, you have the right to appeal. In addition, any third party/parties affected by the decision also has/have the right to appeal the decision of your case. To appeal, you must first ask the Board for a rehearing; this motion for rehearing may be in the form of a letter to the Board. The rehearing request must be made in writing within thirty (30) days following the Board's decision, and must set forth the grounds on which it is claimed the decision is unlawful or unreasonable.

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters.

Please refer to NH RSA Chapter 677 for more detail on rehearing and appeal procedures.

ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

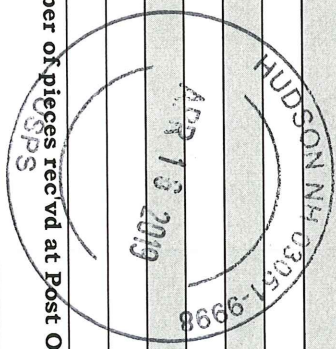
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
199	001	Paul Y. Bastarache	46 Pelham Rd Hudson, NH
199	002	Francis & Christine Kenyon	48 Pelham Rd Hudson, NH
199	003	Joanne & Richard Desmaris	48R Pelham Rd Hudson, NH
198	162	Serge & France Michaud	2 Tate St. Hudson, NH
198	173	Denise & Leroy Thompson	140 Melendy Rd. Hudson, NH
198	161	Diane & Robert San Soucie	97 Melendy Rd. Hudson, NH
191	187	Gary Webster-President of Woodland Heights Condo Assoc.	38 Overlook Circle Hudson, NH

ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date, following notification of such abutters. (Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	163	Bruce & Linda Prince	1 Tate St. Hudson, NH
198	090	Robert & Dorothy Pedi	4 Tate St. Hudson, NH
198	191	Renee & Steven Jarvis	6 Tate St. Hudson, NH
199	004	Donal Dumont	195 R. Central St. Hudson, NH
199	005	Sue Ellen Seabury	50 Pelham St. Hudson, NH
194	160	Christine Gillis	44 Pelham Rd. Hudson, NH

SENDER:	US POSTAL SERVICE - CERTIFIED MAIL	Case# 198-173 140 Melendy Road Map 198/Lot 173-000 1 of 1	Variance
TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051			
ARTICLE NUMBER	Name of Addressee, Street, and post office address	04/25/19 ZBA Meeting	
1	701b 2710 0000 0595 2773 DENISE & LEROY THOMPSON 140 MELENDY RD., HUDSON, NH 03051	APPLICANT/OWNER NOTICE SENT	
2	701b 2710 0000 0595 2780 PAUL Y. BASTARACHE 46 PELHAM RD., HUDSON, NH 03051	ABUTTER NOTICE SENT	
3	701b 2710 0000 0595 2797 FRANCIS & CHRISTINE KENYON 48 PELHAM RD., HUDSON, NH 03051	ABUTTER NOTICE SENT	
4	701b 2710 0000 0595 2803 JOANNE & RICHARD DESMARAIS; DESMARAIS FAMILY REV. TRUST 48R PELHAM RD., HUDSON, NH 03051	ABUTTER NOTICE SENT	
5	701b 2710 0000 0595 2810 SERGE & FRANCE MICHAUD 2 TATE STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
6	701b 2710 0000 0595 2827 DIANE & ROBERT SANSOUCIE 97 MELENDY ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT	
7	701b 2710 0000 0595 2834 WOODLAND HEIGHTS CONDO ASSOC., GARY WEBSTER-PRESIDENT 38 OVERLOOK CIRCLE, HUDSON, NH 03051	ABUTTER NOTICE SENT	
8			
9			
10			
	Total Number of pieces listed by sender 7	Total number of pieces recvd at Post Office SPS	Postmaster (receiving Employee) <i>Janeer</i>



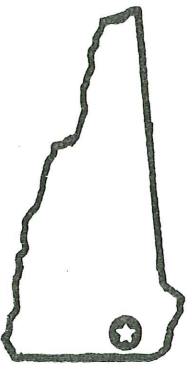
27

SENDER: TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		US POSTAL SERVICE - FIRST CLASS MAIL	Case# 198-173 140 Melendy Road Map 198/Lot 173-000	Variance 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address		04/25/19 ZBA Meeting	
1	N/A-mailed First Class BRUCE & LINDA PRINCE 1 TATE STREET, HUDSON, NH 03051		ABUTTER NOTICE SENT	
2	N/A-mailed First Class ROBERT & DOROTHY PEDI 4 TATE STREET, HUDSON, NH 03051		ABUTTER NOTICE SENT	
3	N/A-mailed First Class STEVEN & RENEE JARVIS 6 TATE STREET, HUDSON, NH 03051		ABUTTER NOTICE SENT	
4	N/A-mailed First Class DONALD DUMONT, TR.; DUMONT MANAGEMENT TRUST 195R CENTRAL ST., HUDSON, NH 03051		ABUTTER NOTICE SENT	
5	N/A-mailed First Class SUE ELLEN SEABURY; RICHARD QUINLAN 50 PELHAM RD., HUDSON, NH 03051		ABUTTER NOTICE SENT	
6	N/A-mailed First Class CHRISTINE GILLIS 44 A PELHAM RD., HUDSON, NH 03051		ABUTTER NOTICE SENT	
7				
8				
9				
10				
11				
12				
Total Number of pieces listed by sender 6		Total number of pieces rec'd at Post Office	Postmaster (receiving Employee) <i>[Signature]</i>	

HUDSON NH 03051
APR 13 2019
USPS

[Handwritten mark]

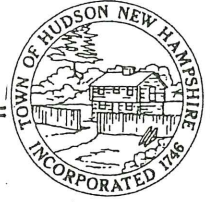
Non-Direct First Class



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

COPY

ABUTTER NOTIFICATION



12 School Street

Hudson, New Hampshire 03051

603/886-6008

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

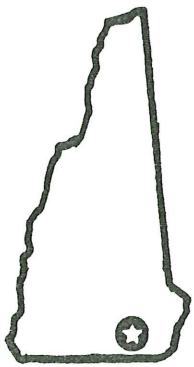
- 1. Case 198-173 (4-25-19): Leroy & Denise Thompson, 140 Melendy Road, Hudson, NH requests a Variance to subdivide and create a new lot with insufficient frontage required to create a new flag lot with a shared driveway. [Map 198, Lot 173, Zoned General (G); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].**

Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this Application is available for your review on the Hudson Town Hall website: www.hudsonnh.gov or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

 COPY

APPLICANT NOTIFICATION

12 School Street

Hudson, New Hampshire 03051

603/886-6008



You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **04/25/19** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

- 1. Case 198-173 (4-25-19): Leroy & Denise Thompson, 140 Melendy Road, Hudson, NH requests a Variance to subdivide and create a new lot with insufficient frontage required to create a new flag lot with a shared driveway. [Map 198, Lot 173, Zoned General (G); HZO Article VII §334-27, Table of Minimum Dimensional Requirements].**

Please be advised, the above notice is being sent to all abutters listed on the application. You, or a representative, are expected to attend the hearing, and make a presentation.

Respectfully,

Bruce Buttrick
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VII of HZO Section(s) 334-27 in order to permit the following change or use:

To subdivide a new lot with insufficient frontage required to create a
new flag lot. We have the frontage needed on the hillside of the house,
but it is very steep and requires blasting and excavating to create a
driveway/road.

You must attach to this application a copy of some form of determination that the proposed change or use is not permitted without a variance, consisting of a denial in writing of a building permit or use authorization by the Zoning Administrator, with the reasons for the denial being cited thereon.

FACTS SUPPORTING THIS REQUEST:

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (b), as follows:

- I. **“The Zoning Board of Adjustment shall have the power to:**
 - (b) **Authorize upon appeal in specific cases a variance from the terms of the zoning ordinance if:**
 - (1) **The variance will not be contrary to the public interest;**
 - (2) **The spirit of the ordinance is observed;**
 - (3) **Substantial justice is done;**
 - (4) **The values of surrounding properties are not diminished; and**
 - (5) **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**
 - (A) **For purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area:**
 - (i) **No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and**
 - (ii) **The proposed use is a reasonable one.**
 - (B) **If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.**

The definition of “unnecessary hardship” set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

1. Granting of the requested variance will not be contrary to the public interest, because:
(Explain why you feel this to be true—keeping in mind that the proposed use must not conflict with the explicit or implicit purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

We can subdivide by right but the result will not benefit to the Town.

However, the benefits of this proposal creates the following:

Provides one curb cut

Creates oversized lot

Utilizes existing driveway

Includes the demolition of existing non-conforming garage.

2. The proposed use will observe the spirit of the ordinance, because:
(Explain why you feel this to be true—keeping in mind that, as detailed above, the proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

There is already a driveway that exist to the bock of this land.

This will make an easy access to this new flag lot.

It is proposed as a residential Single Family Residence.

Oversized lot results: Eliminates the new curb cut.

3. Substantial justice would be done to the property-owner by granting the variance, because:
(Explain why you believe this to be true—keeping in mind that the benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

Would eliminate hardships to us, the environment and the neighbors.

- No blasting

- No possible damage to surrounding homes

- No upset to the natural wildlife.

- 1 Curb cut

- Utilizes the existing driveway

- Better for traffic

4. The proposed use will not diminish the values of surrounding properties, because:
(Explain why you believe this to be true—keeping in mind that the Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

- Residential Use

- Proposed lots are more than required.

- Oversized Residential lot

5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* that you must establish that the special conditions of the property cause the proposed use to be reasonable. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.)

We would like to qualify for a subdivision to create a new flag lot.

To use the the land with the frontage as is would be a hardship.

- It's a very steep slope.

- It would require blasting and excavating to clear out a driveway.

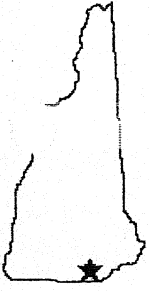
- It would upset the natural wildlife

- It would upset the residential structures of surrounding houses.

- It would cause upset to the traffic flow.

- An additional curb cut eliminated.

Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer's Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.



TOWN OF HUDSON

Land Use Division



12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142

Zoning Determination #18-92

July 19, 2018

Leroy and Denise Thompson
140 Melendy Road
Hudson, NH 03051

Re: 140 Melendy Road Map 198 Lot 173
District: General (G)

Dear Mr & Mrs Thompson,

Your request: whether you can subdivide this property into two parcels and have a shared driveway?

Zoning Review / Determination:

Our records show this as an existing "developed" lot with an area of 178,291 sqft where 43,560 sqft is required. Frontage is 321 ft along Melendy Road where 150 ft is required. Town Code §334-27: Table of Minimum Dimensional Requirements requires each lot to have as minimum: 43,560 sqft of area and 150 ft frontage. Your attached sketch does not satisfy the frontage requirement as it is creating a "landlocked" parcel and would be prohibited (unless granted by variance).

A subdivision may be possible if you were to establish two lots having the proper frontage along Melendy Road, being mindful of building setbacks etc. I would suggest you secure

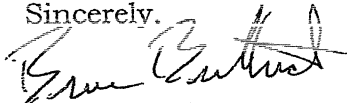
NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.

the services of a surveyor to determine the suitability of a subdivision and I would be happy to review any proposals submitted.

Your second question of your inquiry asked if you could have a shared driveway. The answer according to Town Code §193-10I is: "...shared driveways are not allowed unless approved by the Planning Board".

Please call me or Administrative Aide Brooke Dubowik @ (603) 886-6008 to assist you through the subdivision application process if you decide to pursue such.

Sincerely,



Bruce Buttrick, MCP

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Zoning Board of Adjustment
S. Malizia, Town Administrator
J. Michaud, Town Assessor
Selectmen: N. Martin and D. Morin
File

NOTE: this determination may be appealed to the Hudson Zoning Board of Adjustment within 30 days of the receipt of this letter.



COMMUNITY DEVELOPMENT DEPARTMENT
 12 School Street
 Hudson, NH 03051
 (603)886-6005
www.hudsonnh.gov



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 4.5.19 #

Property Location 140 Melendy Rd

Map 198 Lot 173-000

Zoning District if known General

Type of Request

Zoning District Determination Use Determination Set-Back Requirements

Process for Subdivision/ Site Plan if required

Other

Description of request / determination: (Please attach all relevant documentation)

would like to subdivide a new lot
with insufficient frontage to create a new lot,
with a SHARED driveway.

Applicant Contact Information:

Name: Leroy & Denise Thompson

Address: 140 Melendy Rd Hudson NH.

Phone Number: 603-674-2911-Leroy 603-438-7885 Denise

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

PROPERTY LOCATION

No	Alt No	Direction/Street/City
140		MELENDY RD. HUDSON

OWNERSHIP

Owner 1:	THOMPSON, LEROY A. TR.
Owner 2:	THOMPSON, DENISE A. TR.
Owner 3:	THOMPSON FAMILY LIVING TRUST
Street 1:	140 MELENDY RD.
Street 2:	
Twn/City:	HUDSON
S/P/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	THOMPSON, LEROY, TR.
Owner 2:	THOMPSON, DENISE, TR.
Street 1:	140 MELENDY RD.
Twn/City:	HUDSON
S/P/Prov:	NH
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains 4.093 ACRES of land mainly classified as ONE FAMILY Y with a NEW ENGLANDR Building built about 1935, having primarily VINYL Exterior and 1808 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 1 HairBath, 5 Rooms, and 2 Birms.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	GD	GENERAL		water	9	PRIV WATER
0				Sewer	0	SEPTIC
n				Electri		
Census:				Exmpt		
Flood Haz:	C			Topo	4	ROLLING
s				Street		
t				Gas		

LAND SECTION (First 7 lines only)

Use Code	Description	LUCC	No of Units	Depth/ Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh Infru	Neigh Mod	Int 1 %	Int 2 %	Int 3 %	Appraised Value	Alt Class	Spec Land Code	Use Value	Notes
101	ONE FAMILY		1		SITE ACRE SITE			0 95,000	1,00 RD							95,000			95,000	
101	ONE FAMILY		3.093		ACRES EXCESS			0 4,750	0.62 RE							9,182			9,200	TOPOL EDGEWET

Total ACH/AL	4.09300	Total SF/SM	178291	Parcel LUCC	101	ONE FAMILY	Prime NB Desc	RES AV/FR	Total	104,182	Spl Credit	Total	104,200
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: Assesspro - HudsonNH anym 2019

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	4.093	141,800	28,500	104,200	274,500
Total Card	4.093	141,800	28,500	104,200	274,500
Total Parcel	4.093	141,800	28,500	104,200	274,500

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes
2018	101	FV	141,800	28,500	4.093	104,200	274,500	274,500	Year End Roll
2018	101	JB	140,100	25,000	4.093	104,200	269,300	269,300	Year End Roll
2017	101	FV	140,100	25,000	4.093	104,200	269,300	269,300	Year End Roll
2017	101	PV	140,100	25,000	4.093	104,200	269,300	269,300	Year End Roll
2017	101	JB	105,000	21,400	4.093	106,600	233,000	233,000	Year End Roll
2016	101	FV	102,600	18,900	4.093	106,600	228,100	228,100	Year End Roll
2016	101	JB	102,600	18,900	4.093	106,600	228,100	228,100	Year End Roll
2015	101	FV	102,600	18,900	4.093	106,600	228,100	228,100	Year End Roll

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
THOMPSON, LEROY	8945-2237	2	2/13/2017	NON-MARKET		No	No		
THOMPSON, LEROY	8947-1328	2	4/21/2016	NON-MARKET		No	No		
THOMPSON, LEROY	8848-0367	2	3/28/2016	NON-MARKET		No	No		
THOMPSON, LEROY	8845-0001	2	3/28/2016	NON-MARKET		No	No		
POLAK, CELIA	7840-1910	1	4/27/2007	QUET TRANS	274,900	No	No		
POLAK, ANDREW J	7840-1903	4	4/27/2007	FAMIL Y TRANS		No	No		
POLAK, STELLA	6554-0848		12/20/2001	FAMIL Y TRANS		No	No		
POLAK, STELLA	6211-1936		2/16/2000	UNCLASSIFIED		No	No		

TAX DISTRICT

PAT ACCT. 2144

BUILDING PERMITS

Date	Number	Descrp	Amount	CIO	Last Visit	Fed Code	F. Descrp	Comment
7/31/2017	2017-00777	SIGNS		C				
7/31/2017	2017-00774	SIGNS		C				
5/19/2017	2016-00279	PLUMBING		C				
10/3/2016	2016-279-1d	ELECTRIC	500 C	C				
4/12/2016	2016-279	ADDITION	12,000 C	C				
8/26/2011	2010-640-1e	ELECTRIC	650 C	C				ELECTRICAL WRK
11/24/2010	2010-00640	ADDITION	7,500 C	C				Constr 18x22 addn

ACTIVITY INFORMATION

Date	Result	By	Name
5/24/2018	Permit Visit	12	TECH ASMNT
3/27/2017	Measur/Inspect	16	CCAGR
4/22/2015	Measur	15	APPR TECH 5
4/22/2015	NC Visit	15	APPR TECH 5
3/28/2014	NC Visit	15	APPR TECH 5
4/15/2013	NC Visit	12	TECH ASMNT
3/26/2012	Permit Visit	12	TECH ASMNT
10/25/2011	Measur	14	APPR TECH 4
3/28/2011	Permit Tech	14	APPR TECH 4

USER DEFINED

Prior Id #	Time
1:0017	
2:0008	
3:0001	
1:0017	
2:0008	
3:0001	
1:0017	
2:0008	
3:0001	
1:0017	
2:0008	
3:0001	

GIS Ref

Insp Date 03/27/17

Legal Description

Entered Lot Size
 Total Land: 4.093
 Land Unit Type: AC

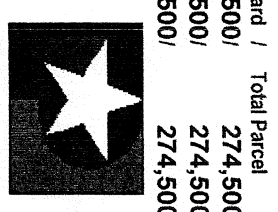
Parcel ID

196-173-000

Legal Description

Parcel LUCC: 101 ONE FAMILY Prime NB Desc: RES AV/FR

Total: 104,182 Spi Credit: Total: 104,200

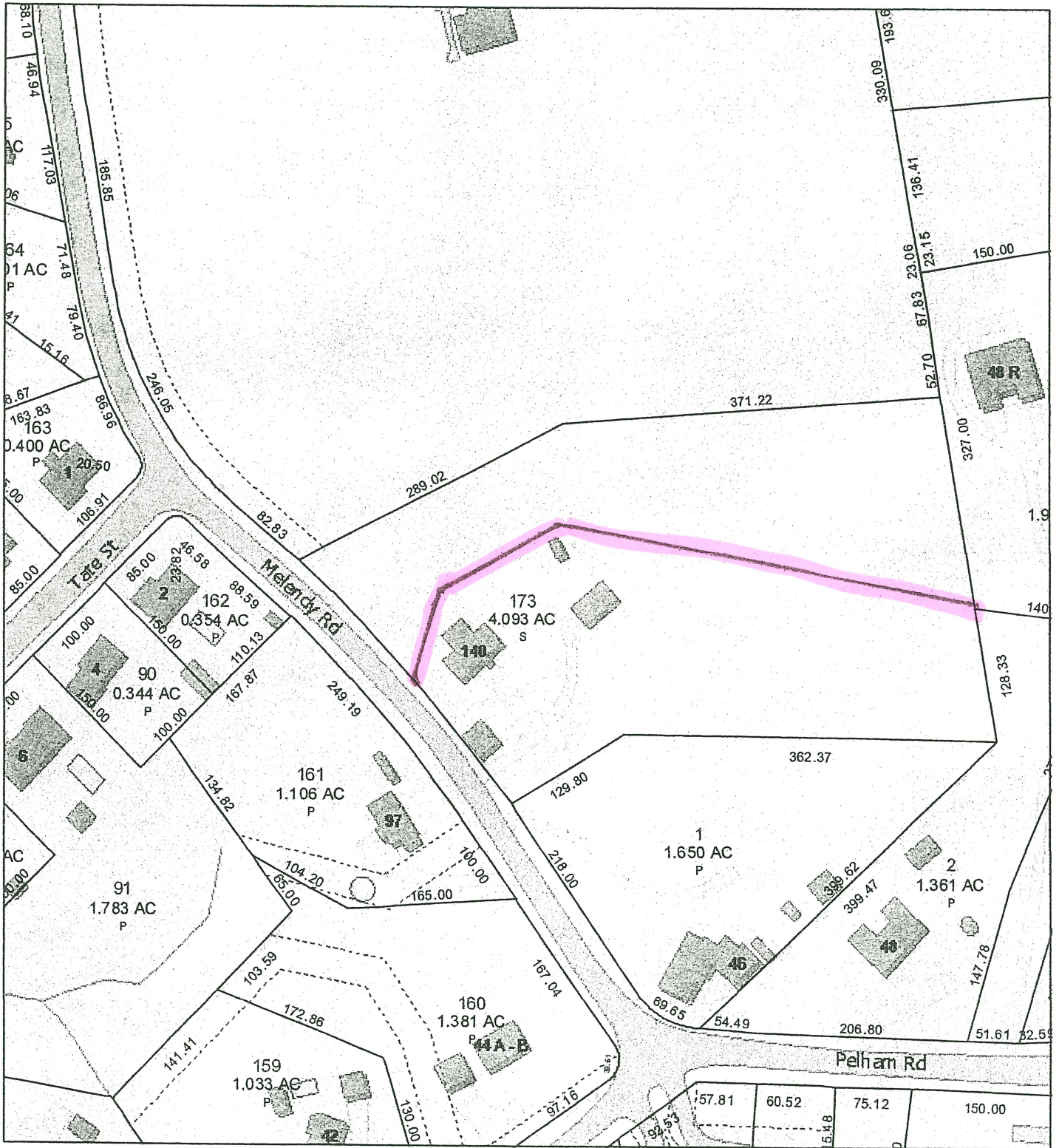


140 MELENDY RD
 PARCEL ID: 188-173-000
 OWNER NAME: THOMPSON, LEROY A, TR.
 PROPERTY LOCATION: 140 MELENDY RD
 CO-OWNER: THOMPSON, DENISE A, TR.
 MAILING ADDRESS: 140 MELENDY RD.
 CSZ: HUDSON, NH 03051
 ACCOUNT NUMBER: 4127

OWNER ASSESSMENT SALES
 ADD TO SELECTION GET ABILT



Allowed



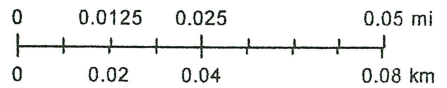
April 8, 2019

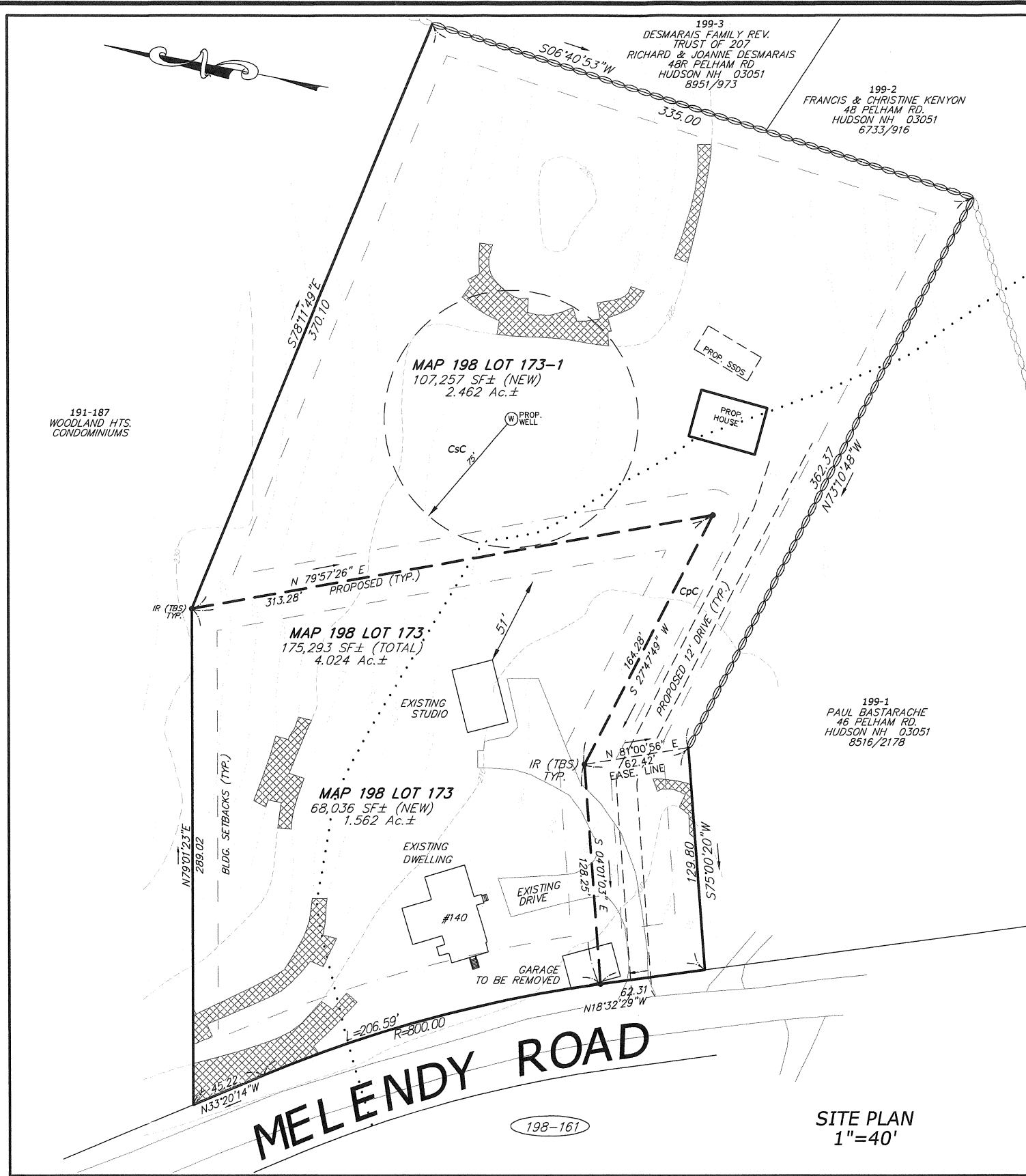
Legend

----- Easement_Lines

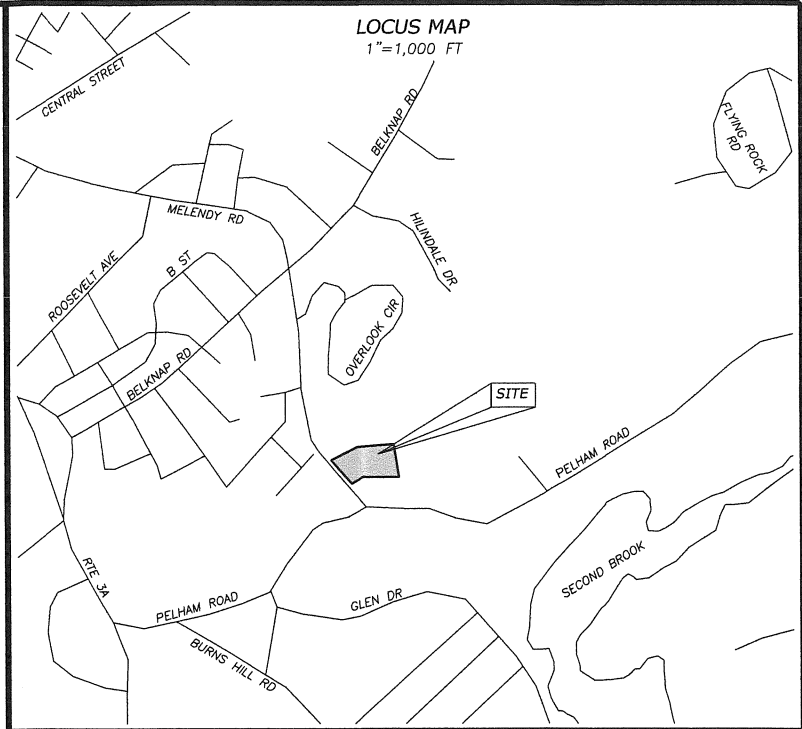
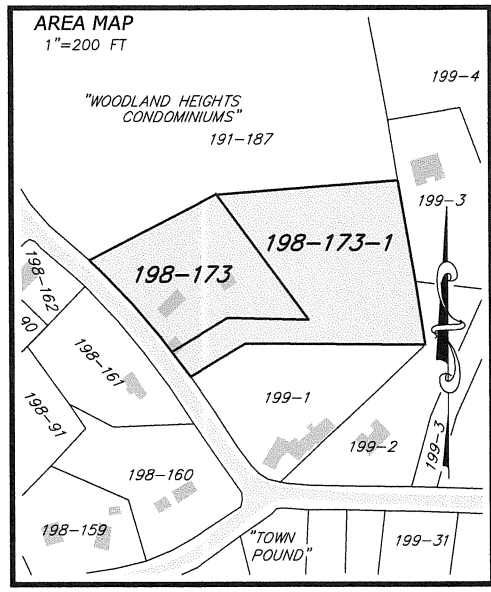
▭ Parcels

1:1,632





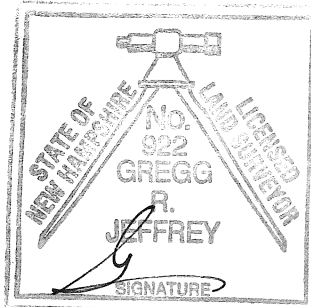
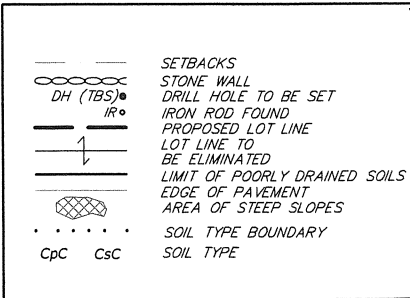
- REFERENCE PLAN:**
- REFERENCE PLAN: "SUBDIVISION PLAN OF LAND BELONGING TO ANDREW J. & STELLA POLAK" DATED MARCH 1973 AND RECORDED IN THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS (HCRD) AS PLAN 6529.
 - REFERENCE PLAN: "CONSOLIDATION & LOT LINE RELOCATION PLAN, PELHAM ROAD, HUDSON, NEW HAMPSHIRE" DATED JANUARY 1981 AND RECORDED IN THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS (HCRD) AS PLAN 13873.
 - REFERENCE PLAN: "MASTER PLAN, WOODLAND HEIGHTS SITE PLAN, HUDSON NH" DATED JANUARY 1, 1990 AND RECORDED IN THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS (HCRD) AS PLAN 25607.



PLAN NOTES:

- THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE PROPOSED CREATION OF TWO LOTS FROM TAX MAP 198-173. THE APPLICANT SEEKS A VARIANCE TO CREATE A REDUCED-FRONTAGE LOT. AREA OF PARCEL BEFORE SUBDIVISION = 175,293 SF OR 4.024 AC.
- PROPOSED LOT AREA
TAX MAP 198 LOT 173 = 63,464 SF OR 1.457 AC.
TAX MAP 198 LOT 173-1 = 111,829 SF OR 2.567 AC.
- REFERENCE THIS PARCEL AS TOWN OF HUDSON TAX MAP 173 LOT 173.
- OWNER OF RECORD: THOMPSON FAMILY LIVING TRUST, 140 MELENDY RD, HUDSON, NH 03051 REF. HILLSBOROUGH COUNTY REGISTRY OF DEEDS BK. 8945 PG. 2237.
- CURRENT ZONING DISTRICT: G
MINIMUM SETBACKS: FRONT= 30'
SIDE= 15'
REAR= 15'
MIN. AREA (TOWN WATER & SEWER)= 43,560 SF
MIN. FRONTAGE= 150'
- FOR BOUNDARY INFORMATION SEE PLAN REFERENCE 1, 2 & 3.
- NO PORTION OF THE PROPERTY IS WITHIN THE 100-YEAR FLOOD PLAN AS PER FIRM MAP NUMBER 33011C0538D
- NEW LOT TO BE SERVICED BY PRIVATE WATER AND SETPTIC.
- THE LOCATION OF ANY UNDERGROUND UTILITIES SHOWN IS APPROXIMATE. JEFFREY LAND SURVEY MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. CONTRACTOR IS TO CONTACT DIGSAFE PRIOR TO ANY EXCAVATION.

PLAN LEGEND



LOT NUMBER	TOTAL AREA (PROPOSED)	WETLAND AND NON-CONTIGUOUS UPLAND	AREA >25% SLOPES	BUILDABLE AREA (NET CONTIGUOUS UPLAND USEABLE)	FRONTAGE
198-173	68,036 SF±	0 SF±	4,050 SF±	63,986 SF±	251.81'
198-173-1	107,257 SF±	0 SF±	2,545 SF±	104,712 SF±	62.31'

OWNER OF MAP 198 LOT 173

SIGNATURE _____

DATE _____

CONCEPT PLAN OF LAND FOR VARIANCE APPLICATION
 PREPARED FOR
DENISE AND LEROY THOMPSON
 OWNER AND APPLICANTS, LOT 198-173
 140 MELENDY ROAD
 HUDSON, NH
 HILLSBOROUGH COUNTY, NH

JEFFREY LAND SURVEY, LLC

1 BURGESS DRIVE
 LITCHFIELD, NH 03052

1"=40' 40' 0 40' 80' DATE: FEB. 2019



25TH ANNUAL SPRING PLANNING & ZONING CONFERENCE

SATURDAY, JUNE 1, 2019 8:00 AM – 3:30PM

GRAPPONE CONFERENCE CENTER,

CONCORD, NH

CONFERENCE REGISTRATION

Name: _____ Title: _____

Organization: _____

Address: _____ City/Town: _____

State: _____ Zip Code: _____

Telephone: _____ E-Mail: _____

Municipality (If different from City/Town): _____

- Please mail the City/Town an Invoice
 Please send me an invoice
 I will send a check

SESSION SELECTIONS

9:00 AM – 10:15 AM	12:45 PM – 2:00 PM
<input type="checkbox"/> Plenary Session: 25th Annual Celebration of the State's Planning and Zoning Conference	<input type="checkbox"/> Roles & Responsibilities of the Zoning Board of Adjustment (double session) <input type="checkbox"/> Legal Update (double session) <input type="checkbox"/> Plan Reading and Analysis (double session) <input type="checkbox"/> Preparing and Engaging Your Community for Economic Development Success <input type="checkbox"/> The 2020 Census: Why it Matters for Local Land Use Boards <input type="checkbox"/> Short-Term Rentals <p style="color: red; font-size: small;">Due to limited seating, if you selected a double session above, please DO NOT select a session in the following time slot.</p>
10:30 AM – 11:45 AM	2:15 PM – 3:30 PM
<input type="checkbox"/> Introduction to Local Land Use Boards <input type="checkbox"/> Planning Board Basics <input type="checkbox"/> ZBA Decision Making Process <input type="checkbox"/> Introduction to Regional Planning Commissions <input type="checkbox"/> Meeting Mechanics of Land Use Boards <input type="checkbox"/> The Role of Housing in Your Community	<input type="checkbox"/> Roles and Responsibilities of the Zoning Board of Adjustment (con't from 2:00) <input type="checkbox"/> Legal Update (con't from 2:00) <input type="checkbox"/> Plan Reading and Analysis (con't from 2:00) <input type="checkbox"/> Local Energy Planning: Lessons from Dover and New London <input type="checkbox"/> Protecting Groundwater and Drinking Water <input type="checkbox"/> Recreational Trail Planning

This form can be e-mailed to noah.hodgetts@osi.nh.gov or mailed to the address below. Please contact Noah Hodgetts at 603-271-2157 with any questions.

Registration Fee: \$60 per person.

Checks can be made payable to NH OSI and mailed to: **NH Office of Strategic Initiatives**
 107 Pleasant Street, Johnson Hall
 Concord, NH 03301-3834

Registration Deadline: Friday, May 24, 2019 at 4:00pm or until full.

Cancellations received after 4:00 PM on May 24, 2019 will not be refunded.