

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 – May 28, 2020

COVID-19 Meeting Procedure

In response to the NH State of Emergency Order #12 Pursuant to Executive Order 2020-04 regarding COVID-19, The Hudson Zoning Board of Adjustment will conduct a virtual public meeting and hearings, to be held electronically by remote video & conference call on Thursday, May 28, 2020, at 7:00 PM. Written comments can be sent in advance either by: 1) Email to bbuttrick@hudsonnh.gov prior to 5:00 pm, May 28, 2020; or 2) Mail by May 26, 2020 to ZBA, c/o Bruce Buttrick, Hudson Town Hall, 12 School St., Hudson, NH 03051. For details on how the public can listen in and/or comment, visit the Town Website, Zoning Board of Adjustment page at: <https://www.hudsonnh.gov/bc-zba> or call (603) 886-6008 prior to the date of the meeting. Applications on the agenda may be viewed/downloaded using the same link above (then click: View Agendas, Minutes, Packets & Videos). The meeting will be streamed live on Hudson Community Television, Cable Channel 22 or online at: <http://hudsonctv.com/CablecastPublicSite/watch/2?channel=3>.

I. CALL TO ORDER

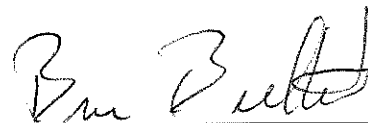
II. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. Case 246-001 (05-28-20) (deferred from 03-12-20): Dr. Warren Barclay, 24 Chalifoux Rd., Hudson, NH requests two variances for 2 Stonemill Dr., Hudson, NH: 1) To permit the construction of an approx. 1,155 sqft. accessory one-story building to be used as a chiropractic office accessory to the primary residential use and; 2) To permit the location of the building to be within the front yard setback of 30 ft. where 50 ft. is required. [Map 246, Lot 001-000; Zoned Residential-Two (R-2); HZO Article III, §334-10 D, Mixed or dual use on a lot and HZO Article VII, §334-27, Table of Minimum Dimensional Requirements].
2. Case 173-022 (05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 15 Tolles St., Hudson, NH to modify stipulations 3 and 6 of the three (3) variances granted by the ZBA on June, 7, 2018 for 15 & 17 Tolles St. [Map 173, Lot 022-000; Zoned Town Residence (TR) ; HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].
3. Case 173-012 & 014 (05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 4 & 14 Tolles St., Hudson, NH to be allowed to extend the same uses to Lots 173-012 & 014 as were granted by the ZBA on June 7, 2018 for three (3) variances at 15 & 17 Tolles St. [Map 173, Lot 012-000 and Lot 173-014-000; Zoned Town residence (TR) ; HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].
4. Case 174-119-001 (05-28-20): Quan Hua Li, 74 Highland St., Hudson, NH 03051 requests a variance to allow a driveway to remain with an encroachment of 9.5 ft into the side yard setback leaving 5.5 ft. where 15 feet is required. [Map 174, Lot 119-001; Zoned Town Residence (TR) ; HZO Article II, §334-6, Terminology, Definitions, Building Setback; HZO Article VII, §334-27, Table of Minimum Dimensional Requirements].

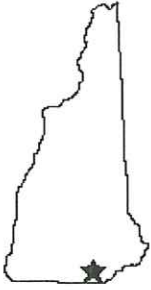
III. REQUEST FOR REHEARING: None

IV. REVIEW OF MINUTES:

V. OTHER



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: March 12, 2020

BB 2-28-20

Case 246-001 (03-12-20): Dr. Warren Barclay, 24 Chalifoux Rd., Hudson, NH requests two variances for 2 Stonemill Dr., Hudson, NH: 1) To permit the construction of approx. 1,155 sqft. accessory one-story building to be used as a chiropractic office accessory to the primary residential use and; 2) To permit the location of the building to be within the front yard setback of 30 ft. where 50 ft. is required. [Map 246, Lot 001-000; Zoned Residential-Two (R-2); HZO Article III, §334-10 D, Mixed or dual use on a lot and HZO Article VII, §334-27, Table of Minimum Dimensional Requirements].

Summary:

Applicant requests variances to allow the construction of a detached building for the use as a chiropractic office. This use is not an accessory use to the primary principal use which is residential. And the proposed setback is 30 ft where 50 ft is required.

Property description:

This is an existing non-conforming developed lot of record with 62,872 sq ft, lot (43,560 sqft required) w/ 119.85 ft frontage on River Rd (150 ft required). The existing house has wetland setback encroachment.

In-house (Town) review/comments:

Fire Dept: no
Engineering: yes
Town Planner: none

HISTORY:

Assessing: Listed as single family

Attachments:

“A” Assessing record.
“B” Town Engineer in-house review/comments.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2019	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2019	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2018	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2018	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2017	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2017	101 - ONE FAMILY	127,600	9,500	118,100	1.38	0.00	255,200
2017	101 - ONE FAMILY	139,700	17,800	123,000	1.38	0.00	280,500
2016	101 - ONE FAMILY	127,600	9,500	118,100	1.38	0.00	255,200
2016	101 - ONE FAMILY	127,600	9,500	118,100	1.38	0.00	255,200
2015	101 - ONE FAMILY	127,600	9,500	118,100	1.38	0.00	255,200
2015	101 - ONE FAMILY	127,600	9,500	118,100	1.38	0.00	255,200
2014	101 - ONE FAMILY	127,600	7,000	118,100	1.38	0.00	252,700
2014	101 - ONE FAMILY	127,600	7,000	118,100	1.38	0.00	252,700
2013	101 - ONE FAMILY	127,600	7,000	118,100	1.38	0.00	252,700
2013	101 - ONE FAMILY	127,600	7,000	118,100	1.38	0.00	252,700
2012	101 - ONE FAMILY	127,600	7,000	118,100	1.38	0.00	252,700
2012	101 - ONE FAMILY	126,800	4,800	156,600	1.38	0.00	288,200
2011	101 - ONE FAMILY	126,800	4,800	156,600	1.38	0.00	288,200
2011	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2010	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2010	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2009	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2008	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2008	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2007	101 - ONE FAMILY	134,600	4,800	156,600	1.38	0.00	296,000
2007	101 - ONE FAMILY	137,100	4,200	105,600	1.38	0.00	246,900
2006	101 - ONE FAMILY	137,100	4,200	105,600	1.38	0.00	246,900
2006	101 - ONE FAMILY	137,100	4,200	105,900	1.43	0.00	247,200
2005	101 - ONE FAMILY	137,100	4,200	105,900	1.43	0.00	247,200
2005	101 - ONE FAMILY	137,100	4,200	105,900	1.43	0.00	247,200
2004	101 - ONE FAMILY	135,600	4,200	105,900	1.43	0.00	245,700
2004	101 - ONE FAMILY	102,500	4,700	74,000	1.43	0.00	181,200
2003	101 - ONE FAMILY	97,300	0	74,000	1.43	0.00	171,300
2003	101 - ONE FAMILY	97,300	0	74,000	1.43	0.00	171,300
2002	101 - ONE FAMILY	97,300	0	74,000	1.43	0.00	171,300
2002	101 - ONE FAMILY	97,300	0	63,800	0.62	0.00	161,100
2001	101 - ONE FAMILY	66,000	0	50,800		0.00	116,800
2000	101 - ONE FAMILY	60,800	5,200	50,800	0.62	0.00	116,800
1999	101 - ONE FAMILY	60,800	5,200	50,800	0.62	0.00	116,800

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

REQUEST FOR REVIEW/COMMENTS:

Case: 246-001 (03-12-20)

Property Location: 2 Stonemill Drive

For Town Use

Plan Routing Date: 02/19/2020 Reply requested by: 02/26/2020 ZBA Hearing Date: 03/12/2020

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 02/20/2020
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

1. The proposed parking layout is not constructable as shown.
2. The plan does not show grading which will be required in the 50 foot wetland buffer.
3. The wetland deliniation plan is not stamped by a Wetland Scientist in the State of NH.
4. Proposed layout shows curb cut on River Road, which is a State Road. This will require state driveway permit by District 5.

"8"

TOWN OF HUDSON

FEB 11 2020

APPLICATION FOR A VARIANCE

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. 246-001 (3-12-20)

Date Filed 2/11/20

Name of Applicant Dr. Warren Barclay Map: 246 Lot: 01 Zoning District: R-2

Telephone Number (Home) 603-759-8533-cell (Work) _____

Mailing Address 24 Chalifoux Road, Hudson, NH 03051

Owner Warren R. Barclay and Suzanne Barclay, Trustees of Warren and Suzanne Barclay Revocable Trust

Location of Property Stonemill Drive/River Road
(Street Address)

Warren Barclay
Signature of Applicant Date 2/10/20

Warren Barclay
Signature of Property-Owner(s) Date 2/10/20

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:

Application fee:		\$130.00	Date received: <u>2/11/20</u>
<u>6</u> Direct Abutters x \$4.10 =		<u>24.60</u>	
<u>2</u> Indirect Abutters x \$0.55 =		<u>1.10</u>	
Total amount due:		<u>\$ 155.70</u>	Amt. received: \$ <u>155.70</u> <i>chk# 79276</i>
Received by: <u>(TSB)</u>			Receipt No.: <u>585,036</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:

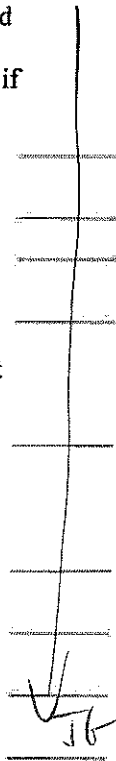
Applicant Initials		Staff Initials
<u>WAB</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>WAB</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>WAB</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>TG</u>
<u>WAB</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>WAB</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>WAB</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>WAB</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>WAB</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-

WLB 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):

TB

- a) WLB 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.
- b) WLB The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) WLB The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) WLB 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.)
- e) WLB 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.
- f) WLB 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.
- g) WLB The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) WLB The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) WLB The plot plan shall indicate all parking spaces and lanes, with dimensions.



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

Wanda A. Baudry
Signature of Applicant(s)

2/10/20
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.

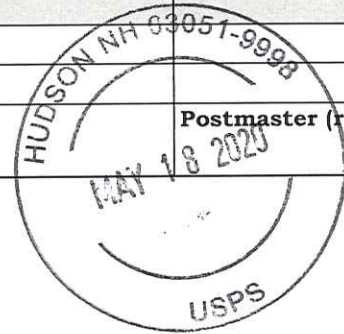
ALL DIRECT ABUTTERS

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
246	3	William R. Frenette Susan M. Frenette	13 Aglipay Drive Amherst, NH 03031
251	1	BAE Systems Facility Finance/NNH01-CC1	PO Box 868 Nashua, NH 03060
246	1	Warren R. Barclay, Trustee Suzanne Barclay, Trustee Warren and Susan Barclay Revocable Trust	24 Chalifoux Road Hudson, NH 03051
246	2	John W. Sullivan Frederick B. Sulliavn	53 River Road Hudson, NH 03051
246	4	Renee M. Paquette Dana J. Paquette	1 Stonemill Road Hudson, NH 03051
246	86	DLM Properties, LLC	22 Abbott Street Hudson, NH 03051
246	85	David M. Locicero, Carol A. Locicero, Trustees Locicero Family Rev. Trust 2 Jacqueline Street Hudson, NH 03051	David M. Locicero, Carol A. Locicero, Trustees Locicero Family Rev. Trust 2 Jacqueline Street Hudson, NH 03051
		Thomas J. Leonard, Esq. Welts, White & Fontaine, P.C.	29 Factory Street Nashua, NH 03060

(TSC) Indirect #
(TS) Adtl # 1st class

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 246-001 Variance 2 Stonemill Dr. Map 246/Lot 001-000 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	3/26/2020 ZBA Meeting
1	7018 2290 0001 3001 3621	FRENETTE, WILLIAM R.; FRENETTE, SUSAN M. 13 AGLIPAY DR., AMHERST, NH 03031-2131	ABUTTER NOTICE SENT
2	7018 2290 0001 3001 3645	BAE SYSTEMS; FACILITY FINANCE/NNH01-6C1 P.O. BOX 868, NASHUA, NH 03060	ABUTTER NOTICE SENT
3	7018 2290 0001 3001 3652	BARCLAY, WARREN & SUZANNE, TRUSTEES; BARCLAY REVOCABLE TRUST 24 CHALIFOUX RD., HUDSON, NH 03051	APPLICANT/OWNER-NOTICE SENT
4	7018 2290 0001 3001 3669	SULLIVAN, JOHN W.; SULLIVAN, FREDERICK B. 53 RIVER ROAD, HUDSON, NH 03051	ABUTTER NOTICE SENT
5	7018 2290 0001 3001 3676	PAQUETTE, RENEE M.; PAQUETTE, DANA J. 1 STONEMILL RD., HUDSON, NH 03051	ABUTTER NOTICE SENT
6	7018 2290 0001 3001 3638	DLM PROPERTIES, LLC 22 ABBOTT ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
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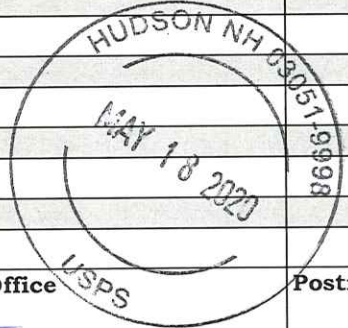


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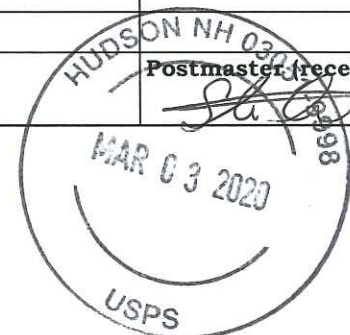
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Case# 246-001 Variance
 2 Stonemill Dr.
 Map 246/Lot 001-000 1 of 1

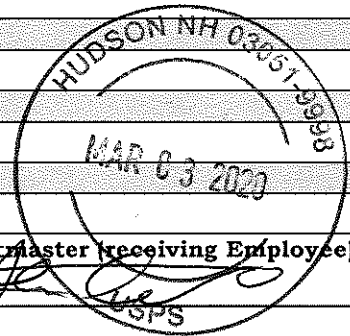
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 246-001 Variance 2 Stonemill Dr. Map 246/Lot 001-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	3/26/2020 ZBA Meeting
1	N/A-mailed First Class	LOCICERO, DAVID M., TR; LOCICERO, CAROL A., TR; LOCICERO FAMILY REV TRUST 2 JACQUELINE ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
2	N/A-mailed First Class	THOMAS J. LEONARD, ESQ.;WELTS, WHITE & FONTAINE, P.C. 29 FACTORY STREET, NASHUA, NH 03060	APPLICANT/OWNER-NOTICE SENT
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SENDER:		TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 246-001 Variance 2 Stonemill Dr. Map 246/Lot 001-000	1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address		3/12/2020 ZBA Meeting	
1	7018 2290 0001 3001 3034	FRENETTE, WILLIAM R.; FRENETTE, SUSAN M. 13 AGLIPAY DR., AMHERST, NH 03031-2131		ABUTTER NOTICE SENT	
2	7018 2290 0001 3001 3041	BAE SYSTEMS; FACILITY FINANCE/NNH01-6C1 P.O. BOX 868, NASHUA, NH 03060		ABUTTER NOTICE SENT	
3	7018 2290 0001 3001 3058	BARCLAY, WARREN & SUZANNE, TRUSTEES; BARCLAY REVOCABLE TRUST		APPLICANT/OWNER-NOTICE SENT	
4	7018 2290 0001 3001 3065	24 CHALIFOUX RD., HUDSON, NH 03051 SULLIVAN, JOHN W.; SULLIVAN, FREDERICK B.		ABUTTER NOTICE SENT	
5	7018 2290 0001 3001 3072	53 RIVER ROAD, HUDSON, NH 03051 PAQUETTE, RENEE M.; PAQUETTE, DANA J.		ABUTTER NOTICE SENT	
6	7018 2290 0001 3001 3089	1 STONEMILL RD., HUDSON, NH 03051 DLM PROPERTIES, LLC		ABUTTER NOTICE SENT	
7		22 ABBOTT ST., HUDSON, NH 03051			
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Total Number of pieces listed by sender 6		Total number of pieces rec'vd at Post Office 6			



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 246-001 Variance Stonemill Dr. Map 246/Lot 001-000 2 1 of 1
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2	N/A-mailed First Class	THOMAS J. LEONARD, ESQ.; WELTS, WHITE & FONTAINE, P.C. 29 FACTORY STREET, NASHUA, NH 03060	APPLICANT/OWNER-NOTICE SENT
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TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

FILE

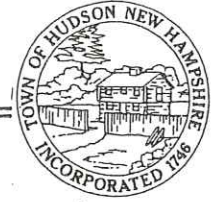
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APPLICANT NOTIFICATION

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, **03/12/20** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

- 1. Case 246-001 (03-12-20): Dr. Warren Barclay, 24 Chalifoux Rd., Hudson, NH requests two variances for 2 Stonemill Dr., Hudson, NH: 1) To permit the construction of an approx. 1,155 sqft. accessory one-story building to be used as a chiropractic office accessory to the primary residential use and; 2) To permit the location of the building to be within the front yard setback of 30 ft. where 50 ft. is required. [Map 246, Lot 001-000; Zoned Residential-Two (R-2); HZO Article III, §334-10 D, Mixed or dual use on a lot and 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



TOWN OF HUDSON
ZONING BOARD OF ADJUSTMENT

FILE

COPY

ABUTTER NOTIFICATION

12 School Street

Hudson, New Hampshire 03051

603/886-6008



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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

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article _____ of HZO Section(s) Article III, Section 334-10 C&D, Article V, Section 334-22 in order to permit the following change or use: and Article VII, Section 334-27

In order to permit construction of an accessory one-story building of approximately 1,155 sq. ft. together with parking spaces to be used as a chiropractic office accessory to the primary residential use of the lot with appropriate limitations to assure that the use is subordinate to the residential home. See attachment in support of Application.

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.”)

See attachment in support of Application.

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.”)

See attachment in support of Application.

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.)

See attachment in support of Application.

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.)

See attachment in support of Application.

ATTACHMENT IN SUPPORT OF APPLICATION FOR VARIANCE

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the following Hudson Zoning Ordinance (HZO) Regulations:

- A variance under Article III, Section 334-10 D and Article V, Section 334-22 (accessory uses); and
- A variance under Article VII, Section 334-27 to permit construction of an accessory building within the setback 50' required, 30' proposed.

To permit construction of an accessory building approximately thirty feet (30') from the edge of right of way known as River Road (50' required) and to permit limited chiropractic offices in an accessory building under terms and limitations as follows:

1. The building will be used for professional services (chiropractic offices) provided by the owner of the home located on the same lot (the house is shown at the top of the plan and has been existing for many years).

2. The request is to permit professional offices for use by the owner/occupant of the principal building a single family residential home. There will only be offices for the owner/professional, one professional associate and 1 or 2 staff. The principal professional will be the owner/occupant of the single family home on the same lot. The two professionals will work about 20-28 hours each for a combined total of profession hours less than 50.

3. The accessory building will be one story and approximately 1,155 square feet. There will be a new septic system and parking spaces all as conceptually shown on the plan attached hereto for reference.

4. The applicant will record terms, conditions and limitations imposed by the Zoning Board of Adjustment and by the Planning Board to assure that the accessory use remains subordinate to the primary use and cannot be separated from the primary use without further approval by both the Zoning Board of Adjustment and the Planning Board.

FACTS

The applicant is the owner of Map 246, Lot 01 which is approximately 1.38 acres located on River Road with access to Stonemill Drive.

The lot was created some time ago and the home on the lot has existed for many years – before the Zoning Ordinance. The home on the lot is on the westerly side of the lot. The lot is split by a sluiceway (the existing home was originally part of a mill). As a result of the sluiceway, there is no access from the westerly side of the lot (the Stonemill Drive side) to the easterly side of the lot (the River Road side).

The lot is approximately 1.38 acres in total size. Approximately 1/3 of the lot is to the west of the sluiceway and approximately 2/3 of the lot is to the east of the sluiceway. The west portion of the lot has an easement for access through Stonemill Drive. There is no frontage on Stonemill Drive. The easterly side of the lot has the direct frontage on River Road. The two sides of the lot separated by the sluiceway are distinct and separate land areas.

The neighborhood along River Road is primarily older buildings which were constructed many years ago, in many cases, before zoning. Many of the lots in the immediate area to the north and east of the subject are the lots which are less than 1 acre of land and lots which have a building within the 50' setback from River Road. On the westerly side of River Road, the subject lot abuts land which is part of the BAE complex. Attached is a tax map (246) showing the area and the lot. The lot is highlighted. It is clear from the tax map, that many of the existing lots do not meet the dimensional requirements, and many of the existing structures on those existing lots do not meet the setback requirements.

This general area was historically in an area designated as "rural" in which all uses were permitted. As a result, the general area along River road was developed with many different uses and many different lot dimensions and setbacks.

The applicant wishes to construct an accessory building which would be one-story and would be approximately 1,155 square feet together with thirteen (13) parking spaces. The applicant is the owner of the existing house and will be the owner of the professional services business which will occupy the new accessory building (it is chiropractic services). The chiropractic offices will be limited to one (1) chiropractor who will also be the owner/occupant of the home on this same lot.

Because of the sluiceway and because of the wetlands associated with the sluiceway and because of topographic circumstances, it is impossible to construct a new building and include appropriate parking in an area that is outside of the wetland buffer requirements but also outside of the setback for River Road. There is not enough space and it is an impracticable construction effort.

The zoning ordinance addresses "multiple principal uses on a lot in the industrial or business zone"...and it addresses "multiple or mixed uses on a single lot, which includes a residential use"...but it does not clearly address a situation such as this where one of the uses is not a listed residential use. Therefore, the applicant wishes to restrict use of the accessory building to a use which is "compatible" with the present residential use and with the present neighborhood – all as suggested in Section 334-10D.

The accessory building will be the approximate size of a detached garage. It is proposed to be constructed thirty feet (30') from the edge of the right of way. The use of the building will be chiropractic offices limited to the owner/occupant of the home.

The following are facts supporting the request for a variance:

1. **Granting of the requested variance will not be contrary to the public interest, because:**

In reviewing the criteria for a variance, it is sometime helpful to review the standards and guidelines for each of the criteria.

Generally, the requirement that a variance “not be contrary to the public interest” and “observes the spirit of the ordinance” is a similar requirement. The New Hampshire Supreme Court has provided clear guidance that analysis of the two (2) criteria is similar. “The first step in analyzing whether granting the variances would not be contrary to the public interest and would be consistent with the spirit of the ordinance is to examine the applicable ordinance...” “We must determine whether to grant the variance would unduly and in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives”. Chester Rod and Gun Club, Inc. v. Town of Chester 152 N.H. 577 (2005).

The New Hampshire Court has further explained that “the basic purpose of the town’s zoning ordinance is not to limit the expansion of structures and uses that do not conform to its specific provisions, but rather to promote health, safety and welfare of the community”. Beliveau v. Town of Rye (2013). The mere conflict in terms is insufficient to demonstrate violation of the ordinances “basic zoning objectives”. Harborside Associates LP v. Parade Residence Hotel, LLC (2011).

The proposal is for a second building that is approximately the same size as a detached garage. The size is limited and appropriate. The proposed use while not specifically listed in the accessory uses, is proposed in a limited fashion and is reasonably similar to accessory uses (i.e. subordinate, limited and restricted to those using the primary home).

Generally, dimensional requirements are established to avoid over-crowding, provide appropriate access to buildings for safety and fire purposes. Avoid over-development of a lot and to assure water and sewer appropriate to the use. Other general purposes are the general health, safety and welfare of the community.

In this matter, the requested variance is to permit the construction of a small building approximately 30’ from River Road. The R2 Zone requires 50’. However, the R-2 Zone was relatively created recently. Many of the properties which actually front on River Road do not comply with the 50’ setback. The R2 Zone is primarily for residences which are not accessed by River Road but are provided access through the secondary roads.

The existing lots and uses are noncompliant in many cases. To permit the applicant construction of a small accessory building 30’ off of River Road will not be injurious to the public rights as it will not be inconsistent with the existing

situation. It will not conflict with the purposes of the zoning district because most of the R-2 district is off of River Road where new construction can comply with the setback requirements.

Using the standard setout by the New Hampshire courts, this proposal is clearly not contrary to the public interest and it is not injurious to public rights or rights of others because it does not violate the ordinances basic zoning objectives (keeping in mind that compliance is not a zoning objective).

All of the zoning objectives are met. There is no overcrowding, there is no over development and there is no harm to the general public welfare, safety and health.

The purpose of zoning variances is to permit relief from the Zoning Ordinance in special conditions. Here the existing circumstances and the overall objectives of zoning justify granting the variance.

2. **The proposed use will observe the spirit of the ordinance** because:

The same standard is applied in addressing the spirit of the ordinance. The mixed use ordinance is intended to permit “compatible uses” with permitted residential uses. The ordinance also expressly states that “compatible uses” are not necessarily limited to accessory uses that are listed on the table. However, the ordinance does not set out all of the appropriate uses. So long as the proposed use is truly secondary and subordinate to the principal use, and so long as it is consistent with the neighborhood, the proposed use is “compatible” and accomplishes the purposes of the ordinance. Here the proposed use is secondary and subordinate and also compatible with the existing permitted residential use.

The spirit of the ordinance in this case is to provide separation of buildings, afford safety in separation and establish rules for residential neighborhood not already existing at the time of establishing the zoning district. Here, most of the property along River Road was built and established. Permitting relief from the present 50’ setback requirement will not cause any harm to any private owners nor will it cause any harm to the public interests.

The spirit of the ordinance in this case is also protected because granting this variance will not have an adverse impact on surrounding properties. This is a property that has frontage on River Road and no frontage on any other road. Granting this variance will not set precedent for the balance of the district. It only establishes fairness for a special situation.

There is no threat to public health, safety or welfare and the dominant design of the Zoning Act will remain intact.

3. **Substantial justice will be done by granting the variance** because:

The New Hampshire Supreme Court has stated “any loss to the individual that is not outweighed by a gain to the general public is an injustice”. Malachy Glen Associates, Inc. vs. Town of Chichester, 155 N.H. 102 (2007).

While this property is one lot, it is physically separated by a sluiceway which effectively creates two separate parcels of land which must be used separately. It is economically unpractical to create a bridge between the two. In fact the larger portion of the lot is east of the sluiceway and has direct frontage on River Road with no way to access Stonemill Drive.

The purpose of zoning is to efficiently use land resources. It is not reasonable and it is not fair that this restriction, when applied to this property, require that a substantial portion of this property must remain unused. The town will not be any better off if this acre of land is fallow. The proposed building is small and reasonably located. There is no risk of harm to the town or the general public.

To deny the request for variance would be a very substantial financial burden on the applicant. The burdens would be imposed without any benefit to the general zoning scheme or to the neighborhood.

4. **The proposed use will not diminish the values of surrounding properties,** because:

The proposed new building would not diminish the value of surrounding properties. It would be on an area of land that is similar in size to the immediately abutting lots and it would be a building that is consistent with other buildings in the immediate area. There is no adverse impact to surrounding values.

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

Special Conditions. This property is bisected by a sluiceway. Presently, this lot has access to public roads via Stonemill Drive. However, there is no actual frontage on Stonemill Drive. Rather, the frontage for the lot is only on River Road.

The property is approximately 1.38 acres, but it is bisected by a sluiceway formerly associated with a mill. The sluiceway runs north to south on the lot and prevents access from the west side of the lot where the residential home is (access by Stonemill Drive) and the east side of the lot which has frontage on River Road. The portion of the lot with access to Stonemill Drive is less than 1/3 of the total area of the lot. The existing home is limited in size and there is little opportunity for expansion because of the sluiceway and other limiting physical characteristics of the land. Under the present circumstances of the lot, access at Stonemill Drive

and the sluiceway, there is no practical way to use the land along River Road. Access to River Road is necessary for use of the land.

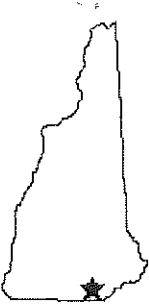
Similarly, because of the sluiceway and other physical characteristics of the land there is no opportunity for a reasonable accessory building to provide for the proposed accessory use.

Fair and Substantial Relationship to Public Purposes. The ordinance establishes that the purposes of the ordinance itself are to protect the general health, safety and welfare of the inhabitants as well as efficiency and economy in the process of development...(Section 334-2). This ordinance, as applied to this particular property, does not serve the purpose of the ordinance – there is no “fair and substantial relationship between the general public purposes of the ordinance and the specific application of the provision of the ordinance to this property. Whether the ordinance is applied literally to this property or not, the general public purposes are met. There is no overcrowding or overdevelopment and there is no undue concentration of population. This proposal will not adversely impact the public infrastructure and it will not have an adverse impact on natural resources or other public requirements. It will preserve and enhance the quality of life. It will also be consistent with the existing neighborhood (Section 334-2).

Reasonable Use. The proposed use is a reasonable use. The applicant has made reasonable effort and is open to reasonable restrictions to assure that the building is appropriate in size and that the use is limited. While it is technically not a home occupation, it is, in its limited fashion, a use that is accessory to the primary residential use and is compatible with the primary residential use.

The R-2 District specifically states that the purpose of this district is to provide “complimentary non-residential uses”. A chiropractic office (i) with limited professional hours – no more than 50 total; and (ii) where the principal professional is the owner/occupant of the home is a “complimentary non-residential use”. As such, it is a reasonable use and justifies this variance.

Conclusion. The stated purposes of the R-2 District are met. Also, Section 334-10 D specially states that the purpose of the mixed use restrictions is to assure that uses associated with a residential use are “compatible”. Here, the applicant is willing to restrict the chiropractic office use to a part-time principal professional who is the owner/occupant of the home and a part-time associate. The use will be subordinate and it will be secondary to the home. The use will also be consistent with the existing neighborhood and it will be compatible with both the neighborhood and the existing single family use. The impact of strict and literal enforcement of these ordinances on this unusual piece of property creates an unnecessary hardship. Here the existing circumstances of the lot and the overall objectives of zoning justify relief from literal enforcement.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #19-135

January 29, 2020

Thomas J Leonard
 Welts, White & Fontaine, P.C.
 29 Factory Street
 P.O. Box 508
 Nashua, NH 03061

Re: **2 Stonemill Drive Map 246 Lot 001-000**
District: Residential Two (R-2)

Dear Mr, Leonard,

Your request: Based on your January 8, 2020 letter asking for Zoning Determination of what relief and other actions would be needed for the development for new building (1,155 sqft) & associated driveway/parking for chiropractor's office, as proposed per attached drawing (rev date 10/22/19).

Zoning Review / Determination:

Existing 62,418 sq ft, lot w/ 119.85 ft frontage w/ existing house as single family use.
 Existing non-conforming lot.

The proposal does not meet the requirements for a Special Exception (Home Occupation) :

- 334-24 "[T]he intent of providing a home occupation special exception is to allow for growth and development of a small in-home business while maintaining the character of residential areas..." 334-24 D: "The home occupation business shall be carried out within the residence and/or within a structure accessory to the residence, such as a garage"

The proposal does not meet the conditions of 334-10 C: "For the purposes of this article, the addition of accessory uses to a principal use does not result in a dual or mixed use of property."

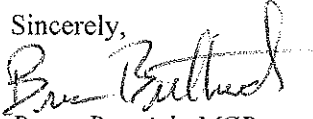
The proposal is not able to satisfy 334-10D: "Multiple or mixed uses on a single lot, which includes a residential use, shall only be allowed by Special Exception in accordance with the general requirements listed in Article VI, § 334-23. In addition to the general requirements for special exception listed in Article VI, § 334-23, the mixed or dual uses shall be compatible." The proposed chiropractor office qualifies as D17 – Business or professional office, which is not a permitted use in the R-2 zone.

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

The proposal does not comply with §334-27 Table of Minimum Dimensional Requirements: Specifically the proposal shows a 30ft front-yard setback, where 50ft is required.

In the event this proposal receives adequate zoning relief, this proposal would need a Site Plan approval and would need a driveway waiver from §193-10 G (more than one driveway to parcel) by the Planning Board.

Sincerely,



Bruce Buttrick, MCP

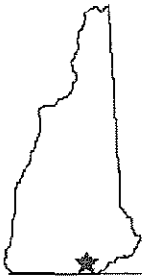
Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public File
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.



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

#19-135

TOWN OF HUDSON

DEC 13 2019



Town of Hudson

Zoning Department

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 12/11/2019

Property Location River Road and ^aStonemill Drive

Map 246 Lot 1

Zoning District if known R-2

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)

See attached letter.

Applicant Contact Information:

Name: Thomas J. Leonard, Esq. Welts White Fontaine
 Address: 29 Factory St, Nashua, NH 03060
 Phone Number: 603-883-0797

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

TOWN OF HUDSON

JAN 10 2020

Zoning Department



WELTS, WHITE & FONTAINE, P.C.
Attorneys at Law

THOMAS J. LEONARD
tjleonard@lawyersnh.com

January 8, 2020

Bruce Buttrick, Zoning Administrator
Town of Hudson Zoning/Code Enforcement
12 School Street
Hudson, NH 03051

RE: Map 246, Lot 01, Stonemill Drive, River Road, Hudson, NH

Dear Mr. Buttrick:

This office represents Dr. Warren Barclay who is the owner of Map 246, Lot 01 located with frontage on River Road and access through Stonemill Drive. I have enclosed a copy of a proposed ZBA Plan prepared by Maynard & Paquette dated June 20, 2019 and revised October 22, 2019.

Dr. Barclay would like to build a small chiropractic office with access off River Road. The building would be approximately 27.5' x 42' as shown on the Plan. It would be a one-story building and it would have thirteen (13) parking spaces as indicated. Dr. Barclay intends and is willing to restrict use of the building to the owner/occupant of the existing house. The house is shown at the top of the Plan and has been existing for many years.

As you can see from the Plan, it is almost physically impossible and it is very impractical to expand on the existing house. There is a former mill sluiceway which separates the westerly portion of the property from the easterly portion of the property. Therefore, there is no access from the Stonemill Drive portion of the property to the River Road portion of the property.

Please review the Plan and determine the zoning relief that Dr. Barclay will need in order to construct his one-story 1,155 square foot chiropractic building, which will be used by the owner/occupant of the home.

The purpose of this letter is to confirm our discussion and what I understand to be your interpretation of the Hudson Zoning Ordinance. Section 334-10D states that mixed uses on a single lot, one of which is a residential use, are permitted by special exception when the mixed-uses are compatible.

In Section 334-22, "accessory uses" are listed in the Table of Permitted Accessory Uses, but the section says that another use appropriate to the district can be permitted as a "special exception ... in accordance with the general requirement of Article VI".

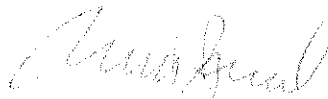
In Section 334-26B, the ordinance specifically states that "an example of a compatible mixed or dual use would be a single residence and a business, where the residence would be occupied by the business owner or manager.

It is my understanding that, upon reading the ordinance as a whole, you have determined that these Sections permit the proposed professional services office so long as the residence would be occupied by the business owner and so long as the applicant demonstrates compliance with the rules for special exception under Article VI.

It is also my understanding that you have determined that a variance is necessary to construct the building within the 50' setback. While it is virtually impossible to construct a building that complies with both setback from the road and setback from the wetlands, the variance is still necessary.

Please confirm that I have understood your comments and determination. Thank you for your assistance in this matter.

Very truly yours,



Thomas J. Leonard

/laa
Enclosures

Town of Hudson, NH
Sunday, February 2, 2020

Chapter 334. Zoning

Article IV. Establishment of Districts

§ 334-18. Districts described.

- A. Residential - One (R-1). The R-1 Residential District is established to provide for the development of single-family detached homes and customary accessory uses and structures at low densities. The district is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.
- B. Residential - Two (R-2). The R-2 Residential District is established to provide for the development of single-family and/or two-family (duplex) residences and customary accessory uses and structures and complementary nonresidential uses. The district is intended to provide a diversity of housing types, community facilities, recreational uses and other uses which benefit and are enhanced by the predominantly residential character of the district.
- C. Town Residence (TR). The TR District encompasses established residential neighborhoods which have been developed on smaller lots than the lot size established in other residential districts. The setbacks and use densities reflect traditional New England town or village lot development patterns. The district is intended to permit the continued use, maintenance and vitality of these unique residential areas, protecting their residential character, while simultaneously limiting the expansion of these neighborhoods into adjacent, undeveloped lands.
- D. Business (B). The B District is established to provide for the development of general wholesale and retail commercial uses, services, offices uses, multifamily dwellings and customary accessory uses and structures.
[2-2-2019 ATM, Art. 02, adopted 3-12-2019]
- E. Industrial (I). The I District is established to provide for industrial development, warehousing, limited business and commercial uses and customary accessory uses and structures. The district is intended to be strictly nonresidential in character.
- F. General (G). The G District includes all areas not specifically designated as being within an R-1, R-2, TR, B or I District. The district is designed to permit a wide diversity of land uses. Most uses permitted in the other five districts are permitted in the G District. The G District is intended to allow natural constraints, such as infrastructure development and market forces to determine the most appropriate use of land. It is also intended that the G District will eventually be absorbed by the expansion of other existing districts or replaced by newly created districts. The Planning Board will be responsible for maintaining sound planning concepts in this district and shall ensure that conflicting land uses do not abut each other without appropriate buffers.

[Amended 3-8-2016 by Amdt. No. 3]

- G. General-One (G-1). The G-1 District includes all areas not specifically zoned as being within an R-1, R-2, TR, B, or I District located outside the right-of-way of the Circumferential Highway as depicted on the Town Zoning Map. The District is designed to permit a wide diversity of land uses at a density appropriate to the rural nature of the area, the natural constraints of the land and the lack of infrastructure. Uses permitted in this District are the same as those permitted in the G District.

[Added 3-13-2001 by Amdt. No. 3; amended 3-8-2016 by Amdt. No. 3]

ARTICLE III
General Regulations

§ 334-7. Conformity required.

No building or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, moved or altered unless in conformity with the regulations specified in this chapter for the district in which it is located.

§ 334-8. Certificate of occupancy.

A certificate of occupancy will not be issued until all chapter requirements and site plan/development regulations have been met.

§ 334-9. Land use classifications.

- A. For the purposes of this chapter, all uses or activities are considered to fall into one of five land use classifications. The Table of Permitted Principal Uses in Article V, § 334-21, further divides each land use class into various related categories.
- B. Use classifications shall be as follows:
- (1) Residential.
 - (2) Community facilities.
 - (3) Agricultural.
 - (4) Retail and service.
 - (5) Industrial.

§ 334-10. Mixed or dual use on a lot. [Amended 3-13-2018 ATM by Amdt. No. 1]

- A. Multiple Principal Uses on a lot in the Industrial or Business Zones are permitted provided that the lot meets the area and frontage requirements for the principal use for the district in which it is located and each use is in conformity with all other requirements set forth in this chapter and the Hudson Land Use Regulations pertaining to that use. **[2-2-2019 ATM, Art. 06, adopted 3-12-2019]**
- (1) The Business or Industrial lot has sufficient frontage to satisfy the minimum frontage requirement for the principal use requiring the most frontage.
 - (2) The Business or Industrial lot is of sufficient size to satisfy the minimum lot size requirement for the principal use requiring the most lot area.

- B. For the purposes of this chapter, multiple commercial or industrial uses/activities developed as part of a single site are considered a single principal use.
- C. For the purposes of this article, the addition of accessory uses to a principal use does not result in a dual or mixed use of property.
- D. Multiple or mixed uses on a single lot, which includes a residential use, shall only be allowed by Special Exception in accordance with the general requirements listed in Article VI, § 334-23. In addition to the general requirements for special exception listed in Article VI, § 334-23, the mixed or dual uses shall be compatible. **[2-2-2019 ATM, Art. 06, adopted 3-12-2019]**

§ 334-11. Classification of Town roads.

Town roads shall be classified as follows:

- A. Arterials.
 - (1) NH 3A (Elm Street, Lowell Road, Webster Street and River Road).
 - (2) NH 102 (Derry Street).
 - (3) NH 111 (Central Street).
 - (4) Dracut Road.
- B. Collectors.
 - (1) Barretts Hill Road.
 - (2) Belknap Road.
 - (3) Burns Hill Road.
 - (4) Bush Hill Road.
 - (5) Greeley Street.
 - (6) Highland Street.
 - (7) Kimball Hill Road.
 - (8) Lawrence Road.
 - (9) Musquash Road.
 - (10) Old Derry Road.
 - (11) Pelham Road.
 - (12) Pine Road.
 - (13) Robinson Road.

Town of Hudson, NH
Sunday, February 2, 2020

Chapter 334. Zoning

Article V. Permitted Uses

§ 334-20. Allowed uses provided in tables.

[Amended 3-12-2002 by Amdt. No. 2]

Any uses not specifically listed in the Table of Permitted Principal or Accessory Uses are hereby expressly prohibited.^[1]

[1] *Editor's Note: The Tables of Permitted and Accessory Uses are included at the end of this chapter.*

§ 334-21. Table of Permitted Principal Uses.

The Table of Permitted Principal Uses shall be as follows:^[1]

- A. In all zoning districts all motor vehicle(s) displayed for sale shall be set back a minimum of 15 feet from the edge of roadway pavement.
[Added 3-9-2004]

[1] *Editor's Note: The Table of Permitted Principal Uses is included at the end of this chapter.*

§ 334-22. Table of Permitted Accessory Uses.

The Table of Permitted Accessory Uses^[1] lists the accessory uses which may accompany those principle uses set forth in the Table of Permitted Principal Uses in § 334-21. 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. The accessory uses listed in the Table of Permitted Accessory Uses are not intended to be the only accessory uses allowed. 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.

[1] *Editor's Note: The Table of Permitted Accessory Uses is included at the end of this chapter.*

ZONING

334 Attachment 4

Town of Hudson

Table of Minimum Dimensional Requirements
 (See § 334-27)
 [Amended 3-14-1995 by Amdt. No. 3; 3-13-2001 by Amdt. No. 3;
 3-11-2008 by Amdt. No. 1; 3-10-2009 by Amdt. No. 1]

	Zoning District						
	R-1	R-2	TR	B	I	G	G-1
Minimum lot area (square feet)							
With Town water and sewer	30,000	43,560	10,000	30,000 ²	30,000	43,560	87,120
Without Town water or sewer	43,560	60,000 (43,560 for single-family)	10,000 ¹	43,560	43,560	43,560	87,120
Minimum lot frontage (linear feet)							
Local roadways with Town water and sewer	120	120	90	150	150	150	200
Arterial and collector	150	150	90	150	150	150	200
Building setback requirements (front/side/rear, in feet)							
Arterial and collector roadways	50/15/15	50/15/15	30/15/15	50/15/15	50/15/15	50/15/15	50/15/15
Local roadways	30/15/15	30/15/15	30/15/15	50/15/15	50/15/15	30/15/15	30/15/15

Notes:

- ¹ Must obtain proper state/municipal permits.
- ² Multifamily developments with both Town water and sewer shall require 53,560 square feet of buildable lot area for the building of three attached dwelling units of a multifamily complex, with each additional dwelling unit requiring a minimum of 5,000 square feet of additional buildable lot area.

246 001 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD HUDSON

Total Card / Total Parcel
APPRAISED: 280,500 / 280,500
USE VALUE: 280,500 / 280,500
ASSESSED: 280,500 / 280,500



Patriot Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
2		STONEMILL DR, HUDSON

OWNERSHIP

Owner 1:	BARCLAY, WARREN R., TR.
Owner 2:	BARCLAY, SUZANNE, TR.
Owner 3:	BARCLAY REVOCABLE TRUST
Street 1:	24 CHALIFOUX ROAD
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	BARCLAY, WARREN R. -
Owner 2:	-
Street 1:	24 CHALIFOUX RD.
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051-5200

NARRATIVE DESCRIPTION

This parcel contains 1.38 ACRES of land mainly classified as ONE FAMILY with a NEW ENGLANDR Building built about 1930, having primarily BOARD/BATT Exterior and 1645 Square Feet, with 1 Unit, 0 Bath, 1 3/4 Bath, 1 HalfBath, 5 Rooms, and 2 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	R2	RESD TWO		water	9	PRIV WATER
o				Sewer	0	SEPTIC
n				Electri		
Census:				Exmpt		
Flood Haz: A						
D				Topo	4	ROLLING
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Inflr	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		1		SITE ACRE SITE			0 110,000.	1.10	RE				LOCATIC	10		121,000					121,000	SITE
101	ONE FAMILY		0.38		ACRES EXCESS			0 4,750.	1.13	RE				WET/LOI	-10		2,031					2,000	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
101	1.380	139,700	17,800	123,000	280,500		5252
Total Card							Entered Lot Size
Total Parcel							Total Land: 1.38
Source: Market Adj Cost							Land Unit Type: AC
Total Value per SQ unit /Card: 170.52							/Parcel: 170.52

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	101	FV	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	9/16/2019
2019	101	JB	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	5/8/2019
2018	101	FV	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	8/27/2018
2018	101	JB	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	5/9/2018
2017	101	FV	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	10/26/2017
2017	101	PV	139,700	17800	1.38	123,000	280,500	280,500	Year End Roll	8/28/2017
2017	101	JB	127,600	9500	1.38	118,100	255,200	255,200	Year End Roll	5/10/2017
2016	101	FV	127,600	9500	1.38	118,100	255,200	255,200	Year End Roll	8/30/2016

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
BARCLAY, WARREN	8848-0381	1	4/15/2016	NON-MARKET		No	No		
MURPHY, JOHN R.	8842-1292	3	3/29/2016	ESTATE SALE	240,400	No	No		
GUERTIN, SHIRLE	7040-2230	1	8/20/2003		275,000	No	No		
	2046-0238		8/25/1969			No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/2/2014	2014-00701			C			2 120 GAL LP TANKS	
9/19/2014	2014-00701	MECHANIC		C			14KW GEN	
9/19/2014	2014-00701	ELECTRIC	2,000	C			14KW GEN	

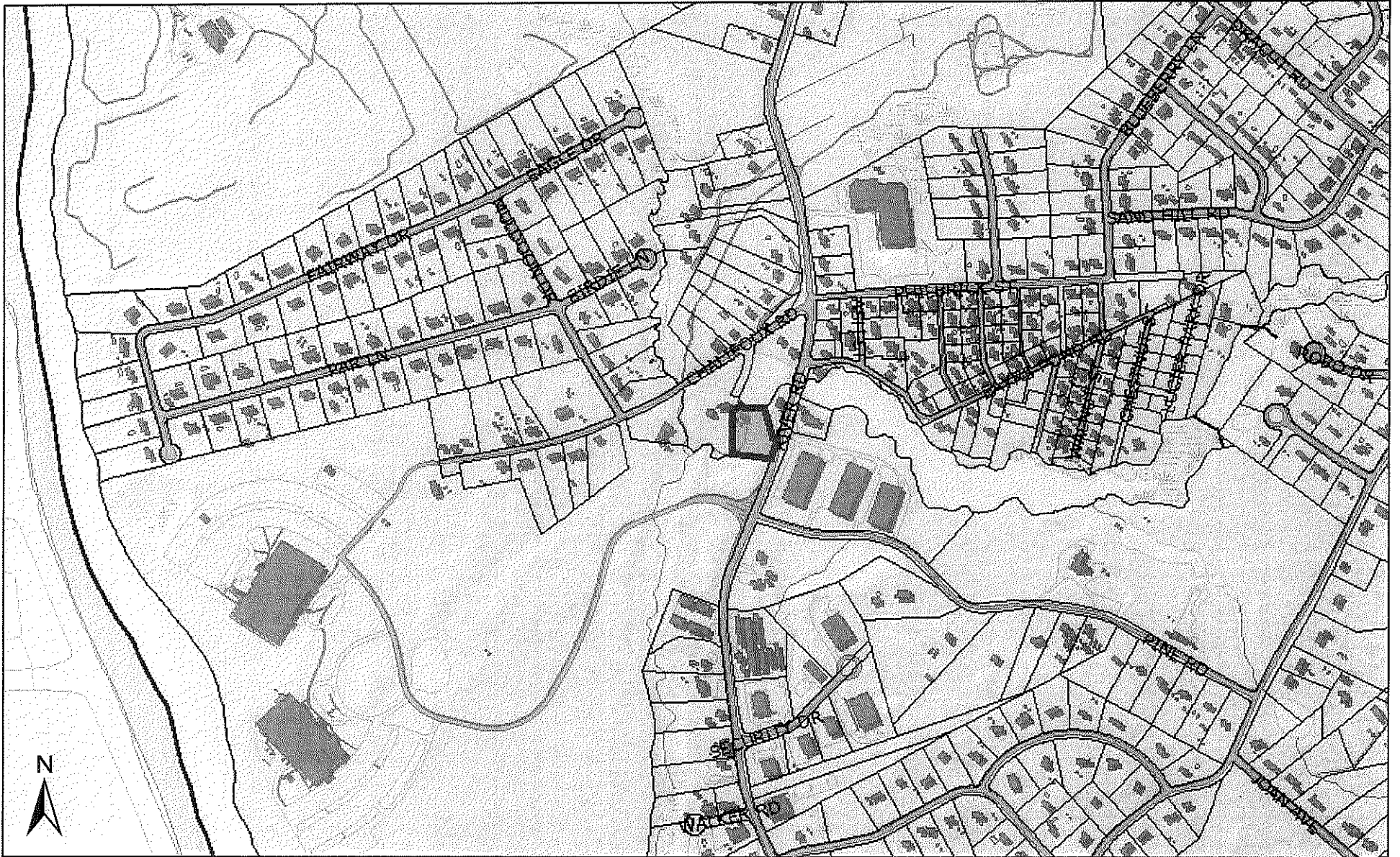
ACTIVITY INFORMATION

Date	Result	By	Name
6/13/2016	Sale Data V	12	TECH ASMNT
4/6/2015	Permit Visit	15	APPR TECH 5
8/15/2011	Inspected	12	TECH ASMNT
8/10/2011	Measured	14	APPR TECH 4
7/18/2007	Measured	6	RB
7/26/2006	New Maps	4	APPR TECH II
11/24/2004	Other Change	1	CHIEF ASSESS
11/3/2003	Inspected	5	NEMC
8/30/2002	Hearing-Info	0	PATRIOT

Sign: _____

Total AC/HA: 1.38000	Total SF/SM: 60113	Parcel LUC: 101	ONE FAMILY	Prime NB Desc: RES AVG	Total: 123,031	Spl Credit:	Total: 123,000
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Barclay Property



February 9, 2020

 Parcels

1 inch = 793 feet

0 800 1,600 Feet



ABUTTERS

- MAP 4 / LOT 2
SHIRLEY GUERTIN
2 STONE MILL ROAD
HUDSON, NH 03051
BOOK 2046 PAGE 238
- MAP 4 / LOT 3
RENEE & DANA PAQUETTE
PO BOX 91
HUDSON, NH 03051
BOOK 6226 PAGE 1657
- MAP 4 / LOT 1
JOHN SULLIVAN
53 RIVER ROAD
HUDSON, NH 03051
BOOK 2281 PAGE 483
- MAP 4 / LOT 4-77
CHERYL & THOMAS GOODWIN
3 HUDSON DRIVE
HUDSON, NH 03051
BOOK 5121 PAGE 840
- MAP 4 / LOT 4-87
RICHARD JR. & KIM RANDO
9 CHALIFOUX ROAD
BOOK 5678 PAGE 927
- MAP 4 / LOT 4-88
LOIS & JOHN TRANT
11 CHALIFOUX ROAD
HUDSON, NH 03051
BOOK 5390 PAGE 31
- MAP 4 / LOT 4-89A
CAROL PEABODY
45A RIVER ROAD
HUDSON, NH 03051
BOOK 6279 PAGE 1304
- MAP 4 / LOT 4-89B
BLAIR & BRENDA JACKSON
43B RIVER ROAD
HUDSON, NH 03051
BOOK 5506 PAGE 1894
- MAP 4 / LOT 8
ROBERT FRETTE, JR.
51 RIVER ROAD
HUDSON, NH 03051
BOOK 6341 PAGE 829
- MAP 1 / LOT 1
BAE SYSTEMS & ELECTRONIC
ACCOUNTS PAYABLE
PO BOX 511
NASHUA, NH 03061
BOOK 6322 PAGE 182
- MAP 1 / LOT 6-1
WILLIAM SR. & CYNTHIA BRUTANTINI
15 CHALIFOUX ROAD
HUDSON, NH 03051
BOOK 5743 PAGE 116
- ABUTTERS WITHIN 200 FEET
- MAP 4 / LOT 4-86
JAMES & SHIRLEY LUSSIER
7 CHALIFOUX ROAD
HUDSON, NH 03051
BOOK 5508 PAGE 894
- MAP 4 / LOT 4-78
GM P. & SHASHI ANJUM
1 HUDSON DRIVE
HUDSON, NH 03051
BOOK 3103 PAGE 404
- MAP 5 / LOT 3
DEBORAH & DOUGLAS BRADFIELD
1 EASTERS ROAD
HUDSON, NH 03051
BOOK 6240 PAGE 1192
- MAP 5 / LOT 2
DAVID & CAROL LOOGERO
62 RIVER ROAD
HUDSON, NH 03051
BOOK 5087 PAGE 738
- MAP 5 / LOT 1
PHILIP & ALYN RODGERS
OLM PROPERTIES, LLC
5 WENTON STREET
HUDSON, NH 03051
BOOK 5836 PAGE 287

PROFESSIONALS:
MAYNARD & PAQUETTE
ENGINEERING ASSOCIATES, LLC
23 EAST PEARL STREET
NASHUA, NH 03060

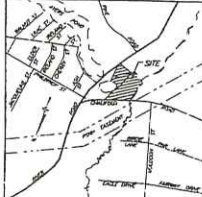
APPROVED BY THE HUDSON PLANNING BOARD
DATE OF MEETING: 6-12-01
Shirley G. Guertin SIGNATURE DATE: 1/25/01
Dana Paquette SIGNATURE DATE: 1/25/01
SUDS RIGHTS AS VALID FOR ONE YEAR FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL.
PLANNING BOARD MEETING FINAL APPROVAL: THE 1500-LEAP PLANNING BOARD MEETING FINAL APPROVAL.

WAIVERS
MTC 288-100(3) TOPOGRAPHY
MTC 289-100 DEVELOPMENT AGREEMENT

PLAN REFERENCE:

1) BOUNDARY PLAN - LOTS 2 & 3 / MAP 4, CHALIFOUX RIVER AND STONE MILL ROADS, HUDSON, NH, DATED OCTOBER 26, 1989 BY MAYNARD & PAQUETTE, INC. FILED NCRD AS PLAN NO.

- STONE BOUND TO BE SET
- STONE BOUND FOUND
- IRON PIN TO BE SET
- IRON PIPE FOUND
- ▬ STONE WALL
- EXISTING WELL



LEGEND

VICINITY

NOTES

1. PRESENT ZONING: R-2 RESIDENTIAL
2. EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
3. THE PURPOSE OF THIS PLAN IS TO RELOCATE THE LOT LINE BETWEEN LOTS 2 & 3 ON MAP 4.
4. LOT NUMBERS REFER TO HUDSON ASSESSOR'S MAP 4.
5. IRON PINS TO BE SET AT ALL LOT CORNERS AND STONEBOUNDS TO BE SET AT ALL POINTS OF JUNCTION AND CURVATURE ALONG THE RIGHT-OF-WAY BY A LICENSED LAND SURVEYOR PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

Shirley G. Guertin 9-21-01 DATE
MAP 4 / LOT 2
SHIRLEY G. GUERTIN
2 STONE MILL ROAD
HUDSON, NH 03051
BK. 2046 PG. 238

Dana Paquette 9/21/2001 DATE
MAP 4 / LOT 3
RENEE & DANA PAQUETTE
1 STONE MILL ROAD
HUDSON, NH 03051
BK. 6226 PG. 1657

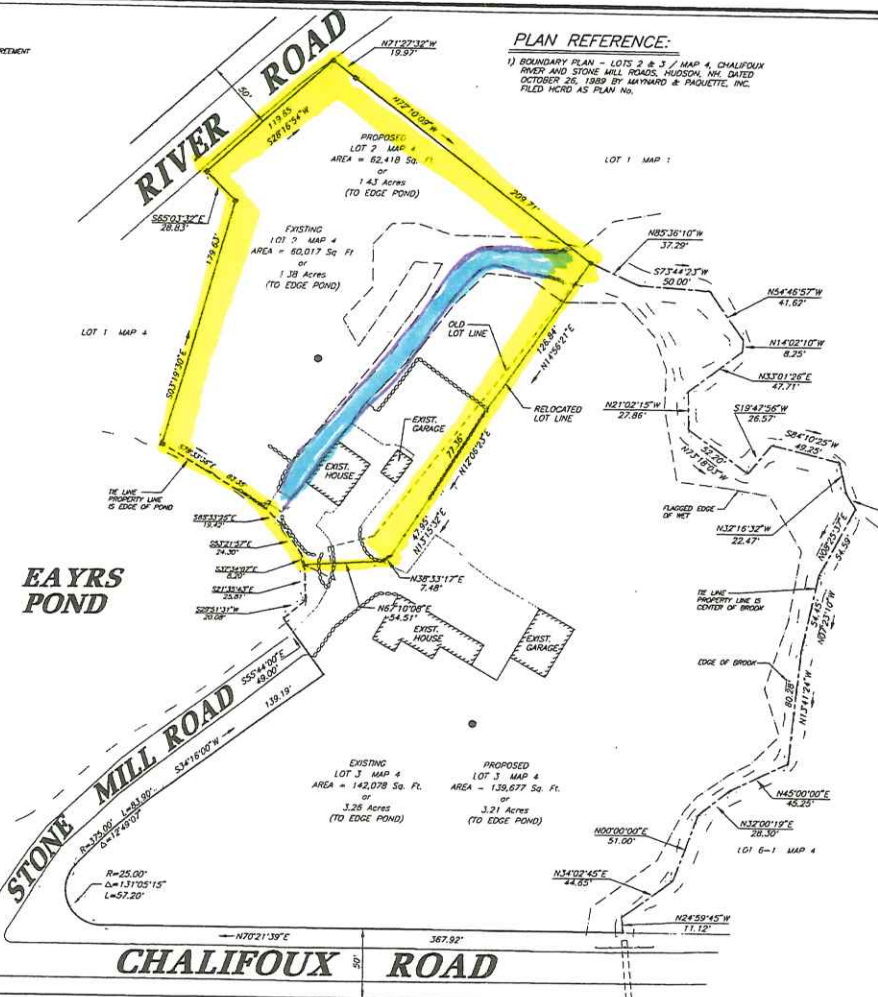
**LOT LINE RELOCATION PLAN
GUERTIN LOT LINE
RELOCATION PLAN
1 & 2 STONE MILL ROAD
HUDSON, NEW HAMPSHIRE**

PREPARED FOR:
SHIRLEY G. GUERTIN
2 STONE MILL ROAD
HUDSON, NH 03051

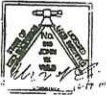
SCALE: 1"=40'
DATE: AUGUST 22, 2001

ENGINEERING
MP
MAYNARD & PAQUETTE
Engineering Associates, LLC
Consulting Engineers and Land Surveyors
23 East Pearl Street, Nashua, NH 03060
Phone: (603)883-8433 Fax: (603)883-7227

JWY	JWY	599 / 69	D	108.30
DESIGNED	DRAWN	CHECKED	APPROVED	BOOK & PAGE
				APPROVED DATE
				PLAN 31561
				SHEET 1 OF 1



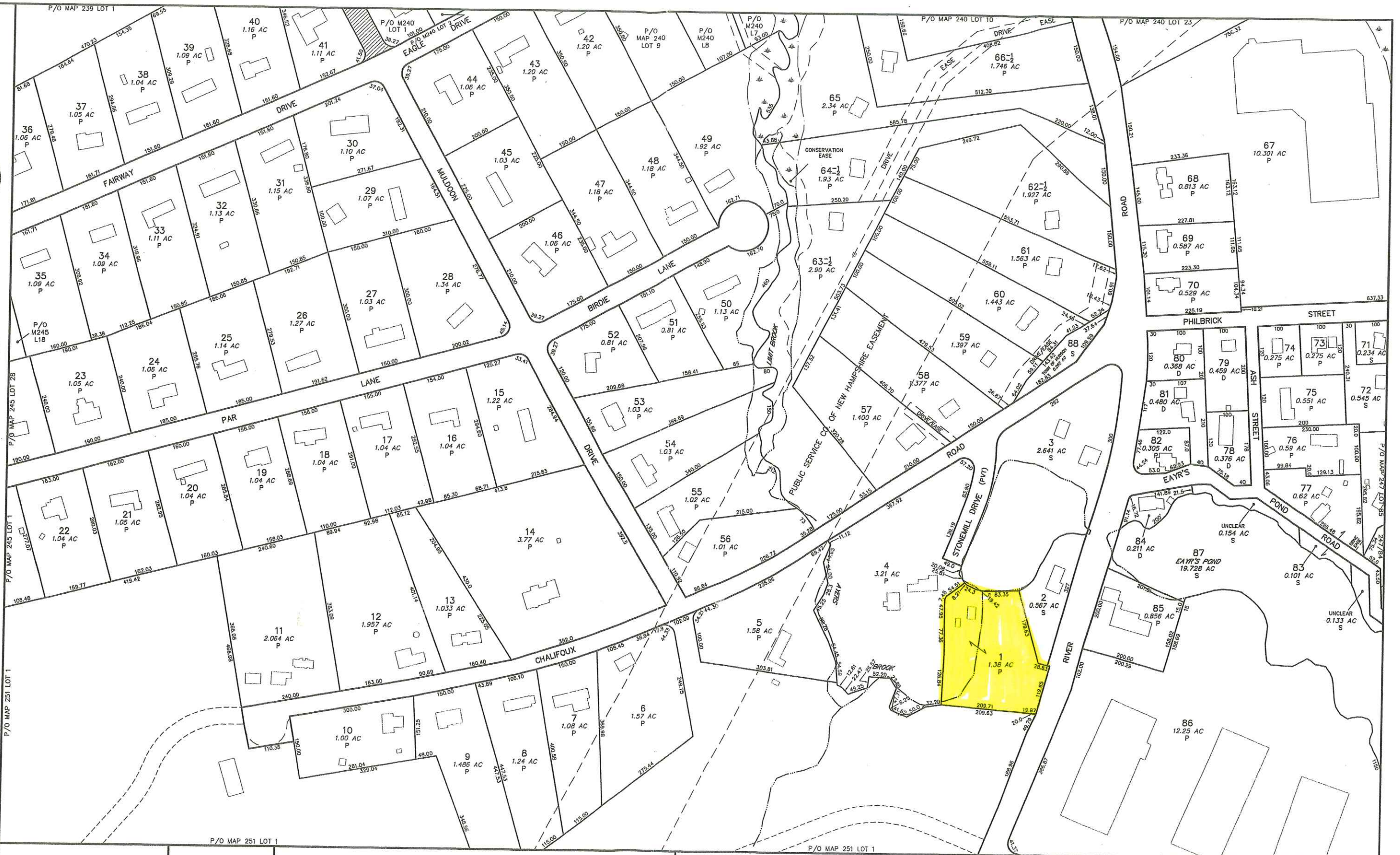
I CERTIFY THAT THIS PLAN WAS PREPARED FROM BOUNDARY INFORMATION SHOWN ON PLAN REFERENCE 1 AND A FIELD SURVEY LAST MADE ON THE GROUND ON OCTOBER 13, 2000 HAVING A MAXIMUM ERROR OF CLOSURE OF 1:10,000.





PREPARED BY:
AERIAL SURVEY AND PHOTO, INC.
546 AIRPORT ROAD PO BOX 659
NORRIDGEWICK, MAINE 04957
TEL: 207 634-2006 FAX 207 634-2008

REVISOR: _____ DATE: _____
REVISOR: _____ DATE: _____
REVISOR: _____ DATE: _____



NOTES:
1) THIS MAP IS FOR ASSESSMENT PURPOSES ONLY AND IS NOT INTENDED FOR PROPERTY CONVEYANCE OR LEGAL DESCRIPTION.
2) P = PARCEL INFORMATION FROM RECORDED PLAN
D = PARCEL INFORMATION FROM RECORDED DEED
S = PARCEL INFORMATION FROM MAP SCALE ONLY



MAP LEGEND

PARCEL NUMBER	388	PARCEL BOUND	—————
PARCEL DIMENSION	181.21	ROAD RIGHT OF WAY	—————
PARCEL AREA	2.456 AC	PAPER STREET	—————
MATCH LABEL	P/O M101-L34	TOWN LINE	—————
BUILDING		EASEMENT LINE	—————
SUBDIVISION LOT NUMBER		PRIVATE RIGHT OF WAY	—————
WATER LINE	—————	WETLAND EDGE	—————

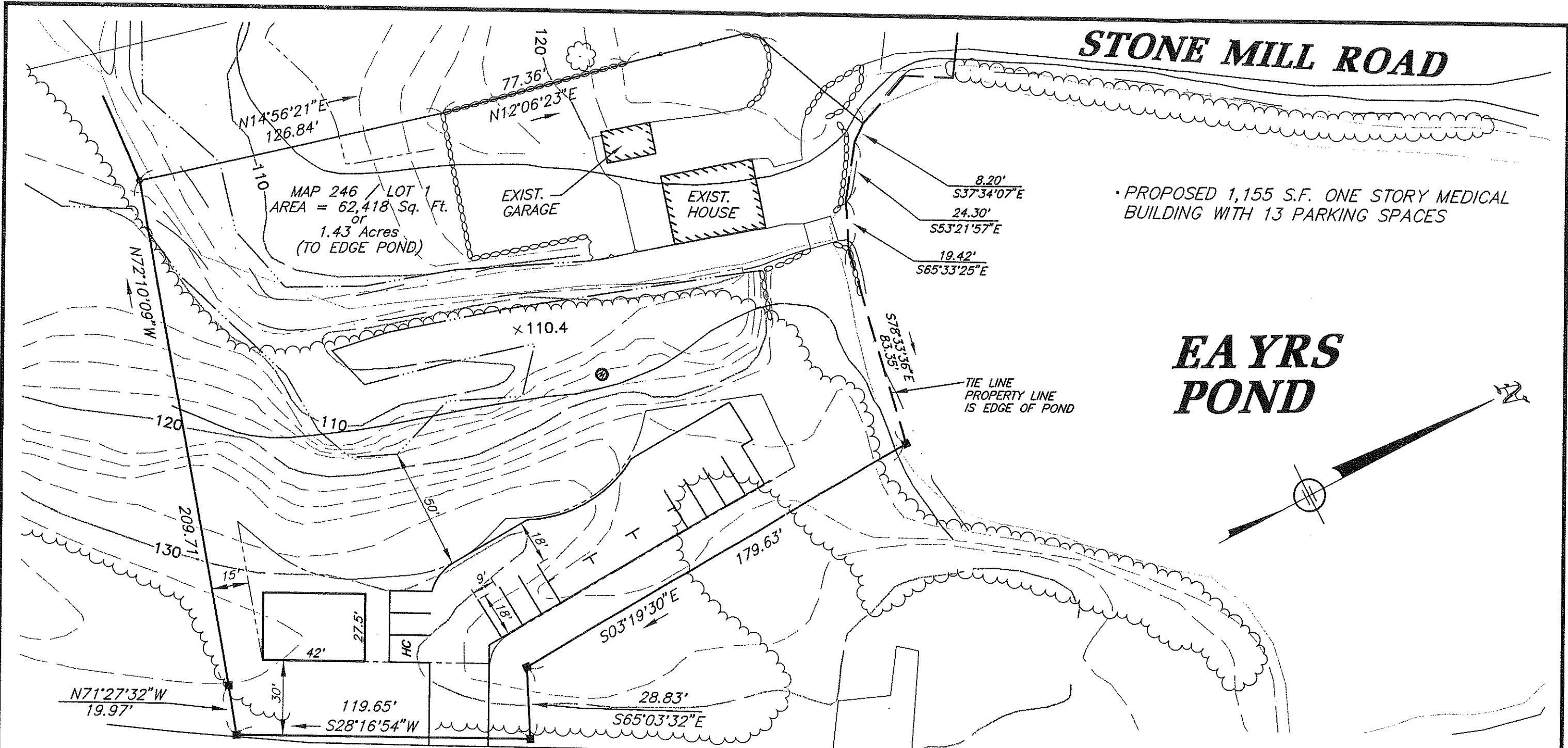
APRIL 1, 2013
SCALE 1 INCH = 100 FEET
NEW HAMPSHIRE STATE PLANE COORDINATE GRID; NAD 1983; US FEET
PHOTOGRAPHY DATE: APRIL 4, 1998

INDEX DIAGRAM

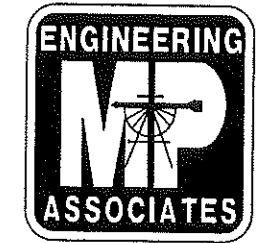
239	240	241
245	246	247
250	251	252

PROPERTY MAP
TOWN OF HUDSON
HILLSBOROUGH COUNTY
NEW HAMPSHIRE

246



PROPOSED ZBA PLAN MAP 246 / LOT 01
2 STONEMILL DRIVE
HUDSON, N.H. REV.: 10/22/19
 SCALE: 1" = 40' DATE: JUNE 20, 2019



Maynard & Paquette
 Engineering Associates, LLC
 Consulting Engineers and Land Surveyors
 31 Quincy Street, Nashua, N.H. 03060
 Phone: (603)883-8433 Fax: (603)883-7227

PLAN REFERENCE:
 1) LOT LINE RELOCATION PLAN MAP 4 / LOTS 2&3, 1 & 2
 STONE MILL ROAD, HUDSON, NH. DATED AUGUST 22, 2001
 BY MAYNARD & PAQUETTE ENG. ASSOC., LLC.
 FILED HCRD AS PLAN No. 31567.

JWY	JWY				12642
DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER

Printed
2/11/2020
11:06AM
Created
2/11/2020
11:04 AM

Transaction Receipt

Receipt# 585,036
tgoodwyn

Town of Hudson, NH
12 School Street
Hudson, NH 03051-4249

<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00 Zoning Application (ZBA) 2 Stonemill Dr. Map/Lot 246-001-000 Variance Application	0.00	155.7000	0.00
		Total:	155.70

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Welts, White & Fontaine, P.C.	CHECK	CHK# 79276	155.70	0.00	155.70
			Total Due:		155.70
			Total Tendered:		155.70
			Total Change:		0.00
			Net Paid:		155.70

WELTS, WHITE & FONTAINE, P.C.

79276



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: May 28, 2020 *BB 5-20-20*

Case 173-022 (05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 15 Tolles St. to modify stipulations 3 and 6 of the three (3) variances granted by the ZBA on June, 7, 2018 for 5 & 17 Tolles St. [Map 173, Lot 022-000; Zoned Town Residence (TR); HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].

Summary:

Applicant requests to modify the stipulations of the variances granted in 2008 as follows: Stipulation 3 was pertaining to hours of operation, due to the lack of a site plan at time of variance granted, applicant would like to remove this from the variance and put onto the forthcoming site plan to avoid conflicts of enforcement. Stipulation 6 was to submit a full site plan for the entire site (#15 Tolles) within 2 yrs from variance approval, the applicant is requesting an extension to this stipulation as the owner has developed a proposed "global" site plan for this parcel as well as two others (#4 & #14 Tolles), and is in front of the Board for variance approval.

Property description:

This is an existing developed lot of record with non-conforming uses (by variance).

In-house (Town) review/comments:

Fire Dept: none received
Engineering: none received
Town Planner: none received

HISTORY:

Planning Board: April 11, 2018 merger of #17 into #15.
ZBA: June 2018 variance Notice of Decision.

Attachments:

"A" April 11, 2018 lot merger.
"B" June 2018 Variance Notice of Decision.

#546 Hudson

Doc # 8014898 Apr 17, 2018 10:51 AM
Book 9064 Page 1729 Page 1 of 1
Register of Deeds, Hillsborough County
Carmela O'Connell

FEES:	10.47
SURCHARGE:	7.00
CASH:	

PLANNING

APPLICATION TO MERGE LOTS FOR TAX ASSESSMENT AND LAND USE PURPOSES

TOWN OF HUDSON, NEW HAMPSHIRE

The undersigned, TURBO REALTY, LLC, the owner of lots or parcels shown on the Town Tax Maps as follows:

- Tax Map 173 Lot 18
- Tax Map 173 Lot 22

The undersigned requests that the Town of Hudson Planning Board combine the above described parcels or lots into one parcel or one lot to be known as, Tax Map 173, Lot 22 for tax assessment, and land use purposes.

The undersigned acknowledges and agrees that the merged lots or parcels shall be shown as a single lot or single parcel on the Town Tax map and shall be one lot or one parcel for land use purposes. The Town of Hudson will assess the merged lots or merged parcels as a single lot or a single parcel.

If at any time the undersigned, or its heirs, legatees, successors and assigns of the undersigned wish to subdivide the merged lot or merged parcel, subdivision approval must be obtained from the Town of Hudson Planning Board under the Town of Hudson Subdivision of Land Regulations.

The undersigned agrees that the approval of this application shall be filed at the expense of the undersigned in the Hillsborough County Registry of Deeds.

Dated this 4th day of April 2018

TURBO REALTY, LLC

BY: Thomas Walsh
Thomas Walsh, Its Manager
Duly Authorized

This application for the merger of lots for tax assessment and land use purposes is approved by action of the Town of Hudson Planning Board. This application shall be recorded in the Hillsborough County Registry of Deeds.

Dated this 11 day of April, 2018.

Town of Hudson, NH Planning Board

[Signature]
Chairperson

A

Carmela O'Laughlin

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

AH3

FEES:	<i>1844</i>
SURCHARGE:	<i>27</i>
CASH:	<i>—</i>

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(a)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance at **15 & 17 Tolles Street, Hudson, NH**, to allow **each vested use to take place within any Unit located on the property**. [Map 172, Lots 018 & 022; Zoned TR; HZO Article VIII §334-30, Changes to or discontinuance of nonconforming uses].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle

B1

used in commerce that exceeds 13,000 pounds gross weight. Heavy equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business - Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing - Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

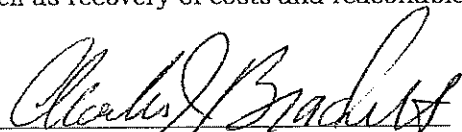
1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

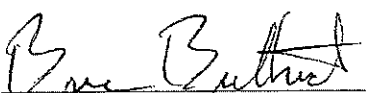
5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:  Date: 6/15/18
 Charles Brackett
 Chairman, Hudson Zoning Board of Adjustment

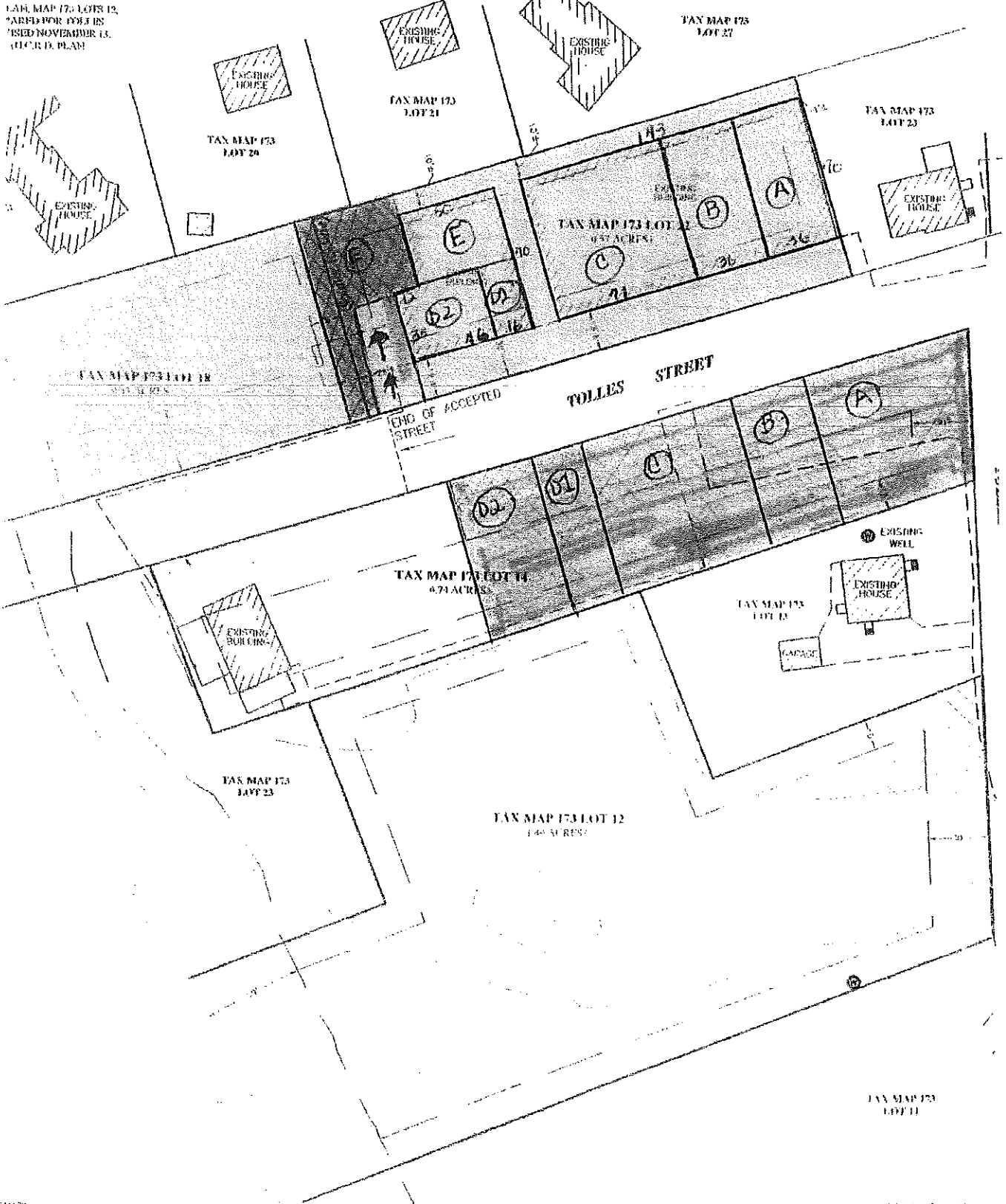
Signed:  Date: 6-14-18
 Bruce Buttrick
 Zoning Administrator

B₃

Appurtenant + Outdoor Storage/Display/Parking

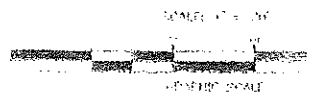
15/17 TOLLES

TAX MAP 173 LOTS 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



ASAC

EXHIBIT A



B4

TOWN OF HUDSON

APR 23 2020

Zoning Department

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 173-022 (05-28-20)

Date Filed 4-23-20

Name of Applicant Turbo Realty, LLC by Patricia M. Panciocco Map: 173 Lot 022-00 Zoning District: TR

Telephone Number (Home) _____ (Work) (603) 518-5370

Mailing Address One Club Acre Lane Bedford, New Hampshire 03110

Owner Turbo Realty, LLC

Location of Property 15 Tolles Street
(Street Address)

Patricia M. Panciocco
Signature of Applicant

April 6, 2020
Date

Paul M. [unclear] manager
Signature of Property-Owner(s)

April 6, 2020
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 variance.

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

COST:		Date received: <u>4-23-20</u>
Application fee:		
<u>8</u> Direct Abutters x ¹⁰ \$4.05 =	<u>\$130.00</u>	
<u>17</u> Indirect Abutters x \$0.55 =	<u>32.80</u>	
Total amount due:	<u>3.85</u>	
	<u>\$ 166.65</u>	Amt. received: \$ <u>166.65</u> <i>chk #733</i>
		Receipt No.: <u>592,386</u>
Received by: <u><i>TSG</i></u>		
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:		
_____ Engineering	_____ Fire Department	_____ Health Officer _____ Planner

April 6, 2020

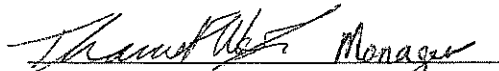
To: Town of Hudson
Zoning Board of Adjustment
12 School Street
Hudson, NH 03051

RE: 4, Tolles Street, 14 Tolles Street and 15 Tolles Street, Hudson, NH

I, the undersigned, owner of the properties located at 15 Tolles Street, New Hampshire (Parcel ID's 173-012-000, 173-014-000 and 173-022-000), authorize Panciocco Law, LLC to apply to the Town of Hudson Zoning Board of Adjustment for all necessary permits relative to the subject properties.

Very truly yours,

Turbo Realty, LLC


Thomas F. Walsh, Jr., Manager

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>ppp</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>pp</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>X</u>
<u>pp</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>TG</u>
<u>pp</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>
<u>pp</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.)	<div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; text-align: center;"> TG Rvd 4-23-20 </div> <u>Separate</u> <ul style="list-style-type: none"> • Direct • Indirect per application *Missing labels
<u>ppp</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>NA</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>N/A</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-

pp

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.
- b) The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- 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.)
- 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.
- 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.
- g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) The plot plan shall indicate all parking spaces and lanes, with dimensions.

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

Subricia Panceres

Signature of Applicant(s)

4-6-2020

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
(15 Tolles Street)

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)

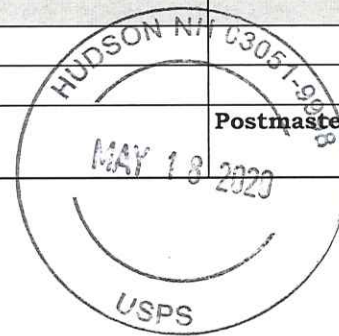
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
165 173	001 017	Town of Hudson	12 School Street Hudson, NH 03051
165	027	Erin E. Jenkins & Eric Maitland	6 Campbello Street Hudson, NH 03051
173 173 173	012 014 022	Turbo Realty, LLC	15 Tolles Street Hudson, NH 03051
173	019	Richard L. & Jacqueline Suter	12 Campbello Street Hudson, NH 03051
173	020	Larry L. & Meredith Rackliff	10 Campbello Street Hudson, NH 03051
173	021	Edward McNulty	8 Campbello Street Hudson, NH 03051
173	023	Glen Scott Kominik	11 Tolles Street Hudson, NH 03051
		ATTORNEY	
		Patricia M. Panciocco, Esquire Panciocco Law, LLC	One Club Acre Lane Bedford, NH 03110
		ENGINEER	
		Granite Engineering	250 Commercial St., Ste 3008 Manchester, NH 03101


**ALL INDIRECT ABUTTERS WITHIN 200 FEET
(15 Tolles Street)**

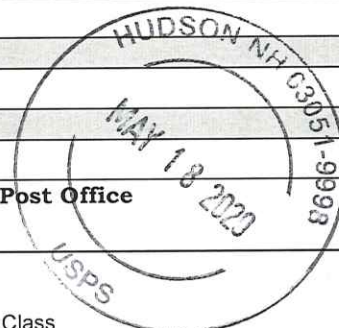
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found 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
165	022	Robert J. & Katherine A. Greene	11 Campbello Street Hudson, NH 03051
165	023	Beatriz Jauregui & Jose Alejandro Urrutia, Trustees of the Agarrechu Revocable Trust	9 Campbello Street Hudson, NH 03051
165	024	Steven E. & Theresa Shara Katsos	7 Campbello Street Hudson, NH 03051
165	025	Diane Balboni	5 Campbello Street Hudson, NH 03051
165	026	Lan X. Pham & Henry Nguyen	3 Campbello Street Hudson, NH 03051
173	013	Nicholas J. Deluca	6 Tolles Street Hudson, NH 03051
173	024	Paul D. & Donna I. Thorn	12 Grouse Lane Litchfield, NH 03052

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 173-022 Variance 15 Tolles Street Map 173/Lot 022-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting
1	7018 2290 0001 3001 3751	ERIN E. JENKINS; ERIC MAITLAND 6 CAMPBELLO ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
2	7018 2290 0001 3001 3768	TURBO REALTY, LLC 15 TOLLES STREET, SUITE C, HUDSON, NH 03051	APPLICANT/OWNER-NOTICE SENT
3	7018 2290 0001 3001 3775	RICHARD L. & JACQUELINE SUTER 12 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
4	7018 2290 0001 3001 3782	LARRY L. & MEREDITH RACKLIFF 10 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
5	7018 2290 0001 3001 3799	EDWARD MCNULTY 8 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
6	7018 2290 0001 3001 3805	GLEN SCOTT KOMINIK 11 TOLLES ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
7	7018 2290 0001 3001 3812	PATRICIA M. PANCIOTTO, ESQUIRE; PANCIOTTO LAW, LLC ONE CLUB ACRE LANE, BEDFORD, NH 03110	APPLICANT/OWNER-NOTICE SENT
8	7018 2290 0001 3001 3829	GRANITE ENGINEERING 250 COMMERCIAL ST., STE 3008, MANCHESTER, NH 03101	APPLICANT/OWNER-NOTICE SENT
9			
10			
11			
12			
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee) <i>Ordeu</i>



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 173-022 Variance 15 Tolles Street Map 173/Lot 022-000 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting	
1	Mailed First Class ROBERT J. & KATHERINE A. GREENE, 11 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
2	Mailed First Class BEATRIZ JAUREGUI, TR.; JOSE ALEJANDRO URRUTIA, TR., AGARRECHU REVOCABLE TRUST 9 CAMPBELLO ST., HUDSON, NH 03051	ABUTTER NOTICE SENT	
3	Mailed First Class STEVEN E. & SHARA THERESA KATSOS 7 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
4	Mailed First Class DIANE BALBONI 5 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
5	Mailed First Class LAN X. PHAM; HENRY NGUYEN 3 CAMPBELLO STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT	
6	Mailed First Class NICHOLAS J. DELUCA 6 TOLLES ST., HUDSON, NH 03051	ABUTTER NOTICE SENT	
7	Mailed First Class PAUL D. & DONNA I. THORN 12 GROUSE LANE, LITCHFIELD, NH 03052	ABUTTER NOTICE SENT	
8			
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11			
12			
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14			
15			
	Total Number of pieces listed by sender 7	Total number of pieces rec'vd at Post Office 7	Postmaster (receiving Employee) 



APPLICATION FOR A VARIANCE
(Applicant responses in bold)

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article **SEE BELOW** Section(s) **SEE BELOW**:

This Variance requests a modification of Stipulation (3) and Stipulation (6) of the three (3) variances granted by the ZBA on June 7, 2018 for 15-17 Tolles Street (“2018 Variances”) copies of which are attached as Exhibit A. Stipulation (3) and (6) are identical in all three variances.

ARGUMENT 1:

Stipulation (6) of each 2018 Variance states the approvals are “*contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period...*” from date of approval.

Since June 7, 2018, the property has been surveyed and partially engineered as shown on the ZBA Plan attached as Exhibit B. The Applicant intends to present a fully engineered Site Plan to the Planning Board, but would like to include Lot 173-012 and Lot 173-014 on the same Plan. By doing so, the Planning Board will review one Site Plan for the entire site but the Applicant requires an extension of time to complete the additional engineering for the additional Lots.

For this reason, the Applicant requests Stipulation (6) be modified to read the 2018 Variances are: “*contingent upon the applicant submitting a full site plan application to the Planning Board within ninety (90) days of the date the ZBA renders a decision on this variance.*”

ARGUMENT 2:

As to Stipulation (3), in order to avoid future conflicts if enforcement of hours of operation is required, the Applicant requests the ZBA confirm it will defer to any decision made by the Planning Board regarding the hours of operation as controlling but will otherwise abide by the current hours of operation set by the ZBA.

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 Office, 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.”)

The ZBA imposed Stipulation (3) of the 2018 Variances to limit tenant hours of operation because: (a) there were no specific hours of operation; (b) there is no measurable buffer located between the subject Property and abutting residential properties; and (c) one abutter had complained about noise. Code enforcement has pointed out that the Planning Board is responsible for establishing hours of operation. Confirming the ZBA decision will control unless the hours of operation are modified by the Planning Board will eliminate any future conflict and will not be contrary to the public interest.

The ZBA imposed Stipulation (6) of the 2018 Variances to ensure the Applicant timely submitted a site plan for 15-17 Tolles Street to Planning Board. The Applicant also owns Tax Map 173, Lot 12 and Lot 14 and hopes to redevelop and improve those Lots in the same manner. In order to streamline the site plan process, the Applicant has submitted a second Variance Application to request the uses granted by the 2018 Variance also apply to Lot 12 and Lot 14 as shown on Exhibit B. If this relief is granted, the Applicant will submit a global site plan for all the parcels to the Planning Board but needs additional time to complete the engineering required for Lot 12 and Lot 14. Granting this extension will not be contrary to the public interest because it would allow a more streamlined site plan process.

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.”)

As to Stipulation (3), the ZBA deferral to the Planning Board as to hours of operation will ensure consistency, confirm jurisdiction and will be consistent with the spirit of the Ordinance.

As to Stipulation (6), the applicant's lots were platted in 1960, before the Town adopted zoning, and have at all times been used for commercial and industrial purposes. Likewise, the buildings located at 15-17 Tolles have been consistently occupied by commercial and industrial tenants. The 2018 Variance confirmed the permitted uses of 15-17 Tolles which the Applicant hopes to extend to Lot 12 and Lot 14. However, rather than submit a partial site plan, only to return with a second site plan in the future, the Applicant is requesting a modest time extension to prepare and submit one (1) site plan and will not change the essential character of the neighborhood nor will the requested extension threaten public health, safety or welfare.

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.)

Not granting the Applicant's Variance will not benefit the public because: (a) not clarifying Stipulation (3) may create confusion if enforcement is ever required; and denying Stipulation (6) will prevent a more global improvement of the Applicant's property to avoid excess time before the Planning Board.

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.)

Providing clarity as to Stipulation (3) has no bearing on the values of surrounding properties; and granting a modest extension to enable the preparation of a global plan for all the Applicant's lots can only benefit surrounding property values.

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.)

Literal enforcement of Stipulation (3), without further clarification may cause confusion about which hours of operation control if enforcement is ever an issue, which will be a hardship for both the Town and the Applicant. Clarity will ensure a reasonable and fair outcome.

Literal enforcement of Stipulation (6) could potentially undo the 2018 Variance, cause 15-17 Tolles to return its prior ambiguous list of nonconforming uses and prevent a streamlined redevelopment of the property.

Granting clarity and a modest extension will save Town resources, enable the submission of a more comprehensive plan and result in a streamlined review process which is a reasonable and appropriate outcome.

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.

EXHIBIT A

2018 Variances

Carmela O'Caughlin

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

AH3

FEE:	<i>1844</i>
SURCHARGE:	<i>2-</i>
CASH:	<i>—</i>

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(a)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance **at 15 & 17 Tolles Street, Hudson, NH, to allow each vested use to take place within any Unit located on the property.** [Map 172, Lots 018 & 022; Zoned TR; HZO Article VIII §334-30, Changes to or discontinuance of nonconforming uses].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle

used in commerce that exceeds 13,000 pounds gross weight. Heavy equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business – Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing – Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

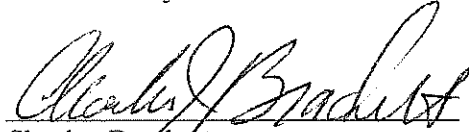
5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:

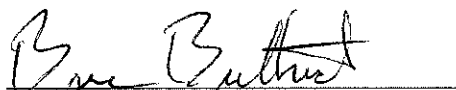


Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Date:

6/15/18

Signed:



Bruce Buttrick
Zoning Administrator

Date:

6-14-18

Appurtenant Outdoor Storage/Display/Parking

15/17 TOLLES

EARL MAP 173 LOTS 12,
*ABSD FOR TOLLES
*RESID NOVEMBER 13,
(H.C.R. PLAN)

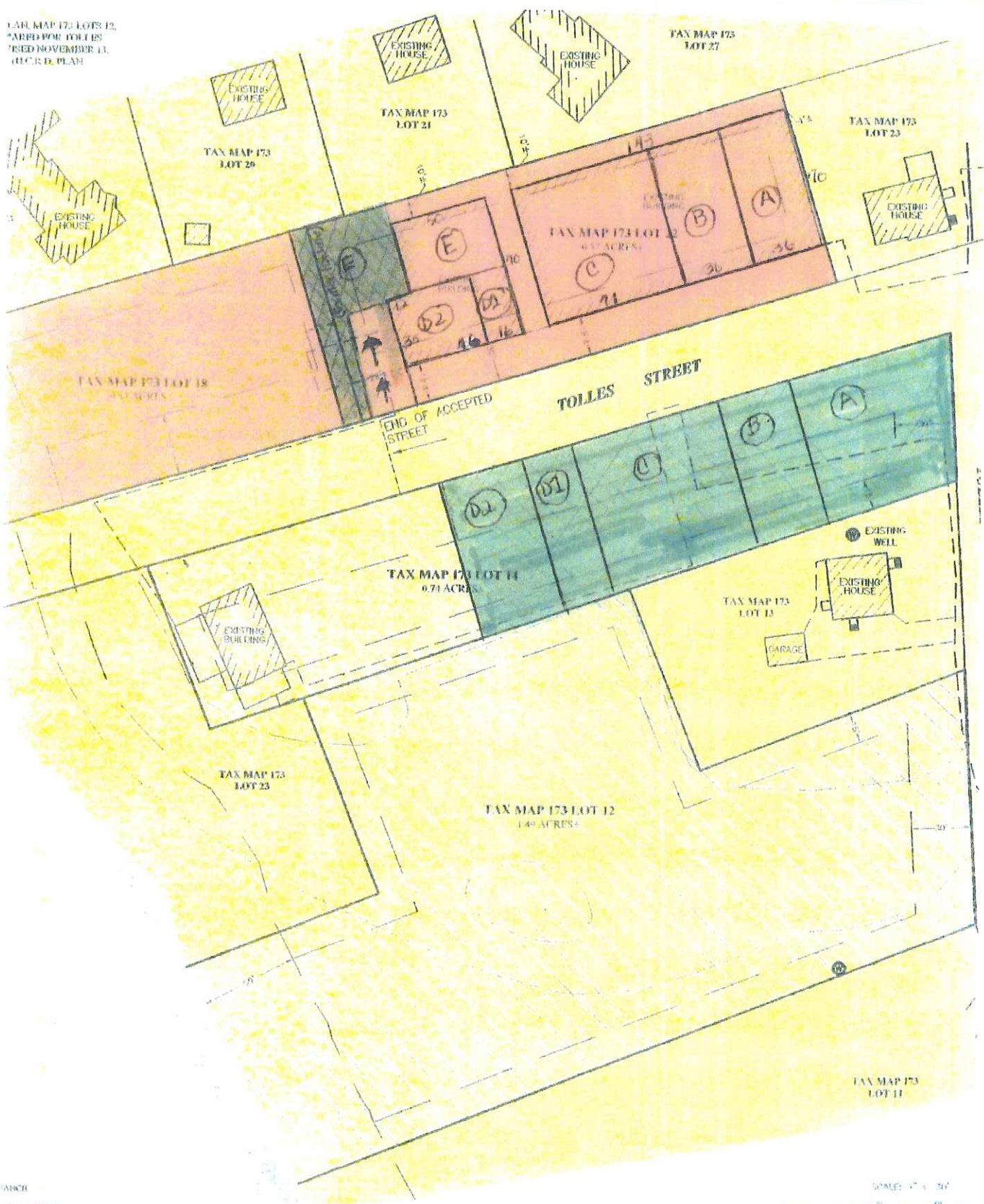


EXHIBIT A



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

AH3

FEES:	<i>1847</i>
SURCHARGE:	<i>2-</i>
GAIN:	<i>-</i>

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Variance

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Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
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 - b. Memorial Day
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 - f. Christmas Day

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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.

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, 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: Charles Brackett Date: 6/15/18
Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Signed: Bruce Buttrick Date: 6-14-18
Bruce Buttrick
Zoning Administrator

Appertenant + Outdoor Storage/Display/Parking

15/17 Tolles

TAX MAP 173 LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

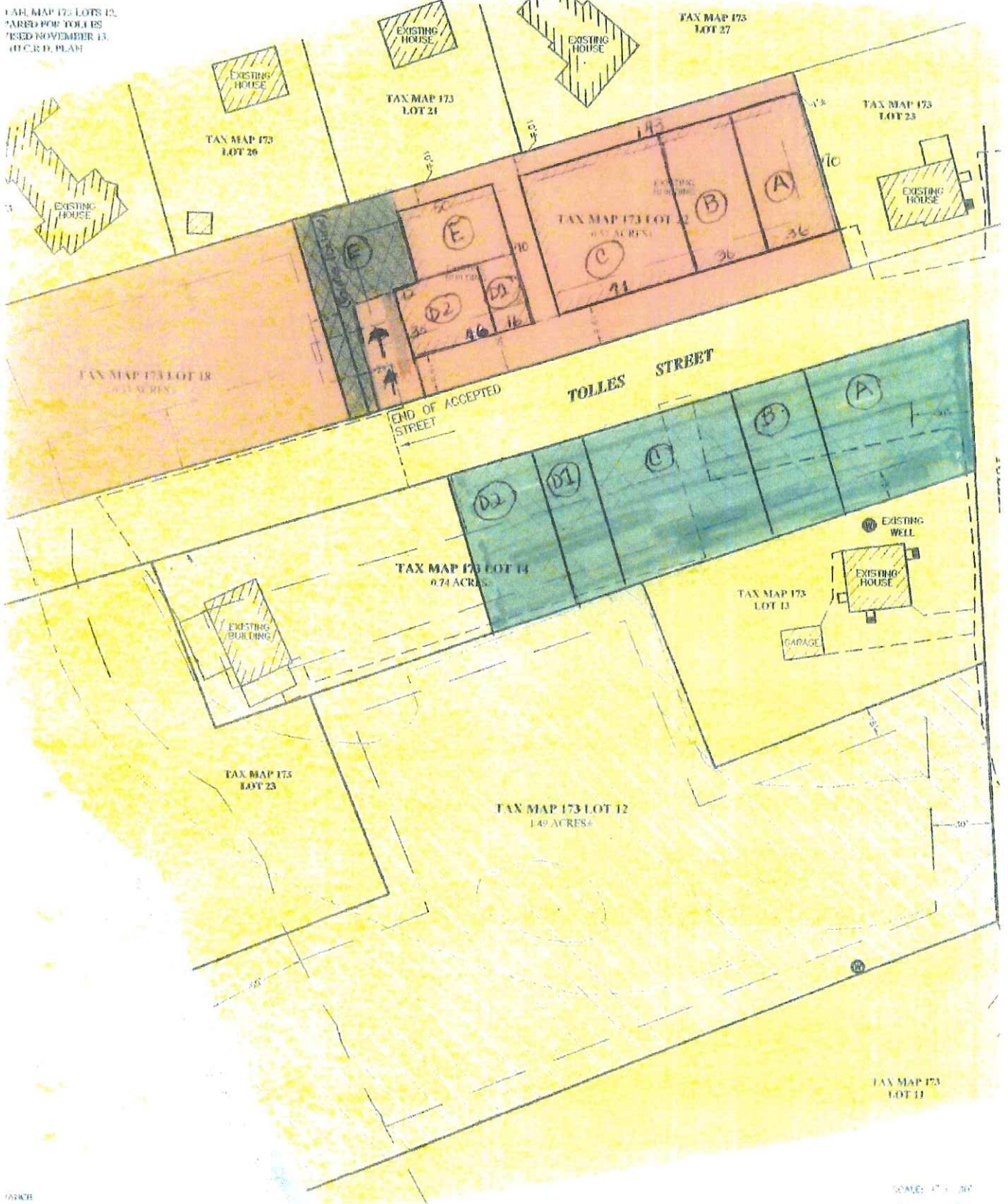


EXHIBIT A



DATE: 11/15/11

SCALE: 1" = 30'

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

A43

FEES:	<i>1847</i>
SURCHARGE:	<i>2-</i>
CASH:	<i>---</i>

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(c)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance at **15 & 17 Tolles Street, Hudson, NH, to allow uses not listed in the Table of Permitted Uses**. [Map 172, Lots 018 & 022; Zoned TR; HZO Article V §334-20, Allowed uses provided in tables].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle used in commerce that exceeds 13,000 pounds gross weight. Heavy

equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business – Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing – Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

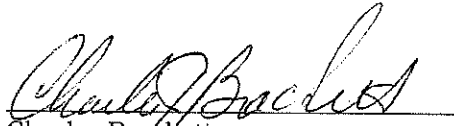
5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:



Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Date:

7/11/18

Signed:



Bruce Buttrick
Zoning Administrator

Date:

6-14-18

Appurtenant Outdoor Storage/Display/Parking

15/17 TOLLES

TAX MAP 173 LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

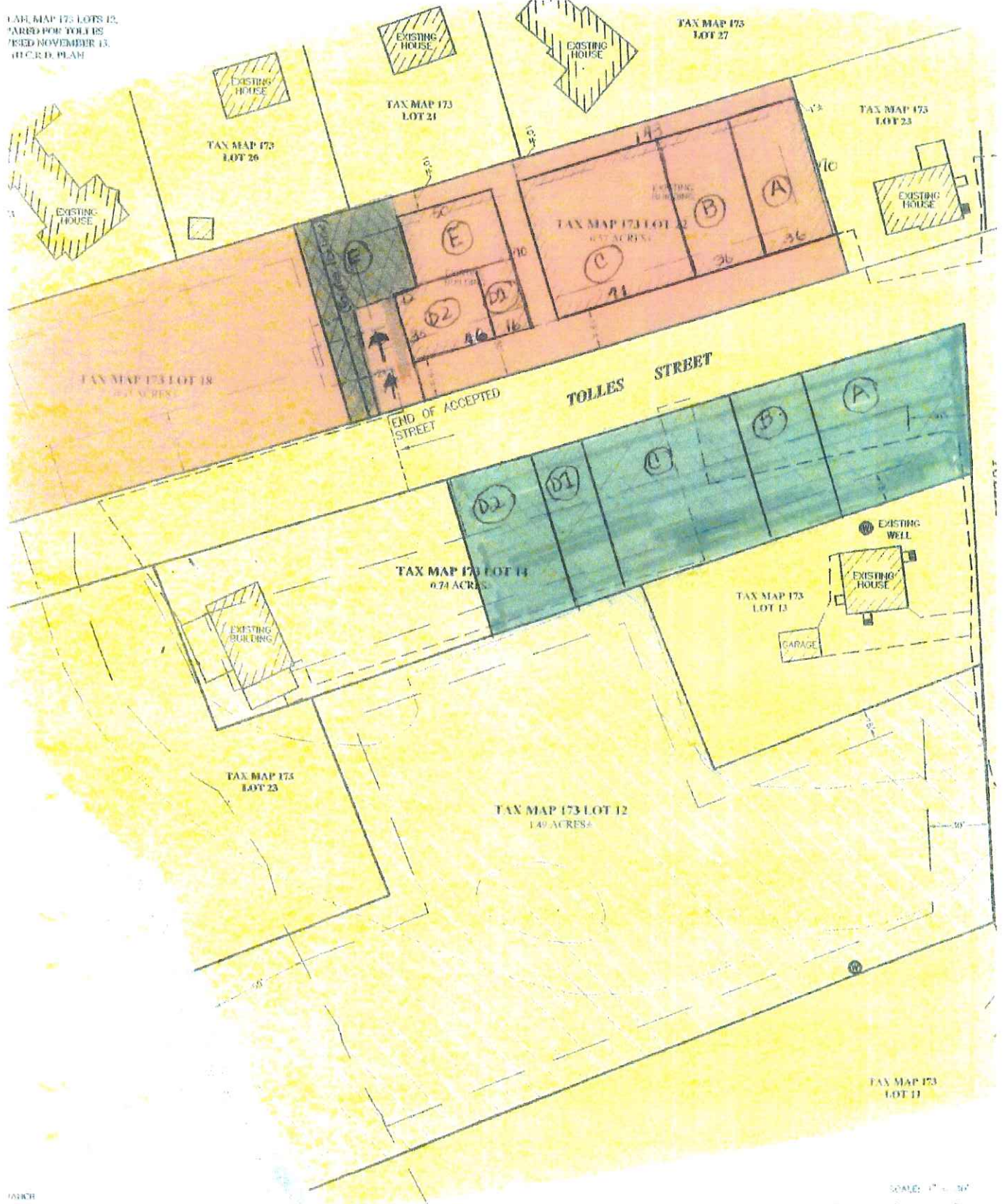
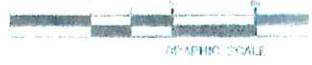


EXHIBIT A

DATE: 11/15/11

SCALE: 1" = 50'



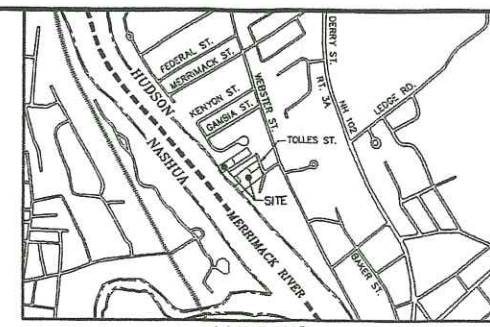
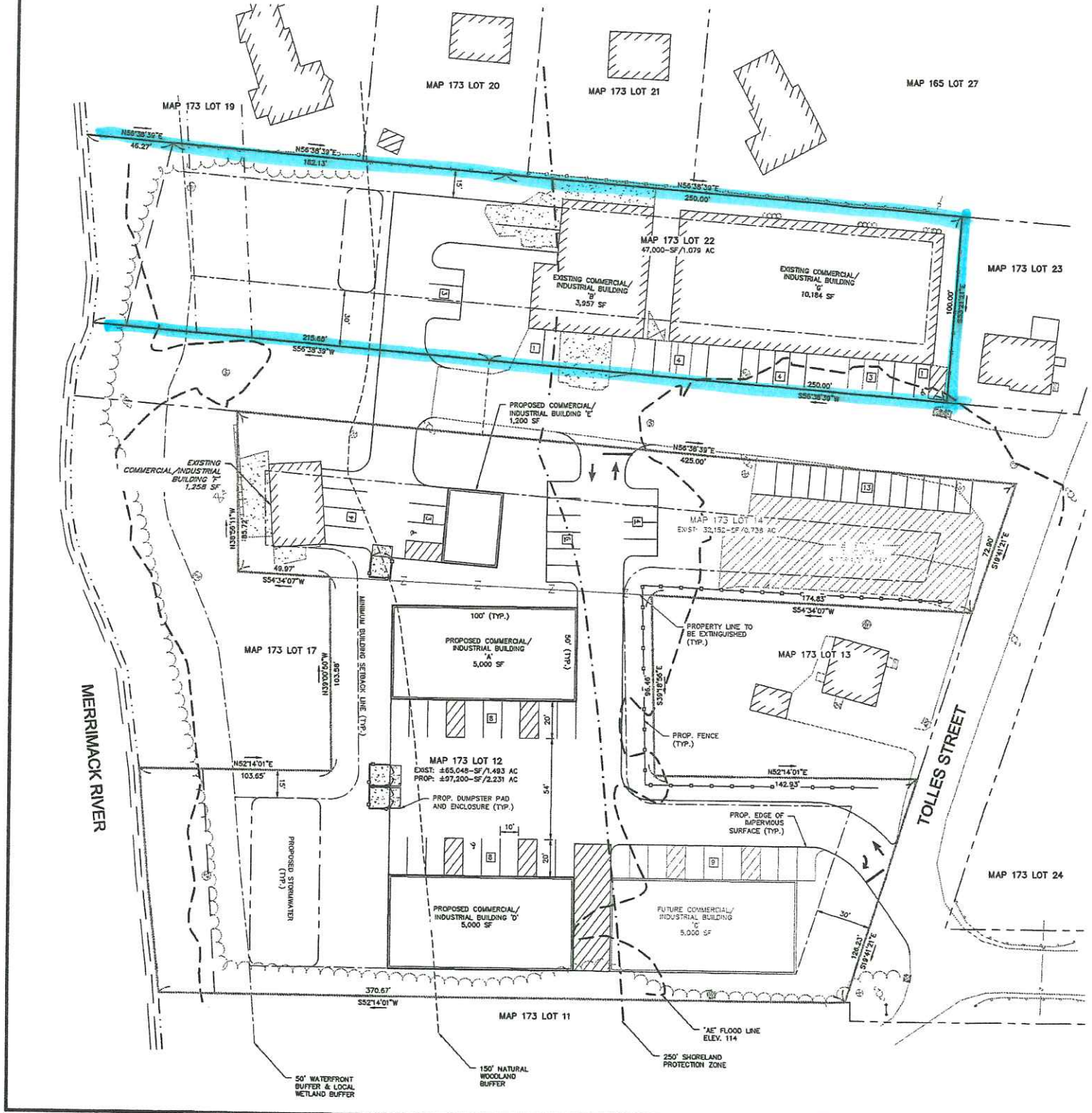
GRAPHIC SCALE

EXHIBIT B

ZBA Plan

PLAN REFERENCES:

1. "EXISTING CONDITIONS PLAN, TAX MAP 173 LOTS 12, 14, 18 & 22, LOCATED AT 15 TOLLES STREET, HUDSON, NEW HAMPSHIRE" PREPARED FOR TURBO REALTY, LLC, SCALE: 1"=30', DATED: APRIL 8, 2019, PREPARED BY: S&H LAND SERVICES, LLC.



GENERAL NOTES:

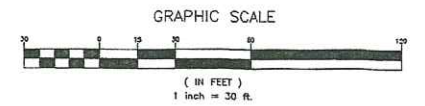
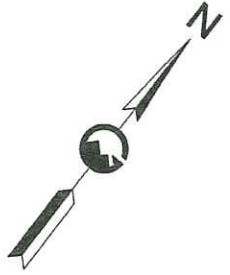
- THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE A COMMERCIAL/INDUSTRIAL ZBA PLAN WITH THE FOLLOWING MODIFICATIONS ALONG TOLLES STREET IN HUDSON, NH:
 - VOLUNTARY MERGER OF LOTS 14 & 12 FOR THE PROPOSED COMMERCIAL/INDUSTRIAL DEVELOPMENT;
 - PROPOSED 16,200 SF OF COMMERCIAL/INDUSTRIAL BUILDINGS AND ASSOCIATED SITE IMPROVEMENTS ON NEWLY MERGED LOT 12;
 - SITE IMPROVEMENTS ON LOT 22.
- AREA OF COMBINED PARCELS:
 - LOT 22: 47,000 SF OR 1.079 ACRES.
 - LOT 12: 97,200 SF OR 2.231 ACRES
- THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN THE TOWN RESIDENTIAL (TR) ZONING DISTRICT AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

DESCRIPTION	REQUIRED	EXISTING LOT 22	EXISTING LOT 12	EXISTING LOT 14	PROPOSED LOT 12
MINIMUM LOT SIZE	10,000 SF	47,000 SF	63,048 SF	32,152 SF	97,200 SF
MINIMUM LOT FRONTAGE	50 FT	250.00 FT	128.23 FT	394 FT	450.11 FT
FRONT YARD SETBACK	30 FT	19.10 FT **	N/A	22.31** FT	22.31** FT
SIDE YARD SETBACK	15 FT	8.13 FT	N/A	17.05 FT	15 FT
REAR YARD SETBACK	15 FT	10.18 FT	N/A	N/A	14.93 FT
BUILDING HEIGHT	38 FT	< 38 FT	N/A	< 38 FT	< 38 FT
OPEN SPACE	40%	80.4%	84%	38.8%	47.4%
INTERNAL LANDSCAPING	10%	N/A	N/A	N/A	N/A
GREEN SPACE	20 FT	10 FT	N/A	22.31 FT	20.15 FT

- SINGLE ACCESS DRIVEWAYS ARE EXEMPT FROM INTERNAL LANDSCAPING REQUIREMENT, EXISTING HIGH-CONFORMING STRUCTURE.
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY S&H LAND SERVICES, LLC IN APRIL OF 2019.
- PROPERTIES ARE SERVED BY MUNICIPAL SEWER AND PRIVATE WELLS.
- HORIZONTAL DATUM IS NAD83, VERTICAL DATUM IS NGVD29 OBTAINED FROM STATIC GPS OBSERVATIONS MADE BY S&H LAND SERVICES ON 4/5/19.
- THE SUBJECT PARCEL IS PARTLY WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE, MAP NUMBER 3301TC054E, EFFECTIVE DATE APRIL 18, 2011.
- LOTS WILL BE SERVED BY MUNICIPAL SEWER AND PRIVATE ONSITE WELLS.
- PARKING CALCULATIONS:
 - SECURED PARKING: INDUSTRIAL: 1 SPACE/600 SF
 - UNSECURED PARKING: 1 SPACE/600 SF X 31,599 SF = 53 SPACES
 - TOTAL SPACES PROVIDED = 71 SPACES (INCLUDES 3 HANDICAP SPACES)
- A VARIANCE TO ALLOW COMMERCIAL AND INDUSTRIAL USES ON MAP 173 LOTS 12, 15 & 16 WAS GRANTED BY THE HUDSON ZONING BOARD OF ADJUSTMENTS ON JUNE 25, 2009. SEE CASE 173-012, 015 AND 016. LOTS 15 AND 16 WERE SUBSEQUENTLY MERGED INTO LOT 14.
- THE HUDSON ZONING BOARD OF ADJUSTMENTS GRANTED THREE USE VARIANCES FOR THE PROPERTY ON JUNE 7, 2018. SEE CASES 172-100 & 022(A), (B) & (C). SEE ALSO HCRD BOOK 9090 PAGES 1260, 1263 AND 1266.
- MAP 173 LOT 18 IS SUBJECT TO A SEWER EASEMENT TO BENEFIT THE TOWN OF HUDSON RECORDED AT HCRD BOOK 2742 PAGE 250.

LEGEND

- CATCH BASIN
- DRAINAGE MANHOLE
- IRON PIN
- GRANITE BOUND
- UTILITY POLE
- ABUTTER LINE
- PROPERTY LINE
- STOCKADE FENCE
- TREELINE
- EDGE OF PAVEMENT
- BUILDING SETBACK
- PROPOSED EDGE OF IMPERVIOUS SURFACE
- PROPOSED BUILDING



NO.	DATE	REVISIONS	COMMENTS

OWNER & APPLICANT:
TURBO REALTY, LLC
15 TOLLES STREET
HUDSON, NH 03051

GRANITE ENGINEERING
civil engineering • land planning • municipal services
350 Commercial Street, Suite 2008
Manchester, New Hampshire 03101
603.518.8000
www.GraniteEng.com



LOCATION:
TAX MAP 173
LOTS 12, 14 & 22
4, 14 & 15 TOLLES STREET
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

PROJECT:
TURBO REALTY, LLC

TITLE:
ZBA PLAN

PROJECT No. DATE: 20-2003-3 APRIL 13, 2020 SCALE: HORIZ 1"=30'
SHEET: 1 OF 1

P:\173\2020\3\New\Productions\Plan\2020033-3\BA.dwg, ZBA, 4/14/2020 10:30:11 AM, kade, Bluebeam PDF, ANSI_D... (23.00..._34.00...).rvt

ASSESSOR CARD

15 Tolles Street (Map 173 Lot 22)

173 022 000
MAP LOT SUB

1 of 2 COMMERCIAL
CARD Hudson

Total Card / Total Parcel
APPRAISED: 397,700 / 508,000
USE VALUE: 397,700 / 508,000
ASSESSED: 397,700 / 508,000



Patriot
Properties Inc.

USER DEFINED

PROPERTY LOCATION

No	Ait No	Direction/Street/City
15		TOLLES ST, HUDSON

OWNERSHIP

Owner 1:	TURBO REALTY LLC
Owner 2:	
Owner 3:	
Street 1:	15 TOLLES ST. SUITE C
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	KW TOLLES, LLC -
Owner 2:	-
Street 1:	7 ADAMS ST.
Twn/City:	WILMINGTON
St/Prov:	MA
Postal:	01887

NARRATIVE DESCRIPTION

This parcel contains 1.066 ACRES of land mainly classified as AUTO REPAIR with a GAR/OFC/SHOP Building built about 1972, having primarily CORR STEEL Exterior and 10010 Square Feet, with 3 Units, 3 Baths, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
				Sewer	2	TOWN SEWE
				Electri		
				Exmpt		
				Topo	1	LEVEL
				Street		
				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infru	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
332	AUTO REPAIF		1		SITE ACRE	SITE		0	85,000	1.13	RC			CONTAM	-10	COMM U	25	95,625					95,600	LOCATION
332	AUTO REPAIF		0.066		ACRES	EXCESS		0	3,500	1.25	RC						289						300	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description
332	1.066	298,900	2,900	95,900	397,700	
Total Card	1.066	298,900	2,900	95,900	397,700	Entered Lot Size
Total Parcel	1.066	409,200	2,900	95,900	508,000	Total Land: 1.066
Source: Market Adj Cost		Total Value per SQ unit /Card:		39.73	/Parcel: 36.47	Land Unit Type: AC

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	332	FV	398,000	2900	1.066	95,900	496,800	496,800	Year End Roll	9/16/2019
2019	332	JB	398,000	2900	1.066	95,900	496,800	496,800	Year End Roll	5/8/2019
2018	332	FV	395,700	2900	.569	83,300	481,900	481,900	Year End Roll	8/27/2018
2018	332	JB	395,700	2900	.569	83,300	481,900	481,900	Year End Roll	5/9/2018
2017	332	FV	401,900	2900	.569	83,300	488,100	488,100	Year End Roll	10/26/2017
2017	332	PV	401,900	2900	.569	83,300	488,100	488,100	Year End Roll	8/28/2017
2017	332	JB	358,400	3800	.569	83,300	445,500	445,500	Year End Roll	5/10/2017
2016	332	FV	358,700	3800	.569	83,300	445,800	445,800	Year End Roll	8/30/2016

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
KW TOLLES, LLC,	8688-2333	1	8/28/2014		482,900	No	No		
TOLLES RIVERSID	8060-2028	1	3/2/2009	MPC SEP	456,000	No	No		
MILES, JOHN B.	8060-2026	1	2/10/2009	QUIET TRANS		No	No		
TOLLES RIVERSID	7498-2409	1	7/7/2005	FORCED SALE	55,625	No	No		
BURTON, MELBA A	7498-2406	5	7/7/2005	FORECLOSURE	12,500	No	No		
J & J REALTY FR	5364-0615		8/26/1992	BUSINESS		No	No		
THE CENTRAL SAV	5303-1683		12/24/1991	BUSINESS	4,300	No	No		
	4582-0285		1/4/1988			No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
3/22/2018	2018-00216	INT RENO	10,000	C				
3/22/2018	2018-00216	ELECTRIC	2,800	C				
2/28/2018	2017-01170	PLUMBING		C				
2/28/2018	2017-01170	MECHANIC		C				
11/27/2017	2017-01170	INT RENO	5,000	C				
11/16/2017	2017-01184	ELECTRIC	8,500	C				
2/15/2017	2017-146	MECHANIC	800	C				
1/17/2017	2017-0036	ELECTRIC	3,000	C				
9/30/2016	42	CERT OCC		C				
7/20/2016	2016-693	INT RENO	1,500	C				

ACTIVITY INFORMATION

Date	Result	By	Name
12/27/2019	NTRESPASS	18	KRT1
3/26/2019	Info Fm Plan	1	CHIEF ASSESS
3/15/2019	NC Visit	12	TECH ASMNT
6/11/2017	Field Review	9	PVA
4/27/2017	Meas/Inspect	9	PVA
2/24/2017	I&E Mailed	7	DC
2/27/2015	Permit Visit	12	TECH ASMNT
3/17/2014	Permit Visit	12	TECH ASMNT
5/10/2012	Field Review	9	PVA

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA:	1.06600	Total SF/SM:	46435	Parcel LUC:	332	AUTO REPAIR	Prime NB Desc:	RES AV/FR	Total:	95,914	Spl Credit:	Total:	95,900
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Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro - HudsonNH

jmichaud

2019

EXTERIOR INFORMATION

Type:	301 - GAR/OC/SHOP
Sty Ht:	1 - ONE STY
(Liv) Units:	3 Total: 5
Foundation:	6 - SLAB
Frame:	2 - STEEL
Prime Wall:	18 - CORR STEEL
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	9 - METAL
Color:	
View / Desir:	

GENERAL INFORMATION

Grade:	D - FAIR
Year Blt:	1972 Eff Yr Blt:
Alt LUC:	Alt %:
Jurisdct:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/FL:	16
Prim Int Wal:	5 - MINIMAL
Sec Int Wall:	1 - DRYWALL 15%
Partition:	
Prim Floors:	12 - CONCRETE
Sec Floors:	05 - LINO/VINYL 50%
Bsmnt Fir:	
Subfloor:	
Bsmnt Gar:	
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S
Heat Fuel:	4 - PROPANE
Heat Type:	1 - FORCED AIR
# Heat Sys:	3
% Heated:	100 % AC: 0
Solar HW:	NO Central Vac: NO
% Com Wal:	% Sprinkled

BATH FEATURES

Full Bath:	3 Rating: AVERAGE
A Bath:	Rating:
3/4 Bath:	Rating:
A 3QBth:	Rating:
1/2 Bath:	Rating:
A HBth:	Rating:
OthrFix:	Rating:

OTHER FEATURES

Kits:	Rating:
A Kits:	Rating:
Frpl:	Rating:
WSFlue:	Rating:

CONDO INFORMATION

Location:	
Total Units:	
Floor:	
% Own:	
Name:	

DEPRECIATION

Phys Cond:	AV - Average	40.0%
Functional:		%
Economic:	L - LOCATION	10.0%
Special:		%
Override:		%
Total:		46%

CALC SUMMARY

Basic \$ / SQ:	68.00
Size Adj.:	0.87992007
Const Adj.:	1.01317799
Adj \$ / SQ:	60.623
Other Features:	17000
Grade Factor:	0.80
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	499070
Depreciation:	229572
Depreciated Total:	269498

COMMENTS

adjusted land value 2009, neigh from RE to RC, also adjustment for site inclusion in DES
Groundwater Management Zone/empty - 2012/ 2-6-12 inspected asm (?) space only. 15 A = CHARTHER; 15 B = LT'S; 15 C = SPENCER GRANITE/placeholder account for 2017, subd.

RESIDENTIAL GRID

1st Res Grid Desc:	# Units
Level:	FY LR DR D K FR RR BR FB HB L O
Other:	
Upper:	
Lvl 2:	
Lvl 1:	
Lower:	
Totals:	RMs: BRs: Baths: 3 HB

REMODELING

Exterior:	
Interior:	
Additions:	
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	2018
General:	

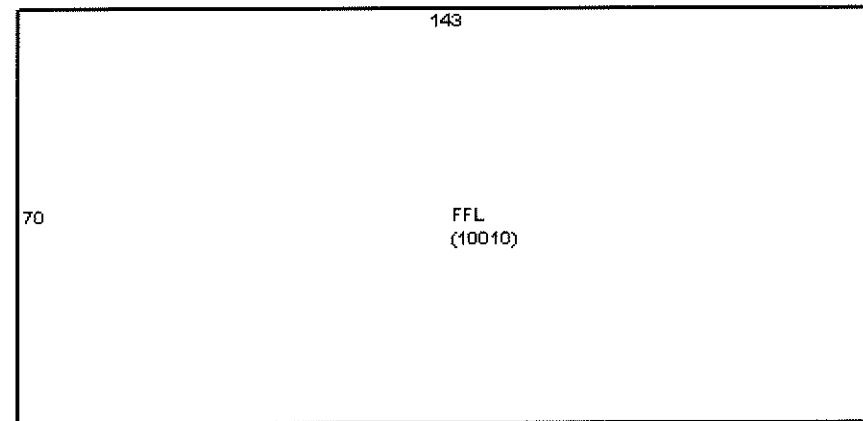
RES BREAKDOWN

No Unit	RMS	BRS	FL
Totals			

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv\$/SQ:				AvRate: Ind.Val
Juris. Factor:				Before Depr: 48.50
Special Features:	29400			Val/Su Net: 29.86
Final Total:	298900			Val/Su SzAd: 29.86

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	10,010	60.620	606,837	
Net Sketched Area:		10,010	Total:	606,837	
Size Ad	10010	Gross Area	10010	FinArea	10010

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu #	Ten
FFL	100	OFC		15	AV

MOBILE HOME

Make:	Model:	Serial #	Year:	Color:
-------	--------	----------	-------	--------

SPEC FEATURES/YARD ITEMS

Code	Description	A Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
85	PAVING-ASPH	D Y	1	6700	AV	FR	1972	2.25	T	81	332			2,900			2,900
65	MEZZ-UNFIN	M S	1	604	FR	FR	1976	13.83	T	50	332			4,200			4,200
64	MEZZ-FIN	M S	1	66X24	AV	AV	1976	26.53	T	40	332			25,200			25,200

More: N	Total Yard Items: 2,900	Total Special Features: 29,400	Total: 32,300
---------	-------------------------	--------------------------------	---------------

IMAGE

AssessPro Patriot Properties, Inc



173 022 000
MAP LOT SUB

2 of 2 COMMERCIAL
CARD Hudson

Total Card / Total Parcel
APPRAISED: 110,300 / 508,000
USE VALUE: 110,300 / 508,000
ASSESSED: 110,300 / 508,000

PROPERTY LOCATION

No	Alt No	Direction/Street/City
15		TOLLES ST, HUDSON

OWNERSHIP

Owner 1: TURBO REALTY LLC
Owner 2:
Owner 3:
Street 1: 15 TOLLES ST, SUITE C
Street 2:
Twn/City: HUDSON
St/Prov: NH Cntry
Postal: 03051

PREVIOUS OWNER

Owner 1:
Owner 2:
Street 1:
Twn/City:
St/Prov: Cntry
Postal:

NARRATIVE DESCRIPTION

This parcel contains 1.066 ACRES of land mainly classified as AUTO REPAIR with a GAR/OFC/SHOP Building built about 1972, having primarily CONC BLOCK Exterior and 3920 Square Feet, with 2 Units, 0 Bath, 0 3/4 Bath, 1 HalfBath, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
o				Sewer	2	TOWN SEWE
n				Electri		
Census:				Exmpt		
Flood Haz:						
D				Topo		
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infu	Neigh Mod	Inf1 %	Inf2 %	Inf3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
332	AUTO REPAI		0		SITE ACRE SITE			0	0	0.00	RD												

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
332	0.000	110,300			110,300		5474
Total Card							Entered Lot Size
Total Parcel							Total Land: 0.57
Source: Market Adj Cost							Land Unit Type: AC
Total Value per SQ unit /Card: 28.14							
/Parcel: 36.47							

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment

ACTIVITY INFORMATION

Date	Result	By	Name
12/27/2019	INTRESPASS	18	KRT1
3/15/2019	NC Visit	12	TECH ASMNT
3/20/2018	Permit Visit	12	TECH ASMNT
6/11/2017	Field Review	9	PVA
5/10/2012	Field Review	9	PVA
2/6/2012	Meas/inspect	9	PVA
3/12/2007	Measured	9	PVA
10/17/2001	Meas/inspect	0	PATRIOT
2/25/1991	Inspected	12	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA



Patriot Properties Inc.

USER DEFINED

Prior Id # 1:	0056
Prior Id # 2:	0001
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	
Civil District:	
Ratio:	

PRINT

Date	Time
04/06/20	14:32:03

LAST REV

Date	Time
01/07/20	13:06:10

krt	7468
-----	------

Total AC/HA: 0.00000	Total SF/SM: 0	Parcel LUC: 332	AUTO REPAIR	Prime NB Desc: RES AV/FR	Total:	Spl Credit:	Total:
----------------------	----------------	-----------------	-------------	--------------------------	--------	-------------	--------

EXTERIOR INFORMATION

Type: 301 - GAR/OFC/SHOP
 Sty Ht: 1 - ONE STY
 (Liv) Units: 2 Total: 5
 Foundation: 6 - SLAB
 Frame: 1 - WOOD
 Prime Wall: 21 - CONC BLOCK
 Sec Wall: 06 - STUCCO 25%
 Roof Struct: 1 - GABLE
 Roof Cover: 1 - ASPH SHING
 Color: BEIGE
 View / Desir:

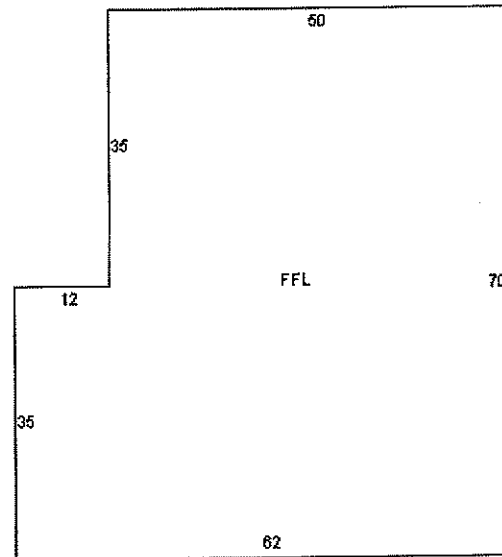
BATH FEATURES

Full Bath: Rating:
 A Bath: Rating:
 3/4 Bath: Rating:
 A 3QBth: Rating:
 1/2 Bath: 1 Rating: FAIR
 A HBth: Rating:
 OthrFix: Rating:

COMMENTS

UNIT D .. 12/19 EXT=AVG. CHG COND TO AVG.
 TOTAL REFUSAL NO MEASURE.

SKETCH



GENERAL INFORMATION

Grade: D - FAIR
 Year Blt: 1972 Eff Yr Blt:
 Alt LUC: Alt %:
 Jurisdct: Fact:
 Const Mod:
 Lump Sum Adj:

OTHER FEATURES

Kits: Rating:
 A Kits: Rating:
 Frpl: Rating:
 WSFlue: Rating:

CONDO INFORMATION

Location:
 Total Units:
 Floor:
 % Own:
 Name:

RESIDENTIAL GRID

1st Res Grid	Desc:	# Units
Level	FY LR DR D K FR RR BR FB HB L O	
Other:		
Upper:		
Lvl 2:		
Lvl 1:		
Lower:		
Totals	RMs: BRs: Baths: HB: 1	

REMODELING

Exterior:
 Interior:
 Additions:
 Kitchen:
 Baths:
 Plumbing:
 Electric:
 Heating:
 General:

RES BREAKDOWN

No Unit	RMS	BRS	FL
Totals			

INTERIOR INFORMATION

Avg Ht/FL: 15
 Prim Int Wall: 5 - MINIMAL
 Sec Int Wall: 1 - DRYWALL 20%
 Partition: L - LIGHT
 Prim Floors: 12 - CONCRETE
 Sec Floors: %
 Bsmnt Flr:
 Subfloor:
 Bsmnt Gar:
 Electric: 3 - TYPICAL
 Insulation: 2 - TYPICAL
 Int vs Ext: S
 Heat Fuel: 4 - PROPANE
 Heat Type: 7 - UNIT HEATERS
 # Heat Sys: 1
 % Heated: 100 % AC: 0
 Solar HW: NO Central Vac: NO
 % Com Wal: % Sprinkled

DEPRECIATION

Phys Cond: AV - Average	40%
Functional:	%
Economic: L - LOCATION	10%
Special:	%
Override:	%
Total:	46%

CALC SUMMARY

Basic \$ / SQ:	68.00
Size Adj.:	1.00408161
Const Adj.:	0.93884820
Adj \$ / SQ:	64.102
Other Features:	4000
Grade Factor:	0.80
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	204225
Depreciation:	93943
Depreciated Total:	110281

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv/SQ:	AvRate:	Ind.Val:		
Juris. Factor:	Before Depr:	51.28		
Special Features: 0	Val/Su Net:	28.14		
Final Total: 110300	Val/Su SzAd:	28.14		

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	FIRST FLOOR	3,920	64.100	251,281
Net Sketched Area:		3,920	Total:	251,281
Size Ad	3920	Gross Area	3920	FinArea 3920

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu # Ten
FFL	100	OFC	5 AV	

MOBILE HOME

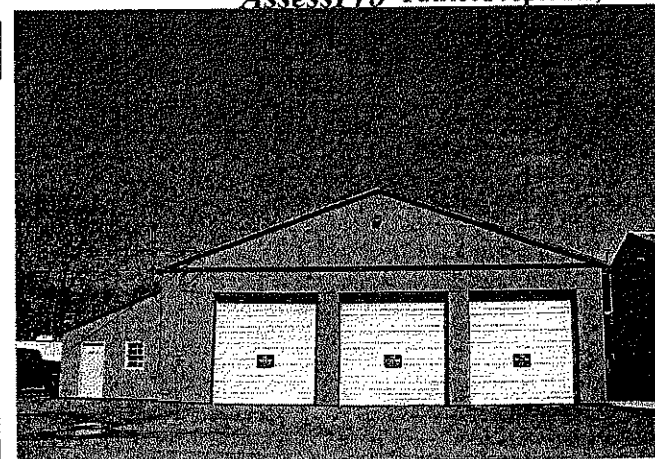
Make: Model: Serial # Year: Color:

SPEC FEATURES/YARD ITEMS

Code	Description	A / Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
------	-------------	---------	-----	----------	------	-----	------	------------	-----	-----	-----	------	-------	------------	------	-------	--------------

PARCEL ID 173-022-000

IMAGE



AssessPro Patriot Properties, Inc

More: N

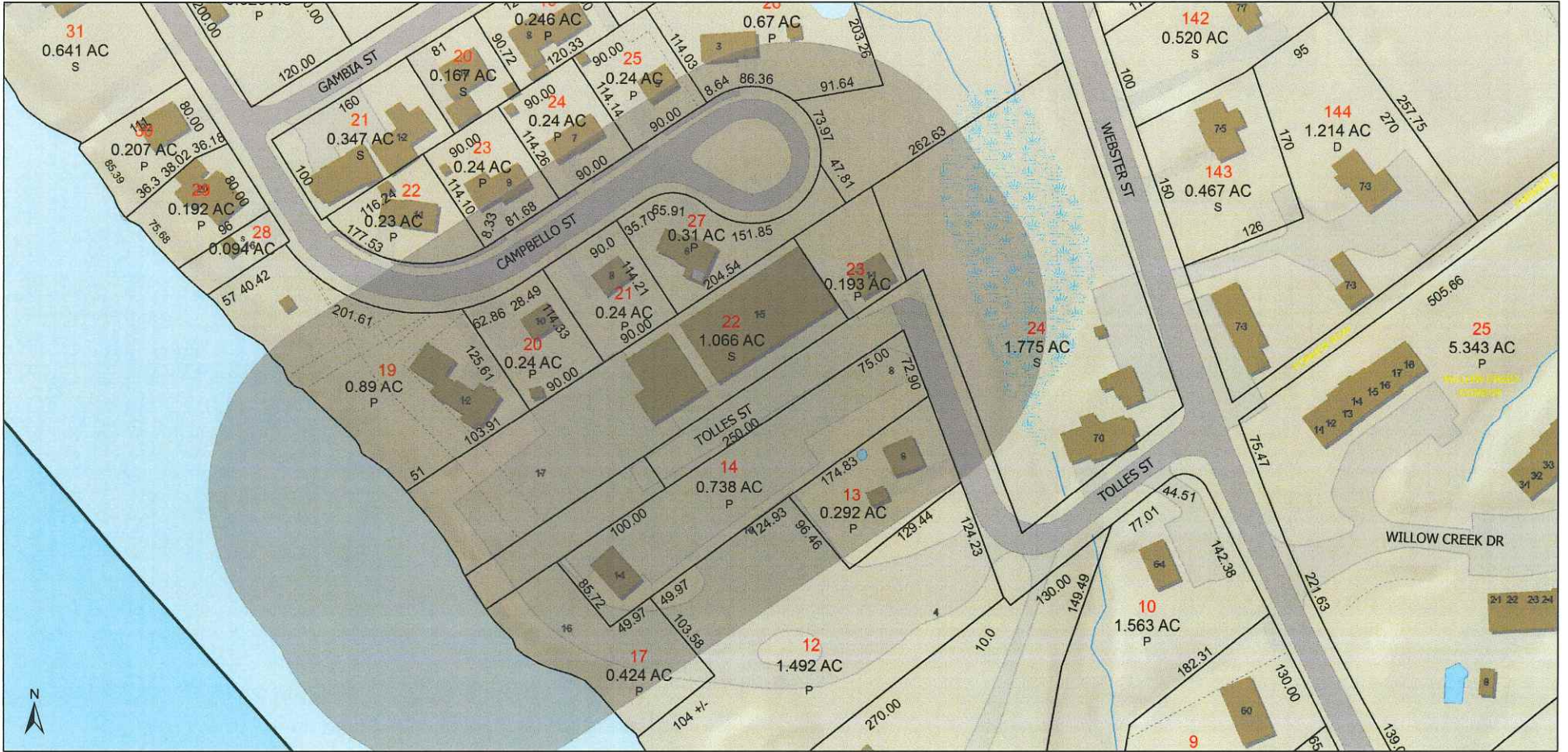
Total Yard Items:

Total Special Features:

Total:

GIS MAP

15 Tolles - Abutters



----- Easement_Lines
□ Parcels

1:1,184



Printed
4/23/2020
4:19PM
Created
4/23/2020
4:17 PM

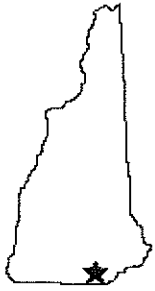
Transaction Receipt

Town of Hudson, NH
12 School Street
Hudson, NH 03051-4249

Receipt# 592,386
tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	ZBA Application 15 Tolles Street Map/Lot 173-022-000 Variance Application	0.00	166.6500	0.00
			Total:	166.65

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Panciocco Law, LLC	CHECK	CHECK# 733	166.65	0.00	166.65
			Total Due:		166.65
			Total Tendered:		166.65
			Total Change:		0.00
			Net Paid:		166.65



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: May 28, 2020 *BH 5/20/20*

Case 173-012 & 014 (05-28-20): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acre Lane, Bedford, NH requests a variance at 4 & 14 Tolles St. to be allowed to extend the same uses to Lots 173-012 & 014 as were granted by the ZBA on June 7, 2018 for three (3) variances at 15 & 17 Tolles St.

Summary:

Applicant proposes to consolidate two existing lots (both non-conforming as to uses) into one lot with similar use variances granted in 2018. The owner has a proposed “global” site plan for these consolidated lots.

Property description:

Lot 012-000 (#4 Tolles St) is currently undeveloped with existing non-conforming parking/storage of commercial vehicles.

Lot 014-000 (#14 Tolles St) is currently an existing non-conforming developed lot, with an existing non-conforming structure. Existing non-conforming uses comprise of: plumber/contractor, and outdoor storage/parking of commercial vehicles.

In-house (Town) review/comments:

Fire Dept: yes (reviewed; no comments)

Engineering: none received

Town Planner: none received

Zoning Administrator: #20-032R 5-18-20 Zoning Determination

HISTORY:

ZBA: June 2018 variance Notice of Decision.

Attachments:

“A” Zoning Determination # 20-032R

“B” June 2018 Variance Notice of Decision.

“C” Fire Dept in-house review/comments.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #20-032R

May 18, 2020

Brenton Cole, P.E.
Granite Engineering LLC
250 Commercial St
Suite 3008
Manchester, NH

Re: 4 and 14 Tolles St Map 173 Lots 012 and 014
District: Town Residence (TR)

Dear Mr. Cole,

Your request: Are you able to redevelop these existing lots to commercial/industrial uses per plan dated April 13, 2020?

Zoning Review / Determination:

Based on the submitted plan, the new configured (resultant) lot would need a variance to Section §334-21 Table of Permitted Principal Uses, as those proposed uses (from the prior variance granted in 2018) are not permitted in the TR district.

You would also need a variance per §334-30: Changes to or discontinuance of nonconforming uses. As all the individual parcels have existing non-conforming uses currently.

If you are successful with the variances requested, you would need Site Plan Review approval from the Planning Board. Any site improvements: parking areas etc. would need to satisfy all required setbacks (wetlands/buffers/property lines).

Sincerely,

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.

A

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

AH3

FEES:	<i>1844</i>
SURCHARGE:	<i>27</i>
CASH:	<i>—</i>

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(a)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance at **15 & 17 Tolles Street, Hudson, NH**, to allow **each vested use to take place within any Unit located on the property**. [Map 172, Lots 018 & 022; Zoned TR; HZO Article VIII §334-30, Changes to or discontinuance of nonconforming uses].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle

B₁

used in commerce that exceeds 13,000 pounds gross weight. Heavy equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business – Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing – Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

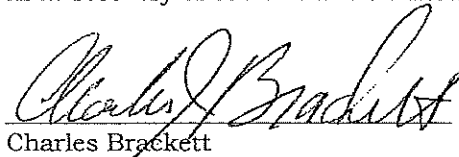
5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:

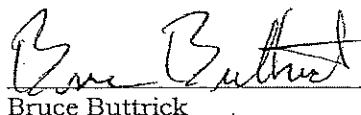

 Charles Brackett

Date:

6/15/18

Chairman, Hudson Zoning Board of Adjustment

Signed:


 Bruce Buttrick

Date:

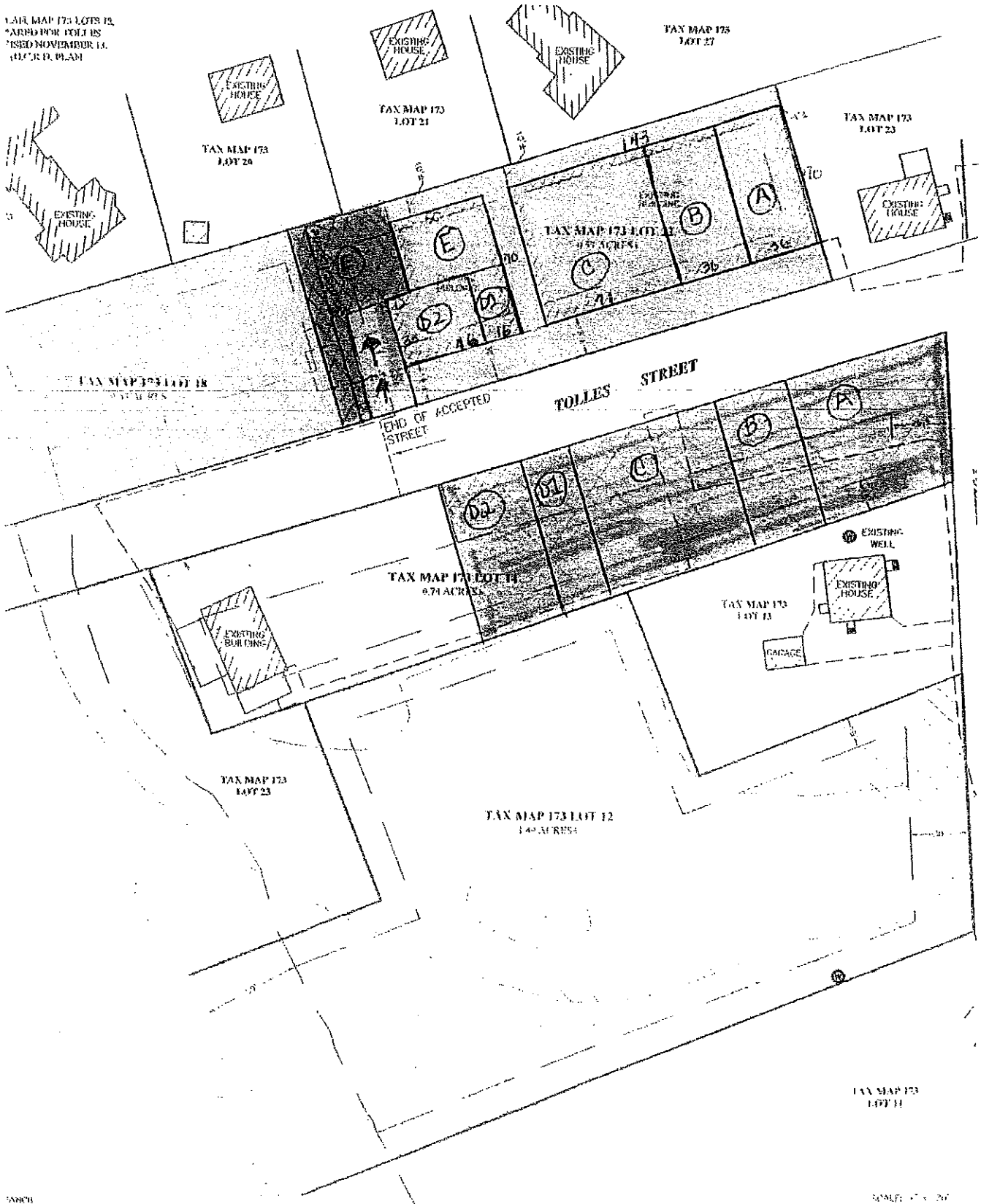
6-14-18

Zoning Administrator

Appurtenant Outdoor Storage/Display/Parking

15/17 TOLLES

TAX MAP 173 LOTS 18
*APPROX FOR TOLLES
*BSED NOVEMBER 14,
1977 (R.D. PLAN)



SCALE
0 25 50 75 100
FEET

EXHIBIT A

B4

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

REQUEST FOR REVIEW/COMMENTS:

Case: 173-012 & 014 Variance

Property Location: 4 & 14 Tolles Street

For Town Use

Plan Routing Date: 04/27/2020 Reply requested by: 05/04/2020 ZBA Hearing Date: 05/28/2020

I have no comments I have comments (see below)

RMB Name: Robeert M. Buxton Date: 05/18/2020
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

TOWN OF HUDSON

APR 23 2020

Zoning Department

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 173-012 & 014 (05-28-20)

Date Filed 4-23-20

Name of Applicant Turbo Realty, LLC by Patricia M. Panciocco Map: 173 Lot: 014 Zoning District: TR

Telephone Number (Home) _____ (Work) (603) 518-5370

Mailing Address One Club Acre Lane Bedford, New Hampshire 03110

Owner Turbo Realty, LLC

Location of Property 4 & 14 Tolles Street
(Street Address)

Patricia M. Panciocco

Signature of Applicant _____ Date April 6, 2020

Thomas W. Maness

Signature of Property-Owner(s) _____ Date April 6, 2020

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:

Application fee:		\$130.00	Date received: <u>4-23-20</u>
<u>7</u> Direct Abutters x \$4. ¹⁰ 05 =		<u>28.70</u>	
<u>6</u> Indirect Abutters x \$0.55 =		<u>3.30</u>	
Total amount due:		<u>\$ 162.00</u>	Amt. received: \$ <u>162</u> <i>chk# 732</i>

Received by: *JSG* Receipt No.: 592,385

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

Engineering Fire Department Health Officer Planner

April 6, 2020

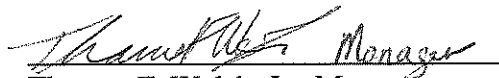
To: Town of Hudson
Zoning Board of Adjustment
12 School Street
Hudson, NH 03051

RE: 4, Tolles Street, 14 Tolles Street and 15 Tolles Street, Hudson, NH

I, the undersigned, owner of the properties located at 15 Tolles Street, New Hampshire (Parcel ID's 173-012-000, 173-014-000 and 173-022-000), authorize Panciocco Law, LLC to apply to the Town of Hudson Zoning Board of Adjustment for all necessary permits relative to the subject properties.

Very truly yours,

Turbo Realty, LLC


Thomas F. Walsh, Jr., Manager

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>pp</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>pp</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>X</u>
<u>pp</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>TG</u>
<u>pp</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>
<u>pp</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>Rec'd 4-23-20</u> <u>Separate</u> <ul style="list-style-type: none"> • Direct • Indirect <u>Per application</u>
<u>pp</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>N/A</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>OK-TG</u> <u>Rec'd 4-23-20</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-

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):

- 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
- 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.) 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.

Patricia Falcisocco
Signature of Applicant(s)

4-10-2020
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
(4 & 14 Tolles Street)

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)

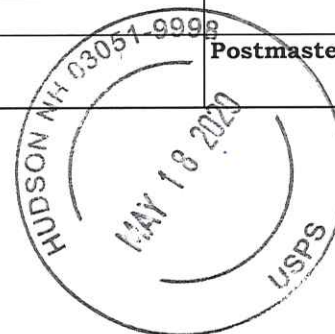
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
173	011	Northeast Holding Co., Inc.	2 Tolles Street Hudson, NH 03051
173	012	Turbo Realty, LLC	15 Tolles Street Hudson, NH 03051
173	014		
173	022		
173	013	Nicholas J. Deluca	6 Tolles Street Hudson, NH 03051
173	017	Town of Hudson	12 School Street Hudson, NH 03051
173	023	Glen Scott Kominik	11 Tolles Street Hudson, NH 03051
173	024	Paul D. & Donna I. Thorn	12 Grouse Lane Litchfield, NH 03052
		ATTORNEY	
		Patricia M. Panciocco, Esquire Panciocco Law, LLC	One Club Acre Lane Bedford, NH 03110
		ENGINEER	
		Granite Engineering	250 Commercial St., Ste 3008 Manchester, NH 03101

**ALL INDIRECT ABUTTERS WITHIN 200 FEET
(4 & 14 Tolles Street)**

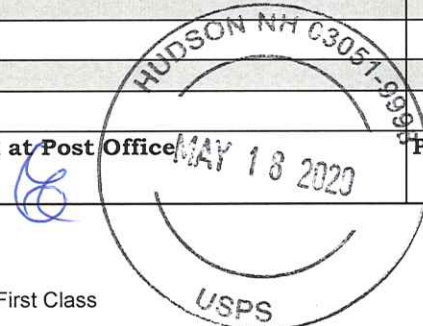
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. If at the time of your hearing any applicable property owner is found 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
165	001	Town of Hudson	12 School Street Hudson, NH 03051
165	027	Erin E. Jenkins & Eric Maitland	6 Campbello Street Hudson, NH 03051
173	009	Wade & Vicki Ireland	60 Webster Street Hudson, NH 03051
173	010	Joseph & Vera M. Rapuano	362 Foster Street Tewksbury, MA 01876
173	019	Richard L. & Jacqueline Suter	12 Campbello Street Hudson, NH 03051
173	020	Larry L. & Meredith Rackliff	10 Campbello Street Hudson, NH 03051
173	021	Edward McNulty	8 Campbello Street Hudson, NH 03051

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 173-012 & 014 Variance 4 & 14 Tolles Street Map 173/Lots 012 & 014
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting
1	7018 2290 0001 3001 3683	NORTHEAST HOLDING CO., INC. 2 TOLLES STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
2	7018 2290 0001 3001 3690	TURBO REALTY, LLC 15 TOLLES STREET, UNIT C, HUDSON, NH 03051	APPLICANT/OWNER-NOTICE SENT
3	7018 2290 0001 3001 3706	NICHOLAS J. DELUCA 6 TOLLES STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
4	7018 2290 0001 3001 3713	GLEN SCOTT KOMINIK 11 TOLLES STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
5	7018 2290 0001 3001 3720	PAUL D. & DONNA I. THORN 12 GROUSE LANE, LITCHFIELD, NH 03052	ABUTTER NOTICE SENT
6	7018 2290 0001 3001 3737	PATRICIA M. PANCIOTTO, ESQUIRE; PANCIOTTO LAW, LLC ONE CLUB ACRE LANE, BEDFORD, NH 03110	APPLICANT/OWNER-NOTICE SENT
7	7018 2290 0001 3001 3744	GRANITE ENGINEERING 250 COMMERCIAL ST., STE 3008, MANCHESTER, NH 03101	APPLICANT/OWNER-NOTICE SENT
8			
9			
10			
11			
12			
	Total Number of pieces listed by sender 7	Total number of pieces rec'vd at Post Office 7	Postmaster (receiving Employee) <i>Castle</i>



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 173-012 & 014 Variance 4 & 14 Tolles Street Map 173/Lots 012 & 014 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting
1	Mailed First Class	ERIN E. JENKINS; ERIC MAITLAND	ABUTTER NOTICE SENT
		6 CAMPBELLO ST., HUDSON, NH 03051	
2	Mailed First Class	WADE & VIKKI IRELAND	ABUTTER NOTICE SENT
		60 WEBSTER STREET, HUDSON, NH 03051	
3	Mailed First Class	JOSEPH & VERA M. RAPUANO	ABUTTER NOTICE SENT
		362 FOSTER STREET, TEWKSBURY, MA 01876	
4	Mailed First Class	RICHARD L. & JACQUELINE SUTER	ABUTTER NOTICE SENT
		12 CAMPBELLO STREET, HUDSON, NH 03051	
5	Mailed First Class	LARRY L. & MEREDITH RACKLIFF	ABUTTER NOTICE SENT
		10 CAMPBELLO STREET, HUDSON, NH 03051	
6	Mailed First Class	EDWARD MCNULTY	ABUTTER NOTICE SENT
		8 CAMPBELLO STREET, HUDSON, NH 03051	
7			
8			
9			
10			
11			
12			
13			
14			
15			
Total Number of pieces listed by sender 6	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)	



Bole

APPLICATION FOR A VARIANCE
(Applicant responses in bold)

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article V Section(s) 334-20. ~~20~~ **21**

This Variance requests the applicant be allowed to extend the uses approved by the 2018 Variance attached as Exhibit A into Lot 173-012-00 and Lot 173-014-00. Lot 014-00 is current occupied by an existing nonconforming use permitting occupancy by a plumber contractor with outside vehicle parking/storage. Lot 173-012-00 is currently vacant and is used for temporary overflow parking and storage.

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 Office, 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.”)

On June 7, 2018, the ZBA granted Lot 173-022 three (3) variances (“2018 Variances”) confirming and clarifying a menu of specific uses permitted at 15-17 Tolles Street, subject to various stipulations, one of which was the Applicant receiving a site plan approval within 2 years. Exhibit A. The 2018 Variances clarified and confirmed permitted prior nonconforming uses of Lot 173-022, enabled further improvements to the property and more streamlined changes of use.

The Applicant also owns Tax Map 173, Lot 12 and Lot 14 (“Lots”). Lot 12 is currently vacant and occasionally used for temporary parking and storage. Lot 14 includes a garage occupied by a plumbing company and is also used for parking. The Applicant would like to construct more contractor bays on Lot 12, similar to those located at 15 Tolles to accommodate the same menu of occupants described in the 2018 Variance and then submit a site plan for the entire site similar to that shown on Exhibit B. Allowing all the Applicant’s lots to be redeveloped as a single use will not be contrary to the public interest and is consistent with the Applicant’s ongoing improvement and cleanup of these Lots.

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.”)

Although the original commercial and industrial uses of Lot 12 have been abandoned, their most reasonable and appropriate use remains the same as 15-17 Tolles Street. Lot 12 and Lot 14 are located directly to the south of 15-17 Tolles Street and north of a commercial warehouse/office occupied by a well company. One primary purpose of zoning is to segregate uses and allowing the same use permitted by the 2018 Variance to extend to Lot 12 and Lot 14 would be consistent with that goal, would not alter the essential character of the area or impact public health, safety or welfare. Exhibit C.

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.)

Denying the applicant's request would be substantially unjust because it would prevent the most reasonable and practical use of Lot 12, in light of its surroundings, a denial would not benefit the public in any way.

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.)

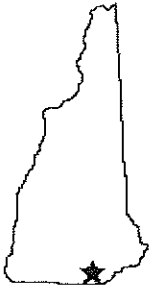
Allowing Lot 12 and Lot 14 to be used in the same manner as 15-17 Tolles Street would not impact surrounding property values because Lot 12 and Lot 14 are located between 15-17 Tolles Street and the well company located to the south. Both are commercial, industrial uses and there is no evidence of adverse impacts to property values. In fact, allowing the entire property to be redeveloped in a cohesive manner will improve the appearance of the site and likely improve values.

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.)

Lot 12's and Lot 14's special conditions are they are zoned TR but located between two commercial and industrial uses. Strictly limiting the use of Lot 12 to the uses permitted within the TR Zone imposes a substantial hardship because neither a single-family home, assisted living facility, municipal, institutional or hospital building, nor a seasonal farm would be a suitable use on Lot 12 or Lot 14 due to those surrounding uses. As requested by this Application, Lot 12's and Lot 14's most reasonable use is the same as 15-17 Tolles Street.

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 #20-032R

May 18, 2020

Brenton Cole, P.E.
Granite Engineering LLC
250 Commercial St
Suite 3008
Manchester, NH

Re: **4 and 14 Tolles St** **Map 173 Lots 012 and 014**
District: Town Residence (TR)

Dear Mr. Cole,

Your request: Are you able to redevelop these existing lots to commercial/industrial uses per plan dated April 13, 2020?

Zoning Review / Determination:

Based on the submitted plan, the new configured (resultant) lot would need a variance to Section §334-21 Table of Permitted Principal Uses, as those proposed uses (from the prior variance granted in 2018) are not permitted in the TR district.

You would also need a variance per §334-30: Changes to or discontinuance of nonconforming uses. As all the individual parcels have existing non-conforming uses currently.

If you are successful with the variances requested, you would need Site Plan Review approval from the Planning Board. Any site improvements: parking areas etc. would need to satisfy all required setbacks (wetlands/buffers/property lines).

Sincerely,

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.

EXHIBIT A

2018 Variances

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

AH3

FEE:	<i>1844</i>
PURCHASE:	<i>2-</i>
CASH:	<i>—</i>

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(a)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance at **15 & 17 Tolles Street, Hudson, NH, to allow each vested use to take place within any Unit located on the property.** [Map 172, Lots 018 & 022; Zoned TR; HZO Article VIII §334-30, Changes to or discontinuance of nonconforming uses].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle

used in commerce that exceeds 13,000 pounds gross weight. Heavy equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business – Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing – Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

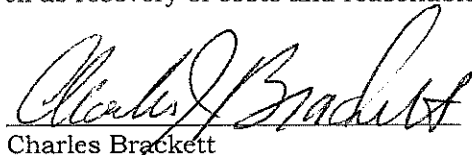
5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:

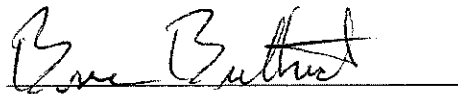

Charles Brackett

Chairman, Hudson Zoning Board of Adjustment

Date:

6/15/18

Signed:


Bruce Buttrick

Zoning Administrator

Date:

6-14-18

Appurtenant Outdoor Storage/Display/Parking

15/17 Tolles

TAX MAP 173 LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

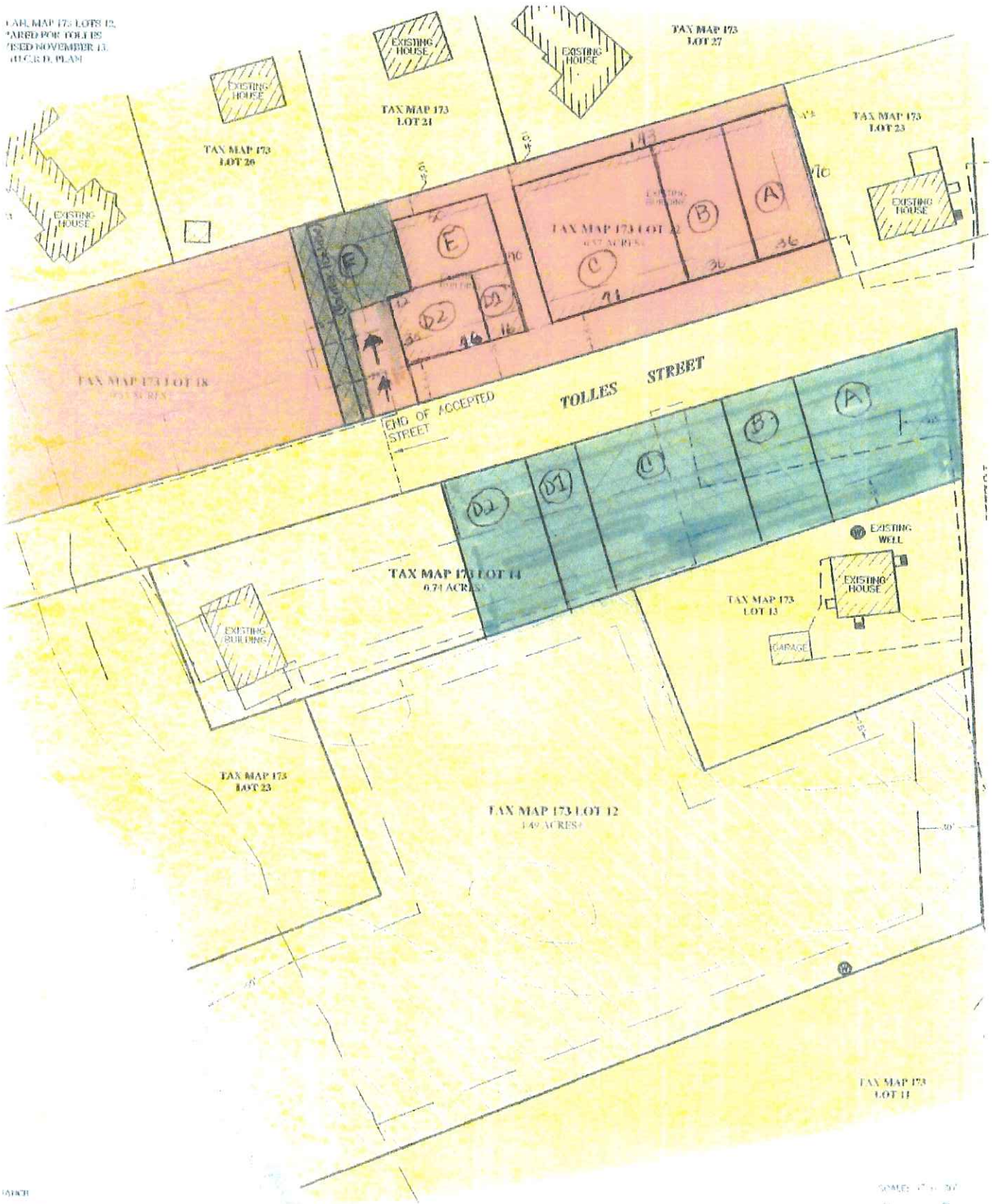


EXHIBIT A



Carmela O'Caughlin

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

A43

FEES:	<i>1847</i>
SURCHARGE:	<i>2-</i>
CASH:	<i>—</i>

Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Variance

On **6/7/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 172-018 & 022(b)**, pertaining to a request by **Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH**, requests a Variance at **15 & 17 Tolles Street, Hudson, NH, to allow uses that are not allowed in the TR zoning district.** [Map 172, Lots 018 & 022; Zoned TR; HZO Article V §334-21, Table of Permitted Uses].

Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

1. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Sales & Rental.
2. Motor Vehicle, Motorcycle, Trailer, Snowmobile, ATV, Repair & Service.
3. Motor Vehicle, Motorcycle, Snowmobile, ATV, General Body Repair.
4. Business or Professional Office.
5. Garage and/or Parking of two or more Light Commercial Vehicles – Light Commercial Vehicles are classified as a vehicle used in commerce which does not exceed 13,000 pounds gross weight.
6. Garage or Parking of Medium/Heavy Commercial Vehicles and/or Equipment – Medium/Heavy Commercial Vehicles are classified as a vehicle used in commerce that exceeds 13,000 pounds gross weight. Heavy

equipment is typically and specially designed for executing construction tasks, most frequently ones involving earthwork and/or construction operations; examples of heavy equipment include backhoes, loaders, forklifts, etc.

B. Industrial Uses: Vehicles referenced in this Industrial Use Section B shall be the same as those described under Section A: Light and/or Medium/Heavy Commercial Vehicles.

1. Welding Shop
2. Machine Shop
3. Stone or Monument Fabrication, Arborist and/or Snow Removal Business – Examples include granite countertop fabrication, headstones, etc.
4. Light Manufacturing – Light Manufacturing shall include activities which include processing, fabricating, assembly or disassembly of items of new or refurbished items. Examples include wrought iron works, wood working, furniture refinishing and/or reupholstering.
5. Retail Sales of Products Manufactured on the Premises
6. Self-Storage
7. Storage of incidental loam, sand, gravel, stone or other aggregate typically used in a landscaping maintenance operation.

The above Commercial and Industrial uses allowed by the Variance shall be granted with the following stipulation:

1. All vehicles, outdoor display and associated storage shall be limited to the Unit and its appurtenant outdoor storage/display/parking area as shown on attached Exhibit A and as further detailed on the approved Planning Board Site Plan and shall be appended to any lease agreement for the Unit.
2. Employee parking shall be limited to the area designated on Exhibit A and/or any off-road space included with the Unit.
3. Hours of noise generating and/or 'open to the public' business operations shall be conducted from 7am until 7pm Monday through Friday and 8am until 5pm on Saturday.
4. There shall be no hours of operation on Sundays or on National Holidays defined as:
 - a. New Year's Day
 - b. Memorial Day
 - c. Independence Day
 - d. Labor Day
 - e. Thanksgiving Day
 - f. Christmas Day

5. All Motor Vehicle, Trailer and Snowmobile Sales and Rental shall be conducted from 15 & 17 Tolles Street, Hudson, NH; all other activity shall be primarily conducted within the Unit(s) on 15 & 17 Tolles Street.
6. Granting of Variance for the noted Commercial and Industrial Uses above is contingent upon the applicant completing a Site Plan Review through the Planning Board within a two-year period following the date of the approval by the Zoning Board of Adjustment and the approved uses, associated stipulations, hours of operation and designated parking areas shall be duly noted on the recorded Site Plan.
7. Granting of the Variance for the above noted Commercial and Industrial Uses at 15 & 17 Tolles Street, Hudson, NH, does not imply that the conditions and/or obligations imposed per the grant of the Variance on 14 Tolles Street, are superseded or released.
8. Any future development and/or construction at 15 & 17 Tolles Street, Hudson, NH, will comply with the then current setback requirements.
9. Any violations of the terms and conditions imposed on this Variance shall be subject to enforcement action by the Town of Hudson pursuant to RSA 676:15-17-a.

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.

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, 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:



Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Date:

6/15/18

Signed:



Bruce Buttrick
Zoning Administrator

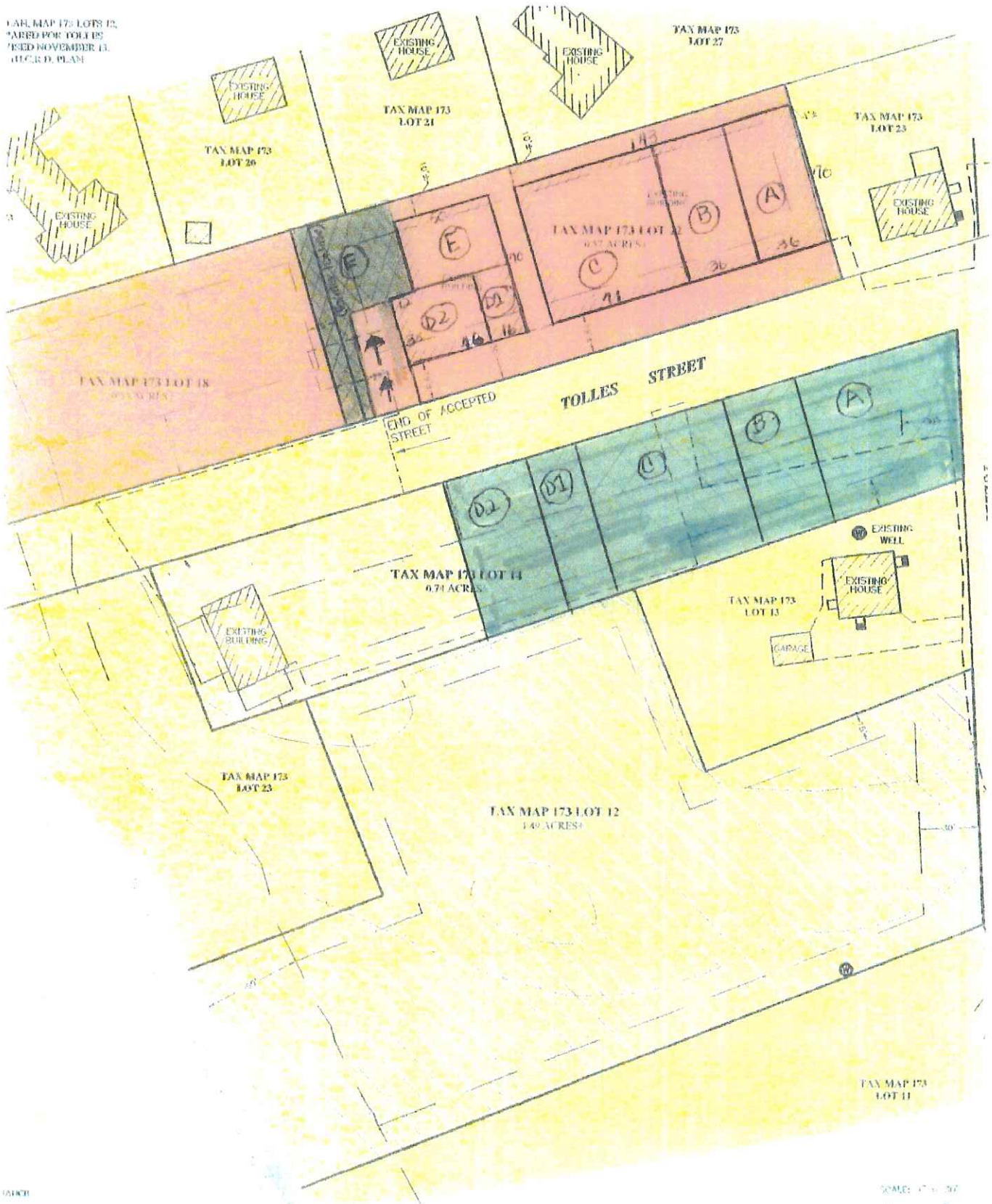
Date:

6-14-18

Appurtenant Outdoor Storage/Display/Parking

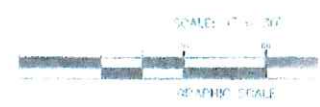
15/17 Tolles

TAX MAP 173 LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



DATE: 10/15/11

EXHIBIT A



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

A43

Doc # 8029803 Jul 13, 2018 11:29 AM
Book 9090 Page 1266 Page 1 of 3
Register of Deeds, Hillsborough County
Camela O Caughlin

FEES:	1847
SURCHARGE:	2-
CASH:	—

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Variance

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Following review of the testimony and deliberation, a majority of the members of this Zoning Board voted to allow the following Commercial and Industrial uses allowed by the variance:

A. Commercial Uses:

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

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Signed:



Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Date:

7/11/18

Signed:



Bruce Buttrick
Zoning Administrator

Date:

6-14-18

Appurtenant Outdoor Storage/Display/Parking

15/17 Tolles

TAX MAP 173 LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

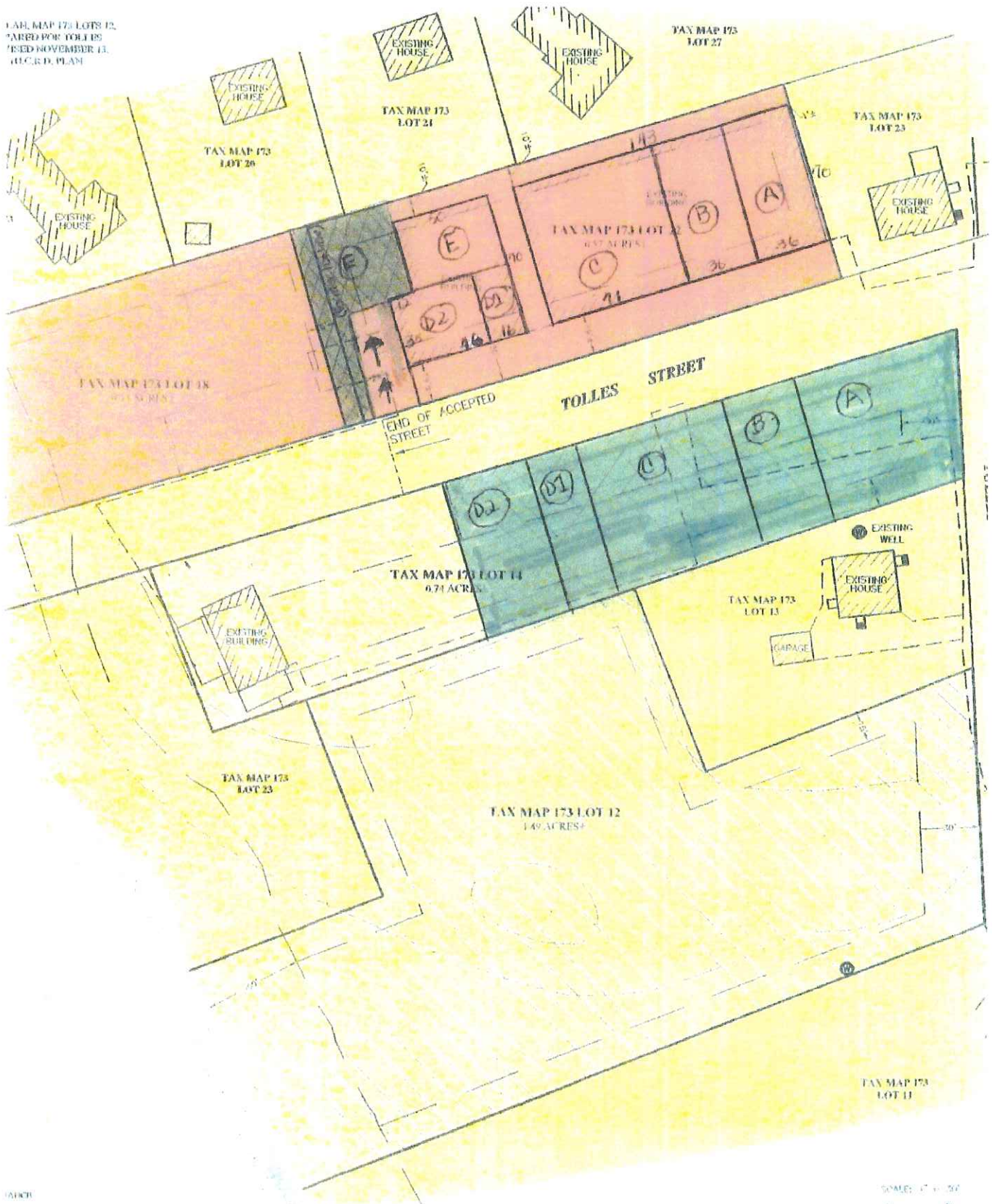


EXHIBIT A

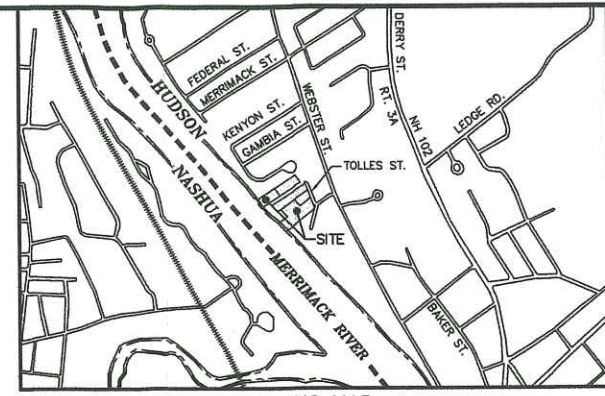
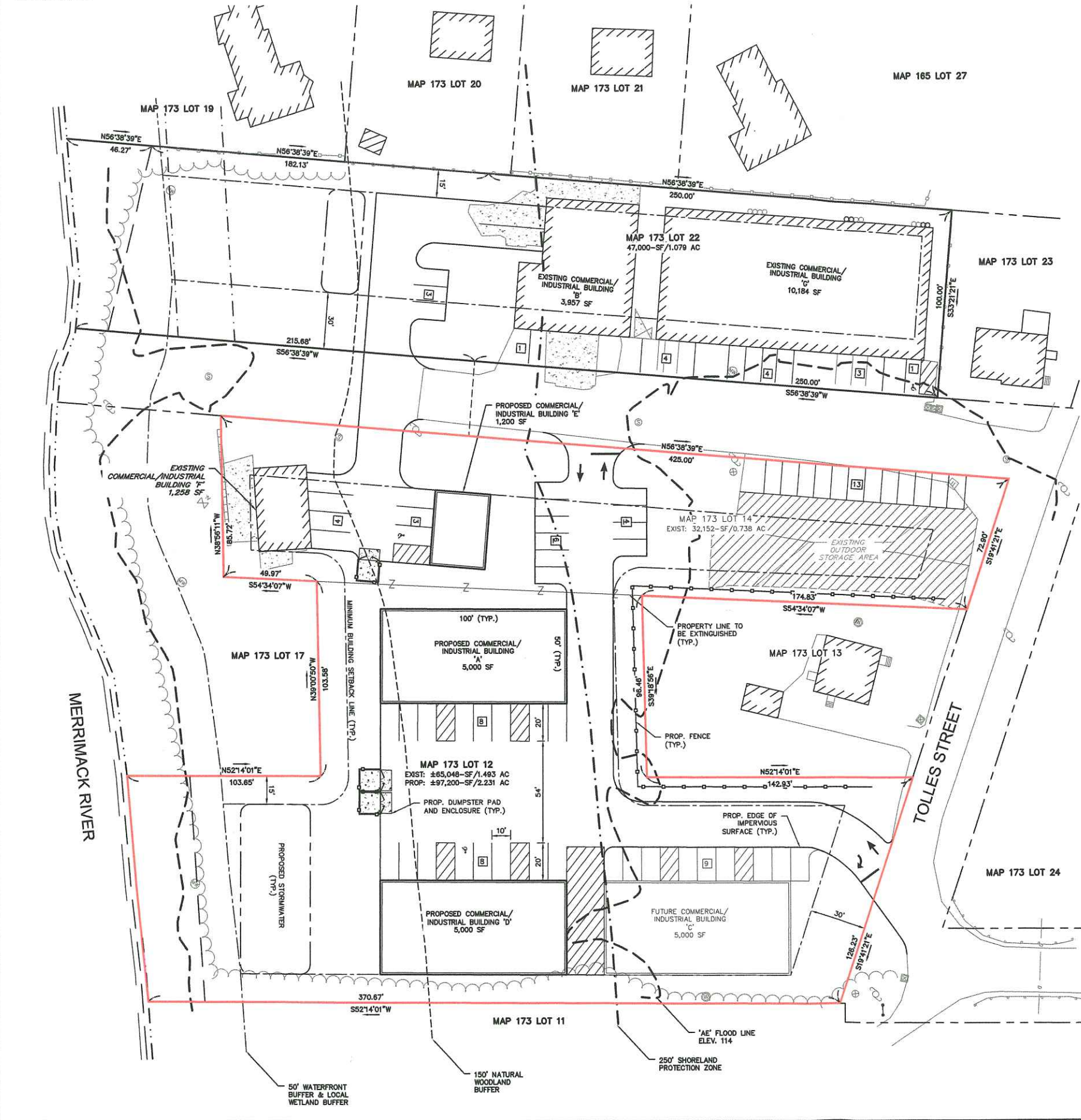


EXHIBIT B

ZBA Plan

PLAN REFERENCES:

1. "EXISTING CONDITIONS PLAN, TAX MAP 173 LOTS 12, 14, 18 & 22, LOCATED AT 15 TOLLES STREET, HUDSON, NEW HAMPSHIRE". PREPARED FOR TURBO REALTY, LLC. SCALE: 1"=30'. DATED: APRIL 8, 2019. PREPARED BY: S&H LAND SERVICES, LLC.



LOCUS MAP
SCALE: ±1"=1,000'

GENERAL NOTES:

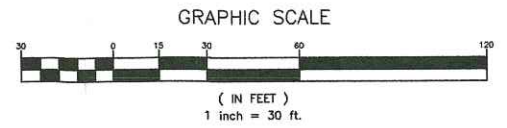
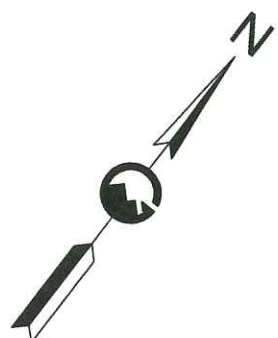
- THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE A COMMERCIAL/INDUSTRIAL ZBA PLAN WITH THE FOLLOWING MODIFICATIONS ALONG TOLLES STREET IN HUDSON, NH:
 - VOLUNTARY MERGER OF LOTS 14 & 12 FOR THE PROPOSED COMMERCIAL/INDUSTRIAL DEVELOPMENT;
 - PROPOSED 16,200 SF OF COMMERCIAL/INDUSTRIAL BUILDINGS AND ASSOCIATED SITE IMPROVEMENTS ON NEWLY MERGED LOT 12;
 - SITE IMPROVEMENTS ON LOT 22.
- AREA OF COMBINED PARCELS:
 - LOT 22: 47,000 SF OR 1.079 ACRES.
 - LOT 12: 97,200 SF OR 2.231 ACRES.
- THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN THE TOWN RESIDENTIAL (TR) ZONING DISTRICT AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:

DESCRIPTION	REQUIRED	EXISTING LOT 22	EXISTING LOT 12	EXISTING LOT 14	PROPOSED LOT 12
MINIMUM LOT SIZE	10,000 SF	47,000 SF	65,048 SF	32,152 SF	97,200 SF
MINIMUM LOT FRONTAGE	90 FT	250.00 FT	126.23 FT	364 FT	490.11 FT
FRONT YARD SETBACK	30 FT	19.10 FT **	N/A	22.31** FT	22.31** FT
SIDE YARD SETBACK	15 FT	9.13 FT	N/A	17.05 FT	15 FT
REAR YARD SETBACK	15 FT	10.18 FT	N/A	N/A	14.35 FT
BUILDING HEIGHT	38 FT	< 38 FT	N/A	< 38 FT	< 38 FT
OPEN SPACE	40%	50.2%	84%	30.6%	47.2%
INTERNAL LANDSCAPING	10%	N/A*	N/A*	N/A*	N/A*
GREEN SPACE	20 FT	0 FT	N/A	22.31 FT	20.15 FT

- * SINGLE ACCESS DRIVEWAYS ARE EXEMPT FROM INTERNAL LANDSCAPING REQUIREMENT. EXISTING NON-CONFORMING STRUCTURE
- BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY S&H SERVICES, LLC IN APRIL OF 2019.
- PROPERTIES ARE SERVED BY MUNICIPAL SEWER AND PRIVATE WELLS.
- HORIZONTAL DATUM IS NAD83. VERTICAL DATUM IS NGVD29 OBTAINED FROM STATIC GPS OBSERVATIONS MADE BY S&H LAND SERVICES ON 4/5/19.
- THE SUBJECT PARCEL IS PARTLY WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE. MAP NUMBER 33011C0514E. EFFECTIVE DATE APRIL 18, 2011.
- LOTS WILL BE SERVED BY MUNICIPAL SEWER AND PRIVATE ON-SITE WELLS.
- PARKING CALCULATIONS:
 - REQUIRED PARKING: INDUSTRIAL: 1 SPACE/600 SF
 - PROPOSED PARKING: 1 SPACE/600 SF X 31,599 SF = 53 SPACES
 - TOTAL SPACES PROVIDED = 71 SPACES (INCLUDES 3 HANDICAP SPACES)
- A VARIANCE TO ALLOW COMMERCIAL AND INDUSTRIAL USES ON MAP 173 LOTS 12, 15 & 16 WAS GRANTED BY THE HUDSON ZONING BOARD OF ADJUSTMENTS ON JUNE 25, 2009. SEE CASE 173-012, 015 AND 016. LOTS 15 AND 16 WERE SUBSEQUENTLY MERGED INTO LOT 14.
- THE HUDSON ZONING BOARD OF ADJUSTMENTS GRANTED THREE USE VARIANCES FOR THE PROPERTY ON JUNE 7, 2018. SEE CASES 172-108 & 022(A), (B) & (C). SEE ALSO HORD BOOK 9090 PAGES 1260, 1263 AND 1286.
- MAP 173 LOT 18 IS SUBJECT TO A SEWER EASEMENT TO BENEFIT THE TOWN OF HUDSON RECORDED AT HORD BOOK 2742 PAGE 250.

LEGEND

- CATCH BASIN
- DRAINAGE MANHOLE
- IRON PIN
- GRANITE BOUND
- UTILITY POLE
- ABUTTER LINE
- PROPERTY LINE
- STOCKADE FENCE
- TREELINE
- EDGE OF PAVEMENT
- BUILDING SETBACK
- PROPOSED EDGE OF IMPERVIOUS SURFACE
- PROPOSED BUILDING

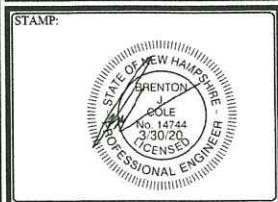


NO.	DATE	REVISIONS	COMMENTS

OWNER & APPLICANT:
TURBO REALTY, LLC
15 TOLLES STREET
HUDSON, NH 03051

GRANITE ENGINEERING
civil engineering • land planning • municipal services

250 Commercial Street, Suite 3008
Manchester, New Hampshire 03101
603.518.8030
www.GraniteEng.com



LOCATION:
TAX MAP 173
LOTS 12, 14 & 22
4, 14 & 15 TOLLES STREET
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

PROJECT:
TURBO REALTY, LLC

TITLE:
ZBA PLAN

PROJECT No. DATE: SCALE:
20-0203-3 APRIL 13, 2020 HORIZ. 1"=30'
SHEET: 1 OF 1

P:\2020\2020-03-03\2020-03-03-03-03.dwg, 2020-03-03 10:00:00 AM, 1:1

EXHIBIT C

Aerial Photo

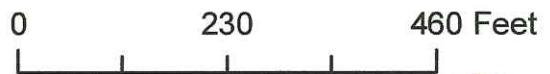
Aerial Overview 4 Tolles



April 3, 2020

-  Parcels - Aerials
-  Parcels

1 inch = 212 feet



ASSESSOR CARDS

4 Tolles Street (Map 173 Lot 12)

&

14 Tolles Street (Map 173 Lot 14)

173 012 000
MAP LOT SUB

1 of 1
CARD

Hudson

Total Card / Total Parcel
APPAISED: 78,400 / 78,400
USE VALUE: 78,400 / 78,400
ASSESSED: 78,400 / 78,400

PROPERTY LOCATION

No	Alt No	Direction/Street/City
4		TOLLES ST, HUDSON

OWNERSHIP

Owner 1:	TURBO REALTY, LLC
Owner 2:	
Owner 3:	
Street 1:	15 TOLLES STREET UNIT C
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	TOLLES RIVERSIDE LLC -
Owner 2:	-
Street 1:	170 BRIDGE STREET
Twn/City:	MANCHESTER
St/Prov:	NH
Postal:	03104

NARRATIVE DESCRIPTION

This Parcel contains 1.492 ACRES of land mainly classified as VAC RESD

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water		
o				Sewer		
n				Electri	6	SEWERAC
Census:				Exmpt		
Flood Haz:	AE					
D				Topo		
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
130	VAC RESD	0.9	1		SITE ACRE	VACANT		0	85,000	0.90	RC						76,500						76,500	
130	VAC RESD	0.9	0.492		ACRES	EXCESS		0	3,500	1.12	RC						1,937						1,900	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
130	1.492			78,400	78,400
Total Card		1.492		78,400	78,400
Total Parcel		1.492		78,400	78,400
Source: Market Adj Cost		Total Value per SQ unit /Card: N/A		/Parcel: N/A	

Legal Description

Entered Lot Size	
Total Land:	1.492
Land Unit Type:	AC

User Acct

3582	
GIS Ref	
GIS Ref	
Insp Date	02/27/91



Patriot Properties Inc.

USER DEFINED

Prior Id # 1:	0055
Prior Id # 2:	0004
Prior Id # 3:	0002
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bid Reason:	
Civil District:	
Ratio:	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	130	FV		0	1.492	78,400	78,400	78,400	Year End Roll	9/16/2019
2019	130	JB		0	1.492	78,400	78,400	78,400	Year End Roll	5/8/2019
2018	130	FV		0	1.492	78,400	78,400	78,400	Year End Roll	8/27/2018
2018	130	JB		0	1.492	78,400	78,400	78,400	Year End Roll	5/3/2018
2017	130	FV		0	1.492	78,400	78,400	78,400	Year End Roll	10/26/2017
2017	130	PV		0	1.492	78,400	78,400	78,400	Year End Roll	8/28/2017
2017	130	JB		0	1.492	79,500	79,500	79,500	Year End Roll	5/10/2017
2016	130	FV		0	1.492	79,500	79,500	79,500	Year End Roll	8/30/2016

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
TOLLES RIVERSID	8736-1558	1	3/20/2015	MULTI PID	180,000	No	No		
TOLLES RIVERSID	7498-2409	1	7/7/2005	JN LIEU FRCL	55,625	Yes	No		
BURTON, MELBA A	7498-2406	5	7/7/2005	FORECLOSURE	12,500	Yes	No		
J&J REALTY FRCL	5364-0615		8/26/1992	BUSINESS		Yes	No		
	4582-0285		1/4/1988			No	No		

PAT ACCT.

7476

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/19/2007	2007-515	DEMOLITI		C				shed

ACTIVITY INFORMATION

Date	Result	By	Name
3/25/2014	NC Visit	12	TECH ASMNT
12/2/2013	Info Fm Plan	1	CHIEF ASSESS
4/2/2009	Other Change	1	CHIEF ASSESS
10/15/2008	Info Fm Plan	7	DC
11/28/2007	Info Fm Plan	1	CHIEF ASSESS
11/2/2007	Permit Visit	10	APPRAISER II
10/21/2006	Measured	6	RB
7/21/2005	New Maps	1	CHIEF ASSESS
3/26/2001	Left Notice	0	PATRIOT

Sign: VERIFICATION OF VISIT NCT DATA

Total AC/HA:	1.49200	Total SF/SM:	64992	Parcel LUC:	130	VAC RESD	Prime NB Desc:	RES FAIR	Total:	78,437	Sp/ Credit:		Total:	78,400
--------------	---------	--------------	-------	-------------	-----	----------	----------------	----------	--------	--------	-------------	--	--------	--------

173 014 000
 MAP LOT SUB

1 of 1 COMMERCIAL
 CARD Hudson

Total Card / Total Parcel
 APPRAISED: 137,900 / 137,900
 USE VALUE: 137,900 / 137,900
 ASSESSED: 137,900 / 137,900

PROPERTY LOCATION

No	Alt No	Direction/Street/City
14		TOLLES ST, HUDSON

OWNERSHIP

Owner 1:	TURBO REALTY, LLC
Owner 2:	
Owner 3:	
Street 1:	15 TOLLES STREET
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	KW TOLLES, LLC -
Owner 2:	-
Street 1:	7 ADAMS ST.
Twn/City:	WILMINGTON
St/Prov:	MA
Postal:	01887

NARRATIVE DESCRIPTION

This parcel contains .738 ACRES of land mainly classified as AUTO REPAIR with a GARAGE Building built about 1950, having primarily VINYL Exterior and 1232 Square Feet, with 1 Unit, 0 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water		
o				Sewer	6	SEWERACCE
n				Electri		
Census:				Exmpt		
Flood Haz:	AE					
D				Topo		
s				Street		
t				Gas		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
332	AUTO REPAIR		0.738		SITE ACRE	SITE		0	85,000.	1.56	RC			COMM U	25		97,899						97,900	

Total AC/HA:	0.73800	Total SF/SM:	32147	Parcel LUC:	332	AUTO REPAIR	Prime NB Desc	RES FAIR	Total:	97,899	Sp/ Credit		Total:	97,900
--------------	---------	--------------	-------	-------------	-----	-------------	---------------	----------	--------	--------	------------	--	--------	--------

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
332	0.738	30,000	10,000	97,900	137,900

Total Card	0.738	30,000	10,000	97,900	137,900
Total Parcel	0.738	30,000	10,000	97,900	137,900
Source:	Market Adj Cost	Total Value per SQ unit /Card:		111.93	/Parcel: 111.93

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	332	FV	30,000	400	.738	97,900	128,300	128,300	Year End Roll	9/16/2019
2019	332	JB	30,000	400	.738	97,900	128,300	128,300	Year End Roll	5/8/2019
2018	332	FV	30,000	400	.738	97,900	128,300	128,300	Year End Roll	8/27/2018
2018	332	JB	30,000	400	.738	97,900	128,300	128,300	Year End Roll	5/9/2018
2017	332	FV	30,000	400	.738	97,900	128,300	128,300	Year End Roll	10/26/2017
2017	332	PV	30,000	400	.738	97,900	128,300	128,300	Year End Roll	8/28/2017
2017	332	JB	31,500	400	.738	97,900	129,800	129,800	Year End Roll	5/10/2017
2016	332	FV	35,300	400	.738	97,900	133,600	133,600	Year End Roll	8/30/2016

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
KW TOLLES, LLC,	8736-1565	1	3/20/2015	MULTI PID	30,000	No	No		
TOLLES RIVERSID	8485-2181	1	10/23/2012	SALE ABUTTER	25,000	No	No		
TOLLES RIVERSID	7498-2409	1	7/7/2005	FORCED SALE	55,625	Yes	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
12/7/2016	2016-335-2pi	PLUMBING	3,600	C				
12/7/2016	2016-335-3m	MECHANIC	1,000	C				
12/6/2016	2016-335-1el	MANUAL		C				

ACTIVITY INFORMATION

Date	Result	By	Name
12/13/2019	Measured	18	KRT1
6/11/2017	Field Review	9	PVA
4/27/2017	Measured	9	PVA
2/24/2017	I&E Mailed	7	DC
3/25/2014	NC Visit	12	TECH ASMNT
12/2/2013	Info Fm Plan	1	CHIEF ASSESS
6/6/2013	Abate-Grante	1	CHIEF ASSESS
3/26/2013	Info Fm Plan	1	CHIEF ASSESS

Sign: VERIFICATION OF VISIT NOT DATA



Patriot Properties Inc.

USER DEFINED

Prior id # 1:	0055
Prior id # 2:	0004
Prior id # 3:	0000
Prior id # 1:	
Prior id # 2:	
Prior id # 3:	
Prior id # 1:	
Prior id # 2:	
Prior id # 3:	

PRINT

Date	Time
04/06/20	13:27:08

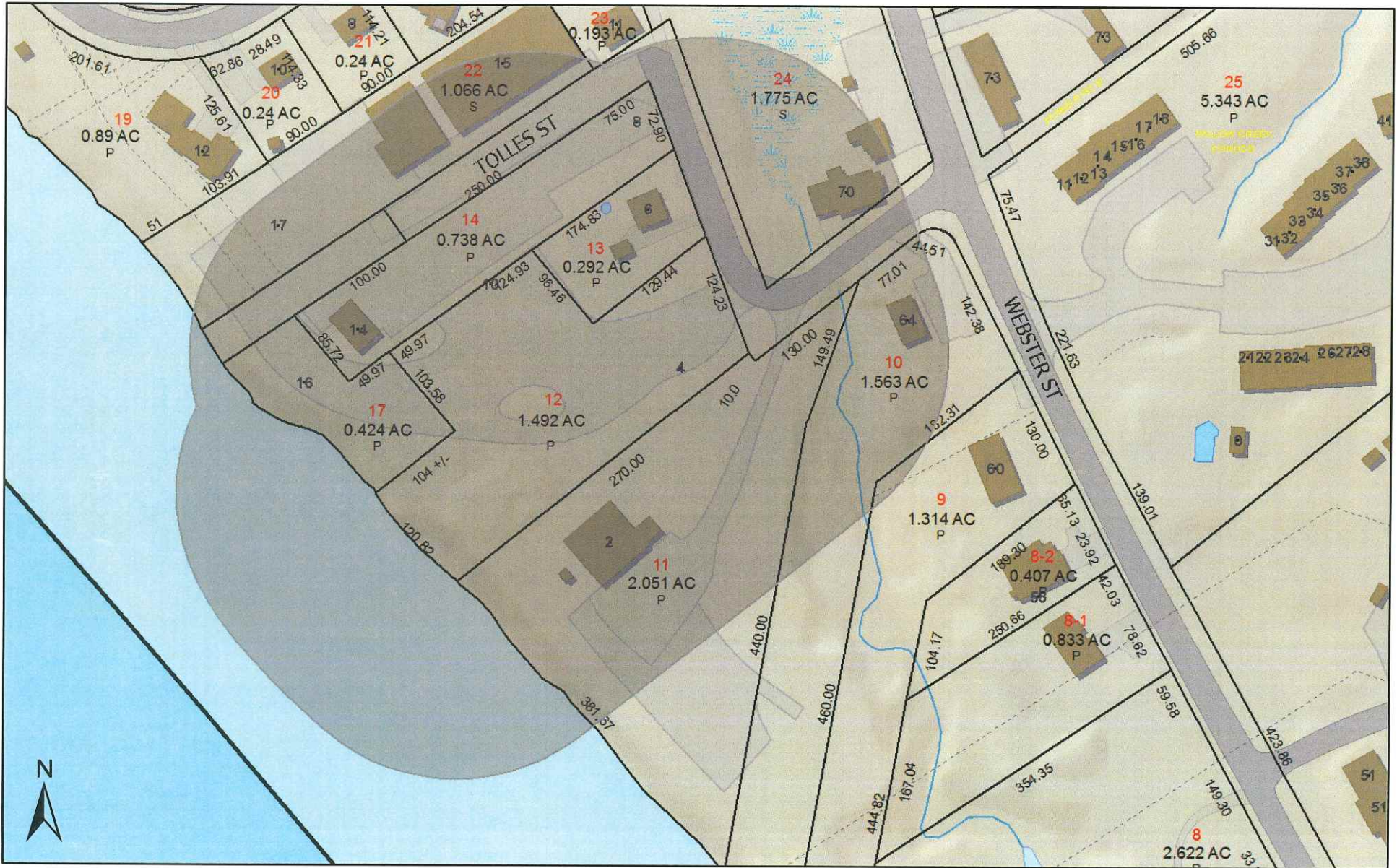
LAST REV

Date	Time
12/26/19	14:51:10

krt 10195!

GIS MAP

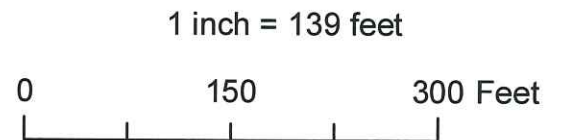
4 Tolles Abutters



April 3, 2020

----- Easement_Lines

▭ Parcels



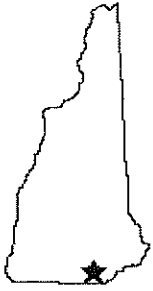
Printed
4/23/2020
4:17PM
Created
4/23/2020
4:15 PM

Transaction Receipt
Town of Hudson, NH
12 School Street
Hudson, NH 03051-4249

Receipt# 592,385
tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	ZBA Application 4 & 14 Tolles Street Map 173 Lots 012 & 014 Variance App	0.00	162.0000	0.00
			Total:	162.00

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Panciocco Law, LLC	CHECK	CHECK # 732	162.00	0.00	162.00
			Total Due:		162.00
			Total Tendered:		162.00
			Total Change:		0.00
			Net Paid:		162.00



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: May 28, 2020

BY § 20-20

Case 174-119-001 (05-28-20): Quan Hua Li, 74 Highland St. requests a variance to allow a driveway to remain with an encroachment of 9.5 ft into the side yard setback leaving 5.5 ft. where 15 feet is required. [Map 174, Lot 119-001; Zoned Town Residence (TR) ; HZO Article II, §334-6, Terminology, Definitions, Building Setback; HZO Article VII, §334-27, Table of Minimum Dimensional Requirements].

Summary:

Applicant requests variance to allow existing encroachment of recently installed driveway expansion into the side yard setback. This request is a result of a code enforcement action.

Property description:

This property is a recent subdivision, and new SFR constructed house with original driveway permit issued and approved.

In-house (Town) review/comments:

Fire Dept: none received
Engineering: (reviewed; no comments)
Town Planner: none received
Zoning Administrator's summary/comments

HISTORY:

Planning Board: 6-28-18 Subdivision

ZBA: 5-24-18 variance for 75 ft frontage where 90 ft is required.

Building Permits: Original B.P. #2018-00752 (Pathway Homes) Certificate of Occupancy dated 1/30/19; associated driveway permit 2018-00752-3-DR (indicates 18ft to side yard)

Code Enforcement: 6-25-19 driveway permit application for existing expansion; 7-9-19 Zoning Determination explaining the required ZBA relief needed; 9-4-19 Notice of Violation sent; 12-26-19 Last and Final Notice of Violation sent; 3-6-20 Demand letter from Town Attorney (indicating need for variance); MuniSmart computer history of Code Enforcement.

Attachments:

- "A"** Certificate of Occupancy 2018-00752 dated 1-30-19 for original builder/owner.
- "B"** Driveway permit #2018-00752-3-DR (for original builder/owner) issued 8-01-18.
- "C"** ZBA variance for 75 ft frontage on both lots #76 and this one #74.
- "D"** Planning Board approved subdivision, (both lots having substandard frontage) 6-27-18.
- "E"** Property card showing ownership change from original owner/builder to current owner in 2-15-19.
- "F"** 6-25-19 Driveway expansion permit application (after the fact).
- "G"** 7-9-19 Zoning Determination # 19-080.
- "H"** 9-4-19 Notice of Violation.
- "I"** 12-26-19 Last and Final Notice of Violation.
- "J"** 3-6-20 Demand letter from Town Attorney (indicating need for variance).
- "K"** MuniSmart computer history of Code Enforcement.
- "L"** Engineering in-house review/comments.
- "M"** Zoning Administrator's summary/comments.

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: PATHWAY HOMES, INC.

Location of Work: 74 HIGHLAND ST (Unit or Building)
(No. and Street)

Desc of Work: Construct a two story, three bedroom single-family dwelling with a 23' x 22' attached two car garage and a 12' x 12' rear deck

Map\Lot: 174-119-001

District: TR

Permit(s): 2018-00752, 2018-00752-1-WA, 2018-00752-2-SW, 2018-00752-3-DR, 2018-00752-4-FD, 2018-00752-5-EL, 20

Use Group: R-3

Fire Sprinkler System Required: NO

Fire Alarm System Required: NO

This is to certify that PATHWAY HOMES, INC. 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.

Date of Issue: 1/30/2019

Signed: 

A



Town of Hudson, NH
DRIVEWAY PERMIT
 Hudson Fire - Inspectional Services Division
 12 School Street
 Hudson, NH 03051
 603-886-6005

Permit Number
 2018-00752-3-DR
Date of Issue
 8/01/2018
Expiration Date
 1/28/2019

Owner: PATHWAY HOMES

Applicant: Pathway Homes

Location of Work: 74 HIGHLAND ST 174-119-001
 (No. and Street) (Unit or Building)

Description of Work: Construct a two story, three bedroom single-family dwelling with a 23' x 22' attached two car garage and a 12' x 12' rear deck

ZONING DATA: District: TR Map\Lot:

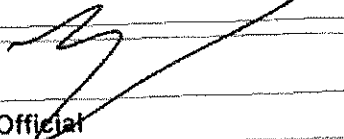
CONTRACTOR: Pathway Homes 239-707-3776

Permit Holder: Pathway Homes	(Taking Responsibility for the Work)
Company/Affiliation:	Job Site Phone Number:

Constr Cost: \$0	Permit Fee: \$50.00	Check No.: 1237	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.

	Permit Holder	8/01/2018
Code Official		Date

B1



Town of Hudson
Driveway Permit Application

OFFICE USE CK # 1237
Application Fee \$50.00
Receipt # 516,711
Date: 8/1/18
Permit #

Date 8-1-18 Map 174 Lot 119

Driveway Address 24 Highland Street

Applicant Name Perthway homes Telephone # 239-707-3776

Applicant Address 29 Cortland Drive Bedford NH 03110

Email Address allardcontracting@yahoo.com Cell Phone # 239-707-3776

Driveway grade percent (%) 2% (10% maximum grade).

Driveway surface (check one): [X] Paved [] Gravel [] Stone

Length of driveway from street to end 31 ft.
Width of driveway at street entrance 25 ft.

At the point of intersection with the street, the driveway, at a 3.5 ft. elevation above the driveway grade, shall provide in both directions of the street an AASHTO Safe Sight Distance, as shown in Table 2.2: Recommended Decision Sight Distance Values.

Sight distance: 200ft+ Left 200ft+ Right Speed Limit: 30 mph

Distance to nearest intersection: 170 Left 500 Right

Proposed roadway drainage improvements:

[] Swale [] Curb & Catch Basins [X] Other (describe)
? at grade into street? or swale?

Special conditions requested (e.g., construct a turnaround at end of driveway):

Is this application for a second driveway on the parcel? [] Yes [X] No

* No Water Shut-offs and/or Sewer Clean-outs will be allowed on new residential driveways.
sewer clean out on the driveway - responsibility of the owner. B2



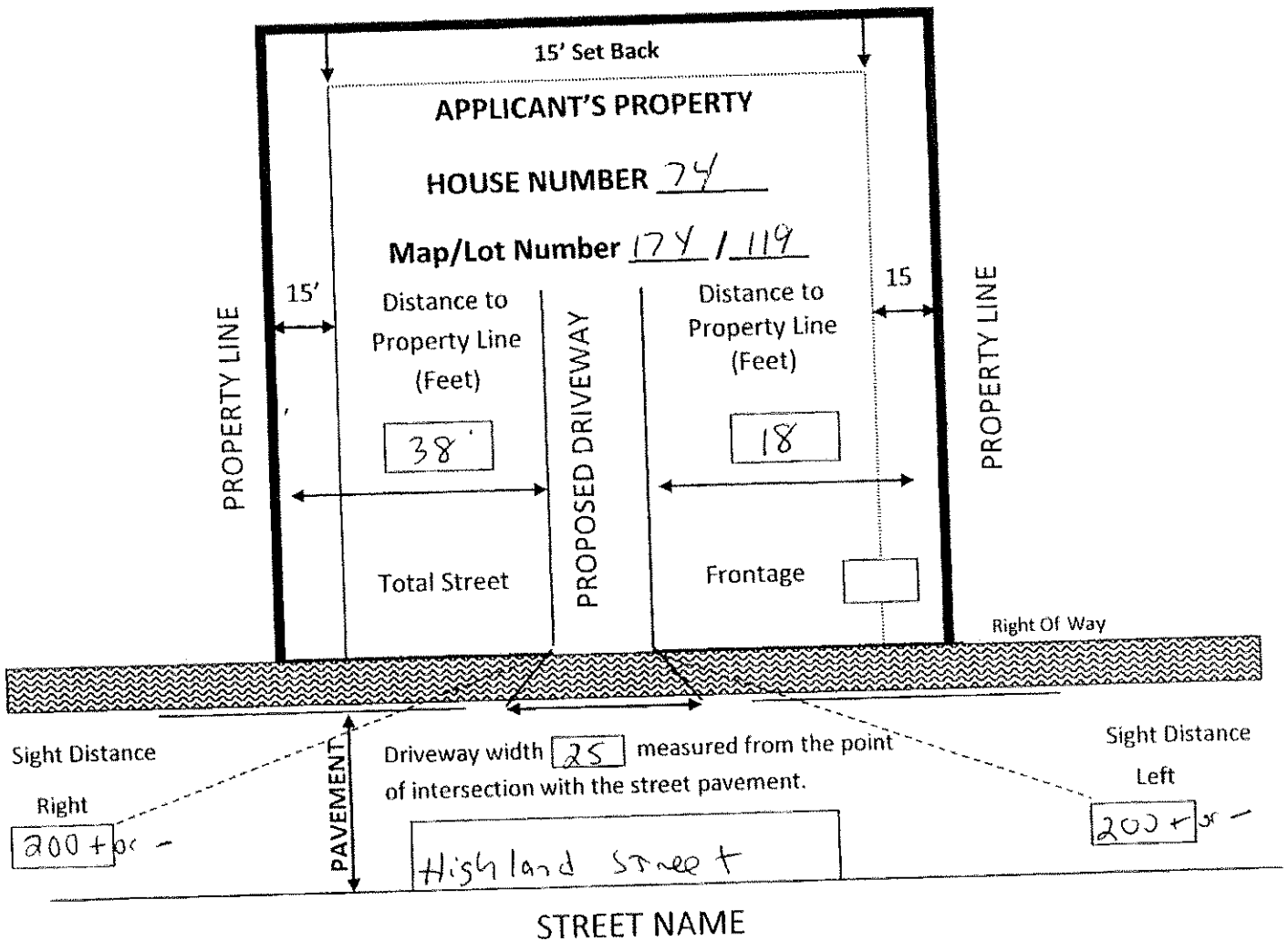
Town of Hudson
Driveway Permit Application

Page 2

Driveway Layout Plan

In the below Driveway Layout Plan, please fill-in all blank boxes with their respective actual measurements in feet. In accordance with the Planning Board's Driveway Regulations, Chapter 193, the minimum setback for driveways is 15 feet from side and rear lot lines. Also, driveways shall intersect with the adjoining street at 90° (degrees), and the dimensions indicated below must include the street frontage of the parcel.

* A Plan and Profile will be required for any driveway accessing public roads.



B3



TOWN OF HUDSON
DRIVEWAY PERMIT APPLICATION
AND NH RSA 36-A: 4 (III) DISCLOSURES

Page 3

By filing this application, the owner(s) hereby grants permission to the members of the Hudson Planning Board and Conservation Commission, as well as their assigned agents, to enter upon the associated property at all reasonable times and for the express purpose of conducting examinations, surveys, tests and inspections as may be appropriate to enable the office of the Town Engineer to process this application. I/we also hereby waive and release any claim or right I/we may have now or hereafter against any of the aforementioned parties resulting from said examinations, surveys, tests and inspections conducted on my/our property in connection with this application.

I/we hereby attest to the accuracy of the information submitted herein, including any attachments, and acknowledge that any inaccuracies or omissions can result in revocation of this permit and loss of any rights, vested or otherwise to this permit.

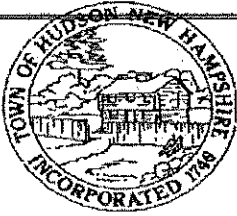
The undersigned hereby acknowledges that before signing this application s/he/they read this application form that contains the follow disclosure as required by NH RSA 36-A:4 (III). The inspection to be conducted by the Hudson Conservation Commission is undertaken to evaluate the impact of the proposed permit on protected wetlands and wetland buffers as defined in Article IX – Wetland Conservation District – Town of Hudson Zoning Ordinance, §§334-33 through 334-39. The specific features to be studied by the Hudson Conservation Commission would be the area of land that is subject to the activity described in the permit application, and associated landforms, wetlands, and water bodies. The data to be collected by the Conservation Commission will be collected through personal observation by the Conservation Commission members and those observations may be recorded through hand written notes and through digital and cell phone photography. In addition to members of the Hudson Conservation Commission, inspection and data collection may also be carried out by the Hudson Road Agent, the Hudson Fire Department and the Hudson Town Engineer or his designee. The Information collected by the Conservation Commission, or other representatives of the Town of Hudson, would then be further distributed through public discussion at Conservation Commission and Planning Board meetings and that information may also be committed to written documents that may be distributed by the Community Development Department to other interested parties, including but not limited to, the New Hampshire Department of Environmental Services, the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the United States Environmental Protection Agency and members of the public. The possible known consequences of this inspection and data collection include, and are not limited to, denial of a special exception to construct the proposed driveway, the requirement to redefine and readjust a wetland boundary and designation and the associated costs to the applicant for the hiring of a wetlands scientist for this purpose, possible code enforcement actions by the Town of Hudson to abate observed violations of the Hudson Zoning Ordinance and Land Use Regulations and possible enforcement actions against the applicant for violations of State or Federal Law.

Signature(s) of Applicant

8-1-18

date

B4



Town of Hudson
Driveway Permit Application

Page 4
Routing Sheet

(For official use only)

**Reviewed by Road Agent if connecting to existing Town accepted road

Approved [Signature] 8/13/18
Road Agent Date

Comments/stipulations

Approved [Signature] 8/8/18
Fire Dept. Date

Comments/stipulations

Approved [Signature] 8/7/18
Town Engineer Date

Comments/stipulations

Driveway satisfactorily completed [Signature] 11/9/18
Town Engineer Date

Comments/stipulations

- paved 1 1/2%
- sewer element on the driveway
- responsibility of the owner if damaged.

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 **5/24/18**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 174-119**, pertaining to a request by **Kevin Allard of Pathway Homes, Inc., 79 Cortland Drive, Bedford, NH, requests a Variance at 76 Highland Street, Hudson, NH, to allow the subdivision of one residential lot into 2 residential lots consisting of 75 feet of frontage each, where 90 feet of frontage each is required..** [Map 174, Lot 119; Zoned TR; HZO Article VII §334-27 Table of 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 with the following stipulation:

1. Only one single-family home is to be constructed on the newly created lot.

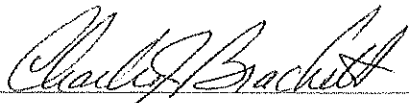
For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

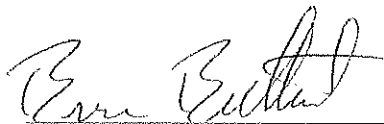
All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such

C,

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, 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:  Date: 5/31/18
Charles Brackett
Chairman, Hudson Zoning Board of Adjustment

Signed:  Date: 5-31-18
Bruce Buttrick
Zoning Administrator

#546

Camela O'Laughlin

Town of Hudson
Hudson Planning Board
12 School Street
Hudson, NH 03051

FEES:	14.47
SURCHARGE:	2.00
CASH:	—

NOTICE OF APPROVAL

June 28, 2018

Owner or Applicant: PATHWAY HOMES, INC.
79 CORTLAND DRIVE
BEDFORD, NH 03110

On Wednesday, June 27, 2018, the Hudson Planning Board heard subject case SB# 06-18 "76 Highland Street 2-Lot Subdivision"

SUBJECT: TO DEPICT THE SUBDIVISION OF MAP 174/LOT 119, INTO TWO SEPARATE LOTS. APPLICATION ACCEPTANCE & HEARING.

LOCATION: 76 HIGHLAND STREET - MAP 174/LOT 119

The Planning Board moved to accept the 2-lot subdivision application for 76 Highland Street, Map 174/Lot 119.

The Planning Board moved to grant the subdivision plan entitled: Master Subdivision Plan, Highland Street Subdivision, Map 174, Lot 119, 76 Highland St, Hudson, NH, Hillsborough County, prepared by Keach-Nordstrom Associates, Inc., 10 Commerce Park N, Bedford, NH, dated May 25, 2018, consisting of Sheets 1 – 4 and Notes 1 – 18 with the following stipulations:

1. All stipulations of approval shall be incorporated into the Notice of Decision, which shall be recorded at the HCRD, together with the Subdivision Plan.

D,

2. A cost allocation procedure (CAP) amount of \$5,759.00 per residential lot shall be paid prior to the issuance of a Certificate of Occupancy for the new house lot.
3. All monumentation shall be set or bonded for prior to the Planning Board endorsing the Plan-of-Record.
4. Construction activities involving the proposed undeveloped lots shall be limited to the hours between 7:00 A.M. and 7:00 P.M., Monday through Saturday. No exterior construction activities shall occur on Sunday.
5. Development of the lot is to follow the grading plan on Sheet 4 of 4 unless an engineered drainage plan is submitted to and approved by the Land Use Department of the Town of Hudson.

All representations of fact or intention made by the applicant or any applicant's representative during testimony before the Planning Board relative to the obtaining approval of this plan, shall be considered conditions of this approval regardless of the fact that such fact or intentions were not specifically stated as part of the motion to grant.

Signed: George Thebauge Date: 6-28-18
George Thebauge AICP
Interim Town Planner

cc: Keach-Nordstrom Associates, Inc.

D₂

Unofficial Property Record Card - Hudson, NH

General Property Data

Parcel ID 174-119-001	Account Number 11736
Prior Parcel ID 0056 -0051-0000	Property Location 74 HIGHLAND ST
Property Owner LI, QUAN HUA	Property Use ONE FAMILY
Mailing Address 74 HIGHLAND ST.	Most Recent Sale Date 2/15/2019
City HUDSON	Legal Reference 9146-2081
Mailing State NH Zip 03051	Grantor PATHWAY HOMES, INC.,
ParcelZoning	Sale Price 384,900
	Land Area 1.162 acres

Current Property Assessment

Card 1 Value	Building Value 279,200	Xtra Features Value 0	Land Value 105,000	Total Value 384,200
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Building Description

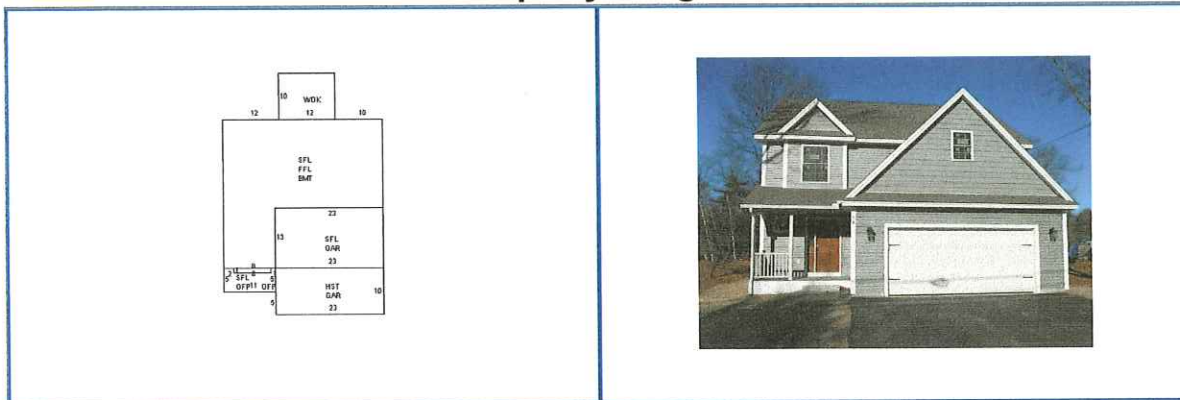
Building Style COLONIAL	Foundation Type CONCRETE	Flooring Type HARDWOOD
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 2018	Roof Structure GABLE	Heating Type FORCED AIR
Building Grade GOOD/AVG	Roof Cover ASPH SHING	Heating Fuel GAS
Building Condition Good	Siding VINYL	Air Conditioning 100%
Finished Area (SF) 2000	Interior Walls DRYWALL	# of Bsmt Garages 0
Number Rooms 5	# of Bedrooms 3	# of Full Baths 1
# of 3/4 Baths 1	# of 1/2 Baths 1	# of Other Fixtures 1

Legal Description

Narrative Description of Property

This property contains 1.162 acres of land mainly classified as ONE FAMILY with a(n) COLONIAL style building, built about 2018 , having VINYL exterior and ASPH SHING roof cover, with 1 unit(s), 5 room(s), 3 bedroom(s), 1 bath(s), 1 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

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Town of Hudson Driveway Permit Application

OFFICE USE	CASH
Application Fee	\$50.00
Receipt #	556,839
Date:	6/25/19
Permit #	

Date 06/25/19 Map 174 Lot 119-1

Driveway Address 74 ~~Highland~~ Highland st, Hudson NH 03051

Applicant Name Wei Ang Telephone # 603-318 1488

Applicant Address 74 Highland st, Hudson NH 03051

Email Address wqingz87@gmail.com Cell Phone # 603-318 1488

Driveway grade percent (%) _____ (10% maximum grade).

Driveway surface (check one): Paved Gravel Stone

Length of driveway from street to end 40 ft.
Width of driveway at street entrance 37 ft.

At the point of intersection with the street, the driveway, at a 3.5 ft. elevation above the driveway grade, shall provide in both directions of the street an AASHTO Safe Sight Distance, as shown in Table 2.2: Recommended Decision Sight Distance Values.

Sight distance: 200^{ft} Left 200^{ft} Right Speed Limit: 30 mph

Distance to nearest intersection: 170 Left 500 Right

Proposed roadway drainage improvements:
 Swale Curb & Catch Basins Other (describe)

Special conditions requested (e.g., construct a turnaround at end of driveway):

Is this application for a second driveway on the parcel? Yes No

* Second driveways are not permitted for single family homes or ALU's (per Zoning Ordinance).
* No Water Shut-offs and/or Sewer Clean-outs will be allowed on new residential driveways.

F₁

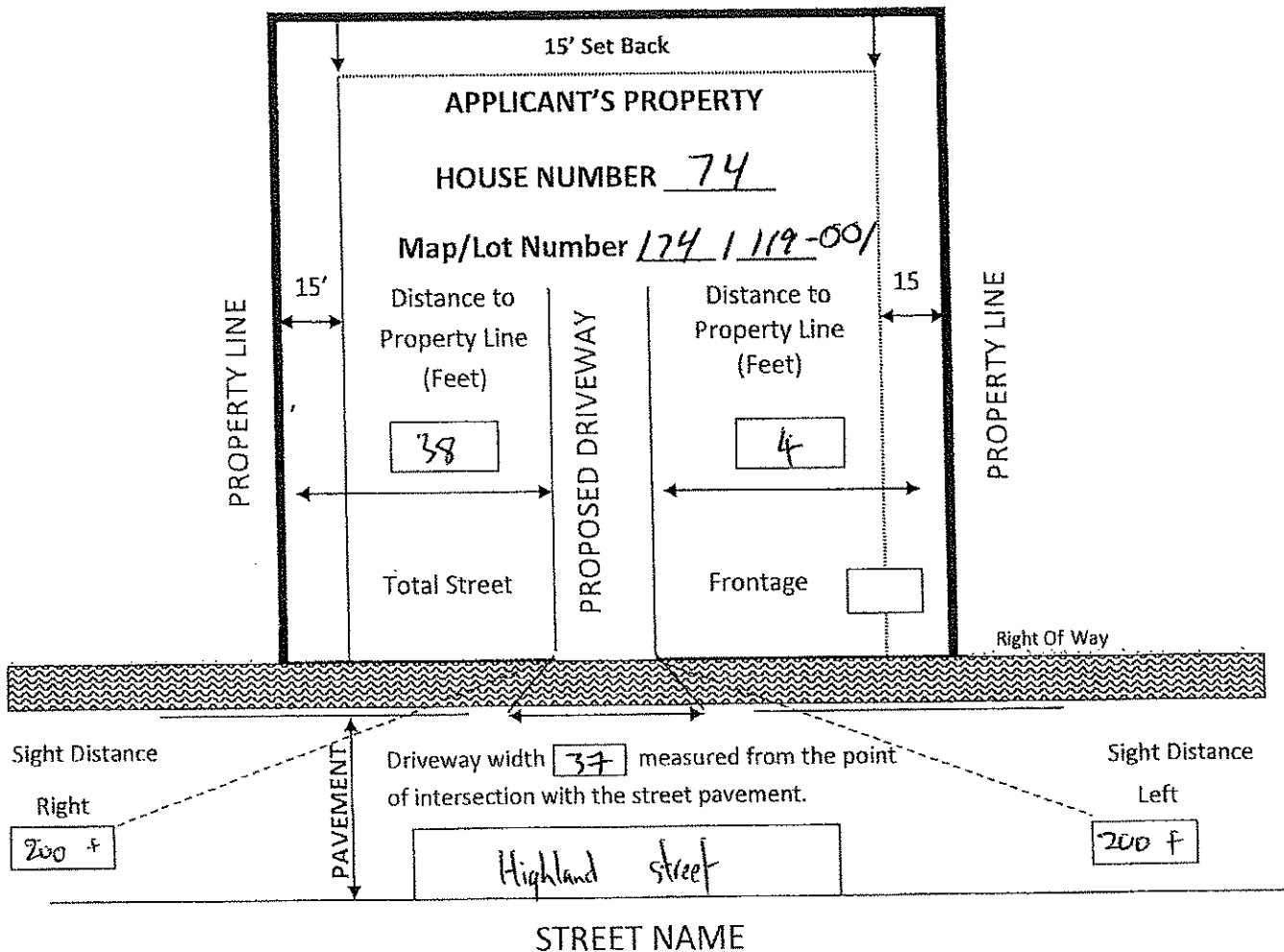


Town of Hudson Driveway Permit Application

Driveway Layout Plan

In the below Driveway Layout Plan, please fill-in all blank boxes with their respective actual measurements in feet. In accordance with the Planning Board's Driveway Regulations, Chapter 193, the minimum setback for driveways is 15 feet from side and rear lot lines. Also, driveways shall intersect with the adjoining street at 90° (degrees), and the dimensions indicated below must include the street frontage of the parcel.

* A Plan and Profile will be required for any driveway accessing public roads.

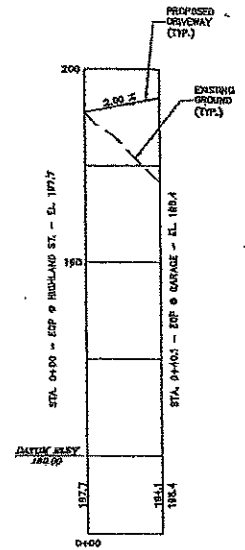
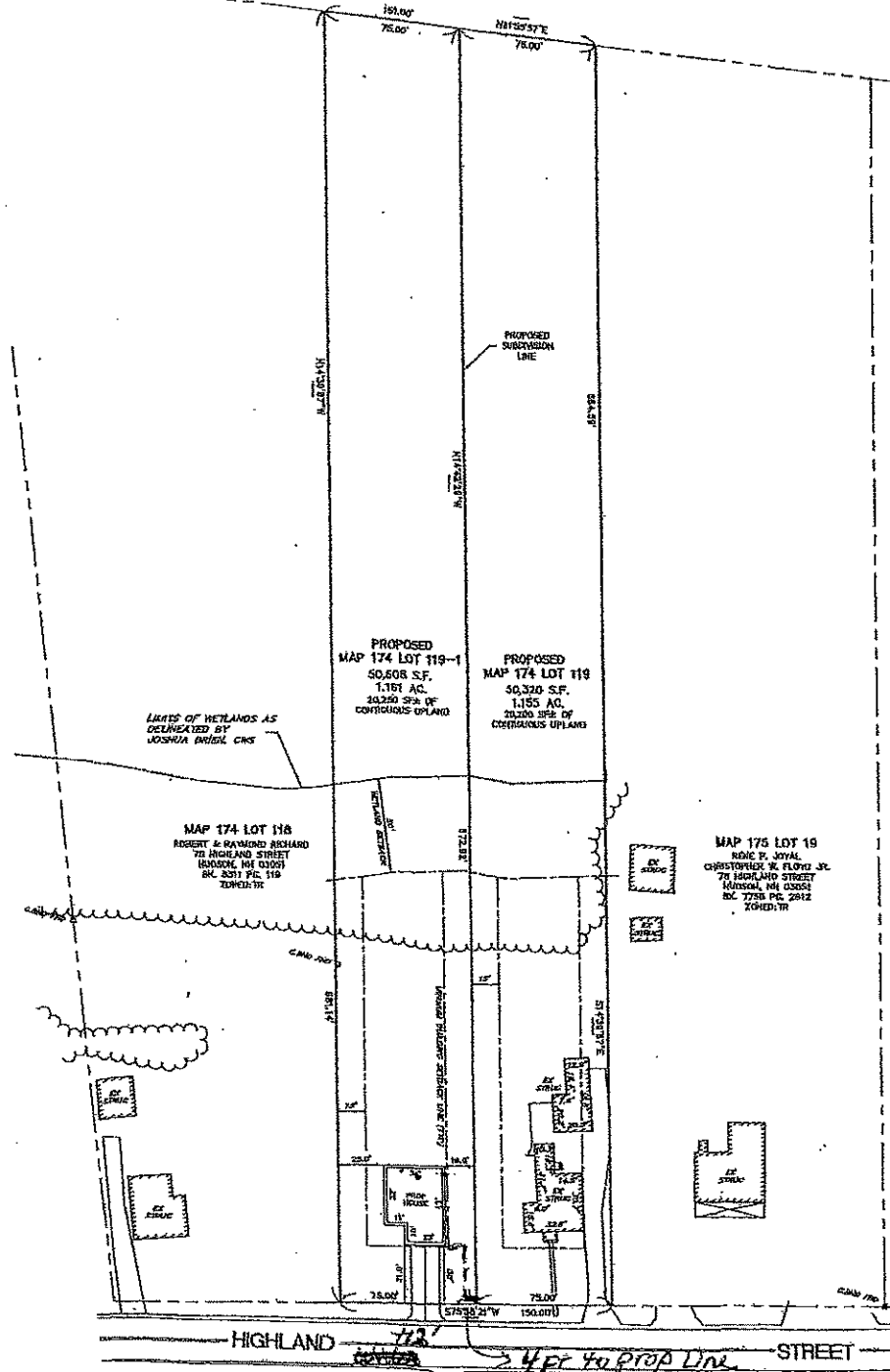


F₂

MAP 167 LOT 109
PUBLIC SERVICE CO.
OF NEW HAMPSHIRE
EVERSOURCE ENERGY
PO BOX 220
MANTHOE, CT 06104
ZONED: TR

OUND FOUND
NE
LINE

AVEMENT



PROPOSED DRIVEWAY PROFILE
SCALE: 1" = 40' HORIZ
1" = 4' VERT.

F3

MAP 174 LOT 121
JAMES C. REVORE, JR
19 GLOBE AVENUE
MERRIMAN, NH 03051
SC. 3369 PG. 1516
ZONED: TR

MAP 174 LOT 120
JAMES C. REVORE, JR
72 HIGHLAND STREET
MERRIMAN, NH 03051
SC. 3367 PG. 1209
ZONED: TR

MAP 175 LOT 18
GERMAINE B. CROMBIE, TR.
75 HIGHLAND STREET
MERRIMAN, NH 03051
SC. 6748 PG. 0274
ZONED: TR

MAP 175 LOT 17
TOWN OF MERRIMAN
79 HIGHLAND STREET
MERRIMAN, NH 03051
ZONED: TR

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY SUPERVISION. FURTHER, THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE IN JANUARY OF 2018. SAID SURVEY HAS A RELATIVE ACCURACY OF ONE PART IN TEN THOUSAND (1:10,000) OR BETTER.

Matthew J. O'Neil
LICENSED LAND SURVEYOR



SCANNED
7-22-19 (TQ)

TOWN OF HUDSON
Land Use Division



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

Zoning Determination #19-080

July 9, 2019

Quan Hua Li Wei
74 Highland Street
Hudson, NH 03051

Re: 74 Highland Street Map 174 Lot 119-001
District: Town Residence (TR)

Dear Mr. Li,

Your request: Do you need an Equitable Waiver of Dimensional Requirement for the recent construction/addition of a driveway into the side yard setback?

Zoning Review / Determination:

A driveway is considered a regulated structure and has minimum setback requirements per Table of Minimum Dimensional Requirements §334-27 of the Hudson Zoning Ordinance. The construction of the expanded driveway has been completed and is within the required side yard setback.

You would need an approval of an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment.

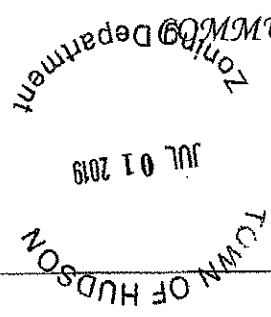
Sincerely,

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

cc: Public File
E. Dhima, Town Engineer
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.

G1



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



19-080

Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 07/01/2019
 Property Location 74 Highland Street
Map 174 Lot 119 ~ 001
 Zoning District if known Town Residence (TR)

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)

Driveway Expanded and completed in setback area. Will need an Equitable Waiver of Dimensional Requirement-Zoning application

Applicant Contact Information:

Name: Quan Hua Li / Wei Ang *Applicant.* 603-318-1488
 Address: 74 Highland Street
 Phone Number: wqingz87@gmail.com

For Office use

ATTACHMENTS: TAX CARD - GIS -

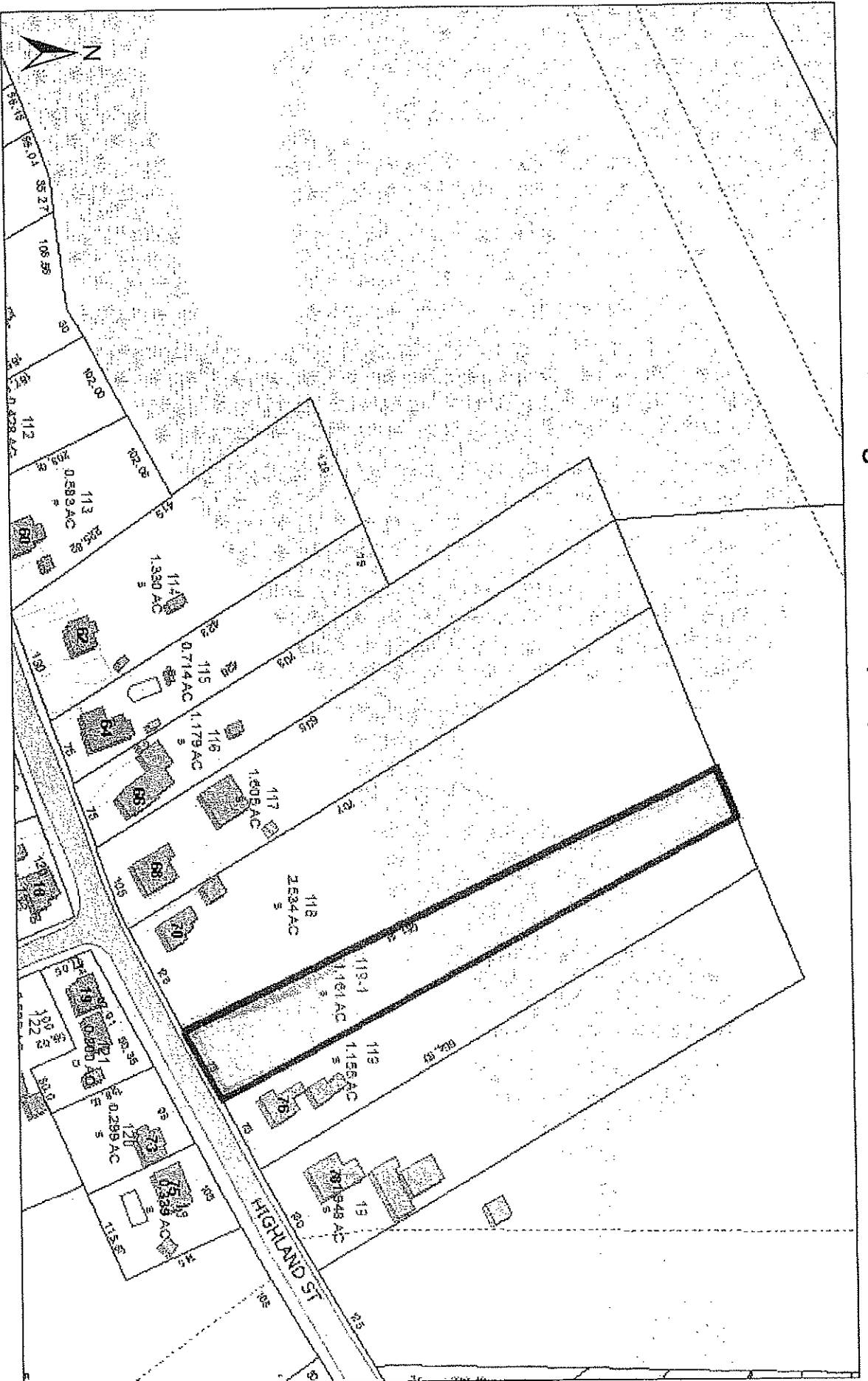
NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: 7-9-19

G2

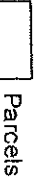
74 Highland Street (Map/Lot 174-119-001)

63



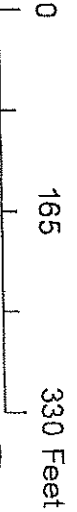
July 1, 2019

----- Easement Lines



Parcels

1 inch = 152 feet





TOWN OF HUDSON

Land Use Division



9/4/19 entered

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

Notice of Violation

September 4, 2019

Quan Hua Li Wei
74 Highland Street
Hudson, NH 03051

Re: 74 Highland Street Map 174 Lot 119-001
District: Town Residence (TR)

Dear Mr. Li,

On July 9, 2019, I sent you a Zoning Determination which states that you would need an approval of an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment (ZBA) for the recent driveway expansion & encroachment into the side yard setback. I have not seen an application to date.

As a reminder, the Hudson Zoning Ordinance (HZO) does not permit driveways within the required side yard setback of 15ft. and your driveway is in violation of: HZO Article II, §334-6 Definitions BUILDING SETBACK : *The minimum distance from the RIGHT-OF-WAY to a FRONT, SIDE or REAR LOT LINE at which a building, driveway or other regulated structure or feature may be set or constructed.* The driveway is also in violation of HZO Article VII §334-27 Table of Minimum Dimensional Requirements.

An approval of the Equitable Waiver of Dimensional Requirement is needed from the ZBA, to allow the driveway encroachment into the side yard setback. If granted, this would allow the driveway to remain. Please call Tracy Goodwyn at (603) 886-6008 for application details.

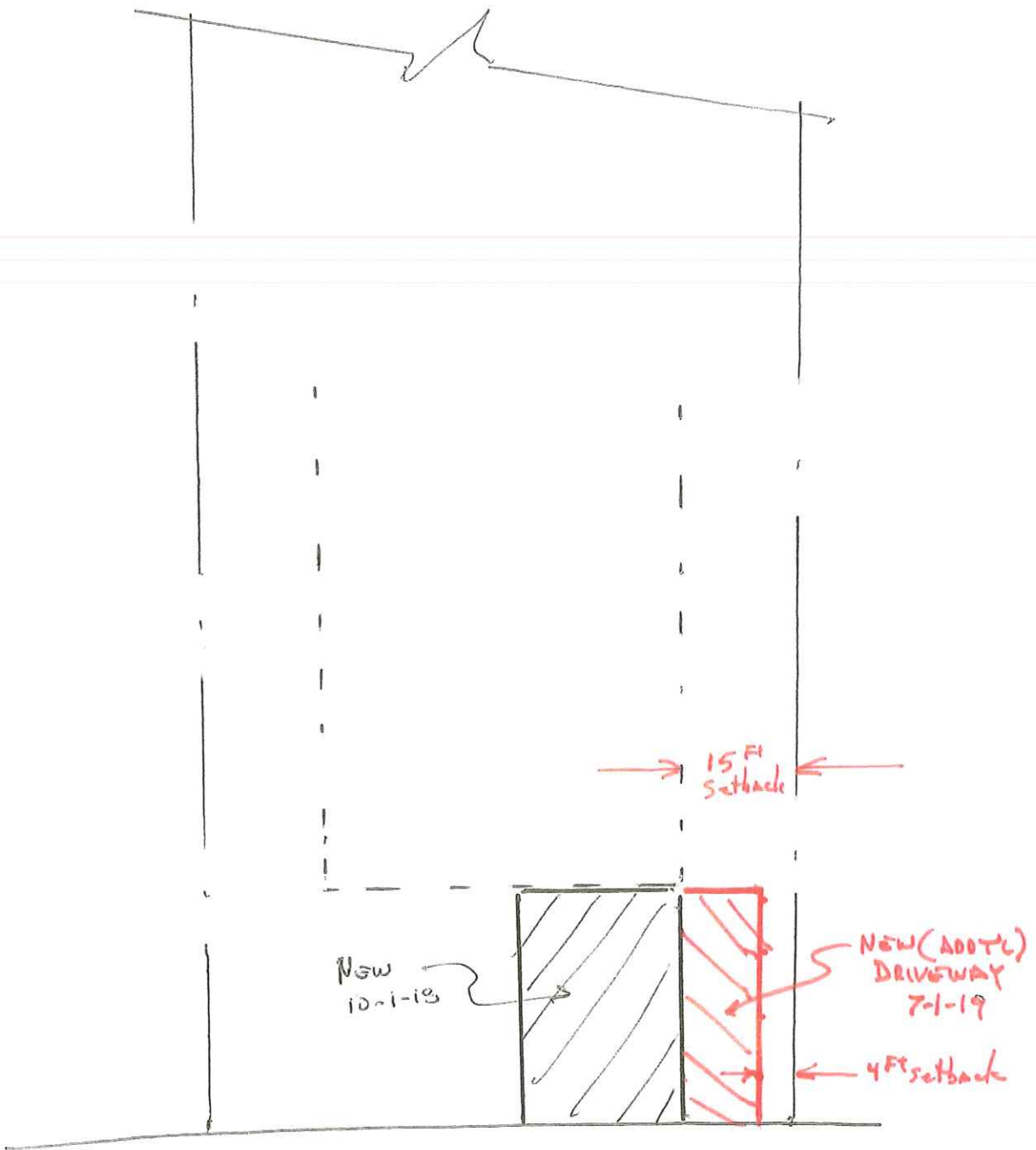
Sincerely,

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

cc: Public File
E. Dhima, Town Engineer
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.

H.



74 Highland St

H₂



TOWN OF HUDSON

Land Use Division

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



Last and Final Notice of Violation

December 26, 2019

Certified 7-18 2290 0001 3001 8244
& USPS 1st class

Quan Hua Li
74 Highland Street
Hudson, NH 03051

Re: **74 Highland Street Map 174 Lot 119-001**
District: Town Residence (TR)

Dear Mr. Li,

On September 4, 2019, I sent you a Notice of Violation that you would need an approval of an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment (ZBA) for the recent driveway expansion & encroachment into the side yard setback. I have not seen an application to date.

Therefore your property remains in violation, as the Hudson Zoning Ordinance (HZO) does not permit driveways within the required side yard setback of 15ft. and your driveway is in violation of: HZO Article II, §334-6 Definitions *BUILDING SETBACK*: *The minimum distance from the RIGHT-OF-WAY to a FRONT, SIDE or REAR LOT LINE at which a building, driveway or other regulated structure or feature may be set or constructed.* The driveway is also in violation of HZO Article VII §334-27 *Table of Minimum Dimensional Requirements.*

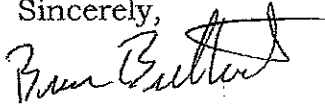
An approval of the Equitable Waiver of Dimensional Requirement is needed from the ZBA, to allow the driveway encroachment into the side yard setback. If granted, this would allow the driveway to remain. Please call Tracy Goodwyn at (603) 886-6008 for application details, by **January 6, 2020**.

If the deadline is not complied with, the Town will have no choice but to proceed with legal actions and the imposition of civil fines and penalties as allowed per RSA 676:17 effective as of the date of my Notice of Violation dated September 4, 2019.

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

I,

Sincerely,



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

encl: September 4, 2019 Notice of Violation
cc: Public File
E. Dhima, Town Engineer
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.

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3/9/20
✓
entered
on
Munis.
(To)


**TARBELL
& BRODICH, PA**
ATTORNEYS AT LAW

March 6, 2020

Quan Hua Li
74 Highland Street
Hudson, NH 03051

RE: 74 Highland Street, Hudson, NH
Hudson Tax Map 174, Lot 119-001

Dear Mr. Li:

I represent the Town of Hudson. The matter involving the zoning and driveway violations on your property located at 74 Highland Street in Hudson, New Hampshire ("Property"), has been referred to my office for legal action. I am writing to you before commencing formal legal action to make a final request that you voluntarily abate the violations or obtain the necessary permits and approvals from the Town to maintain your driveway in its current configuration. If you refused to pursue either alternative, I will have no choice but to file suit.

Your Property is located in the Town Residence (TR) Zoning District according to the Hudson Zoning Ordinance ("HZO"). According to the HZO § 334-27, Table of Minimum Dimensional Requirements, the minimum side yard setback for your property is 15 feet. Driveways may not be set or constructed within the side yard setback per HZO § 336-6.

According to the Hudson Driveway Regulations ("HDR") § 193-4, driveways may not be constructed or altered without a permit. Pursuant to HDR § 193-10, H, driveways are not allowed within the side yard setback.

The driveway on your Property was expanded without a permit and now encroaches 11 feet into the side yard setback, in violation of both the Hudson Zoning Ordinance and the Hudson Driveway Regulations.

You have previously been notified of these violations by the Town. Specifically, the Hudson Zoning Administrator/Code Enforcement Officer, Bruce Buttrick, notified you of the zoning violations by letter dated July 9, 2019, September 4, 2019, and December 26, 2019.

Eaton W. Tarbell, Jr.
Nicholas Brodich
Shane R. Stewart
Eaton W. Tarbell, III
Friedrich K. Moeckel*
David E. LeFevre
Mary A. Hokken-Phillips
Caroline K. Brown

All Attorneys admitted
in New Hampshire
or as otherwise designated.

*Also admitted in Massachusetts

Reply to:
Concord, NH Office
45 Centre Street
Concord, NH 03301

1-877-898-1135
603-226-3900 Tel
603-225-5398 Fax

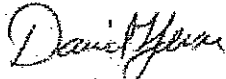
J,

In order to bring your Property into compliance, you must remove the portion of your driveway which encroaches into the side yard setback. In the alternative, you may request to keep the noncompliant portion of the driveway by appealing to the Hudson Zoning Board of Adjustment for a variance from the zoning ordinance and applying to the Hudson Planning Board for a waiver from the driveway regulations. In either case, you must contact Mr. Buttrick immediately and notify him how you intend to proceed. He can be reached at (603) 668-6008. If you do not contact Mr. Buttrick, I will assume you simply intend to ignore this letter, as you have ignored all prior correspondence from Mr. Buttrick, and I will take the necessary steps to obtain a court order compelling you to bring your Property into compliance.

I do want to remind you that these ongoing violations continue to subject you to civil penalties in the amount of \$275.00 for the first offense, and \$550.00 for subsequent offenses, for each day that the violations continue, and reimbursement of the Town's costs and reasonable attorney's fees actually expended in pursuing any legal action. Thus, it is very much in your best interest to cooperate with the Town in this matter and simply clean up your Property.

Sincerely,

TARBELL & BRODICH, P.A.



By: David E. LeFevre, Esq.

e-mail: dlefevre@tarbellpa.com

cc: Town of Hudson (w/encl.)(via e-mail only)

**Code Enforcement
Violation Detail
Town of Hudson, NH**

Number: V2019-00058 **Type:** Zoning5 **Status:** Active

Permit Number: **Business License:**
Reported: 9/03/2019 **Issued:** **Resolved:**

Description: 6/25/19-Applicant Wei Ang came to counter for driveway permit and it was discovered that his driveway was already poured and expanded and in the setback area. 7/1/19 a Zoning Determination #19-080 was completed to review and request if an Equitable Waiver of Dimensional Requirement would be needed. The applicant was also given the Zoning application for the Equitable Waiver but has never returned to this office.

Site Information:
Name: LI, QUAN HUA
Map Lot: 174-119-001
Street: 74 HIGHLAND ST

Owner Information:
Name: LI, QUAN HUA
Street: 0 74 HIGHLAND ST.

K₁

**Code Enforcement
Violation Detail
Town of Hudson, NH**

Number: V2019-00058 **Type:** Zoning5 **Status:** Active

Activities:

Date Entered	Entered By	Type	Due Date	Status
9/03/2019	AutoEntry	Initial entry Violation - Auto Activity	/ /	C
		Initial Entry of Violation		
9/03/2019	tgoodwyn	Letter Draft	9/06/2019	C
		9/4/19- Notice of Violation Draft completed		
9/04/2019	AutoEntry	Notice Sent - Auto Activity	/ /	C
		Auto Activity Document Delivery - Purpose Notice of Violation dated 9/4/19 Sent To LI, QUAN HUA The Delivery Type is Reg Mail-1st Class USPS "...On July 9, 2019, I sent you a Zoning Determination which states that you would need an approval of an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment (ZBA) for the recent driveway expansion & encroachment into the side yard setback. I have not seen an application to date. As a reminder, the Hudson Zoning Ordinance (HZO) does not permit driveways within the required side yard setback of 15ft. and your driveway is in violation of: HZO Article II, §334-6 Definitions BUILDING SETBACK : The minimum distance from the RIGHT-OF-WAY to a FRONT, SIDE or REAR LOT LINE at which a building, driveway or other regulated structure or feature may be set or constructed. The driveway is also in violation of HZO Article VII §334-27 Table of Minimum Dimensional Requirements. An approval of the Equitable Waiver of Dimensional Requirement is needed from the ZBA, to allow the driveway encroachment into the side yard setback. If granted, this would allow the driveway to remain. Please call Tracy Goodwyn at (603) 886-6008 for application details..."		
12/26/2019	AutoEntry	Notice Sent - Auto Activity	1/07/2020	O
		Auto Activity Document Delivery - Purpose Last & Final NOV dated 12/26/19 Sent To QUAN HUA LI The Delivery Type is Certified 7018 2290 0001 3001 8244 w/return receipt: "...On September 4, 2019, I sent you a Notice of Violation that you would need an approval of an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment (ZBA) for the recent driveway expansion & encroachment into the side yard setback. I have not seen an application to date. Therefore your property remains in violation, as the Hudson Zoning Ordinance (HZO) does not permit driveways within the required side yard setback of 15ft. and your driveway is in violation of: HZO Article II, §334-6 Definitions BUILDING SETBACK : The minimum distance from the RIGHT-OF-WAY to a FRONT, SIDE or REAR LOT LINE at which a building, driveway or other regulated structure or feature may be set or constructed. The driveway is also in violation of HZO Article VII §334-27 Table of Minimum Dimensional Requirements. An approval of the Equitable Waiver of Dimensional Requirement is needed from the ZBA, to allow the driveway encroachment into the side yard setback. If granted, this would allow the driveway to remain. Please call Tracy Goodwyn at (603) 886-6008 for application details, by January 6, 2020. If the deadline is not complied with, the Town will have no choice but to proceed with legal actions and the imposition of civil fines and penalties as allowed per RSA 676:17 effective as of the date of my Notice of Violation dated September 4, 2019..."		
12/26/2019	AutoEntry	Notice Sent - Auto Activity	/ /	C
		Auto Activity Document Delivery - Purpose Last & Final NOV dated 12/26/19 Sent To QUAN HUA LI The Delivery Type is Reg Mail- USPS 1st Class		

K₂

**Code Enforcement
Violation Detail
Town of Hudson, NH**

Number:	V2019-00058	Type:	Zoning5	Status:	Active
2/14/2020	tgoodwyn	Letter Returned		2/21/2020	O
1/27/20-Certified 7018 2290 0001 3001 8244 w/return receipt: Returnred by USPS unopened.					
2/21/2020	tgoodwyn	Interoffice email		2/28/2020	O
2/20/20- B. Buttrick email to D. Lefevre: Request for legal letter					
2/21/2020	tgoodwyn	Legal Correspondance		2/21/2020	C
2/20/20- Received email acknowledgement from D. Lefevre:"Will do"					
3/09/2020	tgoodwyn	Legal Correspondance		3/17/2020	O
3/6/20- Town Counsel- Dave Lefevre mailed legal letter to owner-Quan Hua Lei making a final request to voluntarily abate the violation or obtain necessary permits and approvals from the Town to maintain driveway in its configuration. If refused, no choice but to file suit. ***Full letter on file in Code Enforcement Folder-V2019-00058***					
3/25/2020	tgoodwyn	Legal Correspondance		3/24/2020	C
3/24/20- Town Counsel-D. Lefvre sent email to B. Buttrick" Informed letter to owner was returned "attempted-no known-unable to forward" Requested to check address and he will resend if wrong address.					
3/25/2020	tgoodwyn	Email out to Owner or Complainant		3/25/2020	C
3/24/20- B. Buttrick sent email reply to Dave Lefevre confirming address as correct and informing certified came back (but not the 1st class).					
3/25/2020	tgoodwyn	Email out to Owner or Complainant		3/25/2020	C
3/24/20- B. Buttrick emailed and requested D. Lefevre to have leter to owner hand delivered..					
3/25/2020	tgoodwyn	Legal Correspondance		4/01/2020	O
3/25/20- D. Lefevre emailed B. Buttrick with copy of letter dated 3/25/20 to owner, Quan Hua Li. and to Hillsborough County Sheriff's Office to hand deliver to owner.					
3/25/2020	tgoodwyn	Hand Delivered Letter		3/25/2020	C
3/25/20- D. Lefevre sent mail to Hillsborough County Sheriff's Office to hand deliver legal letter to Quan Hua Li (owner).					
3/25/2020	tgoodwyn	Email out to Owner or Complainant		3/25/2020	C
3/24/200 B. Buttrick sent email to owner's email on record: "wgingz87@gmail.com and wqing87@gmail.com (unclear writing on paperwork in file) Subject: Notice to proceed with legal/court actions-74 Highland Street					

Delivered Mail:

Purpose	Date Sent	Sent To Whom
Delivery Type	Sent To Address	
Number		
Notice of Violation Reg Mail	9/04/2019	LI, QUAN HUA 74 HIGHLAND ST. HUDSON NH 03051
Last & Final NOV Certified	12/26/2019	QUAN HUA LI 74 HIGHLAND ST. 7018229000013001824 HUDSON NH 03051
Last & Final NOV Reg Mail	12/26/2019	QUAN HUA LI 74 HIGHLAND ST. HUDSON NH 03051

K₃

Run: 3/25/20
3:21PM

**Code Enforcement
Violation Detail
Town of Hudson, NH**

Page: 4
tgoodwyn
ReportViolationDetail

Number: V2019-00058 **Type:** Zoning5 **Status:** Active

Reported By Information:

Name	Title	Phone
Email Wei Ang wqingz87@gmail.com	Applicant	603-318-1488

K₄

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

REQUEST FOR REVIEW/COMMENTS:

Case: 174-119-001 Variance

Property Location: 74 Highland Street

For Town Use

Plan Routing Date: 05/15/2020 Reply requested by: 05/18/2020 ZBA Hearing Date: 05/28/2020

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 05/19/2020
(Initials)

DEPT. Town Engineer Fire/Health Department Town Planner

L



TOWN OF HUDSON

Land Use Division



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

Zoning Administrator Summary/Comments

Case 174-119-001 (05-28-20): Quan Hua Li, 74 Highland St. requests a variance to allow a driveway to remain with an encroachment of 9.5 ft into the side yard setback leaving 5.5 ft. where 15 feet is required.

Summary:

Applicant requests variance to allow existing encroachment of recently installed driveway expansion into the side yard setback.

- 1) These lots are substandard in relation to the required frontage by ~ 15ft.
- 2) To allow this encroachment is not in the spirit of the Zoning Ordinance and is “overcrowding”
And I cite from the Zoning Ordinance:

§ 334-2 Purpose. ‘The purpose of this chapter is to promote the health, safety and general welfare of the inhabitants as well as efficiency and economy in the process of development, by encouraging the most appropriate use of land throughout the Town and to:

- B. Secure safety from fires, panic and other dangers.**
- D. Prevent the overcrowding of land.**
- I. Preserve and enhance the quality of life.**
- J. Prevent the establishment of nuisances.**

Of which I believe granting this variance would invalidate those items mentioned above and the spirit of the Ordinance.

If there is a hardship it is/was created by the owner and is not unique with the land, the owner created this situation.

M

TOWN OF HUDSON
MAY 12, 2020

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Zoning Department
Town of Hudson

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

Case No. 174-119-001 (05-28-20)

Date Filed 5/12/20

Name of Applicant Quan Hua Li Map: 174 Lot: 119-001 Zoning District: TR

Telephone Number (Home) 603 318 1488 (Work) _____

Mailing Address 74 Highland st, Hudson NH 03051

Owner Quantua Li

Location of Property 74 Highland st
(Street Address)

Quantua Li _____ Date 04/30/2020
Signature of Applicant

Quantua Li _____ Date 04/30/2020
Signature of Property-Owner(s)

_____ 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 variance.

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

COST:

Application fee:		\$130.00
<u>7</u> Direct Abutters x ^{.10} \$4.05 =		<u>28.70</u>
<u>4</u> Indirect Abutters x \$0.55 =		<u>2.20</u>
Total amount due:		\$ <u>160.90</u>

Date received: 5/12/20

Amt. received: \$ 161.00

Receipt No.: 594,586

Received by: (TSG)

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:

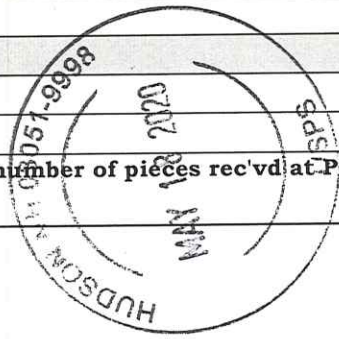
Applicant Initials		Staff Initials
<u>Li</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>Li</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>Li</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>TG</u>
<u>Li</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>
<u>Li</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>Pending 5/15/20</u>
<u>Li</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>Li</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>

ALL DIRECT ABUTTERS

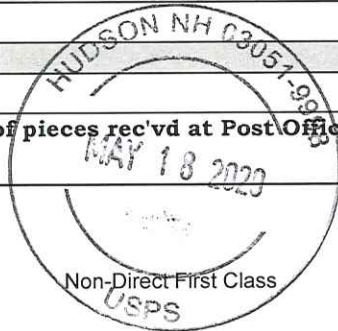
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property is either contiguous or separated from the subject tract of land by a street or stream. If 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
174	118	Richard, Robert Richard, Raymond	70 Highland st
174	119-000	Macgillivray, Geoffrey Macgillivray, Sida	76 Highland st
174	119-001	Li, Quan Hua	74 Highland st
167	009	Public Service of NH dba: Eversource Energy	PO Box 270 Hartford, CT 0614-0270
175	018	Germain, Germaine D. TR Buskey, Michelle P. TR Tate, Ann-Marie, TR	75 Highland st.
174	121	Revoir JR, James C	19 Gloria Avenue
174	120	Revoir, James C. JR	19 Gloria Avenue

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 174-119-001 Variance 74 Highland Street Map 174/Lot 119-000 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting
1	7018 2290 0001 3001 3898	LI, QUAN HUA; WEI QING ANG 74 HIGHLAND ST., HUDSON, NH 03051	OWNER/APPLICANT-NOTICE SENT
2	7018 2290 0001 3001 3881	PUBLIC SERVICE OF NH; dba: EVERSOURCE ENERGY PO BOX 270, HARTFORD, CT 06141-0270	ABUTTER NOTICE SENT
3	7018 2290 0001 3001 3874	RICHARD, ROBERT; RICHARD, RAYMOND 70 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
4	7018 2290 0001 3001 3867	GERMAIN, GERMAINE D., TR.; BUSKEY, MICHELLE P., TR. TATE, ANN-MARIE, TR. 75 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
5	7018 2290 0001 3001 3850	REVOIR JR., JAMES C <i>RE: 19 Gloria Ave</i> 19 GLORIA AVENUE, HUDSON, NH 03051	ABUTTER NOTICE SENT
6	7018 2290 0001 3001 3843	REVOIR, JAMES C. JR. <i>RE: 73 Highland St.</i> 19 GLORIA AVENUE, HUDSON, NH 03051	ABUTTER NOTICE SENT
7	7018 2290 0001 3001 3836	MACGILLIVARY, GEOFFREY & SIDA 76 HIGHLAND ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
8			
9			
10			
11			
12			
	Total Number of pieces listed by sender 7	Total number of pieces rec'd at Post Office <i>7</i>	Postmaster (receiving Employee) <i>[Signature]</i>



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 174-119-001 Variance 74 Highland Street Map 174/Lot 119-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	5/28/2020 ZBA Meeting
1	Mailed First Class	LAFRANCE, PATRICK V. 68 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
2	Mailed First Class	JOYAL, RENE P., FLOYD, CHRISTOPHER W., JR. 78 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
3	Mailed First Class	FORKEY, STEVEN & SHERYL 18 GLORIA AVENUE, HUDSON, NH 03051	ABUTTER NOTICE SENT
4	Mailed First Class	FERNANDEZ, JULIO A. 15 GLORIA AVE., HUDSON, NH 03051	ABUTTER NOTICE SENT
5			
6			
7			
8			
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10			
11			
12			
13			
14			
15			
	Total Number of pieces listed by sender 4	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)



cf

Cooker

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Articles II & VII of HZO Section(s) 334-6 and 334-27 in order to permit the following change or use:

To allow my driveway encroachment to remain.
My driveway was expanded and now encroaches 12 feet into
the side yard setback.

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.”)

The builder did not complete the landscaping and the soil had been loosing after the rain & snow. Driveway was too small for my ~~car~~ vehicle to make reverse to leave the properties.

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 driveway will be used for extra parking spaces.

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.)

It's just basic asphalt driveway, nothing fancy that will distract people attention.

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.)

It looks horrible leaving that space with soil & mud. A proper driveway will solve the problem of the landscaping and it does help on my vehicle to reverse safely from leaving the properties.

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.)

Due to the size of my lot, the right side of the building had a big slope and it's not safe to path the driveway.

The frontage driveway is too small to had my vehicle reverse out from the properties safely. It's a straight driveway on Highland st, sometimes people drive over the speed limit.

I will never have incurred the expense of paving the driveway if I'd acknowledge earlier that there are 15 ft setback regulation from TownHall.

"Stan's Paving LLC" the paving company saying that no application needed for the extra driveway paving.

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.


**TARBELL
& BRODICH, PA**
ATTORNEYS AT LAW

March 25, 2020

Hand Delivered

Quan Hua Li
74 Highland Street
Hudson, NH 03051

RE: 74 Highland Street, Hudson, NH
Hudson Tax Map 174, Lot 119-001

Dear Mr. Li:

I represent the Town of Hudson. The matter involving the zoning and driveway violations on your property located at 74 Highland Street in Hudson, New Hampshire ("Property"), has been referred to my office for legal action. I am writing to you before commencing formal legal action to make a final request that you voluntarily abate the violations or obtain the necessary permits and approvals from the Town to maintain your driveway in its current configuration. If you refused to pursue either alternative, I will have no choice but to file suit.

Your Property is located in the Town Residence (TR) Zoning District according to the Hudson Zoning Ordinance ("HZO"). According to the HZO § 334-27, Table of Minimum Dimensional Requirements, the minimum side yard setback for your property is 15 feet. According to HZO § 336-6, driveways may not be set or constructed within the side yard setback.

According to the Hudson Driveway Regulations ("HDR") § 193-4, driveways may not be constructed or altered without a permit. Pursuant to HDR § 193-10, H, driveways are not allowed within the side yard setback.

The driveway on your Property was expanded without a permit and now encroaches 11 feet into the side yard setback, in violation of both the Hudson Zoning Ordinance and the Hudson Driveway Regulations.

You have previously been notified of these violations by the Town. Specifically, the Hudson Zoning Administrator/Code Enforcement Officer, Bruce Buttrick, notified you of the zoning violations by letter dated July 9, 2019, September 4, 2019, and December 26, 2019.

Eaton W. Tarbell, Jr.
Nicholas Brodich
Shane R. Stewart
Eaton W. Tarbell, III
Friedrich K. Moeckel*
David E. LeFevre
Mary A. Hakken-Phillips
Caroline K. Brown

All Attorneys admitted
in New Hampshire
or as otherwise designated.

*Also admitted in Massachusetts

Reply to:
Concord, NH Office
45 Centre Street
Concord, NH 03301

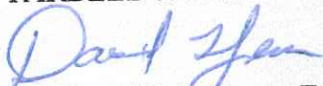
1-877-898-1135
603-226-3900 Tel
603-225-5398 Fax

In order to bring your Property into compliance, you must remove the portion of your driveway which encroaches into the side yard setback. In the alternative, you may appeal to the Hudson Zoning Board of Adjustment for a variance from the zoning violations and the Hudson Planning Board for a waiver from the driveway regulations. In either case, you must contact Mr. Buttrick immediately and notify him how you intend to proceed. If you do not contact Mr. Buttrick, I will assume you simply intend to ignore this letter, as you have ignored all prior correspondence from Mr. Buttrick, and I will take the necessary steps to obtain a court order compelling you to bring your Property into compliance.

I do want to remind you that these ongoing violations continue to subject you to civil penalties in the amount of \$275.00 for the first offense, and \$550.00 for subsequent offenses, for each day that the violations continue, and reimbursement of the Town's costs and reasonable attorney's fees actually expended in pursuing any legal action. Thus, it is very much in your best interest to cooperate with the Town in this matter and simply clean up your Property.

Sincerely,

TARBELL & BRODICH, P.A.



By: David E. LeFevre, Esq.

e-mail: dlefevre@tarbellpa.com

cc: Town of Hudson (w/encl.)(via e-mail only)

74 Highland Street (Map/Lot 174-119-001)



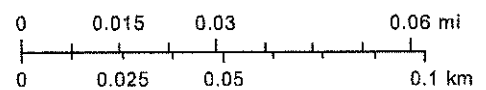
April 13, 2020

Legend

----- Easement_Lines

▭ Parcels

1:1,862



174 119 001
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

APPRaised: 384,200 / 384,200
USE VALUE: 384,200 / 384,200
ASSESSed: 384,200 / 384,200

Total Card / Total Parcel
384,200 / 384,200
384,200 / 384,200
384,200 / 384,200



PROPERTY LOCATION

No	Alt No	Direction/Street/City
74		HIGHLAND ST, HUDSON

OWNERSHIP

Owner 1:	LI, QUAN HUA
Owner 2:	
Owner 3:	
Street 1:	74 HIGHLAND ST.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

PREVIOUS OWNER

Owner 1:	PATHWAY HOMES, INC. -
Owner 2:	-
Street 1:	76 HIGHLAND ST.
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains 1.162 ACRES of land mainly classified as ONE FAMILY with a COLONIAL Building built about 2018, having primarily VINYL Exterior and 2000 Square Feet, with 1 Unit, 1 Bath, 1 3/4 Bath, 1 HalfBath, 5 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
o				Sewer	2	TOWN SEWE
n				Electri		
Census:				Exmpt		
Flood Haz:	B					
D				Topo	4	ROLLING
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		1		SITE ACRE	SITE		0 110,000.	0.95	RE				LOCATIC	-5					104,500						104,500	
101	ONE FAMILY		0.162		ACRES	EXCESS		0 4,750.	0.63	RE				TOPO	-50					481						500 WET	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	1.162	279,200		105,000	384,200
Total Card	1.162	279,200		105,000	384,200
Total Parcel	1.162	279,200		105,000	384,200
Source:	Market Adj Cost	Total Value per SQ unit /Card:	192.10	/Parcel:	192.10

Legal Description	User Acct
	11736
	GIS Ref
	GIS Ref
	Insp Date

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	101	FV	279,200	0	1.162	105,000	384,200	384,200	Year End Roll	9/16/2019
2019	101	JB	279,200	0	1.162	105,000	384,200	384,200	Year End Roll	5/8/2019
2018	130	FV		0	1.162				Year End Roll	8/27/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
PATHWAY HOMES,	9146-2081	1	2/15/2019		384,900	No	No		

TAX DISTRICT

PAT ACCT.

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/25/2018	2018-00752-	MECHANIC	10,000	C				
10/17/2018	2018-00752-	ELECTRIC	5,000	C				
10/16/2018	2018-00752-	MECHANIC		C				
10/9/2018	2018-00752-	MECHANIC	2,000	C				
10/9/2018	2018-00752-	PLUMBING	10,000	C				
8/30/2018	2018-00752	DWELLING	200,000	C				
8/6/2018	2018-00752-	FOUNDATI	200,000	C				
8/1/2018	2018-00752-	DRIVEWAY		C				
8/1/2018	2018-00752-	SEWER		C				
8/1/2018	2018-00752-	H2O hook		C				

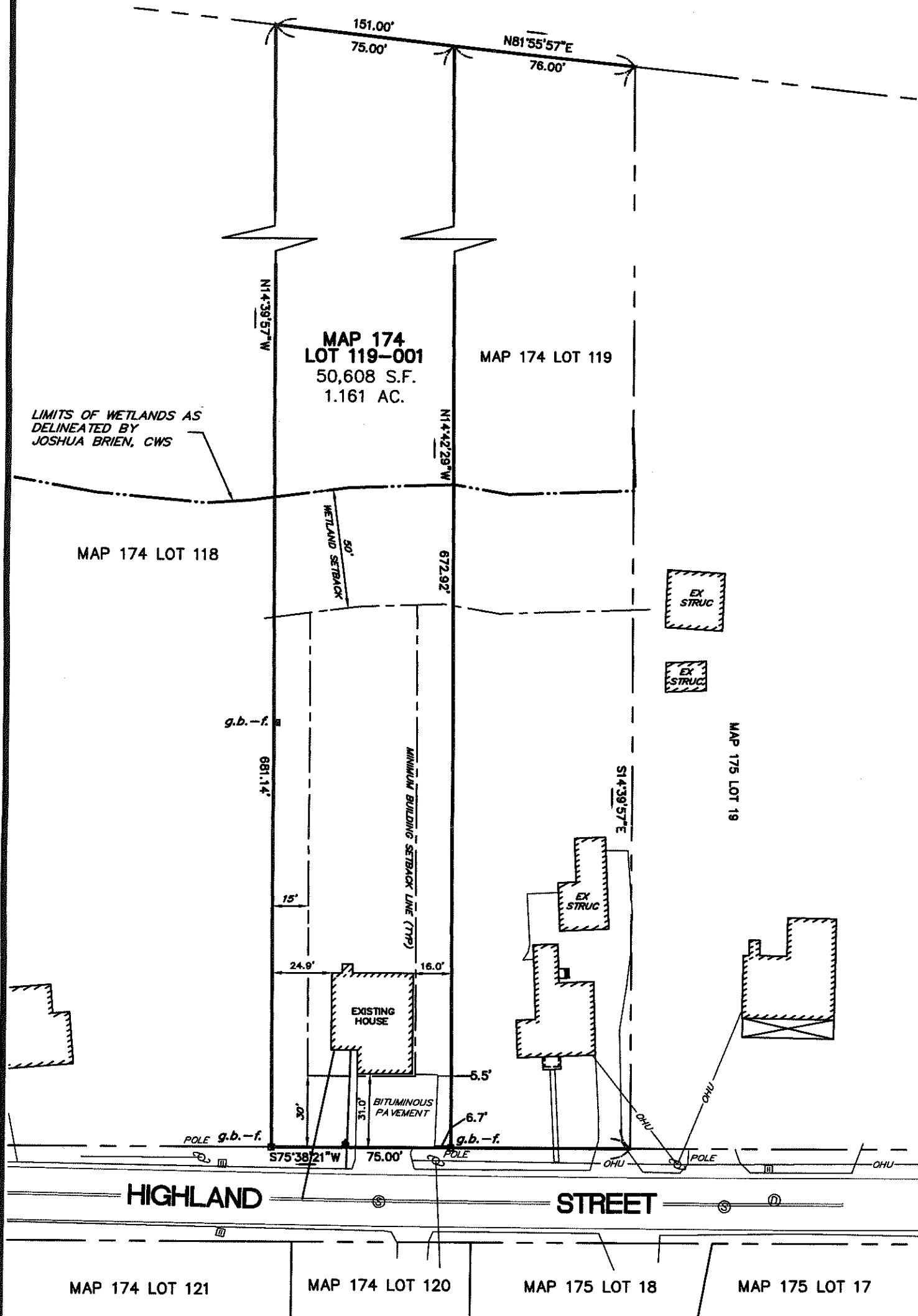
ACTIVITY INFORMATION

Date	Result	By	Name
8/1/2019	Sale Data V	12	TECH ASMNT
1/17/2019	Permit Visit	12	TECH ASMNT
10/29/2018	Info Fm Plan	1	CHIEF ASSESS

Sign: _____

Total AC/HA:	1.16200	Total SF/SM:	50617	Parcel LUC:	101 ONE FAMILY	Prime NB Desc	RES AVG	Total:	104,981	Spl Credit		Total:	105,000
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MAP 167 LOT 109



CERTIFICATION

I CERTIFY THAT THAT THIS PLAN WAS PREPARED BY ME OF THOSE UNDER MY DIRECT SUPERVISION, FURTHER, THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE BY THIS OFFICE DURING MARCH AND APRIL OF 2020.

Michael R. Dahlberg
LICENSED LAND SURVEYOR

5-7-2020
DATE

CERTIFIED PLOT PLAN

74 HIGHLAND STREET
MAP 174 LOT 119-001
74 HIGHLAND STREET
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

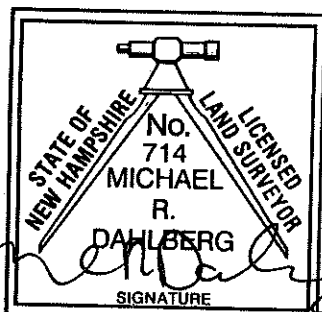
OWNER OF RECORD:

QUAN HUA LI
74 HIGHLAND STREET
HUDSON, NH 03051
H.C.R.D. BK. 9146 PG. 2081

TOWN OF HUDSON

MAY 12 2020

Zoning Department



KEACH-NORDSTROM ASSOCIATES, INC.

Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2881

Printed
5/14/2020
4:09PM
Created
5/14/2020
4:03 PM

Rcvd 5/12/20 (TB)

Transaction Receipt
Town of Hudson, NH
12 School Street
Hudson, NH 03051-4249

Receipt# 594,586
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	ZBA Application-5/28/20 Meeting 74 Highland St. Map/Lot 174-119-001 Variance Application	0.00	161.0000	0.00
			Total:	161.00

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Quan Hua Li/Wei Qing Ang	CSH	CASH-TG	161.00	0.00	161.00
			Total Due:		161.00
			Total Tendered:		161.00
			Total Change:		0.00
			Net Paid:		161.00