



# TOWN OF HUDSON

## Zoning Board of Adjustment



Charlie Brackett, Chairman

Marilyn E. McGrath, Selectmen Liaison

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

### MEETING AGENDA – March 12, 2020

The Hudson Zoning Board of Adjustment will hold a meeting on March 12, 2020, in the Community Development Paul Buxton Meeting Room in the basement of Hudson Town Hall (please enter by ramp entrance at right side). The public hearings for applications will begin at 7:00 PM, with the applications normally being heard in the order listed below.

The following items before the Board will be considered:

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:**

1. Case 234-041 (03-12-20): Komma Holding, LLC, 28 Winding Rd., Bedford, NH requests a Special Exception for 288 Lowell Rd., Hudson, NH to redevelop the property by demolition of the existing structure and construction of a new 7,000 SF one story veterinary clinic with associated access, parking, and other site improvements. [Map 234, Lot 041-000; Zoned Business (B); HZO Article VI, §334-23, Special Exceptions, General Requirements].
2. Case 251-001 (03-12-20): BAE Systems, LLC, 65 Spit Brook Rd., NNH01, Nashua, NH requests a Variance for 65 River Rd., Hudson, NH to allow the construction of a 37,100+/- SF high bay building addition, with a maximum occupiable building height of 50 feet where 38 feet is allowed. [Map 251, Lot 001-000; Zoned Industrial (I); HZO Article III, §334-14, Building Height].
3. 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].

Bruce Buttrick  
Zoning Administrator

# HUDSON ZONING BOARD OF ADJUSTMENT

## Use Special Exception Decision Work Sheet

On **03/12/20**, the Zoning Board of Adjustment heard Case# **234-041**, being a case brought by **Komma Holding, LLC, 28 Winding Rd., Bedford, NH** for a Use Special Exception for **288 Lowell Rd., Hudson, NH to redevelop the property by demolition of the existing structure and construction of a new 7,000 SF one story veterinary clinic with associated access, parking, and other site improvements.** [Map 234, Lot 041-000; Zoned Business (B); HZO Article VI, §334-23, Special Exceptions, General Requirements].

After reviewing the petition, hearing all of the evidence, and taking into consideration any personal knowledge of the property in question, the undersigned member of the Zoning Board of Adjustment sitting for this case made the following determination:

- |   |   |  |
|---|---|--|
| Y | N | 1. The use requested is listed as permitted by Special Exception in the Table of Permitted Principal or Accessory Uses for the district in which the use is requested, or is so similar to other uses permitted by Special Exception in the relevant district that prohibition of the proposed use could not have been intended. |
| Y | N | 2. The proposed use meets all the applicable requirements established in this Ordinance.   |
| Y | N | 3. The proposed use is consistent with the purpose and intent of the district in which it is proposed to be located.   |
| Y | N | 4. The proposed use is compatible with the character of the surrounding neighborhood.  |
| Y | N | 5. Nonresidential principal uses proposed to be located in residential districts must take primary access from arterial or collector roads.  |

Signed: \_\_\_\_\_  
Sitting member of the Hudson ZBA

\_\_\_\_\_  
Date

**APPLICATION FOR A SPECIAL EXCEPTION**

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 234-041 (03-12-20)

Date Filed 2/10/20

Name of Applicant Komma Holding, LLC Map: 234 Lot: 41 Zoning District: B

Telephone Number (Home) 603-497-2018 (Work) 603-497-2018

Mailing Address 28 Winding Road, Bedford, NH 03110

Owner Mariana Nour

Location of Property 288 Lowell Road, Hudson, NH  
(Street Address)

Signature of Applicant *[Handwritten Signature]*

Date 2/4/2020

Signature of Property-Owner(s) *[Handwritten Signature]*

Date 2/6/2020

**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 special exception.

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

<b>COST:</b>			Date received: <u>2/10/20</u>
Application fee:	<u>4.10</u>	<u>\$130.00</u>	
<u>9</u> Direct Abutters x <del>\$3.95</del> = <u>55</u>		<u>36.90</u>	
<u>2</u> Indirect Abutters x <del>\$0.50</del> = <u>1.10</u>		<u>1.10</u>	
<b>Total amount due:</b>		<u>\$ 168</u>	Amt. received: <u>\$ 168.00</u>
			Receipt No.: <u>584,933</u>
Received by: <u><i>[Handwritten Signature]</i></u>			
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:			
<u>        </u> Engineering	<u>        </u> Fire Department	<u>        </u> Health Officer	<u>        </u> Planner

# TOWN OF HUDSON, NH

## NOTICE TO APPLICANTS

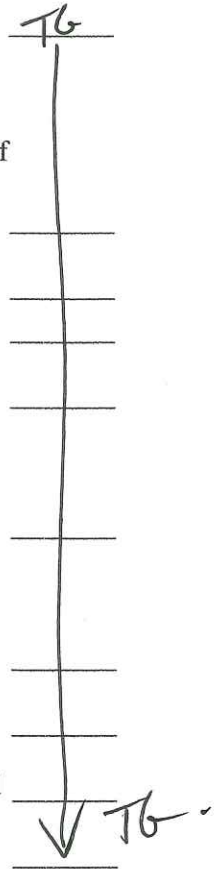
The following **requirements/checklist** pertain to the Town of Hudson, NH, Zoning Board of Adjustment applications, as applicable:

Applicant Initials		Staff Initials
BJC	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)	TG.
BJC	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	—
BJC	A separate application shall be submitted for <u>each request, with</u> a separate application fee for each request i.e.: Variance, <u>Special Exception</u> , Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	TG
BJC	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.)	TG - attached.
BJC	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.)	TG.
BJC	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	TG.
BJC	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.	TG.
N/A	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.	BB N/A.



**PLOT PLAN-**

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

[Signature]  
Signature of Applicant(s)

2/4/2020  
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.

## OWNER AFFIDAVIT

I, Mariana Nour, owner of property situated at 288 Lowell Road, Hudson, NH and referenced on Hudson Tax Assessor's Map 234; Lot 41, hereby authorize Granite Engineering, LLC and Komma Holding, LLC to submit local, state, and federal land use applications on my behalf, as they relate to the redevelopment of my property to accommodate a new animal clinic. Further, I authorize Granite Engineering, LLC and Komma Holding, LLC to aid in the representation of said permits, as required, before the Town of Hudson and the State of New Hampshire.



Mariana Nour  
288 Lowell Road  
Hudson, NH 03051

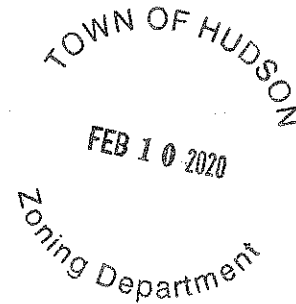


**GRANITE ENGINEERING, LLC**

civil engineering • land planning • municipal services

February 11, 2020

Town of Hudson  
Zoning Board of Adjustment  
12 School Street  
Hudson, New Hampshire 03051  
(603) 886-6000



**RE: Application for Special Exception – Komma Holding, LLC.  
Tax Map 234; Lot 41  
288 Lowell Road, Hudson, NH 03051  
GE Project No. 19-1227-1**

Dear Mr. Brackett,

On behalf of the applicant, Komma Holding, LLC. we are pleased to submit an Application for Special Exception to the Hudson Zoning Board of Adjustment. As you will read in the attached materials, the applicant is working with the owner of the property, Marianna Nour, to redevelop the property with a new veterinary clinic. Pursuant to the Hudson Zoning Ordinance, Animal Clinics are permitted in the Business Zoning District only by Special Exception. Attached under this cover you will find:

- Thirteen (13) copies of the completed Application for a Special Exception, including the original copy of the filled-out application form;
- Check in the amount of \$168.00 to cover the application fee, and abutter notification fees, as calculated below:

Direct Abutter Notification Fee = 9 x \$4.10	= \$36.90
Indirect Abutter Notification Fee = 2 x \$0.55	= \$1.10
<u>Base Application Fee</u>	<u>= \$130.00</u>
Total Fee	= \$168.00

- One (1) copy of the signed owner affidavit;
- Two (2) sets of mailing labels from the abutter notification lists, obtained from the Assessor's office;
- One (1) copy of the Assessor's card, obtained from the Assessor's office;
- One (1) copy of the Zoning Administrator's correspondence; and
- Thirteen (13) copies of the certified plot plan, size 11" x 17".

We trust you will find the application and its attachments complete and ready for the Board's consideration. Should you have any questions or require further information, please do not hesitate to contact me directly.

Best Regards,



Brenton Cole, P.E.  
*Principal Engineer*







## Abutter List

Map 234 Lot 41  
288 Lowell Road, Hudson, NH  
Granite Project No. 19-1227-1

### Subject Property Owner:

Map 234; Lot 41  
Mariana Nour  
288 Lowell Road  
Hudson, NH 03051

### Applicant:

Komma Holding, LLC  
28 Winding Road  
Bedford, NH 03110

### Direct Abutters:

Map 234; Lot 43  
Richard and Marianne Cockerline  
4 Davenport Road  
Hudson, NH 03051

Map 234; Lot 42  
John R. and Aldine C. Hill  
2 Davenport Road  
Hudson, NH 03051

Map 234; Lot 28  
Blythe Vigeant  
1 Carol Drive  
Pelham, NH 03076

Map 234; Lot 29  
Steven and Jennifer Varney  
285 Lowell Road  
Hudson, NH 03051

### Direct & Indirect Abutters:

Map 234; Lots 39 and 40  
Julie L. Jette, Trustee  
Julie L. Jette Revocable Trust  
4069 Trinidad Way  
Naples, FL 34119-7508

In-direct Abutters:

Map 234; Lot 27  
Steele Road, LLC  
46 Lowell Road  
Hudson, NH 03051

Map 234; Lot 30  
Lisa Pezzarossi  
283 Lowell Road  
Hudson, NH 03051

Engineer:

Granite Engineering, LLC  
250 Commercial Street, Ste. 3008  
Manchester, NH 03101

Surveyor:

Keach-Nordstrom Associates, Inc.  
10 Commerce Park North  
Suite 3  
Bedford, NH 03110



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

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

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

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

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

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

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

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

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

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

APPLICATION FOR A SPECIAL EXCEPTION

**Note:** This form is not for filling of wetlands.

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

ARTICLE: VI SECTION(S): 334-23

See attached "Application Attachment"  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

## APPLICATION FOR SPECIAL EXCEPTION

Map 234; Lot 41  
288 Lowell Road  
Hudson, New Hampshire

### APPLICATION ATTACHMENT

The subject property is listed on Hudson Tax Assessor's Map 234 as Lot 41. The parcel is 1.416 acres in area and is situated entirely within the Business Zoning District. The property derives access from Lowell Road in the divided section. Currently, the site is developed as a two-family residence. Historically, the site has also been utilized for pre-owned vehicle sales. In late 2007, the Hudson Planning Board approved the site plan that created the site as it exists today. The site plan included a change of use from a residence to office/retail. The retail component was used car sales. Site improvements at the time added traffic circulation, parking, a maintenance/storage garage, and onsite stormwater management. Although the site improvements were completed, the change of use was never perfected, and so the site remains a two-family residence today. The property is served by municipal water and a private septic system.

The current applicant is Komma Holding, LLC. They are working with the property owner, Mariana Nour, and desire to redevelop the property with a new veterinary clinic. The proposal entails a 7,000 square foot single-story building and associated access and parking facilities. One new driveway will replace the two driveways existing onsite today. The parking lot will contain enough parking for the vet office and one loading space pursuant to the Hudson Site Plan Regulations. The project will include enhanced onsite stormwater improvements as well as a new onsite septic system.

Pursuant to the Hudson Zoning Ordinance, Animal Clinics are permitted in the Business Zoning District only by Special Exception. Article VI of the Zoning Ordinance states that the Zoning Board of Adjustment will permit uses by Special Exception, subject to several conditions discussed below.

- A. The use requested is listed as permitted by special exception in the Table of Permitted Principal or Accessory Uses for the district in which the use is requested or is so similar to other uses permitted by special exception in the relevant district that prohibition of the proposed use could not have been intended.*

The use requested, an animal clinic, is listed as permitted by Special Exception in the Table of Permitted or Accessory Uses.

- B. The proposed use meets all the applicable requirements established in this chapter.*

The site is being designed by Granite Engineering, LLC to comply with all other applicable requirements within the Zoning Ordinance. Those requirements include the minimum lot area, minimum frontage, and applicable front, side, and rear yard building setbacks. The project will be

subject to review and approval by the Hudson Planning Board prior to the issuance of a building permit.

*C. The proposed use is consistent with the purpose and intent of the district in which it is proposed to be located.*

According to the Zoning Ordinance, the Business Zone was established to provide for the development of general wholesale and retail commercial uses, services, offices uses, multi-family dwellings, and customary accessory uses and structures. Other permitted uses in the Business Zone include hospitals and business/professional offices which are both very similar to the use proposed. It is important to note that the existing use onsite (two-family dwelling) is not a permitted use. Therefore, the proposed veterinary clinic with a Special Exception from the ZBA will be more nearly conforming than the existing grandfathered use on the property.

*D. The proposed use is compatible with the character of the surrounding neighborhood.*

The uses surrounding Lot 41 include a mix of commercial and residential uses. To the south are a residential property and Pete's Gun and Tackle shop, both in the Business Zone. As previously mentioned, the subject property has been used over the years for pre-owned car sales. To the north are more residential uses and a machine shop also in the Business Zone, however, the residential uses are a considerable distance from the proposed clinic. Across Lowell Road is a residential development in the General-1 zoning district, but just north of the residences is Dr. Komma's existing veterinary clinic at 279 Lowell Road, also in the General-1 zone.

Animal Clinics are permitted in the General-1 zoning district along with most residential uses including single-family, two-family, and manufactured home parks. However, Animal Clinics are not permitted in the Business Zone where those same residential uses are also precluded. Correspondingly, the applicant asserts that the proposed use is more compatible in the Business Zone than it is in other zones where it is permitted. Clearly, the proposed use is compatible with the character of the surrounding neighborhood since the use exists already in a smaller facility across the street. Dr. Komma is looking to relocate in order to modernize and grow her existing practice.

*E. Nonresidential principal uses proposed to be located in residential districts must take primary access from arterial or collector roads*

This stipulation does not apply since the use is proposed within the Business District.





# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #20-008

February 6, 2020

Brent Cole, P.E.  
Granite Engineering, LLC  
250 Commercial St  
Suite 3008  
Manchester, NH 03101

Re: 288 Lowell Rd Map 234 Lot 234-041  
**District: Business (B)**

Dear Mr Cole,

Your proposal as a redevelopment of this property which entails a demolition of the existing structure and to construct a new veterinary clinic with associated access, parking and other site improvements, has been completed and reviewed.

#### **Zoning Review / Determination:**

Our records indicate this as a developed lot of record with 1.4 Acres (1.0 Acres required) and 165.34 ft of frontage (150ft required).

Your proposed use as an animal clinic is a Permitted Use by Special Exception per Table of Permitted Principal Uses §334-21. You would need to obtain a Special Exception per Article VI of the Hudson Zoning Ordinance from the Zoning Board of Adjustment.

This proposal would also need a Site Plan Review by the Planning Board per §334-16.1: Site Plan Approval.

Sincerely,

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

#20-008



TOWN OF HUDSON  
COMMUNITY DEVELOPMENT DEPARTMENT  
JAN 30 2020  
Zoning Department

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



### Town of Hudson

## REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 01/27/2020

Property Location 288 Lowell Road

Map 234 Lot 41

Zoning District if known Business (B)

### 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)

The applicant requests a Zoning Determination relative to  
redevelopment on the subject parcel. Currently, the site is  
developed with a two-family residence. The proposal entails  
demolition of the existing structure and construction of a new  
veterinary clinic with associated access, parking, and other  
site appurtenances.

### Applicant Contact Information:

Name: Brent Cole, P.E. (Granite Engineering, LLC)  
 Address: 250 Commercial St. Ste. 3008, Manchester, NH  
 Phone Number: 603-518-8030

*For Office use*

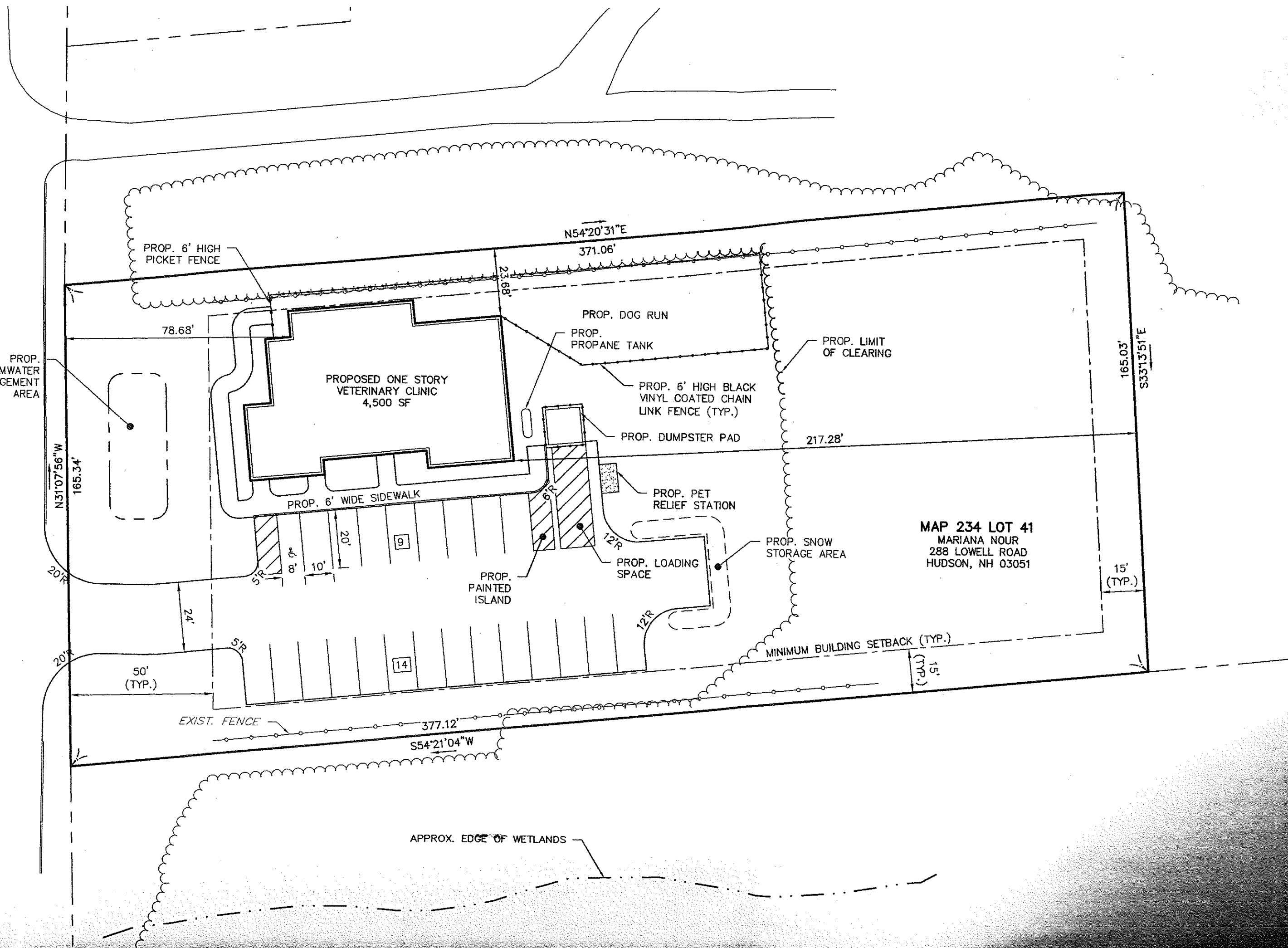
ATTACHMENTS: TAX CARD  GIS

NOTES: \_\_\_\_\_

ZONING DETERMINATION LETTER SENT  DATE: \_\_\_\_\_

ROUTE 3A (LOWELL ROAD)

GENERAL-1 ZONING DISTRICT (G1)  
BUSINESS ZONING DISTRICT (B)



234 041 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

APPAISED: 405,800/  
USE VALUE: 405,800/  
ASSESSED: 405,800/  
Total Card / Total Parcel  
405,800 / 405,800  
405,800 / 405,800  
405,800 / 405,800



PROPERTY LOCATION

No	Alt No	Direction/Street/City
288		LOWELL RD, HUDSON

OWNERSHIP

Owner 1:	NOUR, MARIANA
Owner 2:	
Owner 3:	
Street 1:	288 LOWELL ROAD
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

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

NARRATIVE DESCRIPTION

This parcel contains 1.416 ACRES of land mainly classified as TWO FAM with a MULTI-CONVER Building built about 1953, having primarily VINYL Exterior and 1632 Square Feet, with 2 Units, 2 Baths, 0 3/4 Bath, 0 HalfBath, 10 Rooms, and 10 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z		water		3		TOWN WATE
o		Sewer		0		SEPTIC
n		Electri				
Census:		Exmpt		E1		ELDER-1
Flood Haz:	C					
D		Topo		4		ROLLING
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
104	TWO FAM	1.1	1		SITE ACRE	SITE		0.290,000.	0.79	ML2				ACCESS	-10	DEVELO	-20			229,680						229,700	
104	TWO FAM	1.1	0.416		ACRES	COMM EXCES		0.29,000.	0.97	ML2										11,711						11,700	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
104	1.416	164,100.	300	241,400.	405,800		4790
						Entered Lot Size	GIS Ref
						Total Land:	GIS Ref
						Land Unit Type:	Insp Date
						AC	04/12/19
						Parcel ID	18711
						234-041-000	
						Source: Market Adj Cost	
						Total Value per SQ unit /Card:	
						248.65	
						/Parcel:	
						248.65	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2019	104	FV	164,100	300	1.416	241,400	405,800	405,800	Year End Roll	9/16/2019
2019	104	JB	159,800	2200	1.416	241,400	403,400	403,400	Year End Roll	5/8/2019
2018	104	FV	159,800	2200	1.416	241,400	403,400	403,400	Year End Roll	8/27/2018
2018	104	JB	159,800	2200	1.416	241,400	403,400	403,400	Year End Roll	5/9/2018
2017	104	FV	159,800	2200	1.416	241,400	403,400	403,400	Year End Roll	10/26/2017
2017	104	PV	159,800	2200	1.416	241,400	403,400	403,400	Year End Roll	8/28/2017
2017	104	JB	124,300	2200	1.416	189,200	315,700	315,700	Year End Roll	5/10/2017
2016	031	FV	124,300	2200	1.416	189,200	315,700	315,700	Year End Roll	8/30/2016

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
NOUR, OCTAV/MAR	6267-0036		7/12/2000	CHAR TRANS		No	No		
VIGNOLA, BARBAR	5862-0132		10/10/1997		110,000	No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
1/13/2006	2006-332	GARAGE	10,000	C	7/12/2007			

ACTIVITY INFORMATION

Date	Result	By	Name
4/12/2019	Meas/Inspect	18	KRT1
4/2/2014	NC Visit	12	TECH ASMNT
5/18/2012	Field Review	9	PVA
4/26/2012	NC Visit	12	TECH ASMNT
4/11/2011	NC Visit	12	TECH ASMNT
4/5/2010	NC Visit	12	TECH ASMNT
4/21/2009	Info By Phon	10	APPRAISER II
4/15/2009	NC Visit	10	APPRAISER II
3/27/2008	Inspected	10	APPRAISER II

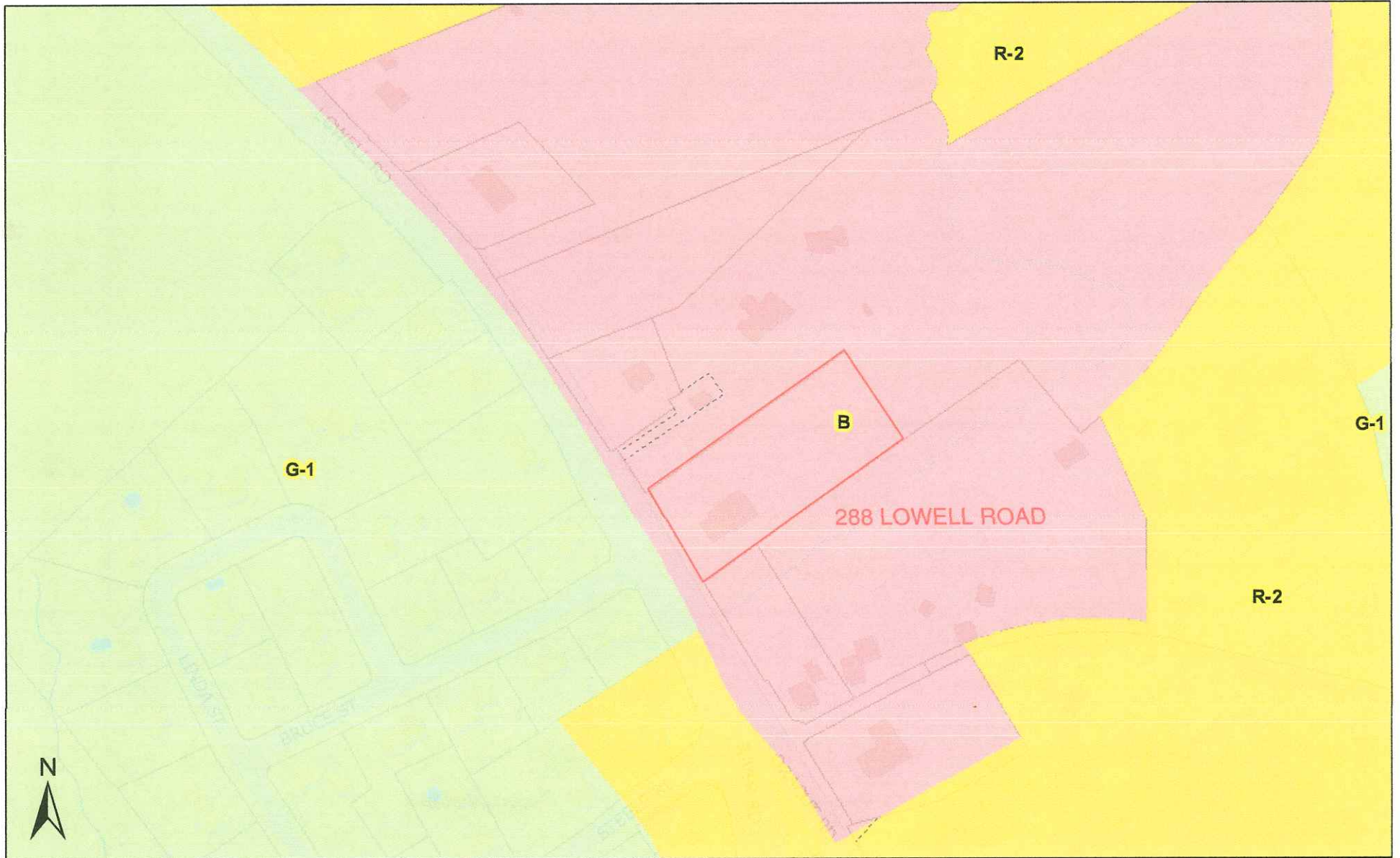
Sign: VERIFICATION OF VISIT 407, LTD. / / /

Total AC/HA: 1.41600 Total SF/SM: 61681 Parcel LUC: 104 TWO FAM Prime NB Desc: C-RESD LOWEL Total: 241,391 Spl Credit Total: 241,400





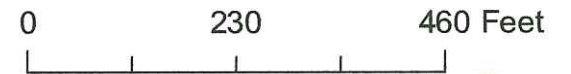
# 288 LOWELL ROAD



January 27, 2020

- Easement\_Lines
- G-1 - General 1
- Zoning
- R-2 - Residential 2
- B - Business
- ▭ Parcels

1 inch = 212 feet







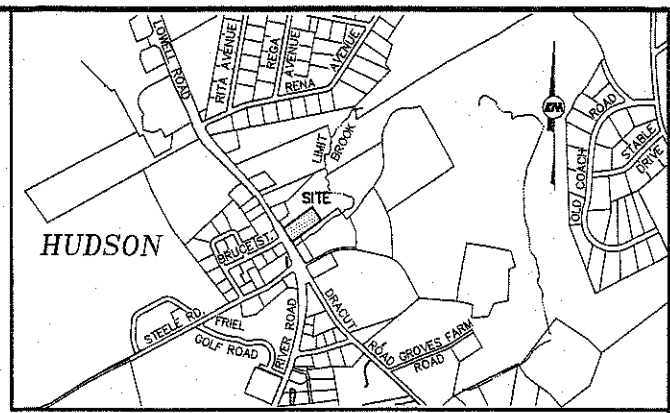
1:\project\1912301\dwg\Production Drawings\EX-CON.dwg, 2/3/2020 08:40:44, cbasso,

**LEGEND**

- GB-F GRANITE BOUND FOUND
- CNCB-F CONCRETE BOUND FOUND
- IP-F IRON PIN FOUND
- WATER VALVE
- WELL
- CATCH BASIN
- DRAINAGE MANHOLE
- WdC SOILS TYPE INDICATOR
- ABUTTER LINE
- PROPERTY LINE
- OVERHEAD UTILITIES
- RIP RAP
- CONCRETE SURFACE
- GAS LINE
- WATER LINE
- DRAINAGE LINE
- TREELINE
- EDGE OF PAVEMENT
- VERTICAL GRANITE CURB
- SLOPED GRANITE CURB
- EDGE OF GRAVEL
- 10' CONTOUR
- 2' CONTOUR
- STONEWALL
- SOIL LINE
- SETBACK
- STREAM
- FLOOD BOUNDARY

**SCS SOILS LEGEND**

- PIA PIPESTONE LOAMY SAND  
0 TO 3 PERCENT SLOPES
  - WdB WINDSOR LOAMY SAND  
3 TO 8 PERCENT SLOPES
  - WdC WINDSOR LOAMY SAND  
8 TO 15 PERCENT SLOPES
- SOURCE: USDA-SCS WEB SOIL SURVEY  
HILLSBOROUGH COUNTY



**VICINITY PLAN**

SCALE: 1" = 1,000±

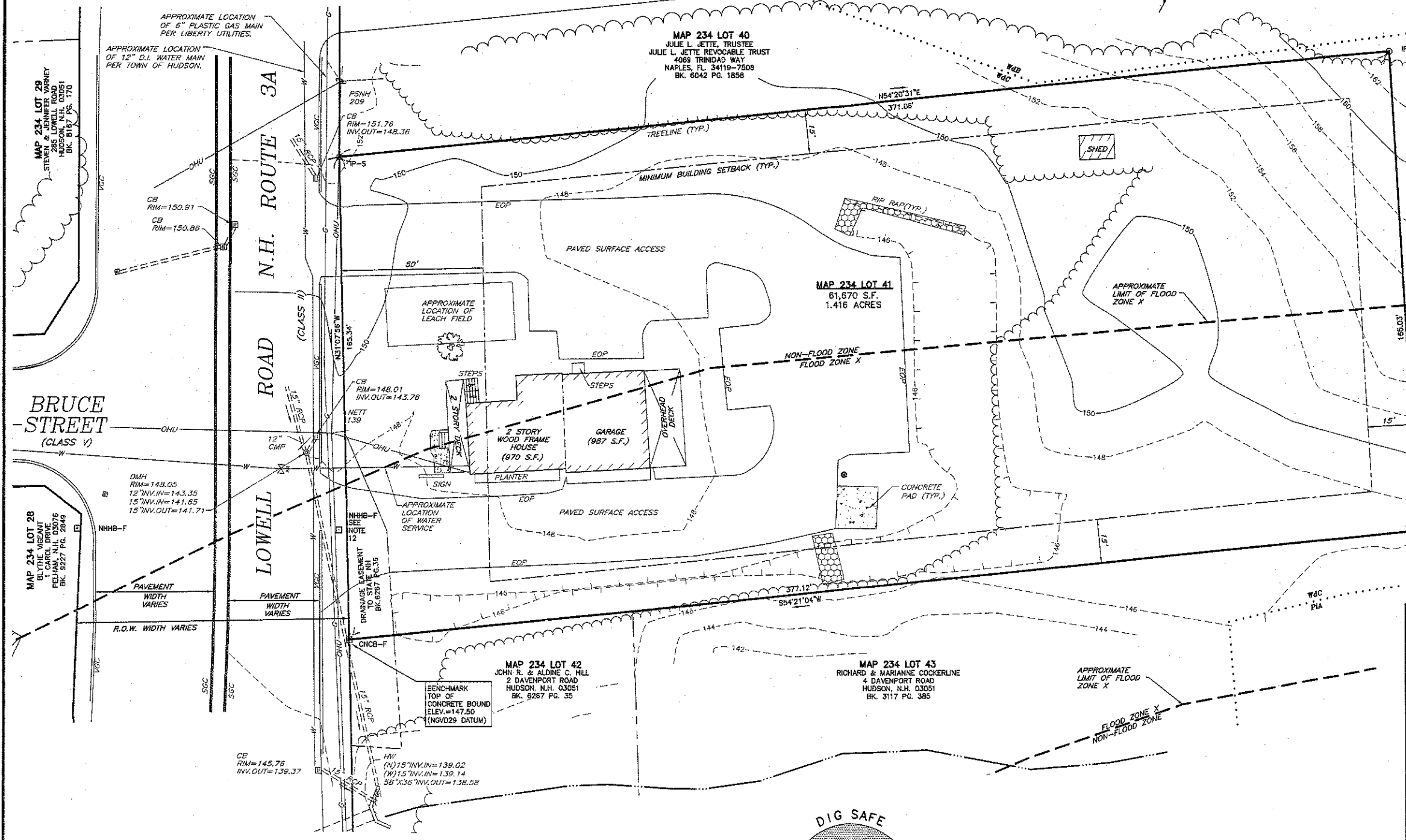
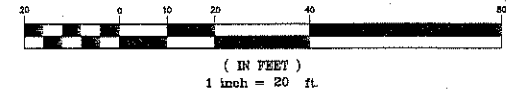
**NOTES:**

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING CONDITIONS PRESENT ON ASSESSOR'S MAP 234 LOT 41, 288 LOWELL ROAD IN HUDSON, NEW HAMPSHIRE AND NO OTHER PURPOSE.
2. LOT AREA: 61,670 S.F. OR 1.416 ACRES.  
OWNER OF RECORD: MARIANA NOUR  
288 LOWELL ROAD  
HUDSON, N.H. 03051  
BK. 5862 PG. 132
3. THE SUBJECT PARCEL IS LOCATED WITHIN THE BUSINESS (B) ZONING DISTRICT AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REQUIREMENTS.  
MINIMUM BUILDING SETBACKS:  
- FRONT 50 FT  
- SIDE 15 FT  
- REAR 15 FT
4. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE IN MAY OF 2007 AND JANUARY OF 2020.
5. HORIZONTAL DATUM IS NAD83. VERTICAL DATUM IS NGVD29 OBTAINED FROM NHDOT DISK 229-0310 STAMPED "ENGINE 5" SET IN CONCRETE WALK AT THE BURNS HILL ROAD FIRE STATION IN HUDSON, N.H. NORTH ORIENTATION IS NAD83.
6. EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, MAP NUMBER 330100650, PANEL NUMBER 656 OF 701, EFFECTIVE DATE SEPTEMBER 25, 2009 INDICATES THAT A PORTION OF THE SUBJECT PARCEL IS LOCATED IN ZONE X. AREAS OF 0.2% ANNUAL CHANCE OF FLOOD; AREAS OF 1% ANNUAL CHANCE OF FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVES FROM 1% ANNUAL CHANCE OF FLOOD.
7. SITE IS SERVICED BY PRIVATE SEPTIC AND MUNICIPAL WATER.
8. WATER SERVICE INFORMATION IS PROVIDED BY THE TOWN OF HUDSON.
9. WATER MAIN SIZE AND TYPE PROVIDED BY THE TOWN OF HUDSON.
10. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE OWNER OR CONTRACTOR SHALL CONTACT DIG SAFE AT 811.
11. EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES MAY DETERMINE.
12. THIS BOUND WAS SET BY THE STATE OF N.H. ON THE PROPOSED R-O-W LINE AS SHOWN ON REFERENCE PLAN #2. THE PROPOSED R-O-W WAS INTENDED TO BE A TAKING PER THE 1966 PL. 86, HOWEVER THE LINE AS MONUMENTED BY THE NHDOT LIES APPROXIMATELY 3 FEET WESTERLY OF THE ACTUAL LOWELL ROAD R-O-W, WHICH THE EXISTING MONUMENTS DEPICT.

**REFERENCE PLANS:**

1. "LOT LINE RELOCATION & CONSOLIDATION PLAN", LOWELL ROAD, HUDSON, N.H. JETTE & VIGNOLA PROPERTIES, TAX MAP 8 LOTS 46, 47 & 47-1. OWNED BY ROGER E. JETTE & BARBARA E. VIGNOLA. SCALE: 1"=60'. DATED: OCTOBER 18, 1995. PREPARED BY: HAYNER/SWANSON, INC.
2. "ROUTE 3A, RIGHT-OF-WAY" PLANS. STATE PROJECT NO. 12461, SHEET 02. RECORDED AS H.C.R.D. PLAN NO. 31211.

**GRAPHIC SCALE**



**EXISTING CONDITIONS PLAN**

**NOUR SITE**

MAP 234 LOT 41  
288 LOWELL ROAD  
HUDSON, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

**OWNER OF RECORD:**  
MARIANA NOUR  
288 LOWELL ROAD  
HUDSON, N.H. 03051  
H.C.R.D. BK. 5862 PG. 132

**APPLICANT:**  
LANGLEY CONSTRUCTION INC.  
14 TATRO DRIVE  
GOFFSTOWN, N.H. 03045



10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 827-2881

PURSUANT TO THE SITE REVIEW REGULATIONS OF THE HUDSON PLANNING BOARD, THE SITE PLAN APPROVAL GRANTED HEREIN EXPIRES ONE YEAR FROM DATE OF APPROVAL

APPROVED BY THE HUDSON, NH PLANNING BOARD  
DATE OF MEETING: \_\_\_\_\_

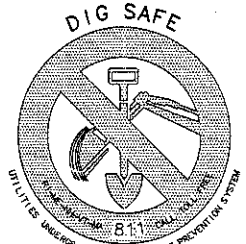
\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE DATE: \_\_\_\_\_

SITE PLANS ARE VALID FOR TWO YEARS FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL. FINAL APPROVAL COMMENCES AT THE PLANNING BOARD MEETING DATE AT WHICH THE PLAN RECEIVES FINAL APPROVAL.

**UTILITY NOTE**

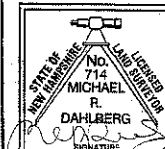
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN DRAWN FROM FIELD SURVEY INFORMATION AND OR PLOTTED FROM EXISTING DRAWINGS. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, KEACH-NORDSTROM ASSOCIATES, INC. DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. KEACH-NORDSTROM ASSOCIATES, INC. HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING MAY OF 2007 AND JANUARY OF 2020. SAID SURVEY HAS AN ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) OR BETTER.

*Mariana Nour*  
\_\_\_\_\_  
LICENSED LAND SURVEYOR DATE 2-3-2020



**REVISIONS**

No.	DATE	DESCRIPTION	BY

DATE: JANUARY 16, 2020 SCALE: 1"=20'  
PROJECT NO: 19-1230-1 SHEET 1 OF 1

Printed  
2/10/2020  
3:31PM

Created  
2/10/2020  
3:29 PM

# Transaction Receipt

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

Receipt# 584,933  
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application 288 Lowell Rd Map/Lot 234-041-000 Special Exception	0.00	168.0000	0.00
			Total:	168.00

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Komma Holding LLC	CHECK	CHECK # 1016	168.00	0.00	168.00

Total Due: 168.00  
Total Tendered: 168.00  
Total Change: 0.00  
Net Paid: 168.00



TOWN OF HUDSON

FEB 10 2020

Zoning Department

APPLICATION FOR A VARIANCE

Town Zoning Board of Adjustment  
Town of Hudson

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

Case No. 251-001 (03-12-20)

Date Filed 2/10/20

Name of Applicant BAE Systems Map: 251 Lot: 001 Zoning District: I

Telephone Number (Home) \_\_\_\_\_ (Work) (603) 885-3631

Mailing Address 65 Spit Brook Road, NNH01, Nashua, NH 03061

Owner BAE Systems Information and Systems Integration, Inc.

Location of Property 65 River Road, Hudson, NH  
(Street Address)

*[Handwritten Signature]*  
Signature of Applicant

2/6/20  
Date

*[Handwritten Signature]*  
Signature of Property-Owner(s)

2/6/20  
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	Date received: <u>2/10/20</u>
<u>38</u> Direct Abutters x <sup>10</sup> \$4.05 =		<u>155.80</u>	
<u>9</u> Indirect Abutters x \$0.55 =		<u>4.95</u>	
<b>Total amount due:</b>		<u>\$ 290.75</u>	Amt. received: \$ <u>290.75</u>

Received by: *[Handwritten Signature]*

Receipt No.: 585,030

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>  X  </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>  X  </u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>  TG  </u>
<u>  X  </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>  N/A  </u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>  N/A  </u>
<u>  X  </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>  X  </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>  X  </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>









**ABUTTER LIST**  
*Job No. 1853-HB*  
**Zoning Application Abutters**  
*February 7, 2020*

Map	Lot No.	Name & Address
<b>OWNER(S):</b>		
18	50	BAE SYSTEMS INFORMATION & ELECTRONIC
251	1	SYSTEMS INTEGRATION, INC. P.O. BOX 868 NASHUA, NH 03061-0868
<b>ABUTTERS:</b>		
245	1	HALL FAMILY REV. TRUST OF 2015 GEORGE R., JR., & MARYANN HALL, TRUSTEES 18 PAR LANE HUDSON, NH 03051
245	2	JIMMY J. GOULET & AUDRA L. BARSTOW 20 PAR LANE HUDSON, NH 03051
245	3	JOCELYN E. OUELLETTE & NICHOLAS A. FIORILLA 22 PAR LANE HUDSON, NH 03051
245	4	RICHARD P. & MARGARET LAVALLEE 24 PAR LANE HUDSON, NH 03051
245	5	JOSEPH B. & BARBARA CIVITARESE 26 PAR LANE HUDSON, NH 03051
245	6	BERNARD J. & LORETTA S. CHIONIÈRE 28 PAR LANE HUDSON, NH 03051
245	7	JOHN M. ROCKSTROH 33 FAIRWAY DRIVE HUDSON, NH 03051
246	1 & 8	WARREN R. & SUZANNE BARCLAY REVOCABLE TRUST WARREN R. & SUZANNE BARCLAY, TRS. 24 CHALIFOUX ROAD HUDSON, NH 03051
246	4	RENEE M. & DANA J. PAQUETTE 1 STONEMILL DRIVE HUDSON, NH 03051

246	5	SEAN D. MCALLISTER 16 CHALIFOUX ROAD HUDSON, NH 03051
246	6	LAWRENCE E. & CLENNA J. EMERY 20 CHALIFOUX ROAD HUDSON, NH 03051
246	7	WICKHAM FAMILY REV. TRUST RICHARD G. & BERNADETTE L. WICKHAM, TRUSTEES 22 CHALIFOUX ROAD HUDSON, NH 03051
246	9	MARY D. PALMER 26 CHALIFOUX ROAD HUDSON, NH 03051
246	10	WILLIAM C. JOYCE & SHANA M. PARIS 28 CHALIFOUX ROAD HUDSON, NH 03051
246	11	RICHARD A. HANLON PO BOX 52 LONDONDERRY, NH 03053
246	14	CHALIFOUX ROAD REALTY TRUST DANA W. MCCOY TRUSTEE 21 CHALIFOUX ROAD HUDSON, NH 03051
246	20	SETH & CYNTHIA L. DICHARD 12 PAR LANE HUDSON, NH 03051
246	21	JAMES M. GRADY 14 PAR LANE HUDSON, NH 03051
246	22	JOHN F. LESER 16 PAR LANE HUDSON, NH 03051
246	56	OM P. & SHASHI AHUJA 1 MULDOON STREET HUDSON, NH 03051
246	86	DLM PROPERTIES, LLC 22 ABBOTT STREET HUDSON, NH 03051
251	2	TAYMAR REALTY, LLC 440 MIDDLESEX ROAD, STE. 19 TYNGSBOROUGH, MA 01879

251	3	MURIEL RICHARD 3 WALKER ROAD HUDSON, NH 03051
251	5	AJIT PATEL 8 NOTTINGHAM RD TYNGSBOROUGH, MA 01879
251	6	A & J STATELINE REALTY TRUST AJIT PATEL & JAGRUTI PATEL, TRS. 83 RIVER ROAD HUDSON, NH 03051
251	7	THE MARILYN E. MCGRATH REV. TRUST OF 2017 MARILYN E. MCGRATH, TRUSTEE 81 RIVER ROAD HUDSON, NH 03051
251	8	KENNETH L. MACGRATH 20 BALDWIN ROAD MILFORD, NH 03055
251	9	MATTHEW J. & ADAM J. MACGRATH 77 RIVER ROAD HUDSON, NH 03051
251	10, 10-3, 10-4, 10-5, 10-9, 10- 10, 10-11, 10- 12, 10-13, & 10-14	75 RIVER ROAD REALTY TRUST C/O DONALD NICOLLS, TRUSTEE 70 BRIDGE STREET PELHAM, NH 03076
251	10-1	MATTHEW KOPELMAN P.O. BOX 610407 NEWTON, MA 02461
251	10-2	ROBERT & MARCY KOPELMAN P.O. BOX 610407 NEWTON, MA 02461
251	10-6, 10-7, & 10-8	ROBERT KOPELMAN P.O. BOX 610407 NEWTON, MA 02461
251	11	RICHARD J. TATE 77 SPEARE ROAD HUDSON, NH 03051
256	3	MICHAEL J. & MELISSA J. CASEY 97R RIVER ROAD HUDSON, NH 03051

**MASSACHUSETTS ABUTTERS:**

18	7	DRACUT WATER SUPPLY DISTRICT 59 HOPKINS STREET DRACUT, MA 01826
18	49-1	TIMOTHY J. & JOHANNA B. PORTER 33 WINSLOW FARM ROAD HUDSON, NH 03051

**ABUTTERS (WITHIN 200 FEET):**

245	8	CAMPBELL J. GIBSON & JOAN L. ZYTKIEWICZ ONE TR. CAMPBELL GIBSON & JOAN L. ZYTKIEWICZ, TRUSTEES 31 FAIRWAY DRIVE HUDSON, NH 03051
246	2	JOHN W. & FREDERICK B. SULLIVAN 53 RIVER ROAD HUDSON, NH 03051
246	12	JAMES M. & MARY ANN WILL 25 CHALIFOUX ROAD HUDSON, NH 03051
246	13	CHALIFOUX ROAD REALTY TRUST WILLIAM M. JOYCE, TRUSTEE CYNTHIA P. NOVAK, TRUSTEE 23 CHALIFOUX ROAD HUDSON, NH 03051
246	19	JOSEPH MORRISSEY 10 PAR LANE HUDSON, NH 03051
246	55	TRICIA JARVIS & RANDY S NORMANDIN 3 MULDOON STREET HUDSON, NH 03051
246	85	THE LOCICERO FAMILY REVOCABLE TRUST DAVID M. & CAROL A. LOCICERO, TRS. 2 JACQUELINE STREET HUDSON, NH 03051
251	13	CRESTA FAMILY REVOCABLE TRUST JOHN P. & DONNA M. CRESTA, TRUSTEES 84 RIVER ROAD HUDSON, NH 03051-5224

**OTHERS:**

EARLE D. BLATCHFORD  
HAYNER/SWANSON, INC.  
THREE CONGRESS STREET  
NASHUA, NH 03062-3301

GARY L. COLLINS, LLS  
HAYNER/SWANSON, INC.  
THREE CONGRESS STREET  
NASHUA, NH 03062-3301

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article III of HZO Section(s) 334-14 Building Height

in order to permit the following change or use:

To allow the construction of a 37,100+/- square foot high bay building addition, with a maximum occupiable building height of 50 feet where 38 feet is allowed, to the existing 300,000 +/- square foot, 2-story BAE PTP01 technology building. The existing building is of conforming occupiable building height (32+/- feet average building height).

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 proposed building addition is a fraction of the size of an additional 200,000 square feet of building space that was approved as part of the original site development. This additional building space has not been constructed, but is vested due to the fact that approximately 75% of the total project has been constructed. Therefore the impacts of the larger development have already been approved, and mitigation measures (traffic, stormwater mangagement, etc.) are already in-place. Further, the additional building space will provide additional jobs and property tax revenue for the Town.

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 requested building height variance is in line with what is allowed in other Industrial Zone properties in Hudson, as specified in Hudson Zoning Ordinance Article III, Section 334-14A (see attached copy). In addition, an amendment to Section 334-14 to add the 65 River Road property to those listed in Section 334-14A is proposed and endorsed by the Hudson Planning Board (see attached draft amendment). This proposed amendment will be voted on at Town Meeting on March 10, 2020. The applicant however needs to submit for Planning Board site plan approval before then to keep to the project schedule.

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.)

As stated above, the requested maximum occupiable building height is allowed in other similarly zoned properties in Hudson.

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

The proposed addition will be part of a large existing complex. The proposed improvements are located substantially within an already developed portion of the of the site, and are proposed to be located 700+ feet from the nearest abutting properties to the north (Fairway Drive and Par Lane). There is also a substantial 200+ foot treed buffer to these abutting properties (see attached aerial photo).

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.)

The proposed building addition has a critical high bay segment which is the heart of the proposed project. This portion of the building requires higher overhead clearances and room for bridge cranes above the production floor to move equipment and product within this portion of the proposed addition. This building requirement, coupled with the fact that the ground elevation in the existing parking lot, at the northerly end of the proposed addition, is 10 feet lower in elevation than the first floor of the existing building. The southerly end of the proposed addition connects to the existing building and has to match the existing finish floor elevations on the first and second floors. These two factors together result in a building where portions of the occupiable building have to exceed 38 feet, but are less than 50 feet in building height

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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 #20-005

January 24, 2020

Earle Blatchford, agent  
Hayner/Swanson, Inc  
3 Congress, St  
Nashua, NH 03062

RE: 65 River Road Map 251 Lot 001  
District: Industrial (I)

Dear Earle,

Based on your inquiry letter of Jan 23, 2020, any occupiable structure that exceeds 38 ft would need a variance from §334-14 Building Height, and this property is not in the allowed exceptions as provided for in 334-14A.

Sincerely,

*Bruce Buttrick, MCP*

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

[bbuttrick@hudsonnh.gov](mailto: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.**

**§ 334-14. Building height. [Amended 3-8-2016 by Amdt. No. 4; 3-16-2017 by Art. No. 3; 2-2-2019 ATM, Art. 04, adopted 3-12-2019]**

No occupiable structure may exceed 38 feet in height in any district, except as provided in Subsection A below. Height is measured from the average elevation of the finished grade within five feet of the structure to the highest point of the roof, excluding accessory, unoccupied protuberances such as antennas, flagpoles and the like. Nonoccupiable structures such as church spires, steeples, smokestacks, flagpoles, lightpoles and other similar structures may not exceed 100 feet in height in any district, except as provided for in Article VI, Special Exceptions. In all cases, a nonoccupiable structure shall not be capable of falling or collapsing beyond the bounds of the property on which it is situated. The maximum heights and special exception conditions for communications towers, masts and antennas are separately addressed within Article XVIII, Commercial Wireless Telecommunication, Radio Service and Receive-Only Facilities.

- A. In the following described zoning districts/parcels, the maximum allowed occupiable building height shall be 50 feet, and said maximum height shall be restricted to those areas of buildings used exclusively for manufacturing, warehouse, distribution and office space ancillary to said principal uses: Sagamore Industrial Park (IP), located in an Industrial (I) Zoning District, bordered by Sagamore Bridge Road to the south, the Merrimack River to the west, the existing General (G) District to the north and the existing Business (B) District, abutting Lowell Road. (Rte. 3A) to the east, and including all parcels located within this I Zoning District. The General (G) Zoning District abutting to the north of the above-described Sagamore IP, and known locally as the "Friar Property," having frontage off Friars Drive and 161 Lowell Road (Map 209/Lot 001). The portion of the General-One (G-1) Zoning District located to the south of Sagamore Bridge Road and exclusive to the following parcels: Green Meadow Golf Club, 43 Steele Road (Map 239/Lot 001), 11 Steele Road (Map 234/Lot 005), 2 Friel Golf Road (Map 234/Lot 001), 267 Lowell Road (Map 234/Lot 035) and 273 Lowell Road (Map 234/Lot 034). The Industrial (I) Zoning District located along the south border of Central Street (NH Rte. 111), starting at the westernmost border of this I District (i.e., just west of Hudson Park Drive), running along said south border of Central Street to the west border of Sullivan Road and including all parcels located within this I Zone. The Industrial (I) Zoning District located along the north side of

§ 334-14

§ 334-14

Derry Street (NH Rte. 102), at the intersection of West Street,  
and including all parcels located within this I Zone.

## **DRAFT FOR PLANNING BOARD PUBLIC HEARING 1/8/2020**

Proposed deletions in ~~strike through~~, additions in **underline & bold**

§ 334-14 **Building height.**

**[Amended 3-8-2016 by Amdt. No. 4; 3-16-2017 by Art. No. 3; 2-2-2019 ATM, Art. 04, adopted 3-12-2019]**

No occupiable structure may exceed 38 feet in height in any district, except as provided in Subsection A below. Height is measured from the average elevation of the finished grade within five feet of the structure to the highest point of the roof, excluding accessory, unoccupied protuberances such as antennas, flagpoles and the like. Nonoccupiable structures such as church spires, steeples, smokestacks, flagpoles, lightpoles and other similar structures may not exceed 100 feet in height in any district, except as provided for in Article VI, Special Exceptions. In all cases, a nonoccupiable structure shall not be capable of falling or collapsing beyond the bounds of the property on which it is situated. The maximum heights and special exception conditions for communications towers, masts and antennas are separately addressed within Article XVIII, Commercial Wireless Telecommunication, Radio Service and Receive-Only Facilities.

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MAP LOT SUB

CARD

Hudson

APPRAISED: 23,216,400 / 33,109,5
USE VALUE: 23,216,400 / 33,109,5
ASSESSED: 23,216,400 / 33,109,5

PROPERTY LOCATION

Table with columns: No, Alt No, Direction/Street/City. Row 1: 65, RIVER RD, HUDSON

MEMBERSHIP

Table with columns: Member Name, Unit #, Address. Includes BAE SYSTEMS, FACILITY FINANCE/NNH01-6C1, P.O. BOX 868

PREVIOUS OWNER

Table with columns: Member Name, Address, City, State, Zip. Includes BAE SYSTEMS, ATT: ACCOUNTS PAYABLE - P.O. BOX 511, NASHUA

PROPERTY DESCRIPTION

Parcel contains 169.705 ACRES of land mainly classified RES & DEVEL with a R & D Building built about 1983, containing primarily STUCCO Exterior and 303508 Square Feet, 1 Unit, 0 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 m.

OTHER ASSESSMENTS

Table with columns: Code, Description/No, Amount, Com. Int.

PROPERTY FACTORS

Table with columns: Item Code, Description, %, Item Code, Description. Includes GENERAL water, IND DISTRICT Sewer, Exempt, Topo LEVEL, Street, Gas

LAND SECTION (First 7 lines only)

Table with columns: Line, 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

IN PROCESS APPRAISAL SUMMARY

Table with columns: Use Code, Land Size, Building Value, Yrd Items, Land Value, Total Value. Includes Total Card, Total Parcel, Source: Market Adj Cost, Total Value per SQ unit /Card: 76.49, /Parcel: 59.08

PREVIOUS ASSESSMENT

Table with columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date. Includes years 2016-2019

SALES INFORMATION

Table with columns: Grantor, Legal Ref, Type, Date, Sale Code, Sale Price, V, Tst, Verif, Notes. Includes LOCKHEED SANDER, 6322-0362, 11/27/2000, 2937-0561, 7/28/1982, FAMILY TRANS

BUILDING PERMITS

Table with columns: Date, Number, Descrip, Amount, C/O, Last Visit, Fed Code, F. Descrip, Comment. Includes MECHANIC, PROPANE, STRUCTUR, PLACE OF, INT RENO, ELECTRIC

ACTIVITY INFORMATION

Table with columns: Date, Result, By, Name. Includes 1/8/2020 Inspected, 4/30/2019 Permit Visit, 6/19/2017 Field Review, 4/24/2017 Permit Visit, 2/24/2017 I&E Mailed, 4/19/2016 Permit Visit, 4/2/2014 Permit Visit, 5/18/2012 Field Review, 4/25/2012 Permit Visit

Sign: VERIFICATION OF VISIT NOT DATA



USER DEFINED

Table with columns: Prior Id #, Value. Includes Prior Id # 1: 0001, Prior Id # 2: 0001, Prior Id # 3: 0000, Prior Id # 1: GM, Prior Id # 2: , Prior Id # 3: , ASR Map: , Fact Dist: , Reval Dist: , Year: , LandReason: , BldReason: , CivilDistrict: , Ratio:

PRINT Date Time 02/10/20 13:40:34 LAST REV Date Time 01/14/20 08:31:46 krt 1







MAP LOT SUB

CARD

Hudson

APPRAISED: 9,893,100 / 33,109,5
USE VALUE: 9,893,100 / 33,109,5
ASSESSED: 9,893,100 / 33,109,5

PROPERTY LOCATION

Table with 3 columns: No, Alt No, Direction/Street/City. Row 1: 65, RIVER RD, HUDSON

Table with 2 columns: Owner Name, Unit#. Rows include BAE SYSTEMS, FACILITY FINANCE/NNH01-6C1, P.O. BOX 868, NASHUA, NH 03060

PREVIOUS OWNER

Table with 2 columns: Owner Name, Unit#. Rows include NASHUA, NH 03060

PROPERTY DESCRIPTION

This parcel contains 169.705 ACRES of land mainly classified RES & DEVEL with a IND-LIGHT Building built about 1983, containing primarily STUCCO Exterior and 256942 Square Feet, 1 Unit, 0 Bath, 0 3/4 Bath, 0 HalfBath, 0 Rooms, and 0 m.

PAST ASSESSMENTS

Table with 4 columns: Code, Descr/No, Amount, Com. Int.

PROPERTY FACTORS

Table with 7 columns: Code, Description, %, Item, Code, Description. Rows include GENERAL water, IND DISTRICT Sewer, Exmpt, Topo, Street, Gas.

LAND SECTION (First 7 lines only)

Table with 23 columns: Code, Description, LUC Fact, No of Units, Depth / PriceUnits, Unit Type, Land Type, LT Factor, Base Value, Unit Price, Adj, Neigh, Neigh Influ, Neigh Mod, Inf1 %, Inf2 %, Inf3 %, Appraised Value, Alt Class %, Spec Land %, J Code, Fact, Use Value, Notes

IN PROCESS APPRAISAL SUMMARY

Table with 6 columns: Use Code, Land Size, Building Value, Yard Items, Land Value, Total Value. Rows include 404, Total Card, Total Parcel, Source: Market Adj Cost

PREVIOUS ASSESSMENT

Table with 11 columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date

SALES INFORMATION

Table with 10 columns: Grantor, Legal Ref, Type, Date, Sale Code, Sale Price, V, Tst, Verif, Notes

BUILDING PERMITS

Table with 8 columns: Date, Number, Descr, Amount, C/O, Last Visit, Fed Code, F. Descr, Comment. Rows include 4/25/2011 2011-115-1F FOUNDATI, 12/1/2008 2008-610 INT RENO

ACTIVITY INFORMATION

Table with 5 columns: Date, Result, By, Name. Rows include 1/8/2020 Inspected, 4/30/2019 Permit Visit, 4/25/2018 Permit Visit, 6/19/2017 Field Review, 4/2/2014 Permit Visit, 5/18/2012 Field Review, 4/25/2012 Permit Visit, 4/6/2007 Meas/Inspect, 9/27/1990 Inspected

Sign: VERIFICATION OF VISIT NOT DATA



Patriot Properties Inc

USER DEFINED

Table with 2 columns: Prior Id #, Value. Rows include Prior Id # 1: 0001, Prior Id # 2: 0001, Prior Id # 3: 0000, Prior Id # 1: GM, 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

Table with 3 columns: Date, Time. Row 1: 02/10/20 13:40:54

LAST REV

Table with 3 columns: Date, Time. Row 1: 01/13/20 10:15:59

Table with 2 columns: User, Value. Row 1: krt 1



Type: 33 - IND-LIGHT	Full Bath	Rating:	BLDG = PTP 2. ADDED UTILITY BLDG FOR
Sty Ht: 2 - TWO STY	A Bath:	Rating:	2004/BENCHMARK 1ST FLR, BLDG 2. 1/20 1
Units: 1 Total: 2	3/4 Bath:	Rating:	FRT AND 1 PASS ELEV. BOTH 2 STOPS. NO
Foundation: 6 - SLAB	A 3QBth:	Rating:	MSRE EST EXT AND YARD LITES.
Frame: 4 - FIRE STEEL	1/2 Bath:	Rating:	
Time Wall: 06 - STUCCO	A HBth:	Rating:	

Sec Wall: %
Roof Struct: 4 - FLAT
Roof Cover: 11 - MEMBRANE
Color: WHITE
W / Desir:

**GENERAL INFORMATION**

Grade: C - AVERAGE
Year Bilt: 1983 Eff Yr Bilt:
It LUC:
Jurisdic:
Const Mod:
Lump Sum Adj:

**EXTERIOR INFORMATION**

Avg Ht/FL: STD
Ext Int Wall: 1 - DRYWALL
Ext Int Wall: %
Partition:
Ext Floors: 05 - LINO/VINYL
Ext Floors: %
3rdmnt Flr:
Subfloor:
3rdmnt Gar:
Electric: 3 - TYPICAL
Insulation: 2 - TYPICAL
Int vs Ext:
Heat Fuel: 4 - PROPANE
Heat Type: 1 - FORCED AIR
Heat Sys:
% Heated: 100 % AC: 100
Solar HW: NO Central Vac: NO
Com Wal % Sprinkled: 100

**DEPRECIATION**

Phys Cond: AV - Average 30. %
Functional: D - DESIGN 10. %
Economic: D - DEMAND 18. %
Special: %
Override: %
Total: 48.78 %

**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

**OTHER FEATURES**

Kits: Rating:
A Kits: Rating:
Frp: Rating:
WSFlue: Rating:

**CONDO INFORMATION**

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

**REMODELING**

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

**RES BREAKDOWN**

No Unit RMS BRS FL
Totals

**CALC SUMMARY**

Basic \$ / SQ: 53.00
Size Adj.: 0.85467035
Const Adj.: 1.06110597
Adj \$ / SQ: 48.065
Other Features: 403613
Grade Factor: 1.00
NBHD Inf: 1.00000000
NBHD Mod:
LUC Factor: 1.00
Adj Total: 18802888
Depreciation: 9172049
Depreciated Total: 9630839

**COMPARABLE SALES**

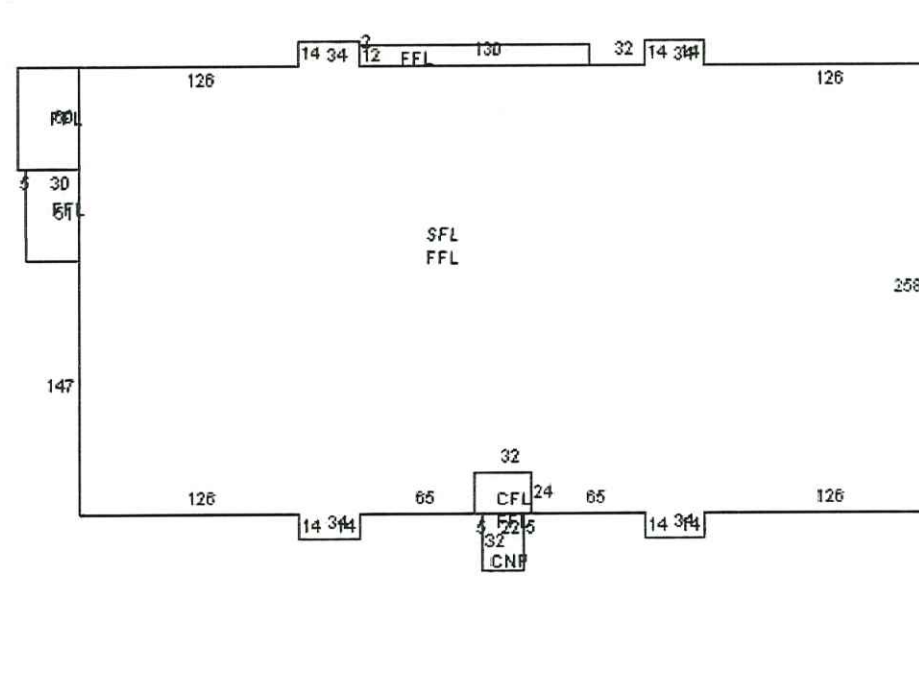
Rate	Parcel ID	Typ	Date	Sale Price
WtAv\$/SQ:	AvRate:	Ind.Val		
Juris. Factor:	Before Depr: 48.07			
Special Features: 77400	Val/Su Net: 37.57			
Final Total: 9708200	Val/Su SzAd: 37.78			

**MOBILE HOME**

Make:	Model:	Serial #	Year:	Color:
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**EXTERIOR FEATURES/YARD ITEMS**

de	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
	HALON RM	D	S	1	3072	AV	AV	1983	0.00	T	34	404						
	SHOP	D	Y	1	336	GD	AV	1983	37.98	T	34	404			8,400			8,400
	PAVING-ASPH	D	Y	1	290000	FR	FR	1983	1.29	T	61.2	404			145,100			145,100
	CANOPY	D	Y	1	768	AV	AV	1983	19.17	T	34	404			9,700			9,700
	ELEV-PASS	D	S	1	2	AV	AV	1983	28,875.00	B	48.8	404			29,600			29,600
	ELEV-FRT	D	S	1	2	AV	AV	1983	44,000.50	B	48.8	404			45,100			45,100
	SHOP	D	Y	1	12x18	AV	AV	2003	35.18	T	14	404			6,500			6,500
	CRANE GIRD	D	S	1	50	AV	EX	2011	55.00	T	3	404			2,700			2,700
	LITE-SING	D	Y	15	1	AV	GD	2015	1,100.00	T	8	404			15,200			15,200



**SUB AREA**

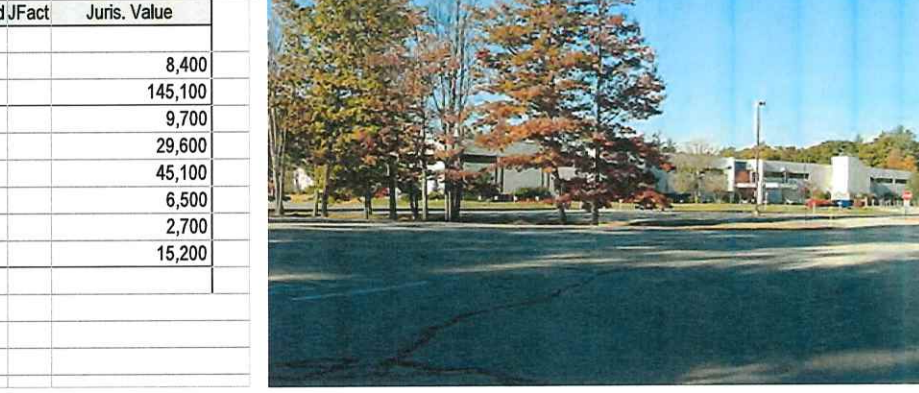
Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	FIRST FLOOR	131,450	48.070	6,318,207
SFL	SECOND FLR	125,492	96.130	12,063,665
CFL	CATHEDR AREA	768	4.810	3,691
CNP	CANOPY	704	19.480	13,713

**SUB AREA DETAIL**

Sub Area	% Usbl	Descr	% Type	Qu #
SFL	100	OFC	100	AV

Net Sketched Area: 258,414	Total: 18,399,276	
Size Ad: 256942	Gross Area: 258414	FinArea: 256942

IMAGE **AssessPro** Patriot Properties, Inc

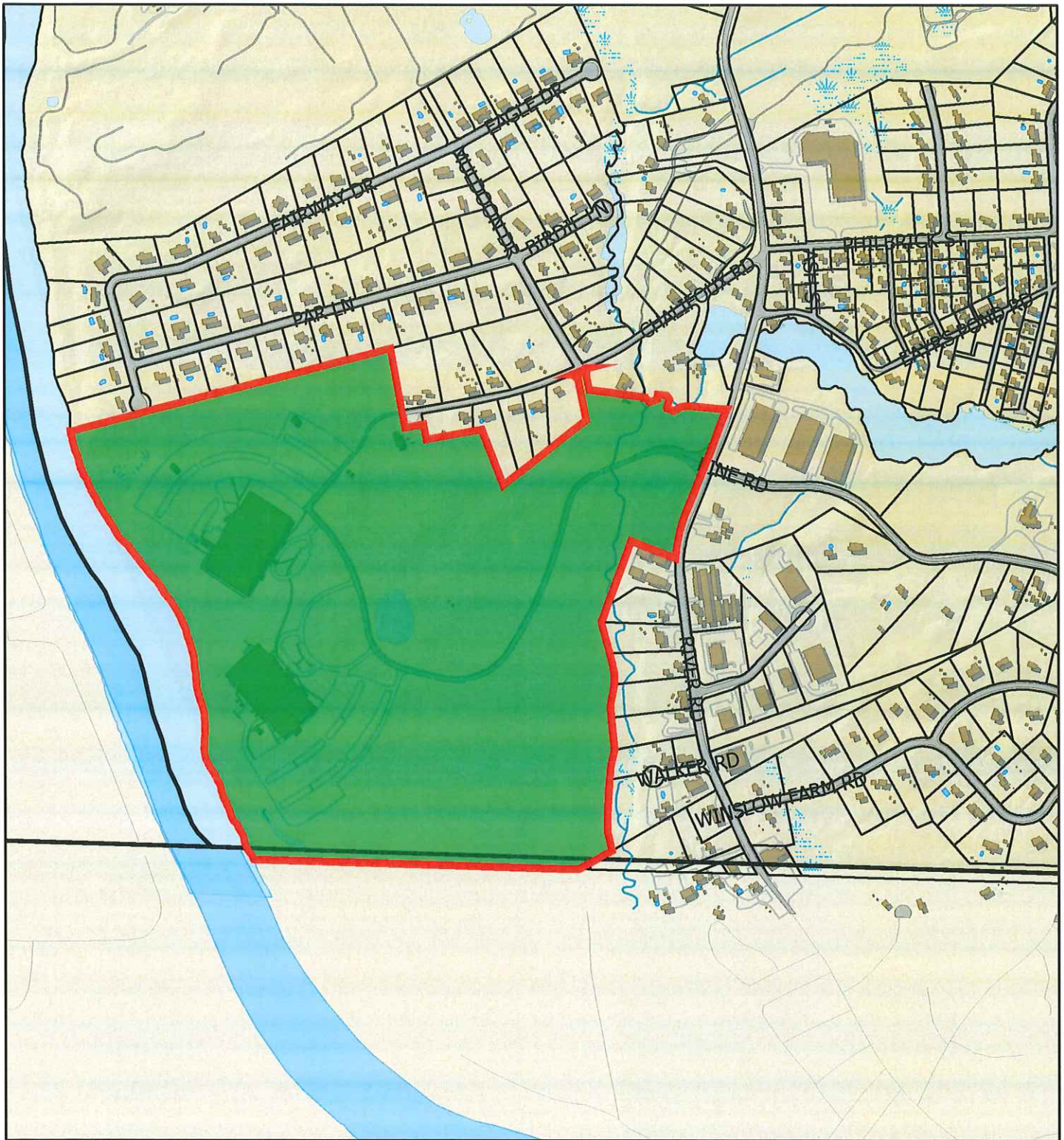


**PARCEL ID 251-001-000**

de	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
	HALON RM	D	S	1	3072	AV	AV	1983	0.00	T	34	404						
	SHOP	D	Y	1	336	GD	AV	1983	37.98	T	34	404			8,400			8,400
	PAVING-ASPH	D	Y	1	290000	FR	FR	1983	1.29	T	61.2	404			145,100			145,100
	CANOPY	D	Y	1	768	AV	AV	1983	19.17	T	34	404			9,700			9,700
	ELEV-PASS	D	S	1	2	AV	AV	1983	28,875.00	B	48.8	404			29,600			29,600
	ELEV-FRT	D	S	1	2	AV	AV	1983	44,000.50	B	48.8	404			45,100			45,100
	SHOP	D	Y	1	12x18	AV	AV	2003	35.18	T	14	404			6,500			6,500
	CRANE GIRD	D	S	1	50	AV	EX	2011	55.00	T	3	404			2,700			2,700
	LITE-SING	D	Y	15	1	AV	GD	2015	1,100.00	T	8	404			15,200			15,200



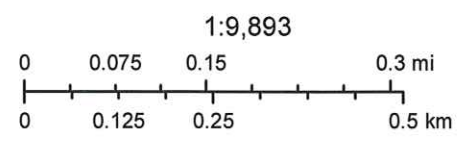
# BAE SYSTEMS, 65 RIVER ROAD, TAX MAP 251/LOT 001



February 7, 2020

Legend

 Parcels

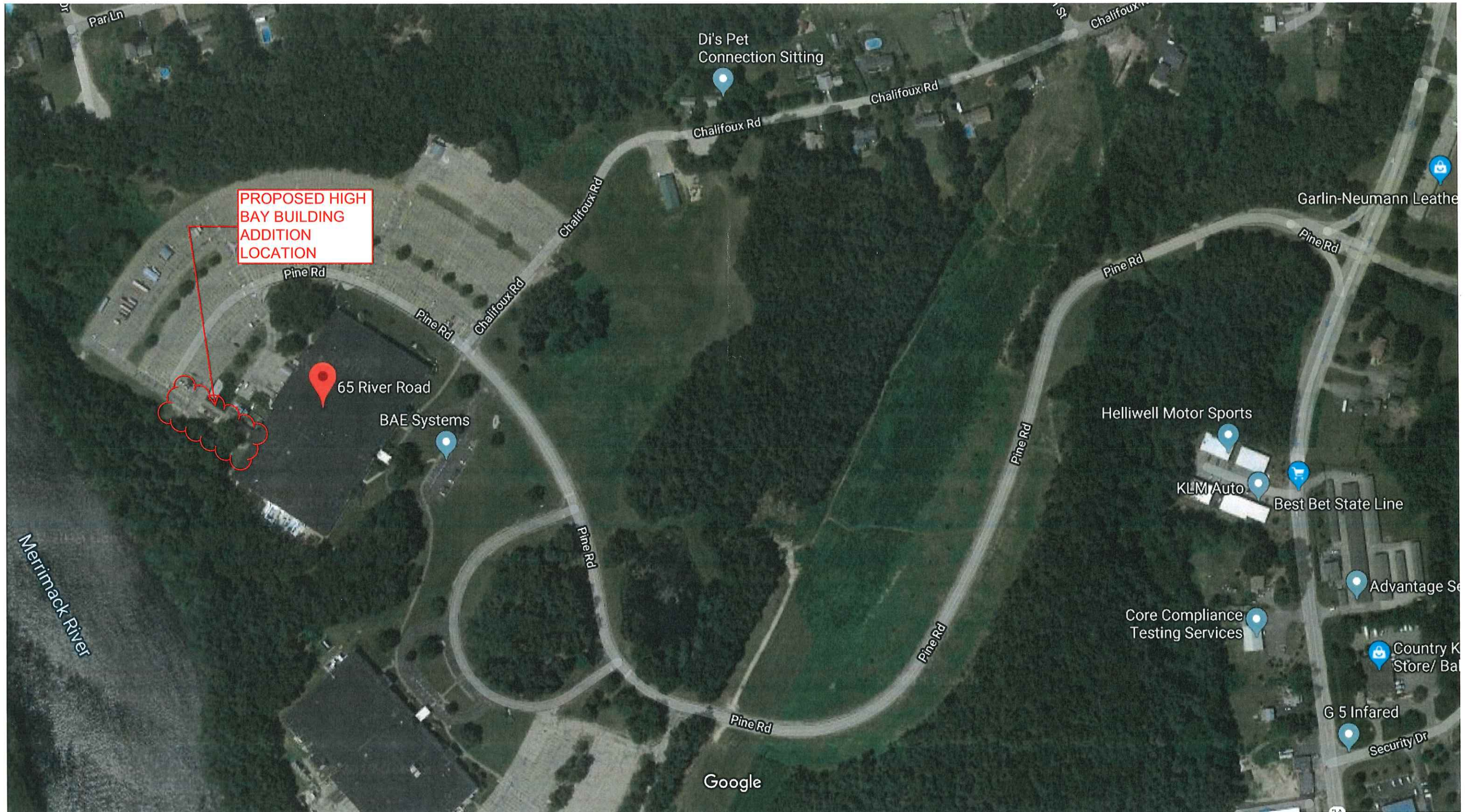






65 River Rd

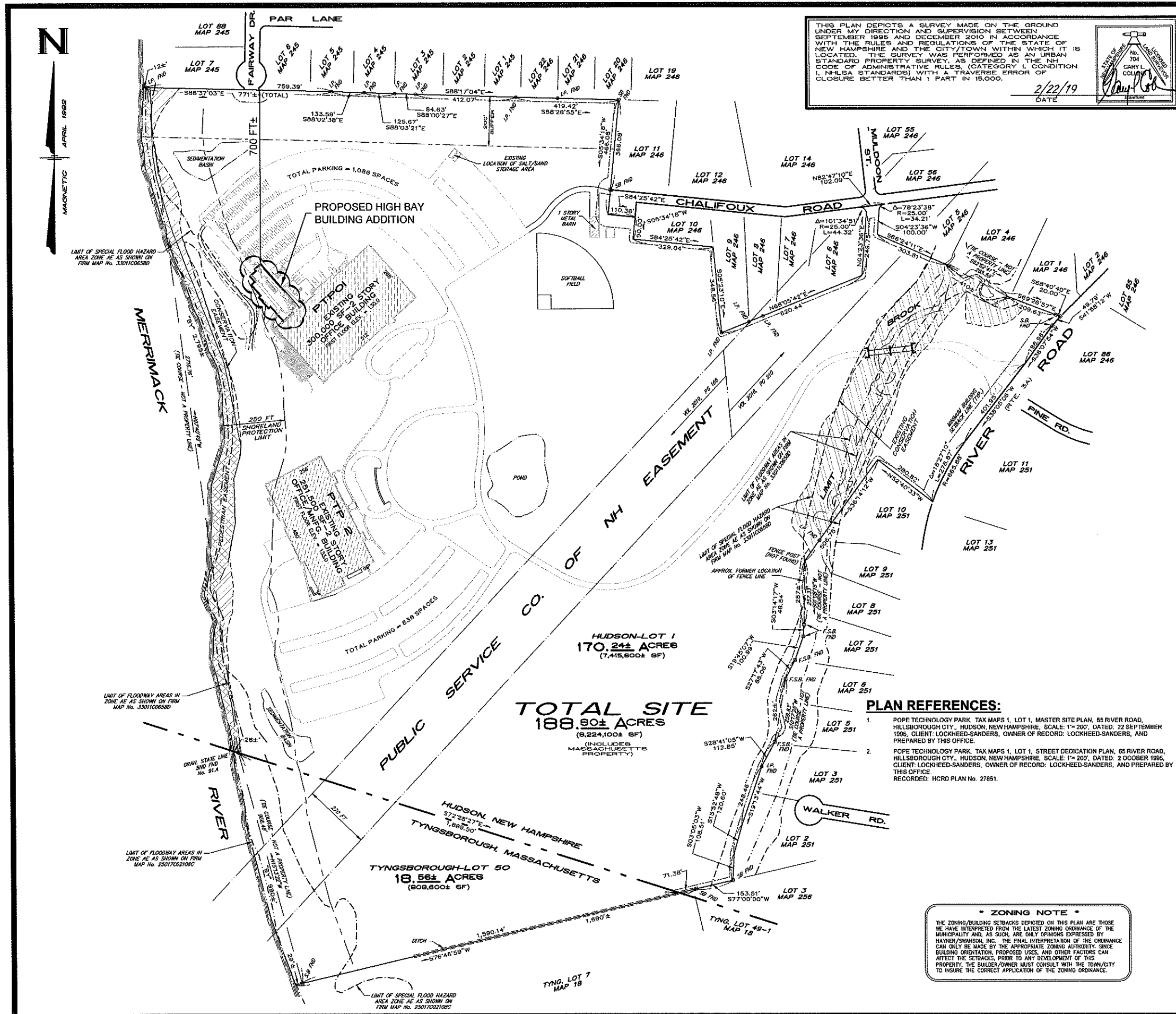
BAE PTP01 HIGH BAY BUILDING ADDITION



Google

Imagery ©2020 MassGIS, Commonwealth of Massachusetts EOE, Maxar Technologies, USDA Farm Service Agency, Map data ©2020 Google 200 ft

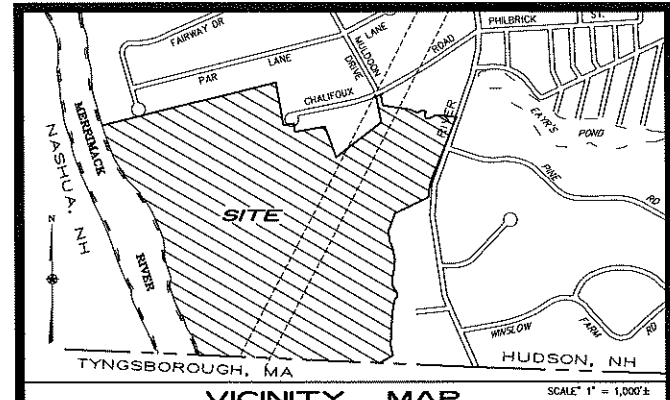




THIS PLAN DEPICTS A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION BETWEEN SEPTEMBER 1995 AND DECEMBER 2010 IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF NEW HAMPSHIRE AND THE CITY/TOWN WITH WHICH IT IS LOCATED. THE SURVEY WAS PERFORMED AS AN URBAN STANDARD PROPERTY SURVEY, AS DEFINED IN THE NH CODE OF ADMINISTRATIVE RULES, (CATEGORY I, CONDITION 1, NHLSA STANDARDS) WITH A TRAVERSE ERROR OF CLOSURE BETTER THAN 1 PART IN 15,000.

DATE: 2/22/19

GARY L. COLVIN  
LAND SURVEYOR



- NOTES:**
- SITE AREA:  
NEW HAMPSHIRE (LOT 1, MAP 251): 170.24 ± ACRES  
MASSACHUSETTS (LOT 50, MAP 18): 18.56 ± ACRES  
TOTAL: 188.80 ± ACRES
  - PRESENT ZONING: (HUDSON) I, INDUSTRIAL  
MINIMUM LOT REQUIREMENTS:  
-AREA: 30,000 SF  
-FRONTAGE: 150 FT  
MINIMUM BUILDING SETBACK REQUIREMENTS:  
-FRONT YARD: 50 FT  
-SIDE YARD: 15 FT  
-REAR YARD: 15 FT
  - LOT NUMBERS REFER TO THE TOWN OF HUDSON ASSESSORS MAPS 245, 246, 251 & 258 AND TOWN OF TYNGSBOROUGH ASSESSORS MAP 18.
  - SITE IS SERVICED BY MUNICIPAL SEWER AND WATER.
  - PURPOSE OF PLAN:  
TO SHOW PROPOSED HIGH BAY BUILDING ADDITION ON NORTHERLY SIDE OF THE PTP01 BUILDING.
  - PARKING:  
REQUIRED: 1 SPACE/800 SF x 588,600 SF = 981 SPACES  
PROVIDED: EXISTING = 1,890 SPACES  
LESS STORAGE/PARKING SPACES = 48 SPACES  
LESS SALT/SAND STORAGE = 7 SPACES  
TOTAL PROVIDED: = 1,835 SPACES
  - OPEN SPACE:  
REQUIRED: 36 %  
PROVIDED: 78 %
  - THE PARCEL APPEARS TO BE LOCATED IN SPECIAL FLOOD HAZARD AREA ZONE AE, FLOODWAY AREAS IN ZONE AE, OTHER FLOOD AREAS ZONE X AND OTHER AREAS ZONE X, AS DETERMINED FROM THE FLOOD INSURANCE RATE MAPS (FIRM):  
HILLSBOROUGH COUNTY, TOWN OF HUDSON, NH, COMMUNITY No. 33092, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER: 33011C0658D, DATED: SEPTEMBER 25, 2008.  
MIDDLESEX COUNTY, TOWN OF TYNGSBOROUGH, COMMUNITY No. 250220, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, MAP NUMBER: 25017C0108E, DATED: JUNE 4, 2010.
  - PRESENT OWNER OF RECORD:  
LOT 1, HUDSON TAX MAP 251  
LOT 50, TYNGSBOROUGH TAX MAP 18  
BAE SYSTEMS INFORMATION AND ELECTRONIC SYSTEMS INTEGRATION INC.  
PO BOX 868  
PTPO2/2304  
NASHUA, NH 03061-0868  
HCRD: VOL 0322, PG 382  
MNRD: VOL 16134, PG 100

REV.	DESCRIPTION	DATE

CURRENT ISSUE STATUS:  
ZONING PLOT PLAN (LOT 1, HUDSON TAX MAP 251)  
**PTP01 HIGH BAY ADDITION**  
65 RIVER ROAD  
HUDSON, NEW HAMPSHIRE  
PREPARED FOR/RECORD OWNER:  
**BAE Systems Information And Electronic Systems Integration Inc.**  
PO BOX 868 NASHUA, NEW HAMPSHIRE 03061-0868

200 0 200 400 600 800 FEET  
100 0 100 200 METERS  
SCALE: 1"=200 Feet  
1"=60.960 Meters

7 FEBRUARY 2020

**HISI** Hayner/Swanson, Inc.  
Civil Engineers/Land Surveyors

Three Congress Street Nashua, New Hampshire 03062-3301  
Tel (603) 883-2057 Fax (603) 883-5057  
www.hayner-swanson.com

FIELD BOOK: 1244	DRAWING NAME: 1853-HB-FY71	1853-HB	1 OF 1
DRAWING LOCATION: J:\1000\1853-HB\FY71		FILE NAME:	Sheet

**\* ZONING NOTE \***  
THE ZONING/BUILDING SETBACKS DEPICTED ON THIS PLAN ARE THOSE WE HAVE INTERPRETED FROM THE LATEST ZONING ORDINANCE OF THE MUNICIPALITY AND, AS SUCH, ARE ONLY OPINIONS EXPRESSED BY HAYNER/SWANSON, INC. THE FINAL INTERPRETATION OF THE ORDINANCE CAN ONLY BE MADE BY THE APPROPRIATE ZONING AUTHORITY. SINCE BUILDING ORIENTATION, PROPOSED USES, AND OTHER FACTORS CAN AFFECT THE SETBACKS, PRIOR TO ANY DEVELOPMENT OF THIS PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE TOWN/CITY TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.

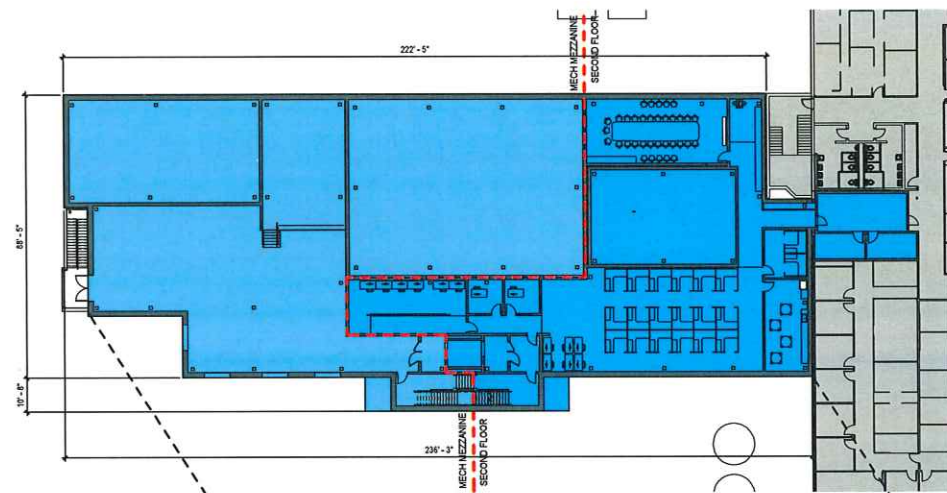
- PLAN REFERENCES:**
- POPE TECHNOLOGY PARK, TAX MAPS 1, LOT 1, MASTER SITE PLAN, 65 RIVER ROAD, HILLSBOROUGH CT., HUDSON, NEW HAMPSHIRE, SCALE: 1"=200', DATED: 22 SEPTEMBER 1996, CLIENT: LOCKHEED-SANDERS, OWNER OF RECORD: LOCKHEED-SANDERS, AND PREPARED BY THIS OFFICE.
  - POPE TECHNOLOGY PARK, TAX MAPS 1, LOT 1, STREET DEDICATION PLAN, 65 RIVER ROAD, HILLSBOROUGH CT., HUDSON, NEW HAMPSHIRE, SCALE: 1"=200', DATED: 2 OCTOBER 1996, CLIENT: LOCKHEED-SANDERS, OWNER OF RECORD: LOCKHEED-SANDERS, AND PREPARED BY THIS OFFICE. RECORDED: HCRD PLAN No. 27851.

**TOTAL SITE**  
188.80 ± ACRES  
(9,224,100 ± SF)  
(INCLUDES MASSACHUSETTS PROPERTY)

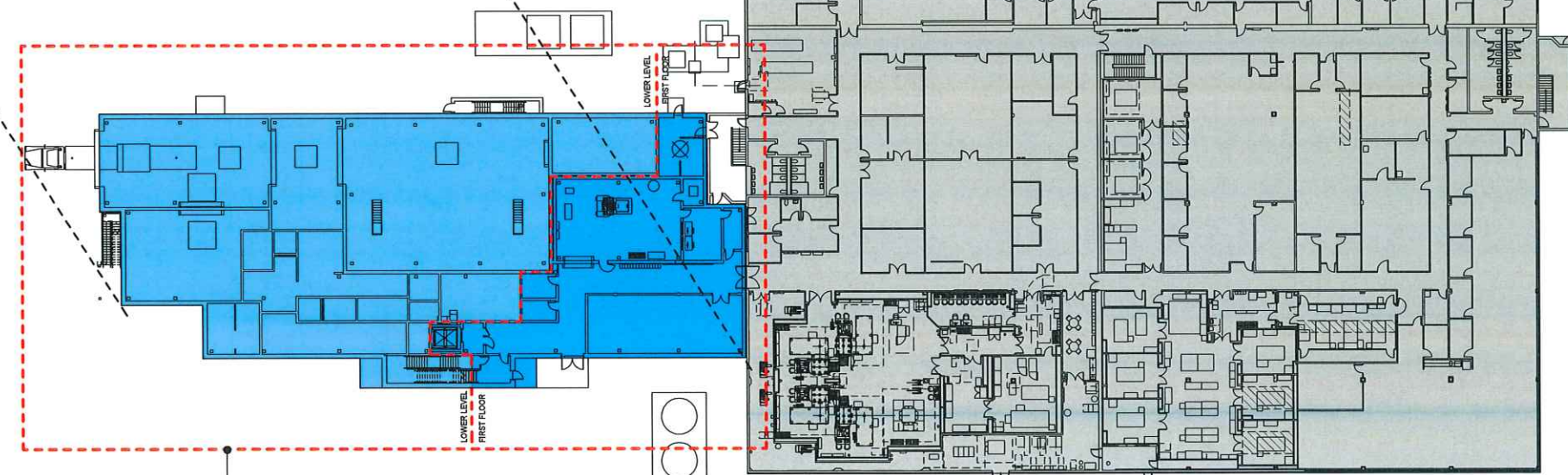
HUDSON-LOT 1  
170.24 ± ACRES  
(7,415,800 ± SF)

TYNGSBOROUGH-LOT 50  
18.56 ± ACRES  
(808,600 ± SF)

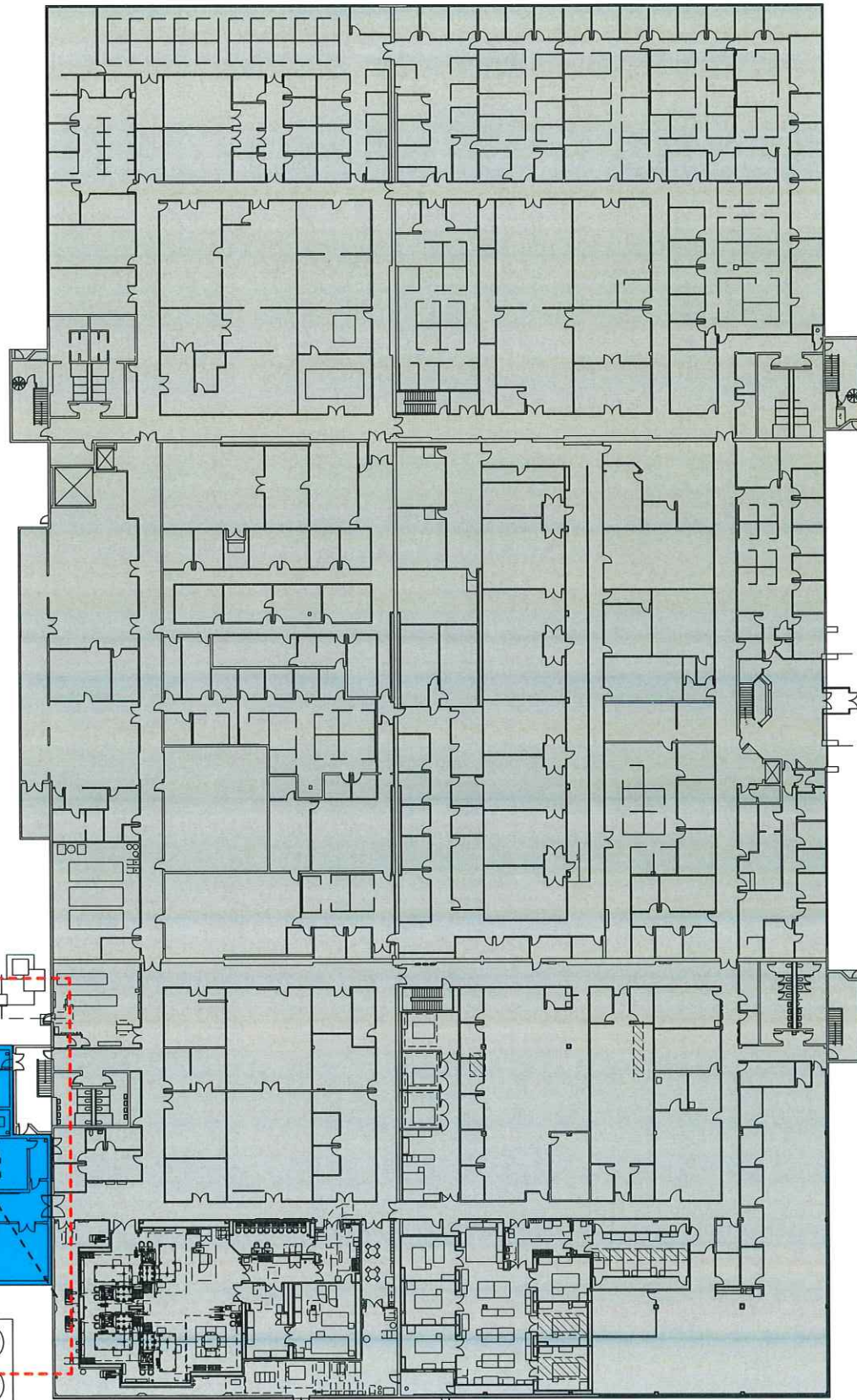
**\* ZONING NOTE \***  
THE ZONING/BUILDING SETBACKS DEPICTED ON THIS PLAN ARE THOSE WE HAVE INTERPRETED FROM THE LATEST ZONING ORDINANCE OF THE MUNICIPALITY AND, AS SUCH, ARE ONLY OPINIONS EXPRESSED BY HAYNER/SWANSON, INC. THE FINAL INTERPRETATION OF THE ORDINANCE CAN ONLY BE MADE BY THE APPROPRIATE ZONING AUTHORITY. SINCE BUILDING ORIENTATION, PROPOSED USES, AND OTHER FACTORS CAN AFFECT THE SETBACKS, PRIOR TO ANY DEVELOPMENT OF THIS PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE TOWN/CITY TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.



MECHANICAL MEZZANINE AND SECOND FLOOR OVERVIEW (L10)



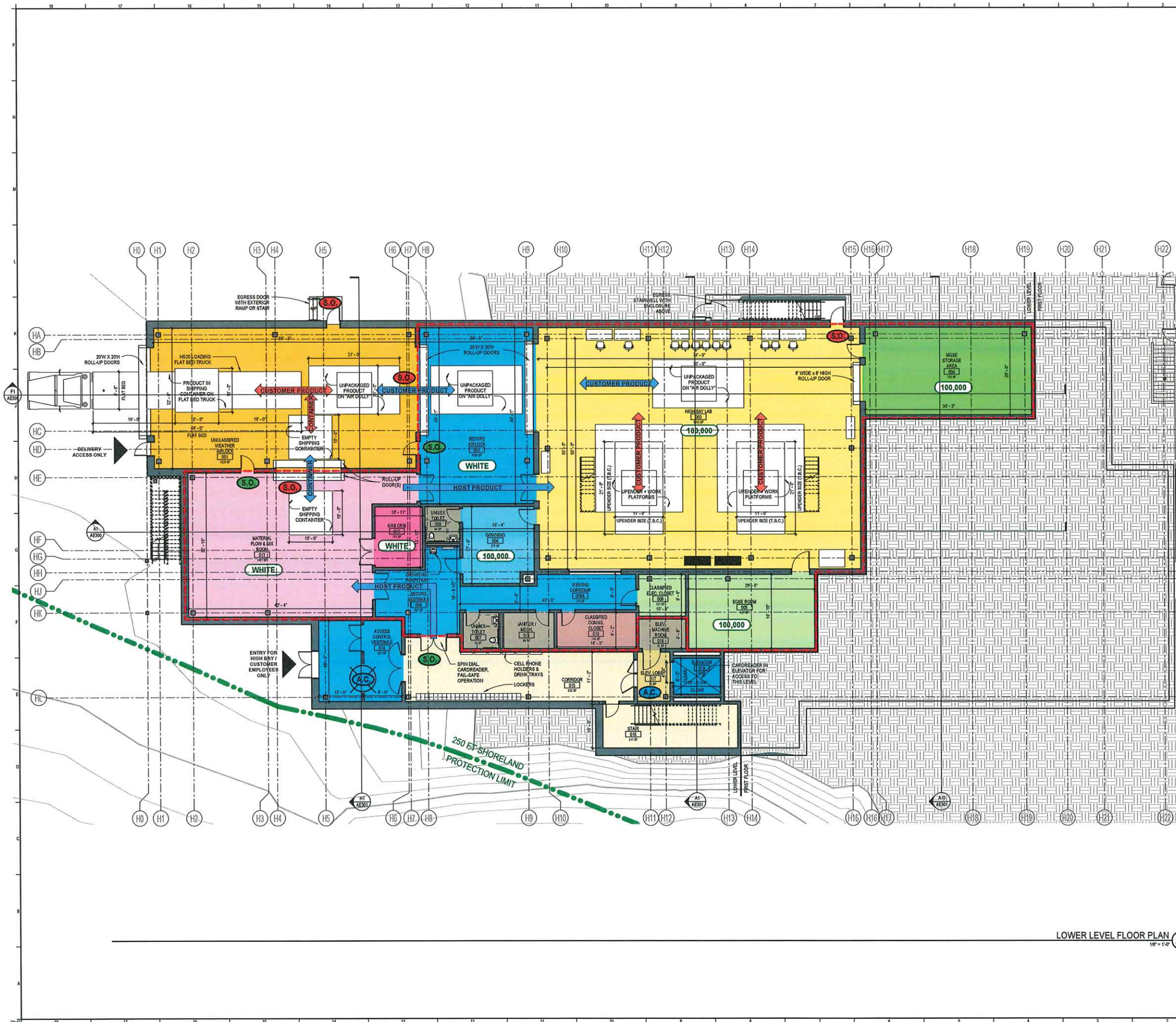
PROPOSED HIGH-BAY ADDITION



LEVEL 1 FLOOR PLAN OVERVIEW (A1)

REV	DESCRIPTION	DATE
	PROGRESS SCHEMATIC	02-11-20
CURRENT ISSUE STATUS:		
<b>PROJECT NORTH:</b> SMART Architects and Engineers 700 Brickstone Square, Suite 303 Andover, Massachusetts 01810 1.877.700.7678 www.smartinc.com		
<b>PROJECT LOCATION:</b> LEVEL 1, OVERALL FLOOR PLAN		
<b>SHEET TITLE:</b> 		
SCALE: AS NOTED PROJECT MANAGER: BKH PROJECT NO: 18050-03 A/E OF RECORD: - JOB CAPTAIN: SPG DRAWN BY: SPG / CJM SMART FILE: A100-18050-03 SHEET No.		
		<b>A100</b>
NOT FOR CONSTRUCTION		





LOWER LEVEL FLOOR PLAN A1  
1/8" = 1'-0"

REV	DESCRIPTION	DATE
	PROCESS SCHEMATIC	02-11-20

CURRENT ISSUE STATUS:

PROJECT NORTH:

**SMRT** Architects and Engineers  
100 Brickstone Square, Suite 303  
Andover, Massachusetts 01810  
1.877.700.7678  
www.smrtinc.com

HIGH BAY ADDITION

PROJECT LOCATION:  
LOWER LEVEL FLOOR PLAN

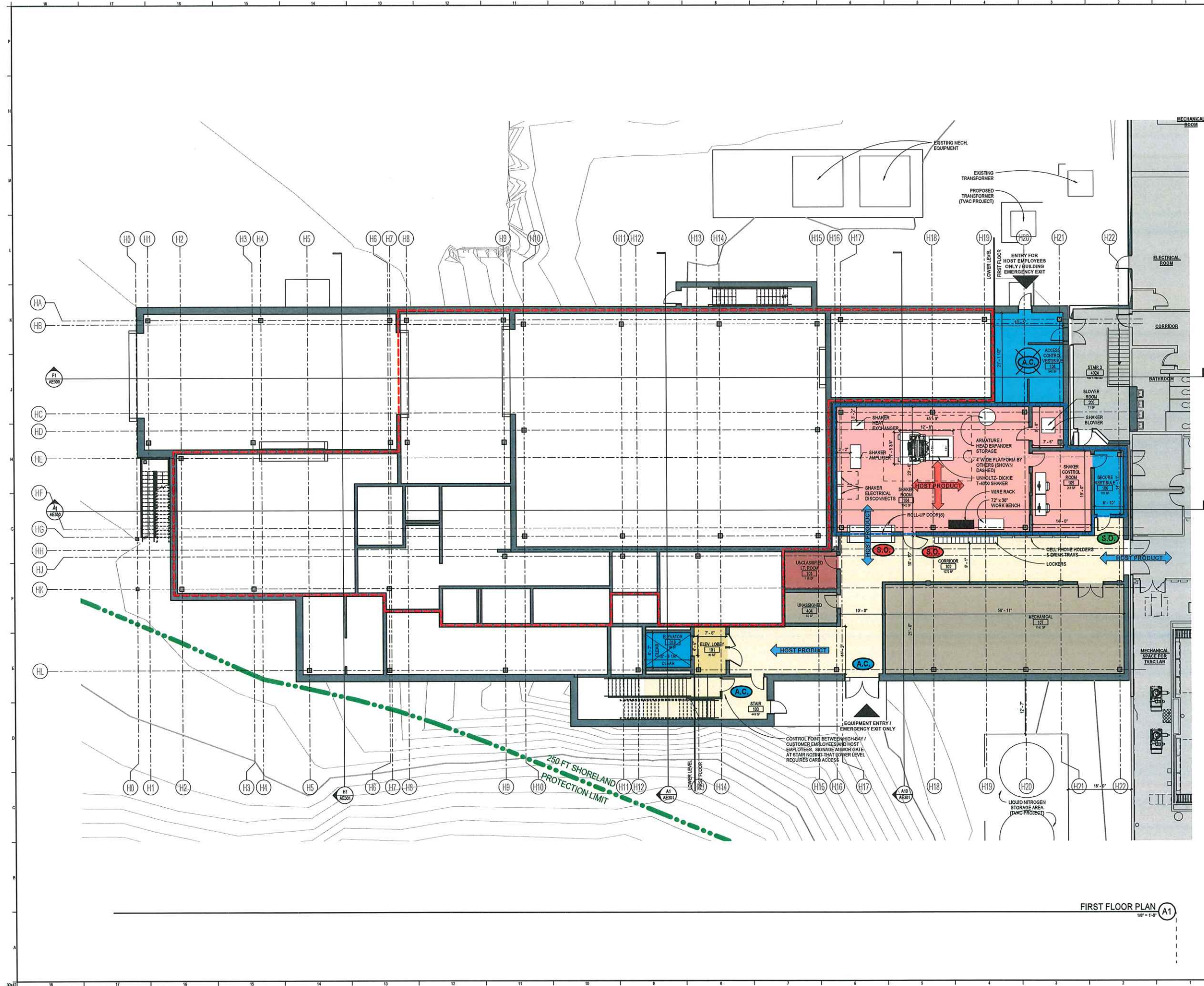
SHEET TITLE:

SCALE: AS NOTED

PROJECT MANAGER: BKH	PROJECT NO: 10050-03
DATE OF RECORD: -	
JOB CAPTAIN: SPG	
DRAWN BY: SAD/SPG	
SMRT FILE: AE100-10050-03	SHEET NO: AE100

NOT FOR CONSTRUCTION





- PLAN NOTES:**
- SEE G-001 FOR GENERAL PROJECT NOTES, LEGENDS AND ABBREVIATIONS.
  - SEE G-002 FOR GENERAL MOUNTING HEIGHTS, TOP OF WALL DETAILS AND PARTITION TYPES.
  - CONTRACTOR IS RESPONSIBLE FOR REVIEWING CODE COMPLIANCE PLANS AND NOTIFYING THE ARCHITECT OF CONFLICTS BETWEEN WHAT IS IN THE FIELD AND ON THE CODE DOCUMENTS.
  - DIMENSIONS ARE FACE OF CONCRETE, FACE OF MASONRY AND CENTERLINE OF STUD, UNLESS NOTED OTHERWISE.
  - DOOR JAMBES (PIVOT SIDE) SHALL BE 9" FROM CORNER IN STUD PARTITIONS AND 8" FROM CORNER IN MASONRY PARTITIONS UNLESS NOTED OTHERWISE.
  - REFER TO DETAILS FOR ADDITIONAL DIMENSIONING INFORMATION.
  - REFER TO ENLARGED PLANS FOR PARTITION TYPES AND DIMENSIONS IN AREAS WHICH ARE DETAILED AT A LARGER SCALE.
  - FURNITURE AND OWNER PROVIDED EQUIPMENT ARE INDICATED BY DASHED LINE TYPE.
  - CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF OWNER PROVIDED EQUIPMENT INCLUDING BUT NOT LIMITED TO DIMENSIONAL INFORMATION, AND MECHANICAL, ELECTRICAL AND PLUMBING REQUIREMENTS.

- FLOOR PLAN LEGEND**
- NOT IN SCOPE
  - ENTRY / EXIT
  - LIMITS OF ICD 705 SECURE AREA (HIGH-BAY SUITE)
  - LIMITS OF ICD 705 SECURE AREA (2nd FLOOR OFFICE SUITE)
  - LIMITS OF ICD 705 SECURE AREA (SHOWER SUITE)
  - POTENTIAL DESIGN ALTERNATIVE (SEE PLAN FOR DESCRIPTION)
  - CLEANROOM CLASS
  - SECURE OPENING ICD 705 ENTRY (SPIN-DIAL + ALARMED)
  - SECURE OPENING ICD 705 EMERGENCY EGRESS / EQUIPMENT ACCESS (ALARMED)
  - ACCESS CONTROLLED OPENING BUILDING ACCESS (CARD-READER)
  - PRODUCT FLOW (CRANE TRANSPORT)
  - PRODUCT FLOW (CART / DOLLY TRANSPORT)

REV	DESCRIPTION	DATE
	PROGRESS SCHEMATIC	02-11-20

CURRENT ISSUE STATUS:

PROJECT NORTH:

**SMART** Architects and Engineers  
 200 Brickstone Square, Suite 303  
 Andover, Massachusetts 01810  
 Architecture • Engineering • Planning 1.877.700.7678  
 www.smartinc.com

**HIGH BAY ADDITION**

PROJECT LOCATION:  
**FIRST FLOOR PLAN**

SHEET TITLE:  
**FIRST FLOOR PLAN**

SCALE: AS NOTED

PROJECT MANAGER: BKH PROJECT NO.: 18550-03

A/E OF RECORD: Checker

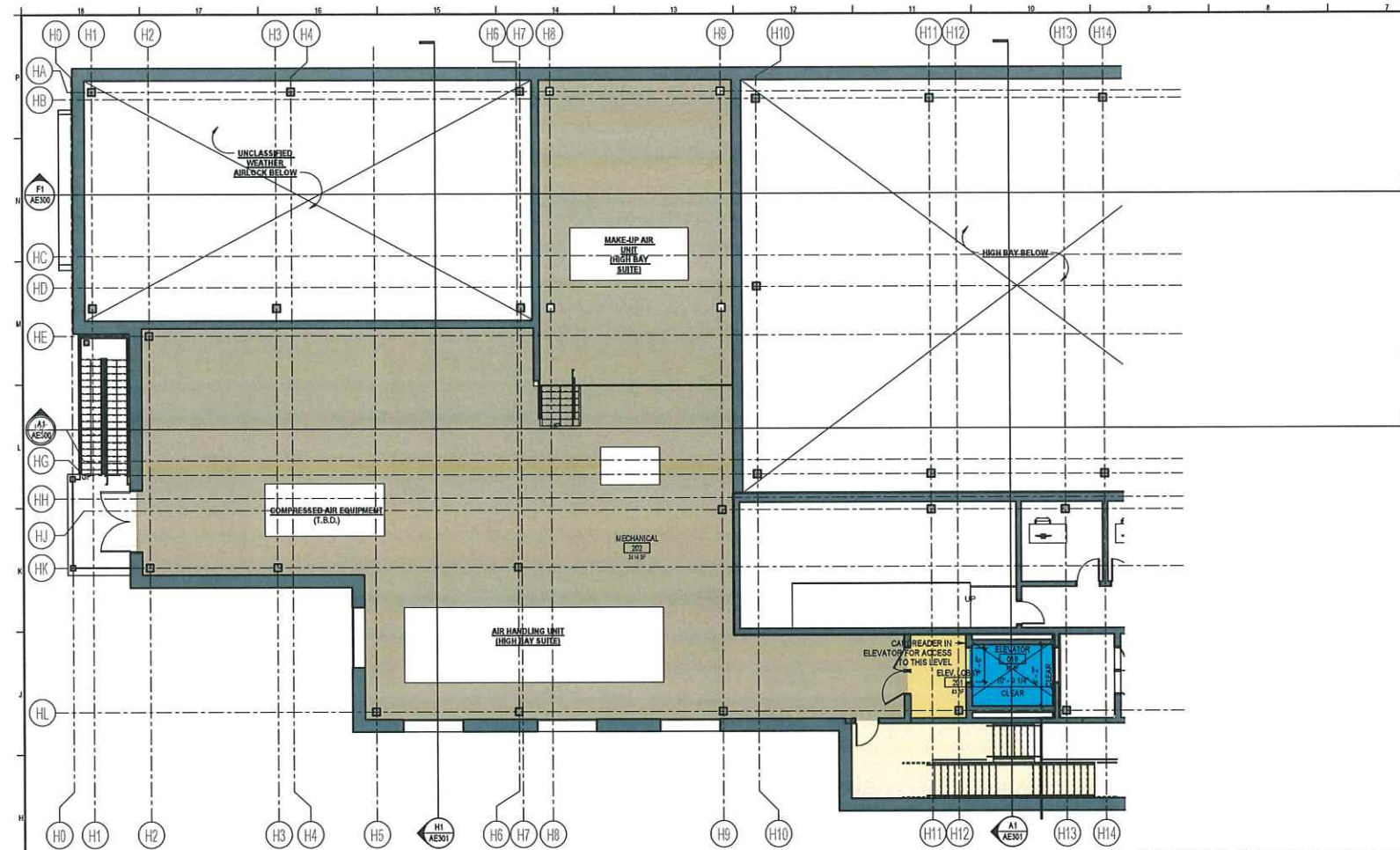
JOB CAPTAIN: SPG

DRAWN BY: SAD / SPG

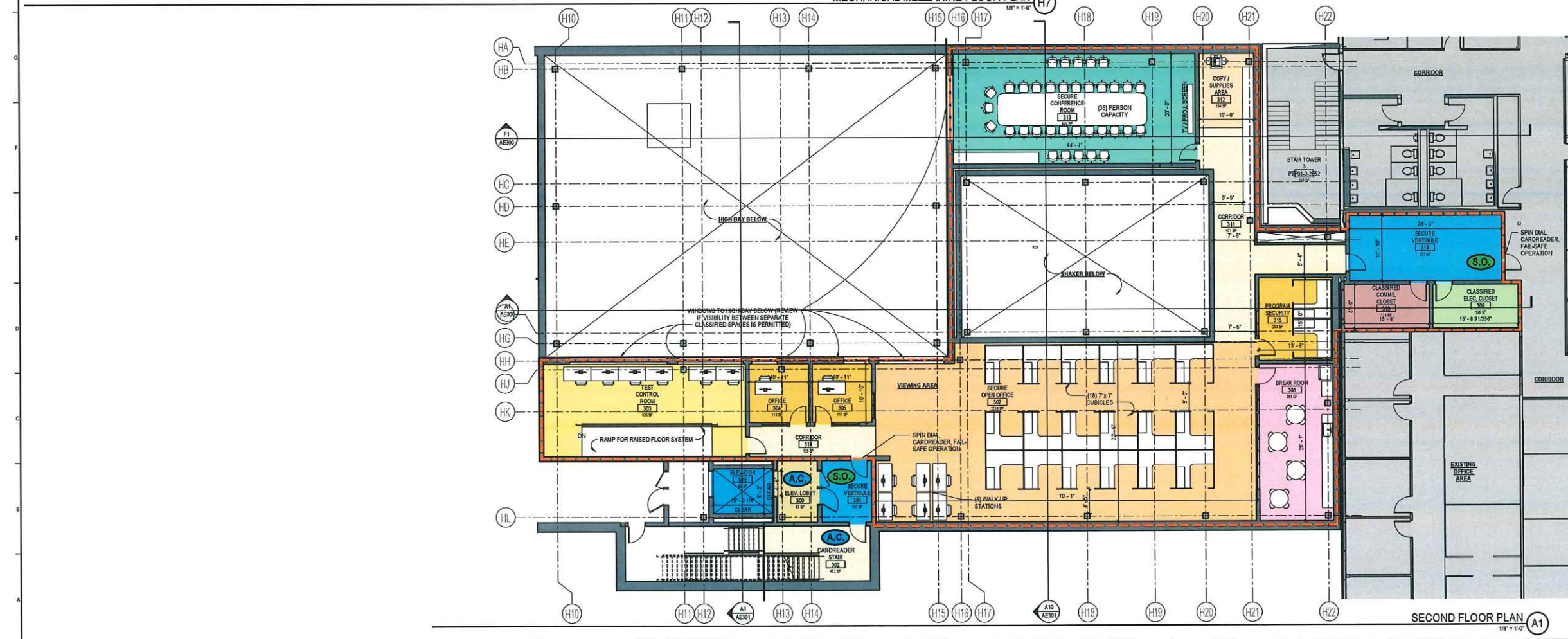
SMRT FILE: AE101-18550-03 SHEET No. **AE101**

NOT FOR CONSTRUCTION





MECHANICAL MEZZANINE FLOOR PLAN (H7)



SECOND FLOOR PLAN (A1)

- PLAN NOTES:**
- SEE 0-001 FOR GENERAL PROJECT NOTES, LEGENDS AND ABBREVIATIONS.
  - SEE 0-002 FOR GENERAL MOUNTING HEIGHTS, TOP OF WALL DETAILS AND PARTITION TYPES.
  - CONTRACTOR IS RESPONSIBLE FOR REVIEWING CODE COMPLIANCE PLANS AND NOTIFYING THE ARCHITECT OF CONFLICTS BETWEEN WHAT IS IN THE FIELD AND ON THE CODE DOCUMENTS.
  - DIMENSIONS ARE FACE OF CONCRETE, FACE OF MASONRY AND CENTERLINE OF STUD, UNLESS NOTED OTHERWISE.
  - DOOR JAMBES (HINGE SIDE) SHALL BE 6" FROM CORNER IN STUD PARTITIONS AND 4" FROM CORNER IN MASONRY PARTITIONS UNLESS NOTED OTHERWISE.
  - REFER TO DETAILS FOR ADDITIONAL DIMENSIONING INFORMATION.
  - REFER TO ENLARGED PLANS FOR PARTITION TYPES AND DIMENSIONS IN AREAS WHICH ARE DETAILED AT A LARGER SCALE.
  - FURNITURE AND OWNER PROVIDED EQUIPMENT ARE INDICATED BY DASHED LINE TYPE.
  - CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF OWNER PROVIDED EQUIPMENT INCLUDING BUT NOT LIMITED TO DIMENSIONAL, INFORMATION AND MECHANICAL, ELECTRICAL AND PLUMBING REQUIREMENTS.

- FLOOR PLAN LEGEND**
- NOT IN SCOPE
  - ENTRY / EXIT
  - LIMITS OF IC0 705 SECURE AREA (HIGH-BAY SUITE)
  - LIMITS OF IC0 705 SECURE AREA (2nd FLOOR OFFICE SUITE)
  - LIMITS OF IC0 705 SECURE AREA (SHAKER SUITE)
  - POTENTIAL DESIGN ALTERNATIVE (SEE PLAN FOR DESCRIPTION)
  - 100,000 CLEANROOM CLASS
  - S.O. SECURE OPENING IC0 705 ENTRY (SPIN-DIAL + ALARMED)
  - S.O. SECURE OPENING IC0 705 EMERGENCY EGRESS / EQUIPMENT ACCESS (ALARMED)
  - A.C. ACCESS CONTROLLED OPENING BUILDING ACCESS (CARD-READER)
  - PRODUCT FLOW (CRANE TRANSPORT)
  - PRODUCT FLOW (CART / DOLLY TRANSPORT)

REV	DESCRIPTION	DATE
	PROGRESS SCHEMATIC	
	02-11-20	

CURRENT ISSUE STATUS:

**SMRT** SMRT Architects and Engineers  
200 Brickstone Square, Suite 303  
Andover, Massachusetts 01810  
1.877.700.7678  
www.smrtinc.com

PROJECT NORTH

**HIGH BAY ADDITION**

PROJECT LOCATION  
**SECOND FLOOR PLAN**

SHEET TITLE:

SCALE: AS NOTED

PROJECT MANAGER: BKH PROJECT NO: 18090-03  
 A/E OF RECORD: -  
 JOB CAPTAIN: SPG  
 DRAWN BY: SAD/SPG  
 SMRT FILE: AE105-18090-03 SHEET No. 02

**AE102**

NOT FOR CONSTRUCTION



**PLAN NOTES:**

- SEE G-001 FOR GENERAL PROJECT NOTES, LEGENDS AND ABBREVIATIONS.
- SEE G-002 FOR GENERAL MOUNTING HEIGHTS, TOP OF WALL DETAILS AND PARTITION TYPES.
- CONTRACTOR IS RESPONSIBLE FOR REVIEWING CODE COMPLIANCE PLANS AND NOTIFYING THE ARCHITECT OF CONFLICTS BETWEEN WHAT IS IN THE FIELD AND ON THE CODE DOCUMENTS.
- DIMENSIONS ARE FACE OF CONCRETE. FACE OF MASONRY AND CENTERLINE OF STUD, UNLESS NOTED OTHERWISE.
- DOOR JAMBS (HINGE SIDE) SHALL BE 6" FROM CORNER IN STUD PARTITIONS AND 1" FROM CORNER IN MASONRY PARTITIONS UNLESS NOTED OTHERWISE.
- REFER TO DETAILS FOR ADDITIONAL DIMENSIONING INFORMATION.
- REFER TO ENLARGED PLANS FOR PARTITION TYPES AND DIMENSIONS IN AREAS WHICH ARE DETAILED AT A LARGER SCALE.
- FURNITURE AND OWNER PROVIDED EQUIPMENT ARE INDICATED BY DASHED LINE TYPE.
- CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF OWNER PROVIDED EQUIPMENT INCLUDING BUT NOT LIMITED TO DIMENSIONAL INFORMATION AND MECHANICAL, ELECTRICAL AND PLUMBING REQUIREMENTS.

**FLOOR PLAN LEGEND**

- NOT IN SCOPE
- ENTRY / EXIT
- LIMITS OF ICD 705 SECURE AREA (1st FLOOR SUITE)
- LIMITS OF ICD 705 SECURE AREA (2nd FLOOR OFFICE SUITE)
- LIMITS OF ICD 705 SECURE AREA (SHAKER SUITE)
- POTENTIAL DESIGN ALTERNATIVE (SEE PLAN FOR DESCRIPTION)
- CLEARROOM CLASS
- SECURE OPENING (ICD 705 ENTRY (SPB/CAL + ALARMED))
- SECURE OPENING (ICD 705 EMERGENCY EGRESS / EQUIPMENT ACCESS (ALARMED))
- ACCESS CONTROLLED OPENING BUILDING ACCESS (CARD-READER)
- PRODUCT FLOW (CRANE TRANSPORT)
- PRODUCT FLOW (CART / DOLLY TRANSPORT)

REV	DESCRIPTION	DATE

**PROGRESS SCHEMATIC**  
02-11-20

CURRENT ISSUE STATUS:

PROJECT NORTH:

**SMRT** SMART Architects and Engineers  
200 Brickstone Square, Suite 303  
Andover, Massachusetts 01810  
1.877.700.7678  
www.smrtinc.com

High Bay Addition

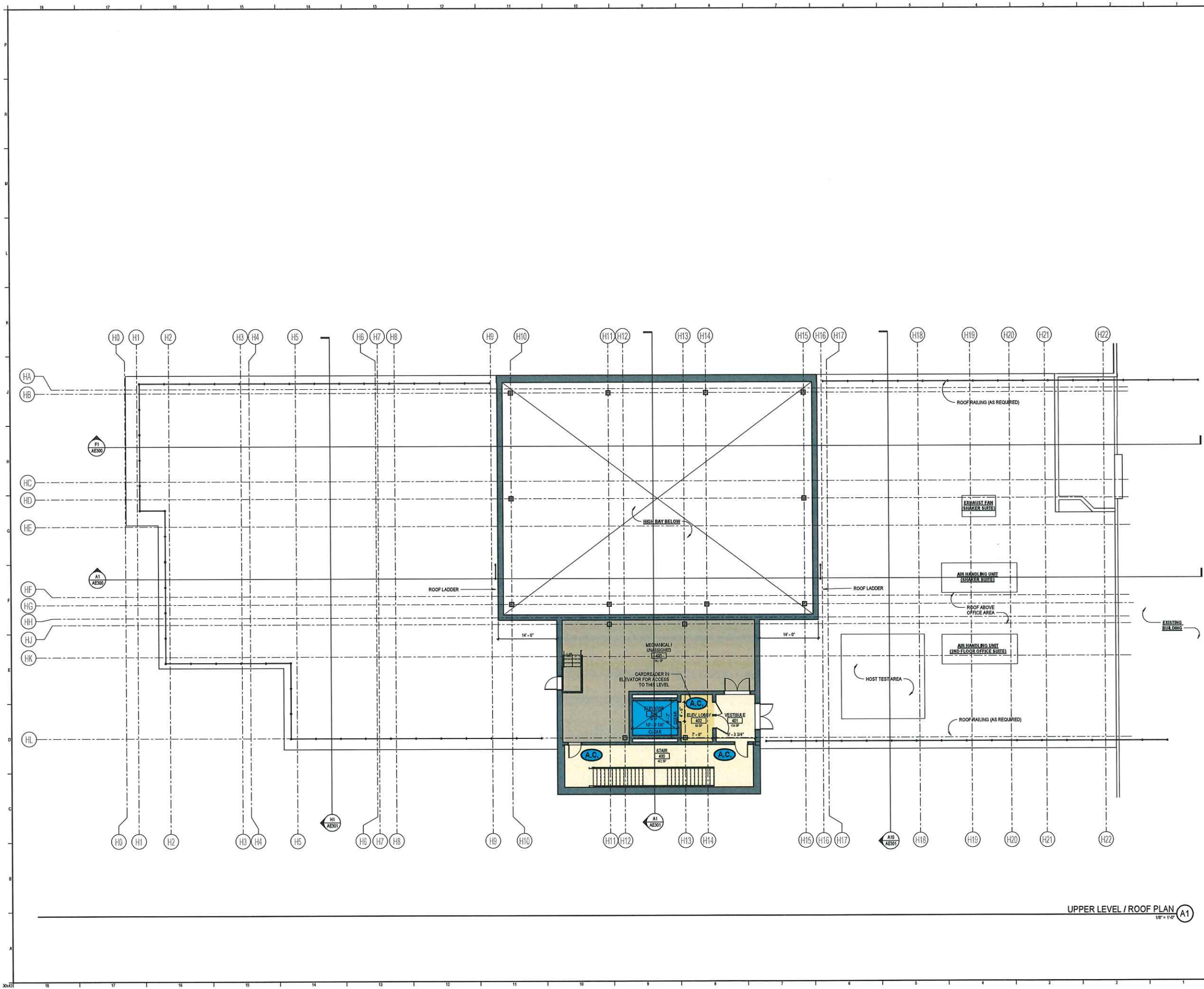
PROJECT LOCATION:  
**UPPER LEVEL / ROOF PLAN**

SHEET TITLE:  
SCALE AS NOTED

PROJECT MANAGER: BNY PROJECT NO: 18050-03  
A/E OF RECORD: -  
JOB CAPTAIN: SPG  
DRAWN BY: SAD / SPG  
SMART FILE: AE105-18050-03 SHEET No. 02

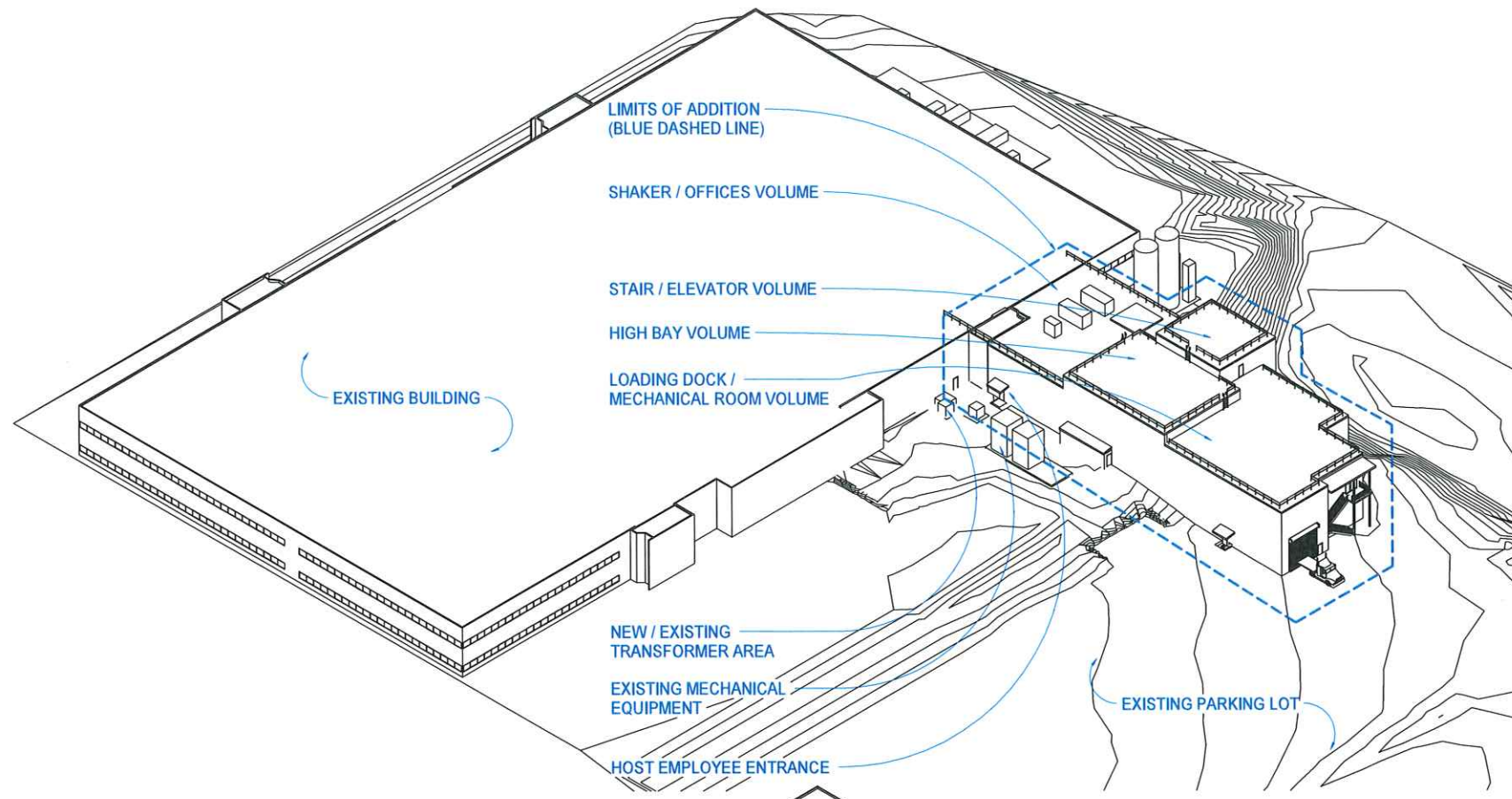
**AE103**

NOT FOR CONSTRUCTION

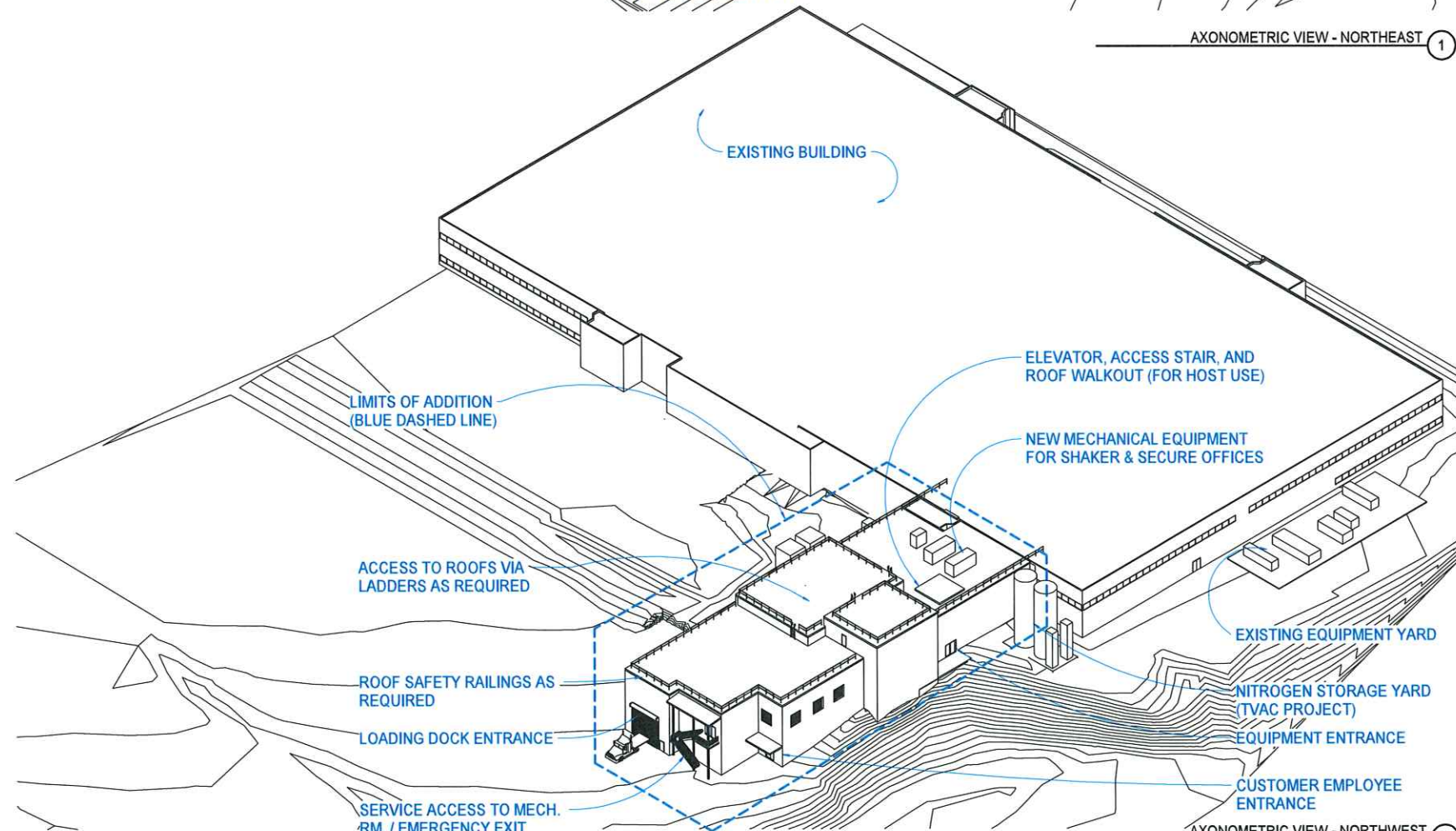


UPPER LEVEL / ROOF PLAN (A1)  
1/8" = 1'-0"





AXONOMETRIC VIEW - NORTHEAST 1



AXONOMETRIC VIEW - NORTHWEST 2

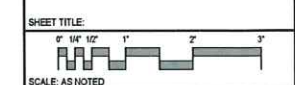
REV	DESCRIPTION	DATE

PROGRESS SCHEMATIC  
02-11-20  
CURRENT ISSUE STATUS:

**SMRT** Architects and Engineers  
700 Brickstone Square, Suite 303  
Andover, Massachusetts 01810  
1.877.700.7678  
www.smrtinc.com

HIGH BAY ADDITION

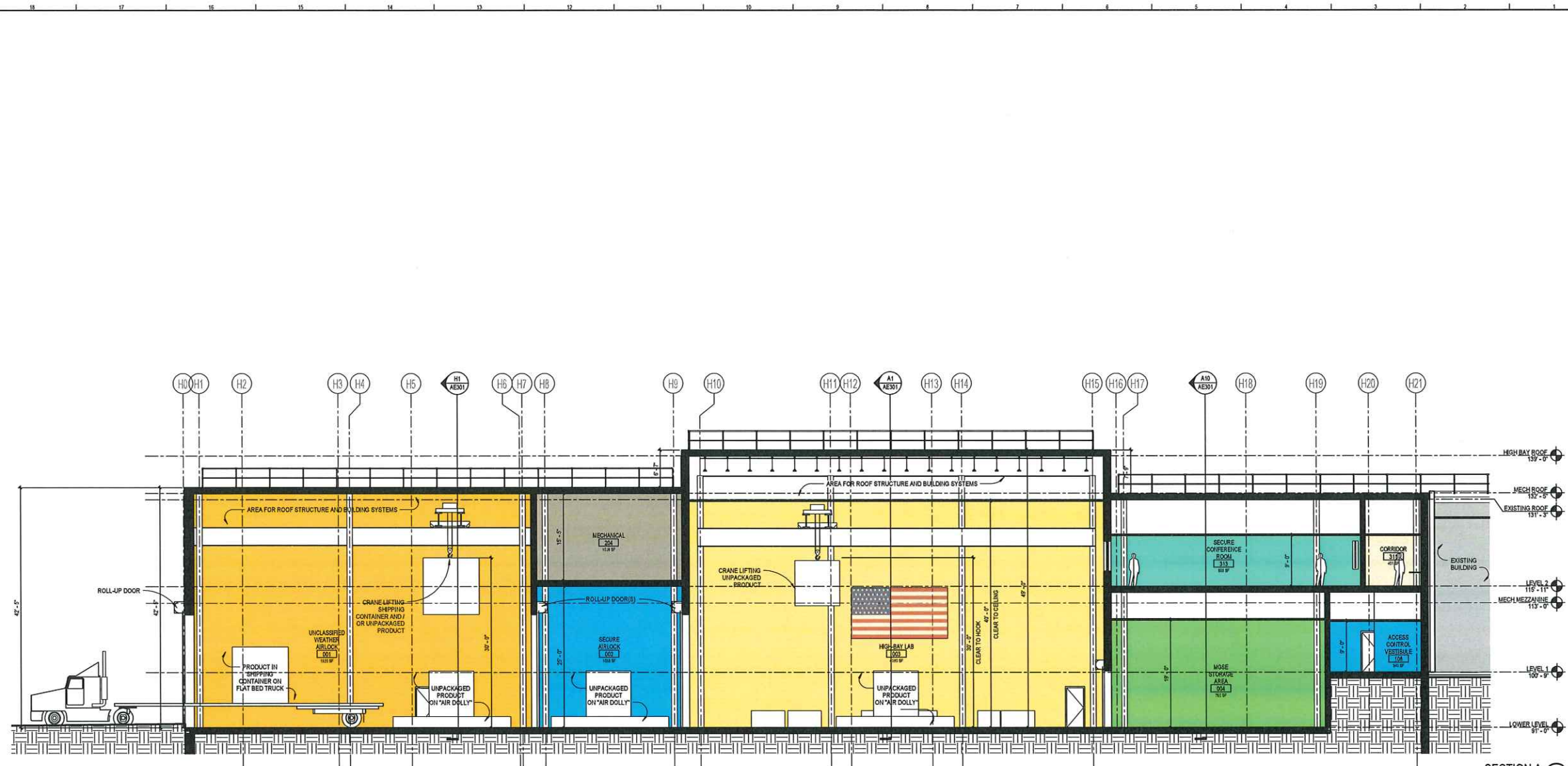
PROJECT LOCATION  
EXTERIOR AXONOMETRIC VIEWS



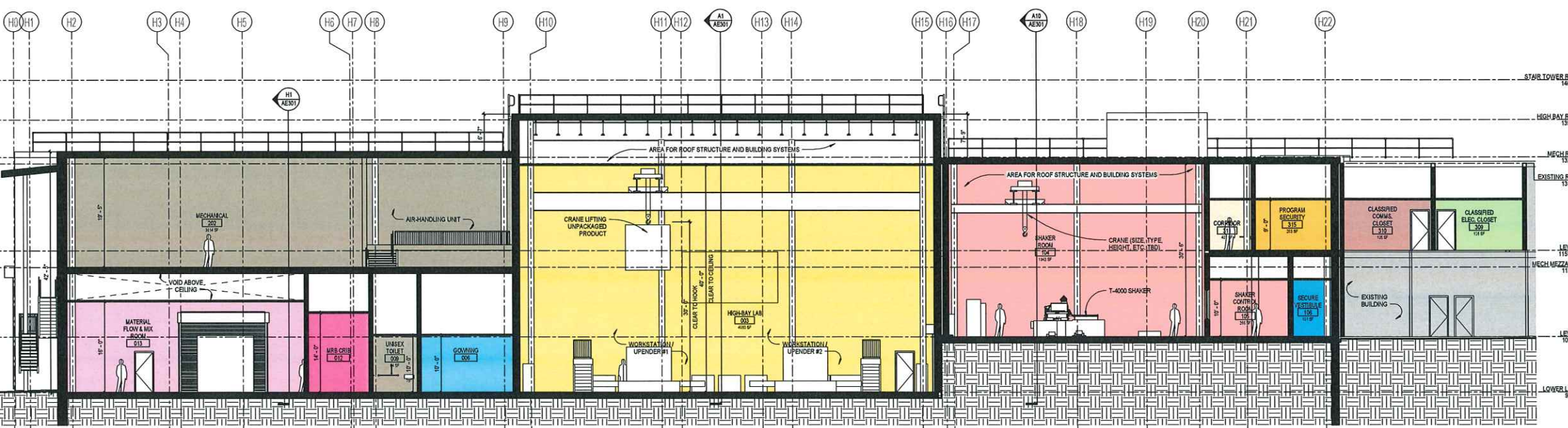
PROJECT MANAGER: BKH PROJECT NO: 18059-03  
A/E OF RECORD: Checker  
JOB CAPTAIN: SPG  
DRAWN BY: Author  
SMRT FILE: AE201-18059-03 SHEET No. **AE201**

NOT FOR CONSTRUCTION





SECTION A  
1/8" = 1'-0"



SECTION B  
1/8" = 1'-0"

REV	DESCRIPTION	DATE

**PROGRESS SCHEMATIC**  
 02-11-20  
 CURRENT ISSUE STATUS:

**SMRT** SMART Architects and Engineers  
 200 Brickstone Square, Suite 303  
 Andover, Massachusetts 01810  
 1.877.700.7678  
 www.smartinc.com  
 Architecture • Engineering • Planning

**HIGH BAY ADDITION**

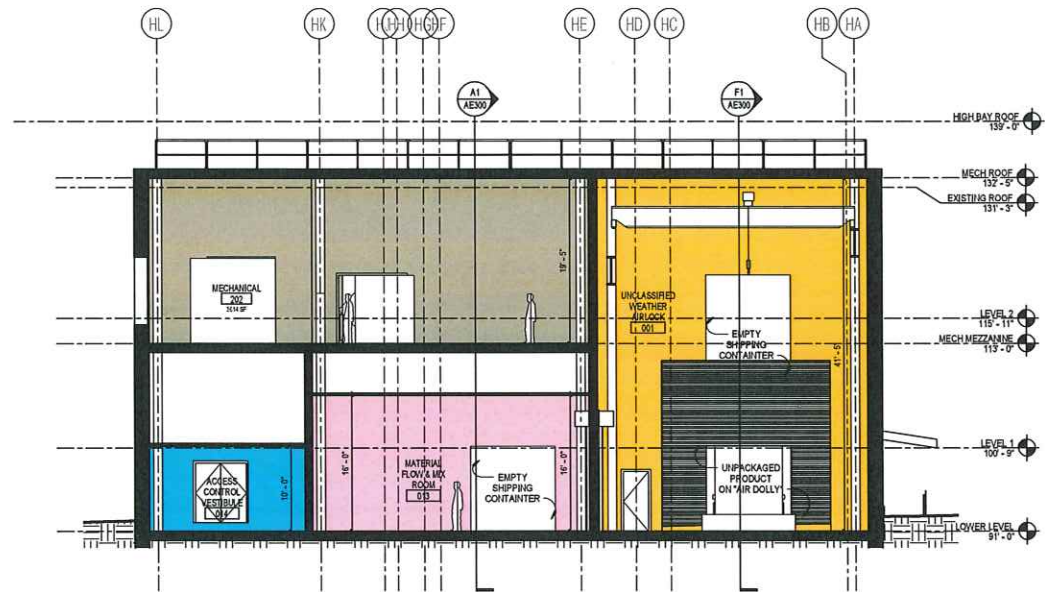
PROJECT LOCATION:  
**BUILDING SECTIONS**

SHEET TITLE:

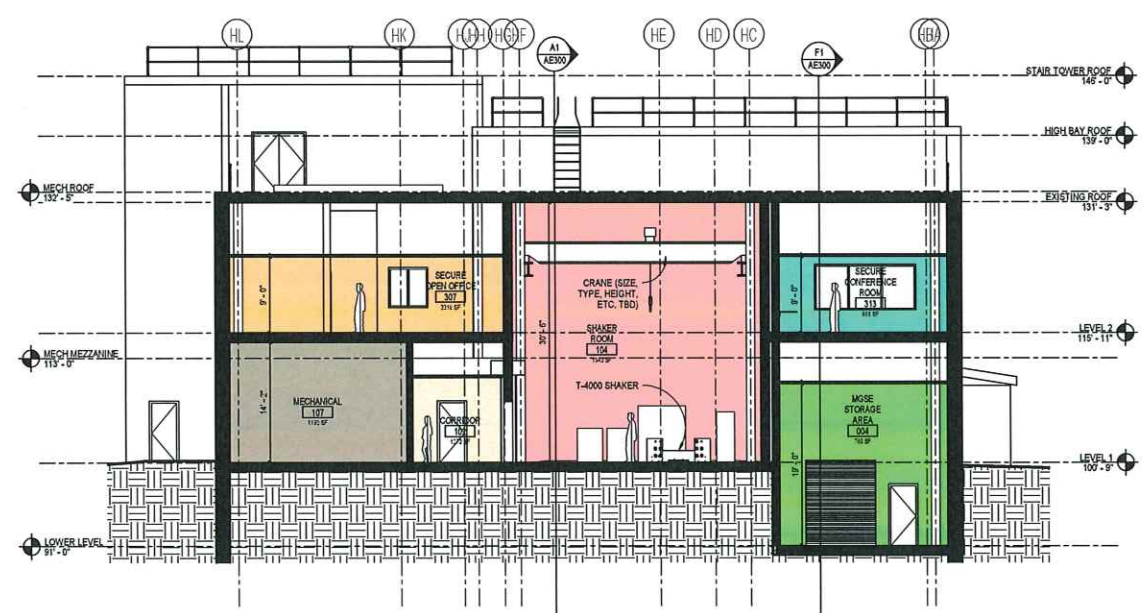
SCALE: AS NOTED  
 PROJECT MANAGER: BDI PROJECT NO.: 16250-03  
 A/E OF RECORD: Checker  
 JOB CAPTAIN: SPG  
 DRAWN BY: Author  
 SMRT FILE: AE300-16250-03 SHEET No.: 03

**AE300**  
 NOT FOR CONSTRUCTION

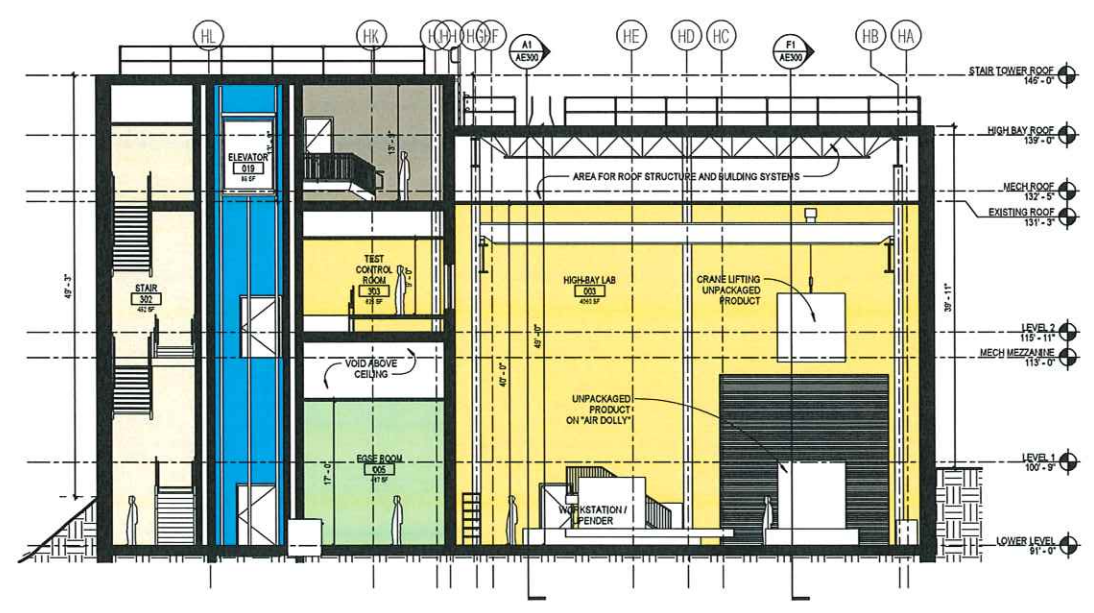




SECTION E (H1)  
1/8" = 1'-0"



SECTION D (A1)  
1/8" = 1'-0"



SECTION C (A1)  
1/8" = 1'-0"

REV	DESCRIPTION	DATE
	PROGRESS SCHEMATIC	02-11-20

CURRENT ISSUE STATUS:

PROJECT NORTH:

**SMRT** Architects and Engineers  
100 Brickstone Square, Suite 303  
Andover, Massachusetts 01810  
1.877.700.7678  
www.smrtinc.com

High Bay Addition

PROJECT LOCATION:  
BUILDING SECTIONS

SHEET TITLE:

SCALE: AS NOTED

PROJECT MANAGER: BKH PROJECT NO: 18020-03  
A/E OF RECORD: Checker  
JOB CAPTAIN: SPG  
DRAWN BY: Author  
SHEET FILE: AE301-18020-03 SHEET No. 01

**AE301**

NOT FOR CONSTRUCTION

Printed  
2/11/2020  
10:55AM  
Created  
2/11/2020  
10:51 AM

# Transaction Receipt

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

Receipt# 585,030  
tgoodwyn

Description	Current Invoice	Payment	Balance Due
1.00 Zoning Application-ZBA 65 River Rd Map/Lot 251-001-000			
BAE- Variance	0.00	290.7500	0.00
		<b>Total:</b>	<b>290.75</b>

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
HSI Hayner/Swanson, Inc.	CHECK	CHK# 022843	290.75	0.00	290.75

Total Due: 290.75  
Total Tendered: 290.75  
Total Change: 0.00  
Net Paid: 290.75

Hayner/Swanson, Inc.

022843

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
2-10-20	021020	ZBA SUBMITTAL FEE	290.75		290.75
<b>CHECK DATE</b>	2-10-20	<b>CHECK NUMBER</b>	22843	<b>TOTALS</b>	290.75
			290.75		290.75

**HUDSON ZONING BOARD OF ADJUSTMENT  
Variance Decision Work Sheet (Rev 11-06-18)**

On **03/12/20**, the Zoning Board of Adjustment heard Case **246-001**, being a case brought by **Dr. Warren Barclay, 24 Chalifoux Rd., Hudson, NH** for two (2) 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].

After reviewing the petition, hearing all of the evidence, and taking into consideration any personal knowledge of the property in question, the undersigned member of the Zoning Board of Adjustment sitting for this case made the following determination:

- Y**    **N**    **1.** Granting of the requested variance will not be contrary to the public interest, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”
- 
- 
- Y**    **N**    **2.** The proposed use will observe the spirit of the ordinance, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”
- 
- 
- Y**    **N**    **3.** Substantial justice would be done to the property-owner by granting the variance, and the benefits to the property owner are not outweighed by harm to the general public or to other individuals.
- 
- 
- Y**    **N**    **4.** The proposed use will not diminish the values of surrounding properties.
- 
- 
- Y**    **N**    **5.** Special conditions exist such that literal enforcement of the ordinance would result in **unnecessary hardship**, either because 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* because the special conditions of the property cause the proposed use to be reasonable, or, alternatively, there is no reasonable use that can be made of the property that would be permitted under the ordinance, because of the special conditions of the property.
- 
- 

Member Decision: \_\_\_\_\_

Signed: \_\_\_\_\_

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

Stipulations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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>	
<b>Total amount due:</b>		<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*



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.”)

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See attachment in support of Application.

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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.”)

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See attachment in support of Application.

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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.)

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See attachment in support of Application.

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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.)

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See attachment in support of Application.

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## 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.

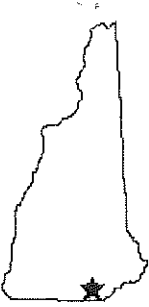
*Fair and Substantial Relationship to Public Purposes.* The ordinance establishes that the purposes of the ordinance itself are to protect the general health, safety and welfare of the inhabitants as well as efficiency and economy in the process of development...(Section 334-2). This ordinance, as applied 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."

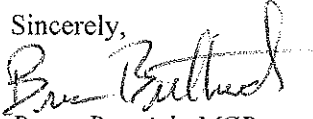
The proposal is not able to satisfy 334-10D: "Multiple or mixed uses on a single lot, which includes a residential use, shall only be allowed by Special Exception in accordance with the general requirements listed in Article VI, § 334-23. In addition to the general requirements for special exception 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](mailto: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.*

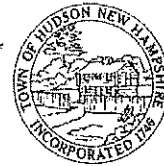


COMMUNITY DEVELOPMENT DEPARTMENT  
 12 School Street  
 Hudson, NH 03051  
 (603)886-6005  
www.hudsonnh.gov

#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 Stonemill 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.

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**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](mailto: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".

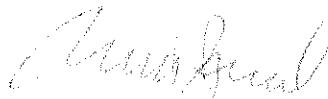
In Section 334-26B, the ordinance specifically states that "an example of a compatible mixed or dual use would be a single residence and a business, where the residence would be occupied by the business owner or manager.

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.<sup>[1]</sup>

[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:<sup>[1]</sup>

- 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<sup>[1]</sup> lists the accessory uses which may accompany those principal 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 <sup>2</sup>	30,000	43,560	87,120
Without Town water or sewer	43,560	60,000 (43,560 for single-family)	10,000 <sup>1</sup>	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:

- <sup>1</sup> Must obtain proper state/municipal permits.
- <sup>2</sup> 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	RES2 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. Descr	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

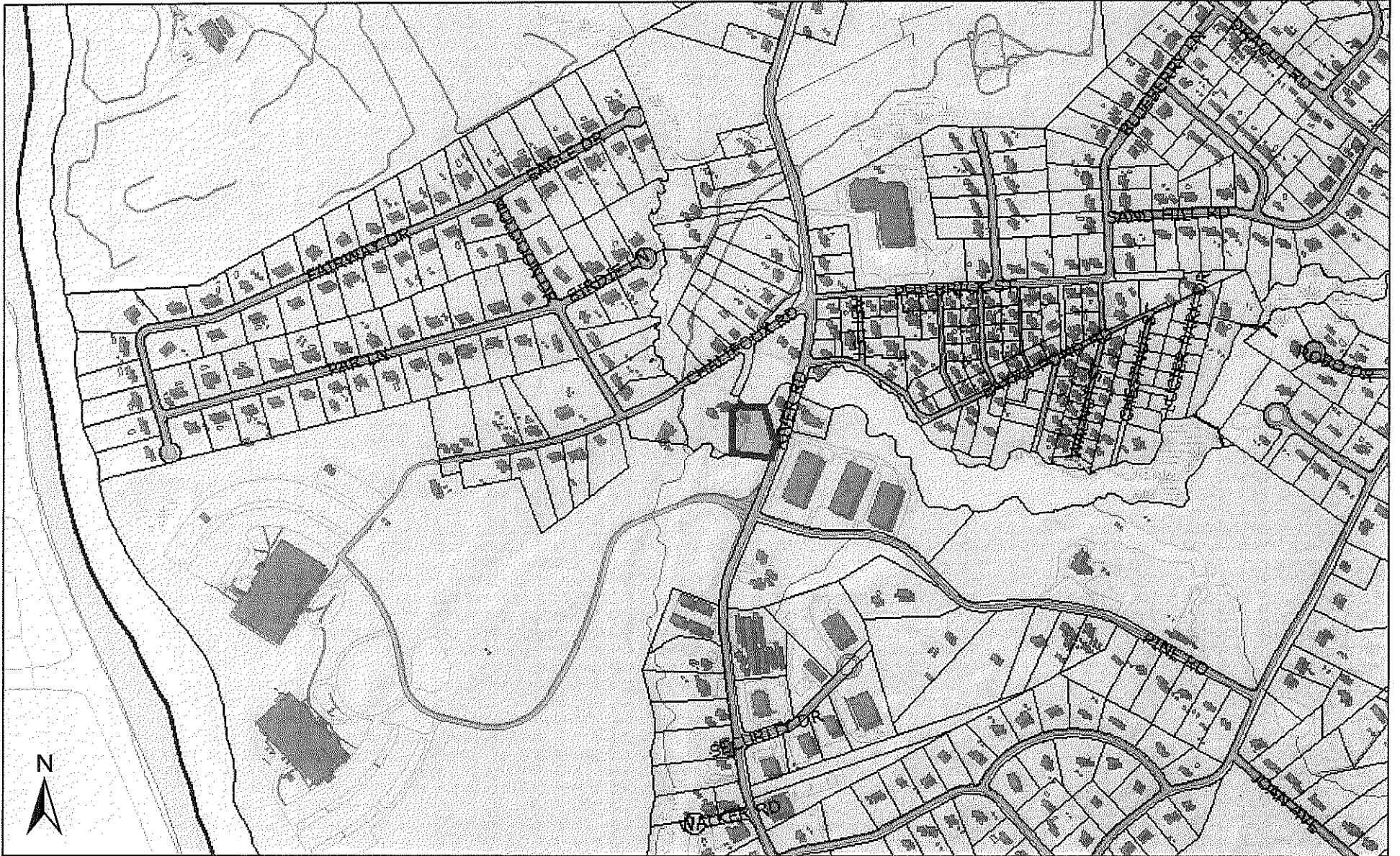
Sign: \_\_\_\_\_

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 SULLMAN  
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  
LOUI & 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 BRUTANT  
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 EAYRS 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

**WAIVERS**

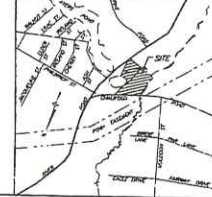
NTE 288-108(3) TOPOGRAPHY  
NTE 289-109 DEVELOPMENT AGREEMENT



**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 INCRD AS PLAN NO.

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



**LEGEND**

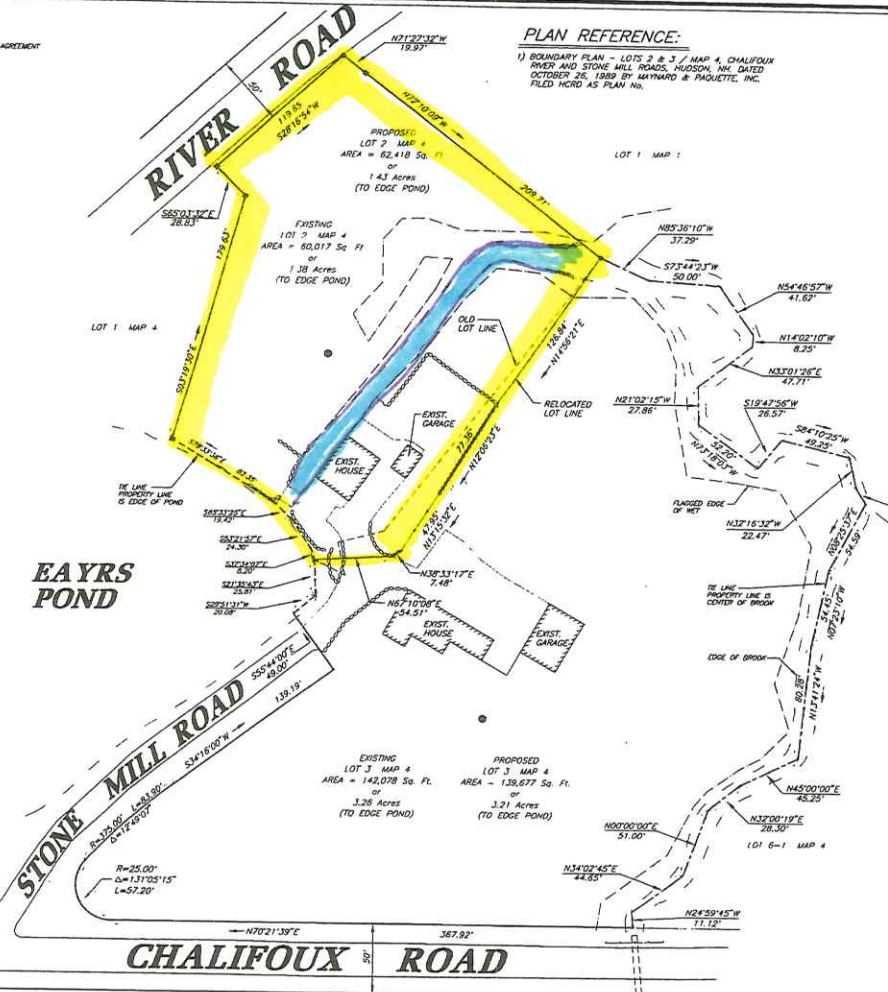
**VICINITY**

**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.
- | LOT | EXISTING AREA            | PROPOSED AREA            | CHANGE                  |
|-----|--------------------------|--------------------------|-------------------------|
| 2   | 60,017 Sq. Ft./1.38 AC.  | 62,418 Sq. Ft./1.43 AC.  | +2,401 Sq. Ft./0.05 AC. |
| 3   | 145,078 Sq. Ft./3.28 AC. | 138,677 Sq. Ft./3.21 AC. | -2,401 Sq. Ft./0.05 AC. |
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.

**EAYRS POND**

**CHALIFOUX ROAD**



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

*Dana Paquette* 9/21/2001  
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

DATE: AUGUST 22, 2001

SCALE: 1"=40'  
**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	0	108.30
DESIGNED	DRAWN	CHECKED	APPROVED	DATE
				2001 AUG 22

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.

APPROVED BY THE HUDSON PLANNING BOARD  
DATE OF MEETING: 8-12-01  
*James R. Papp* SIGNATURE DATE: 1/25/02  
*David A. Papp* SIGNATURE DATE: 1/25/02  
SURVEY RIGHTS AS VALID FOR ONE YEAR FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL.  
PLANNING BOARD PER 674:3(b) STARTS FROM THE DATE OF PLANNING BOARD MEETING FINAL APPROVAL.

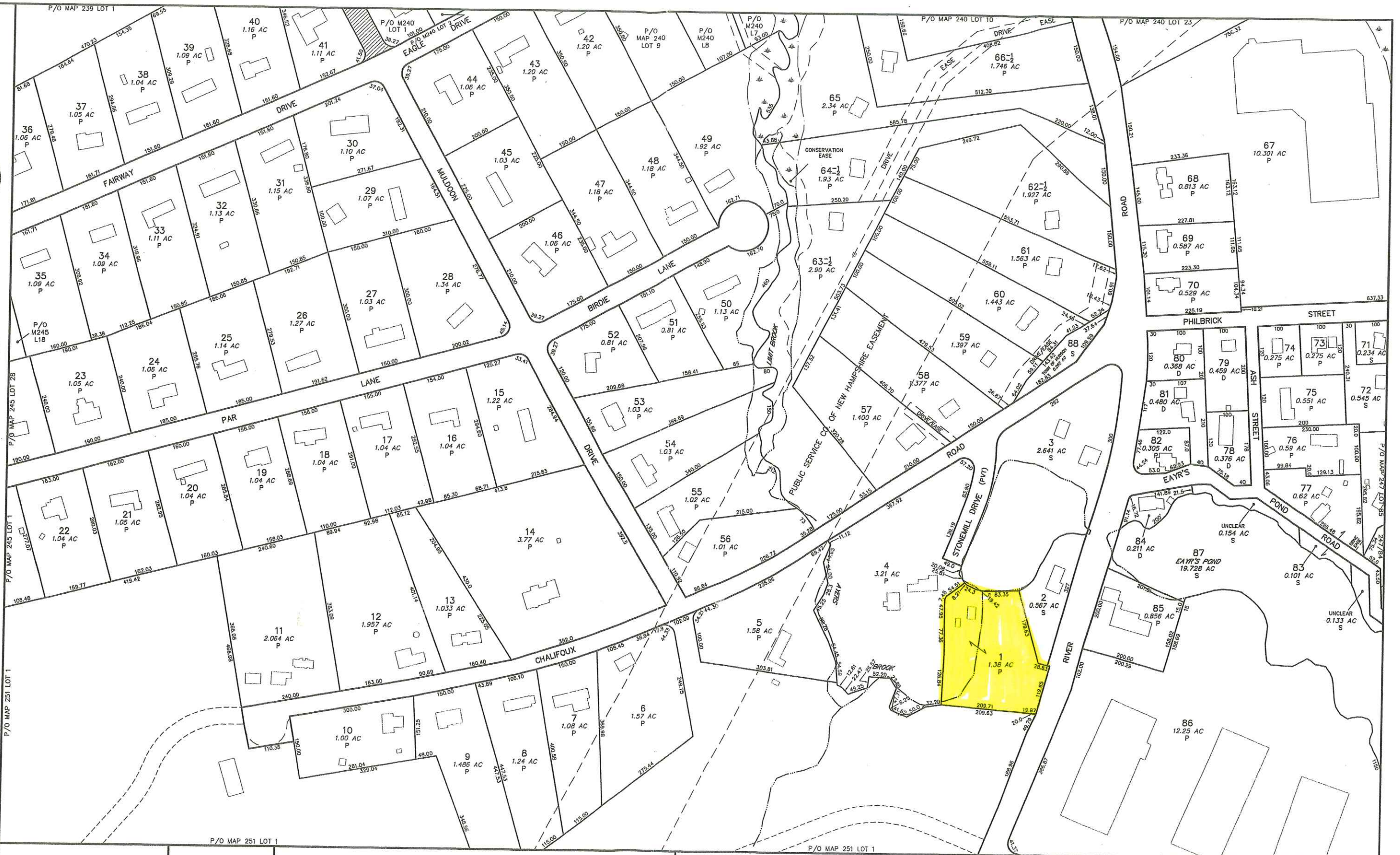
© COPYRIGHT, ALL RIGHTS RESERVED 2000-2001  
 MP ENGINEERING ASSOCIATES, LLC  
 23 EAST PEARL STREET, NASHUA, NH 03060  
 PHONE (603) 883-8433 FAX (603) 883-7227





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: \_\_\_\_\_  
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

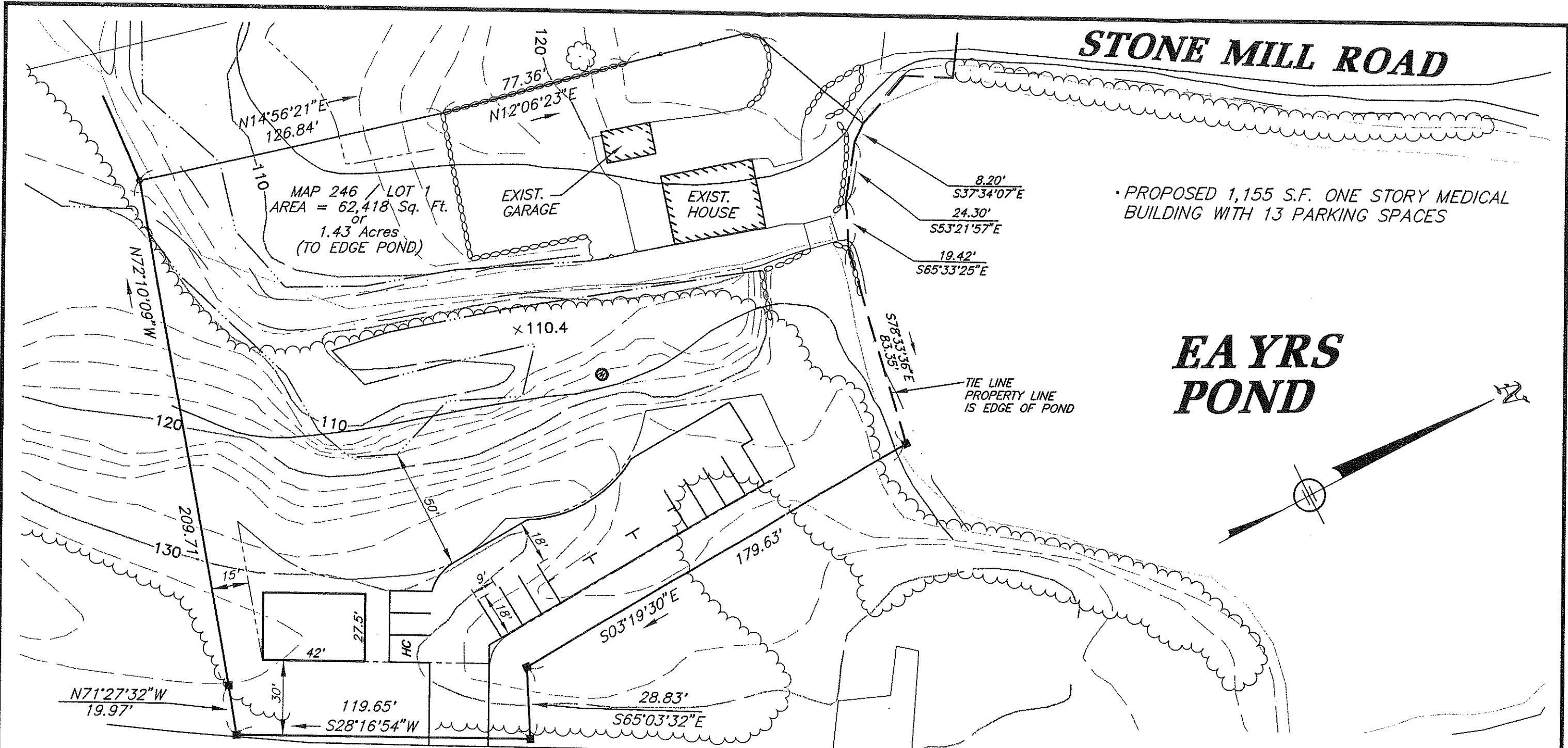
**INDEX DIAGRAM**

239	240	241
245	<b>246</b>	247
250	251	252

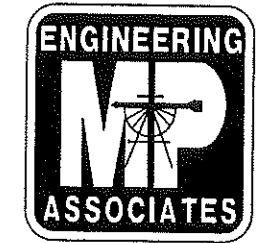
PROPERTY MAP  
**TOWN OF HUDSON**  
HILLSBOROUGH COUNTY  
NEW HAMPSHIRE

**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
		<b>Total:</b>	<b>155.70</b>

<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
			<b>Total Due:</b>		<b>155.70</b>
			<b>Total Tendered:</b>		<b>155.70</b>
			<b>Total Change:</b>		<b>0.00</b>
			<b>Net Paid:</b>		<b>155.70</b>

**WELTS, WHITE & FONTAINE, P.C.**

**79276**