



## Zoning Board of Adjustment

Charlie Brackett, Chairman Marilyn E. McGrath, Selectmen Liaison

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

#### MEETING AGENDA - August 13, 2020

#### **COVID-19 Meeting Procedure**

In response to the NH State of Emergency Order #12 Pursuant to Executive Order 2020-04 regarding COVID-19, The Hudson Zoning Board of Adjustment will conduct a virtual and public meeting & hearings electronically by remote video & conference call and physically at the Community Center, 12 Lions Ave, Hudson on Thursday, August 13, 2020, at 7:00 PM. Written comments can be sent in advance either by: 1) Email to bbuttrick@hudsonnh.gov prior to 5:00 pm, August 13, 2020; or 2) Mail by August 10, 2020 to ZBA, c/o Bruce Buttrick, Hudson Town Hall, 12 School St., Hudson, NH 03051. For the public to participate and comment, please follow the instructions on the town website: <a href="https://www.hudsonnh.gov/bc-zba/page/public-hearing-process">https://www.hudsonnh.gov/bc-zba/page/public-hearing-process</a> or call (603) 886-6008 prior to the date of the meeting. Applications on the agenda may be viewed online at: <a href="https://www.hudsonnh.gov/bc-zba">https://www.hudsonnh.gov/bc-zba</a> (click: View Agendas, Minutes, Packets & Videos). The meeting will be streamed live on Hudson Community Television, Cable Channel 22 or online at: <a href="https://https://https://channel=3">https://https://www.hudsonctv.com/CablecastPublicSite/watch/2?channel=3</a>.

#### I. CALL TO ORDER

#### II. PLEDGE OF ALLEGIANCE

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

- 1. <u>Case 165-155 (08-13-20</u>): Christopher Baillargeon, 23 Brandy Lane, Pelham, NH requests a Special Exception for 77 Derry Street to operate a retail pet store selling puppies, kittens, fish, reptiles and pet supplies while also providing pet care education. [Map 165, Lot 155-000; Zoned Business (B); HZO Article VI, Special Exceptions, §334-23, General Requirements].
- <u>Case 190-096 (08-13-20)</u>: Paula Bowden, 1 Riverview Street, requests a Variance to build a 26' x 26' two car garage that has a side yard setback encroachment of 10.3 ft., leaving 4.7 ft. of side yard setback. [Map 190, Lot 096-000; Zoned Town Residence (TR); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
- 3. <u>Case 252-023 (08-13-20)</u>: Jessica Ryan Kozick, 6 McKinney Drive, requests a Home Occupation Special Exception to install a single chair home beauty salon in the lower level of the primary residence. [Map 252, Lot 023-000; Zoned Residential-One (R-1); HZO Article VI, Special Exceptions, §334-24, Home Occupations].
- <u>Case 111-017 (08-13-20)</u>: Earl J. Sanford of Sanford Surveying & Engineering representing 4NH Homes, LLC (c/o Mike Gallo), 597 New Boston Road, Bedford, NH requests a Variance for 151 Robinson Road to build a 28 ft. x 48 ft., two bedroom house with a 25 ft. front yard setback where 50 ft. is required. [Map 111, Lot 017-000; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

#### IV. REQUEST FOR REHEARING: None

#### V. PUBLIC HEARING – ByLaws amendment (1<sup>st</sup> reading)

- VI. REVIEW OF MINUTES: 07/23/20
- VII. OTHER: 2020 Virtual Land Use Law Conference- 10/31/20- List of interested attendees

Bruce Buttrick Zoning Administrator



Land Use Division

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

## Zoning Administrator Staff Report Meeting Date: August 13, 2020 Blazer

<u>Case 165-155 (8-13-20)</u>: Christopher Baillargeon, 23 Brandy Lane, Pelham, NH requests a Special Exception for 77 Derry Street to operate a retail pet store selling puppies, kittens, fish, reptiles and pet supplies while also providing pet care education. [Map 165, Lot 155-000; Zoned Business (B); HZO Article VI, Special Exceptions, §334-23, General Requirements].

Address: 77 Derry Street Zoning district: Business (B)

#### Summary:

Applicant requests a Special Exception to allow a pet store which will have uses of retail sales of various animals including cats and dogs, because of the day and night "boarding/kennel" nature, I have made a Zoning Determination that this proposal constitutes as a "kennel" and according to the Table of Permitted Principal Uses (334-21) is allowed by Special Exception.

#### Property description:

This is an existing developed lot of record: A mixed use commercial (retail) "mall".

#### In-House review/comments:

Fire Dept: None received Planner: None received Engineering: None Received Animal Control Officer: yes received

HISTORY: N/A

June 11, 2020 Zoning Determination #20-063

Attachments: "A" June 11, 202 Zoning Determination #20-063 "B" Animal Control Officer In-House review/comments





Land Use Division

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

#### **Zoning Determination #20-063**

June 11, 2020

Christopher Baillargeon 23 Brandy Lane Pelham NH 03076

#### Re: <u>77 Derry Street Map 165 Lot 155-000</u> District: Business (B)

Dear Mr, Baillargeon,

Your request if you can locate a pet store selling puppies and kittens, reptiles and fish, at this address, has been completed and reviewed.

**Zoning Review / Determination:** You will need a Special Exception, as it is my determination that the keeping/boarding of the animals constitutes a kennel, and kennels (D-2) in the <u>Table of Permitted Principal</u> <u>Uses</u> require a Special Exception from the Zoning Board of Adjustment (ZBA) in accordance with Article VI, section §334-23 General requirements.

Please review the specifics of your proposal (and HAVC & exhaust requirements) with Dave Hebert - Building Official (603) 886-6005. An occupancy permit application would be required prior to occupying the space.

Sincerely,

Bruce Buttrick

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

cc: Public Folder D. Hebert – Building Official B. Groth, Town Planner Owner File

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



#### **Buttrick, Bruce**

From: Sent: To: Cc: Subject: McMillan, Jana Monday, June 29, 2020 7:40 AM Goodwyn, Tracy Buttrick, Bruce RE: Message from "CD-PR-RICOH"

#### Good Morning,

I have since spoken to Chris and he is working with the Dr. Harvey to complete the necessary requirements that I would be concerned with. He and I discussed investigations on reports from the public of sick animals and properly organized paperwork on each dog/cat, which have been the focus of the other pet store in town. He does not have a Veterinarian of Record yet, but stated he is working on it.

He appears to meet the criteria necessary for this type of business.

Kind Regards,

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

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

-----Original Message-----From: Goodwyn, Tracy Sent: Friday, June 26, 2020 3:26 PM To: McMillan, Jana <jmcmillan@hudsonnh.gov> Cc: Buttrick, Bruce <bbuttrick@hudsonnh.gov> Subject: FW: Message from "CD-PR-RICOH"

Jana,

I forgot to forward this case to you for comments before I left yesterday. I am on vacation thru next week. Could you please review and send any comments you have regarding this case to Bruce? This is a new applicant proposing to use the same space, 77 Derry Street as Keri Demers (previous applicant for special exception). Thank you!



JUN 25 2020 To: Zoning Board of Adjustment Town of Hudson	Entries in this box are to be filled out by Land Use Division personnel Case No $165-155(07-33-20)$ Date Filed $6/25/20$
Name of Applicant Christopher	Lillergentiap 145 Lot 155 Zoning District B
Telephone Number (Home) 603-361	-5763 (Work) 6-3-361-5763
Mailing Address 23 Bready	Lane Pelham, NM 03076
Owner Hudson - Vickerry,	LLC
Location of Property 77 Derry	
(Street Ad	dress) G/12/2020
Manil M. Sheel	6/17/2020

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 Lan	Use Division personnel	
COST: Application fee: Interest Abusters x S4.07= Inducest Abusters x S0.55 = Total amount due: Received business	<u>\$130.00</u> <u>45.10</u> <u>5 1.65</u> Amt. received: <u>\$ 176.75</u> <u>176.75</u> Receipt No.: <u>601,345</u> Chee <u>65</u>	JL#
By determination of the Zoning Administrator Departmental review is required	r Building Inspector, the following	
Aninal Confrol Officer	Health OfficerPlanner	

June 3, 2020

Dear Hudson Zoning Board,

I hereby authorize Chris Baillargeon to apply for a special exception at the Hudson Mall.

Sincerely,

You In and

Daniel M. Gordon, Manager Hudson Vickerry, LLC

# 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:

Staff Applicant 10 Initials Initials CB The applicant must provide 1/3 copies including the original of the filled-out application Tb form, together with this checklist and any required attachments listed. (Paper clips, no staples) Before making the copies, please review the application with the Zoning CB Administrator or staff. CB 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. CB If the applicant is not the property owner(s), the applicant must provide to the Town 16 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.) CB Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) TG 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.) CB A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office) T6-CB 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. NA 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.

PLOT PLAN-

LB 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) **CB** The plot plan shall be drawn to scale on an  $8 \frac{1}{2}$ " x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. b) CB The plot plan shall be up-to date and dated, and shall be no more than three years old. c) CB The plot plan shall have the signature and the name of the preparer, with his/her/their seal.

d) CB 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) CB 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) CB 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)\_**CB**\_ The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) CB The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) **CB** 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. **611212020** Date

Signature of Applicant(s)

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, firstserved 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
165	150	Cafua Realty Trust IX LLC	280 Merrimack Street Methuen, MA. 01844
165	147	102 Plaza, INC	PO Box 188 Beverly, MA. 01915-0188
165	155	Hudson-Vickerry, LLC	25 Orchard View Drive Londonderry, NH. 03053
165	148	Bank of New Hampshire ATTN: TD Bank	380 Wellington Street, TWR B, Floor 12 London, ON N6a 4S4
165	149	Global Companies, LLC c/o Engle Insight - MS 5534	PO Box 2440 Spokane, WA. 99210-2440
166	001	St Patrick Cemetery Bishop of Manchester Roman Catholic	153 Ash Street Manchester, NH. 03104
165	154	Car Development Corp.	PO Box 370 Hudson, NH 03051-0370
165	151	Istrin, Herman, TR Istrin, Gertrude, TR Istrin Family Trust	9803 San Fernando Road Pacoima, CA. 91331
165	153	Lawrence, Robin M.	100 Derry Street Hudson, NH. 03051
165	152	McNamara, Christopher L. McNamara, Erica M.	98 Derry Street Hudson, NH 03051
165	141	Abbott Farm Condominiums c/o Great North Property Management	636 Daniel Webster Highway Merrimack, NH. 03054
165	155	Christopher Beillergeon	23 BELTY Lane Pelham, NH 03076
165	151	Brunford Properties of	5451 Arville St
~ ~		Nevada, 110	Les veses, NV 89118

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
165	146	DT Retail Properties, LLC	500 Volvo Parkway Chesapeake, VA. 23320
165	132	Duval, Maurice E., TR Duval, Denise E., TR Duval Family Revocable Trust	2 Summer Street Hudson, NH. 03051
			· · ·
			······································

SENDER:		TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 165-155 Special Exception77 Derry StreetMap 165/Lot 155-0001 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1 7	701.A 7		HUDSON-VICKERRY, LLC	APPLICANT/OWNER-NOTICE SENT
(Description of the local data			25 ORCHARD VIEW DRIVE, LONDONDERRY, NH 03053 CHRISTOPHER BAILLARGEON	APPLICANT/OWNER-NOTICE SENT
			23 BRANDY LANE, PELHAM, NH 03076 CAFUA REALTY TRUST IX LLC	ABUTTER NOTICE SENT
3 7	7018	2290 0001 3001 4314	280 MERRIMACK ST, METHUEN, MA 01844	
4 7	2018 a	2290 0001 3001 4321	102 PLAZA, INC.	ABUTTER NOTICE SENT
5 4 10	ied	First Class only	PO BOX 188, BEVERLY, MA 01915-0188 BANK OF NEW HAMPSHIRE, ATTN: TD BANK	ABUTTER NOTICE SENT
		2290 0001 3001 4338	380 WELLINGTON ST. TWR B, FL 12, LONDON, ON N6A 4S4 GLOBAL COMPANIES, LLC, c/o ENGIE INSIGHT- MS 5534 PO BOX 2440, SPOKANE, WA 99210-2440	ABUTTER NOTICE SENT
7 7	7018	2290 0001 3001 4345	ST PATRICK CEMETERY, Bishop of Manchester Roman Catholic	ABUTTER NOTICE SENT
		2290 0001 3001 4352	153 Ash Street, MANCHESTER, NH, 03104 LAWRENCE, ROBIN M., DIBERNARDO, ELISA A. 100 DERRY ST., HUDSON, NH 03051	ABUTTER NOTICE SENT
9	7018	1 2290 0001 3001 4369	MCNAMARA, CHRISTOPHER & ERICA 98 DERRY STREET, HUDSON, NH 03051	ABUTTER NOTICE SENT
10	7018	2290 0001 3001 4376	ABBOTT FARM CONDOMINIUMS, c/o GREAT NORTH PROPERTY MANAGEMENT ATTN:TRACEY MADDEN	ABUTTER NOTICE SENT
			636 DANIEL WEBSTER HIGHWAY, MERRIMACK, NH 03054	ABUTTER NOTICE SENT
11	7018	2290 0001 3001 4383	BRANFORD PROPERTIES OF NEVADA, LLC	ABUITER NOTICE SENT
			5451 ARVILLE ST., LAS VEGAS, NV 89118	
		Total Number of pieces listed by sender 11	Total number of pieces rec'vd at Post Office	Postmaster (receiving)Employee)

HUDSC 103051-9998 ê AUG 2020 4 1 USPS

Page 1

Direct Certified

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 165-155 Special Exception77 Derry StreetMap 165/Lot 155-0001 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1	N/A-mailed First Class	DT RETAIL PROPERTIES, LLC	ABUTTER NOTICE SENT
1		500 VOLVO PARKWAY, CHESAPEAKE, VA 23320	
2	N/A-mailed First Class	DUVAL, MAURICE & DENISE, TRUSTEES; DUVAL FAMILY REVOCABLE	ABUTTER NOTICE SENT
		2 SUMMER STREET, HUDSON, NH 03051	
3	N/A-mailed First Class	CAR DEVELOPMENT CORP	ABUTTER NOTICE SENT
		PO BOX 370, HUDSON, NH 03051-0370	
4 7018	2290 0001 3001 4284	BANK OF NEW HAMPSHIRE, ATTN: TD BANK	ABUTTER NOTICE SENT
2		80 DERRY STREET, HUDSON, NH 03051	
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			11 03057
	Total Number of pieces listed by sender 4	Total number of pieces rec'vd at Post Office	Postmastercheceiving Employee)
		A H	UG 0 4 2020

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.

See Attached

- 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 properlycompleted 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.

6

#### 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):3	34-23	
		attached		
4.5.59900000 - 2010900000 - 201090000 - 201090000 - 2010900000 - 2010900000 - 201090000000000000000000000000000				

Fetch a Pet LLC, which is owned by myself (Christopher Baillargeon), will be a community pet store for the town of Hudson that will be specializing in selling puppies, kittens, fish and reptiles. We will also be providing all pet care and pet supply needs in the form of a retail store, stocking pet food, toys, accessories, habitats, and more. Hudson-Vickery LLC owns the plaza at 77 Derry St Hudson, NH 03051 that Fetch a Pet is looking to be located in, and I have been given permission to speak on their behalf. The store will house live animals, so we will need a special exception from the zoning board due to the use of kennels within the premise.

All animals will be housed in appropriate state approved enclosures and will be up to date on vaccines upon arrival to the store (as required by law). Nate Harvey, who is the assistant state veterinarian from the department of agriculture, has been working with me on making sure I meet all state guidelines. I believe that Hudson will not only be a great location for my store but also that it would be a fantastic addition to the local and surrounding communities as well. We intend to have a laminate flooring for the merchandise section of the store. Once you reach the fish department there will be a smooth transition to polished concrete for the remaining part of the store. The reason for this transition to polished concrete is to maintain a sanitary environment not only for the animals but also for customers and employees as well. The use of Kennelsol disinfectant will be our primary use to ensure a clean environment. It is EPA registered and is very effective in the animal care industry as it kills a broad spectrum of pathogens such as Parvovirus, bacteria, fungus, and it has even been EPA approved for its effectiveness against Covid-19. I will be working on installing an HVAC system to ensure clean air and odor control as well. I have reached out to the fire department concerning building inspection and they have informed me that once zoning is approved and then the planning board approves, they will have me submit my application to them for an inspection. In addition, I have reached out to Hudson Animal Control and am waiting for their response to my inquiry on housing animals in the town while functioning as a retail store. A full breakdown of the conditions for special exemption is provided on the next page.

I am requesting special exemption because the use of kennels, which will be used to house our puppies, requires special exemption in this district. The following are answers explaining how our proposed use meets all conditions specified in article IV section 334-23 of the zoning ordinance for special exemption

A. The use requested is listed as permitted by special exception in the Table of Permitted Principal or Accessory Uses<sup>[1]</sup> 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.

Dog kennels are listed as requiring special exemption.

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

\*All requirements A-E are met

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

Fetch a Pet will be a pet retail store supplying many products on top of animals. Since the B district is at least in part established to provide general wholesale, retail commercial use for businesses, a pet store would be consistent with the purpose and intent of this district.

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

Again, the location is in a business district in a retail strip mall and we will provide retail services. We will also be conducive to the values of the surrounding neighborhood families by emphasizing pet education through first class customer service, guaranteeing that all customers will be informed as to what it takes to be a responsible and caring pet owner. We will create an environment that is entertaining, educational, and safe for all customers and animals alike.

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

This is not applicable



## Land Use Division



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

#### **Zoning Determination #20-063**

June 11, 2020

Christopher Baillargeon 23 Brandy Lane Pelham NH 03076

#### Re: <u>77 Derry Street Map 165 Lot 155-000</u> District: Business (B)

Dear Mr, Baillargeon,

Your request if you can locate a pet store selling puppies and kittens, reptiles and fish, at this address, has been completed and reviewed.

**Zoning Review / Determination:** You will need a Special Exception, as it is my determination that the keeping/boarding of the animals constitutes a kennel, and kennels (D-2) in the <u>Table of Permitted Principal</u> <u>Uses</u> require a Special Exception from the Zoning Board of Adjustment (ZBA) in accordance with Article VI, section §334-23 General requirements.

Please review the specifics of your proposal (and HAVC & exhaust requirements) with Dave Hebert - Building Official (603) 886-6005. An occupancy permit application would be required prior to occupying the space.

Sincerely

cc:

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

Public Folder D. Hebert – Building Official B. Groth, Town Planner Owner 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 <u>www.hudsonnh.gov</u>



# Town of Hudson

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

Date of request	6/13/2020
Property Location	77 Derry Street Unit B-5 Hudson, NH 03052
	Map <b>165</b> Lot <b>155</b>
Zoning District if known	B
□ Zoning	Type of Request District Determination Use Determination Set-Back Requirements Process for Subdivision/Site Plan if required Other
Description of request /	determination: (Please attach all relevant documentation)
Pet Store the well as ani Shop. In cdd	et will be selling puppies and kittens as mal supplies. Ret store will aperate as Retail ition we will operate as a plet advaction chuiroment.
Applicant Contact Inf	ormation:
Name: Ch Address: 2 Phone Number: 6	stistopher Baillargeon 3 Brandy lane Pelham NM 03076 03-361-5763
	For Office use
ATTACHMENTS: T	AX CARD GIS
NOTES:	
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e: 79 - SUPER MARKET	Full Bath Rating:	ADD COOLERS/FREEZERS//2020-added	
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2 - STEEL	1/2 Bath: 2 Rating: AVER	AGE	
21 - CONC BLOCK	A HBth: Rating:		
08 - BRICK VEN 35 %	OthrFix: 5 Rating: AVER		18
4 - FLAT	OTHER FEATURES	1st Res Grid Desc: #Units	
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INFORMATION	CONDO INFORMATION	Lvi 1	
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	the second		
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1 - ONE STY	A Bath: Rating:			and yb change to						40			
1 Total: 15	3/4 Bath: Rating:	ge		and ye onlinge to	sing and fire i							100	
6 - SLAB	A 3QBth Rating:	FDAOF							114			122	
2 - STEEL	1/2 Bath: 2 Rating: AV	ERAGE											
21 - CONC BLOCK	A HBth: Rating:		ESIDEN	TIAL GRID									
08 - BRICK VEN 35 %	OthrFix: 5 Rating: AN			id Desc:		# Units		16					
4 - FLAT	OTHER FEATURES		the state of the s	Contraction of the second seco	FR RR BR FB HI	10. S. 10. 10. 10. 10. 10. 10. 10. 10. 10. 10							
11 - MEMBRANE	Kits: Rating:		evel Fi	ILKUKUK	רג גג מג רט חו	BLO				FFL			
	A Kits: Rating:		pper										
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INFORMATION	WSFlue: Rating:	1.	/11										220
- GOOD	CONDO INFORMATIC	IN ISSUE	ower										
87 Eff Yr Blt:	Location:		an encore	RMs: BRs:	Baths:	HB 2		16	12				
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n Adj:	Name:		Interior										
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NFORMATION	Phys Cond: VG - Very Go	od 21. %	Kitchen:					12	39 412	12		129	12
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1 - DRYWALL	Economic:	% P	Plumbing:										
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A - ABV AVG	Override:	0/	Heating:		Totals								
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%	CALC SUMMARY						Code	Description	Area - SQ	Rate - AV Ur	ndepr Value	Sub %	
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1 - HIGH AMP	Adj \$ / SQ: 110.02	3											
2 - TYPICAL	Other Features: 96892												
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15         - HVAC           1         100         % AC: 100           NO         Central Vac: NO         % Sprinkled           100         % Sprinkled         100           ME         Make:            FURES/Y ARD ITEMS             cription         A Y/S Qty            G-ASPH         D Y         1 238           E-6FT         D Y         1 172           LEVELER         D S         4 1	NBHD Inf:         1.0000           NBHD Mod:            LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:            Size/Dim         Qual         Con           Qual         AV         AV           Qual         AV         AV           Qual         AV         AV           AV         AV         AV	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00	ris. Factor I Feature Final Tota Se D/S Dep T 4 T 55. T 3	or: s: 99000 al: 6459400 rrial # o LUC Fact 15 323	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoc 199,900 1,500	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500	IMAGE	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	57128	SPro Pa	
15         - HVAC           1         100         % AC: 100           NO         Central Vac: NO         % Sprinkled           100         % AC: 100         100           MAKe:         Make:         100 <b>CURES/Y ARD ITEMS</b> FURES/Y ARD ITEMS           Cription         A Y/S Qty         1235           G-ASPH         D Y         1 235           E-6FT         D Y         1 172           LEVELER         D S         4 1           FIN         D S         1 205	NBHD Inf:         1.0000           NBHD Mod:            LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:            Size/Dim         Qual         Con           Qual         AV         AV	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         28.55	ris. Factor I Feature Final Tota D/S Dep T 4 T 55. T 3 T 3	or: s: 99000 al: 6459400 rial # <u>o LUC Fact</u> 15 323 .5 323 30 323	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoc 199,900 1,500 10,100	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500 10,100	IMAGE	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	57128	SPro Pa	
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15         - HVAC           1         100         % AC: 100           NO         Central Vac: NO         % Sprinkled           100         % Sprinkled         100           OME         Make:            FURES/YARD ITEMS             reription         A Y/S Qty            IG-ASPH         D Y         1 238           E-6FT         D Y         1 172           LEVELER         D S         4 1           -FIN         D S         1 200           -FIN         D S         1 885           LIGHTED         D Y         1 208	NBHD Inf: 1.0000           NBHD Mod:         1.0000           LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         27.25           34.33         34.33	ris. Factor I Feature Final Tota Se D/S Dep T 4 T 55. T 3 T 3 T 3 T 3 T 20.	or: s: 99000 al: 6459400 rial # b LUC Fact 15 323 15 323 30 323 30 323 30 323	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoc 199,900 1,500 10,100 17,600 23,500	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500 10,100 17,600 23,500	IMAGE	1 1000000000000000000000000000000000000	57128	SPro Pa	
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15       - HVAC         100       % AC: 100         NO       Central Vac: NO         % Sprinkled       100         OME       Make:         TURES/YARD ITEMS         scription       A Y/S Qty         IG-ASPH       D Y       1 238         E-6FT       D Y       1 172         LEVELER       D S       4 1         -FIN       D S       1 205         -FIN       D S       1 885         LIGHTED       D Y       7 1         DOUB       D Y       2 1         ZER       D S       2 102	NBHD Inf:         1.0000           NBHD Mod:         LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:         Model:           Size/Dim         Qual         Con           Qual         AV         AV           Qual         AV         1983           Qual         AV         AV           AV	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         27.25           34.33         3,080.00           2,090.00         78.75	ris. Factor I Feature Final Tota Se D/S Dep T 4 T 55. T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 4 T 4 T 4 T 4 T 3	or: 99000 s: 99000 rial # 5323 5323 5323 5323 6323 6323 6323 6323 6323 75325 75355 75355 75355 75355 75555 75555 75555 75555 755555 755555 755555 755555 7555555 755555555	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoo 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800	IMAGE	1 1000000000000000000000000000000000000	57128	SPro Pa	
15       - HVAC         100       % AC: 100         NO       Central Vac: NO         % Sprinkled       100         OME       Make:         TURES/YARD ITEMS         scription       A Y/S Qty         IG-ASPH       D Y       1 235         E-6FT       D Y       1 172         LEVELER       D S       4 1         -FIN       D S       1 205         -FIN       D S       1 885         LIGHTED       Y       7 1         DOUB       Y       2 1         ZER       D S       1 107         ZER       D S       1 107	NBHD Inf:         1.0000           NBHD Mod:         LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:         Model:           Size/Dim         Qual         Con           Qual         AV         AV           Qual         AV         198           Qual         AV         AV           Qual         AV         198           Qual         AV         AV           Qual         AV         198           Qual         AV         AV           Qual	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         27.25           34.33         3,080.00           2,090.00         78.75           69.75         51.00	ris. Factor I Feature Final Tota Se T 4 T 55. T 3 T 3 T 3 T 20. T 4 T 4 T 4 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3	or: 99000 s: 99000 rial # 5323 5323 5323 5323 0323 00323 15323	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoo 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800 30,000	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800 30,000	IMAGE	1 1000000000000000000000000000000000000	57128	SPro Pa	
15         - HVAC           1         100         % AC: 100           NO         Central Vac: NO           % Sprinkled         100           OME         Make:           TURES/YARD ITEMS           scription         A Y/S Qty           IG-ASPH         D Y         1 235           E-6FT         D Y         1 172           LEVELER         D S         4 1           FIN         D S         1 205           FIN         D S         1 885           LIGHTED         Y         7 1           DOUB         Y         2 1           ZER         D S         1 107	NBHD Inf:         1.0000           NBHD Mod:         LUC Factor:         1.00           Adj Total:         805112           Depreciation:         169073           Depreciated Total:         636038           Model:         Model:           Size/Dim         Qual         Con           Q000         AV         AV         198           Q000         AV         AV         198           Q14         AV         AV         198           Q100         AV         AV         198           Q14         AV         AV         198           Q10         AV         AV         198           Q10         AV         AV         198           Q10         AV         AV         198           Q10         AV         AV <td< td=""><td>WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         27.25           34.33         3,080.00           2,090.00         78.75           69.75         51.00</td><td>ris. Factor I Feature Final Tota Se T 4 T 55. T 3 T 3 T 3 T 20. T 4 T 4 T 4 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3</td><td>or: 99000 s: 99000 rial # 5323 5323 5323 5323 30323 30323 4323 15323 15323 30323 30323 30323 30323</td><td>Before Depr: Val/Su Net: Val/Su SzAd</td><td>106.45 113.07 Year: PARCEL ID Value JCoo 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800</td><td>Size Ad Color: 165-155-000</td><td>57128 Gros s. Value 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800</td><td>IMAGE</td><td>1 1000000000000000000000000000000000000</td><td>57128</td><td>Pro P</td><td></td></td<>	WtAv\$/           5         Jun           6         Special           8         F           Unit Price         1.52           19.00         3,600.00           28.55         27.25           34.33         3,080.00           2,090.00         78.75           69.75         51.00	ris. Factor I Feature Final Tota Se T 4 T 55. T 3 T 3 T 3 T 20. T 4 T 4 T 4 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3 T 3	or: 99000 s: 99000 rial # 5323 5323 5323 5323 30323 30323 4323 15323 15323 30323 30323 30323 30323	Before Depr: Val/Su Net: Val/Su SzAd	106.45 113.07 Year: PARCEL ID Value JCoo 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800	Size Ad Color: 165-155-000	57128 Gros s. Value 199,900 1,500 10,100 17,600 23,500 5,600 11,900 2,300 11,000 6,800	IMAGE	1 1000000000000000000000000000000000000	57128	Pro P	

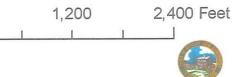


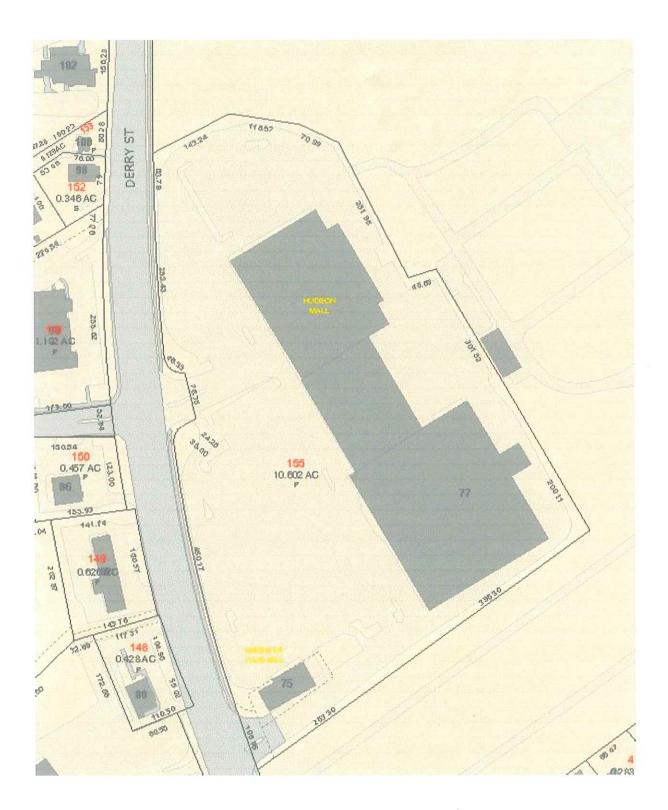


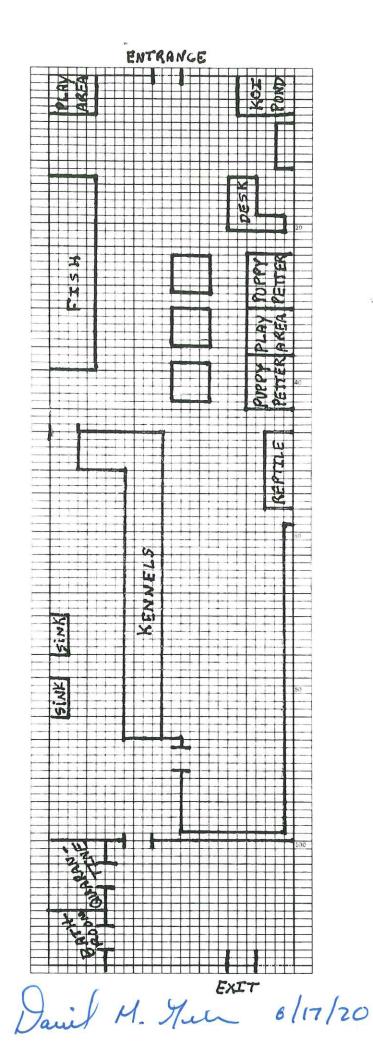


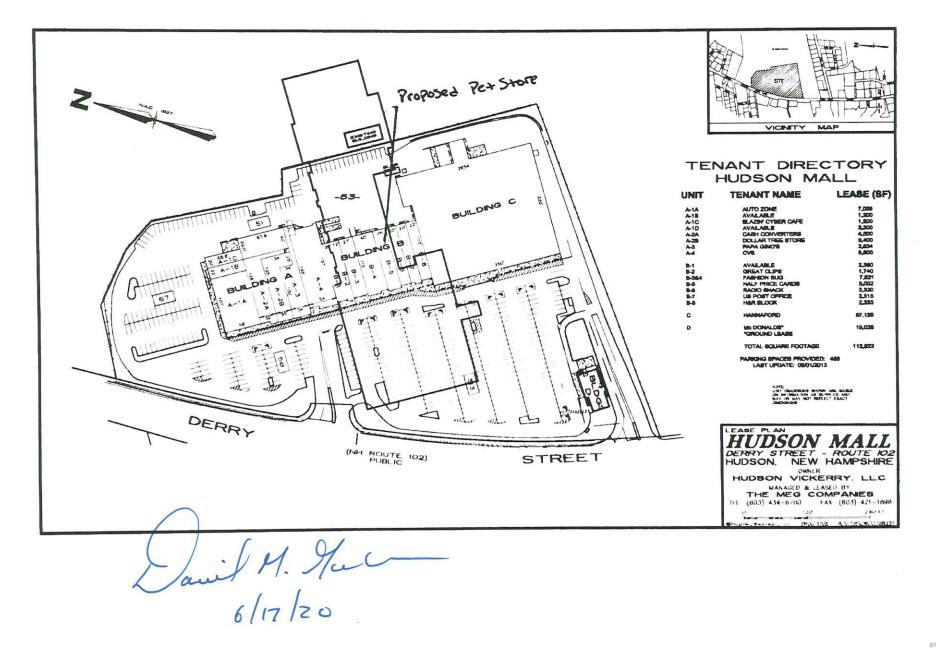
1 inch = 1,132 feet

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Printed 6/25/2020 2:56PM Created 6/25/2020 2:52 PM		Transaction Receipt Town of Hudson, NH 12 School Street Hudson, NH 03051-4249				601,345 tgoodwyn
1		Description	Current Invoice	Payment	Balance	Due
	1.00	Zoning Application-7/23/20 77 Derry Street Map/Lot 165-155-000	ZBA Mtg			

Special Exception

Remitter	Рау Туре	Reference	Tendered	Change	Net Paid
Robert & Mariela Pelletier	CHECK	CHECK # 657	176.75	0.00	176.75
			Total Due:		176.75
			Total Tendered:		176.75

0.00

176.7500

Total:

Total Change:

Net Paid:

0.00

176.75

0.00

176.75



## Land Use Division



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

## Zoning Administrator Staff Report Meeting Date: August 13, 2020 38 8-3-20

<u>Case 190-096 (8-13-20)</u>: Paula Bowden, 1 Riverview Street, requests a Variance to build a 26' x 26' two car garage that has a side yard setback encroachment of 10.3 ft., leaving 4.7 ft. of side yard setback. [Map 190, Lot 096-000; Zoned Town Residence (TR); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

Address: 1 Riverview St Zoning district: Town Residence (TR)

#### Summary:

Applicant requests a variance to build a 26 x 26 two car garage that has a side yard encroachment of 10.3 ft, leaving 4.7 ft of side yard setback.

#### **Property description**:

This is an existing developed lot with an existing non-conforming structure (front setback).

#### In-House review/comments:

Fire Dept: None received Planner: None received Engineering: yes

#### **HISTORY:**

June 26, 1997 ZBA NOD ALU approval June 5, 2019 Zoning Determination #19-065

#### Attachments:

"A" Assessing record.
"B" June 26 1997 ZBA NOD ALU approval.
"C" June 05, 2019 Zoning Determination #19-065.
"D" Town Engineer In-House review/comments.
"E" Proposed plot plan of garage.

Previous Assessments							
Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	107 - ALU	163,700	1,300	99,600	0.54	0.00	264,600
2019	107 - ALU	163,700	1,300	99,600	0.54	0.00	264,600
2019	107 - ALU	176,800	1,300	99,600	0.54	0.00	277,700
2018	107 - ALU	176,800	2,400	99,600	0.54	0.00	278,800
2018	107 - ALU	176,800	2,400	99,600	0.54	0.00	278,800
2017	107 - ALU	176,800	2,400	99,600	0.54	0.00	278,800
2017	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2017	107 - ALU	176,800	2,400	99,600	0.54	0.00	278,800
2016	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2016	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2015	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2015	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2014	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2014	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2013	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2013	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2012	107 - ALU	149,800	2,300	95,000	0.54	0.00	247,100
2012	107 - ALU	160,500	2,300	126,700	0.54	0.00	289,500
2011	107 - ALU	160,500	2,300	126,700	0.54	0.00	289,500
2011	107 - ALU	160,500	2,300	126,700	0.54	0.00	289,500
2010	107 - ALU	160,500	2,300	126,700	0.54	0.00	289,500
2010	107 - ALU	160,500	2,300	156,900	0.54	0.00	319,700
2009	107 - ALU	160,500	2,300	156,900	0.54	0.00	319,700
2008	107 - ALU	160,500	2,300	156,900	0.54	0.00	319,700
2008	107 - ALU	160,500	2,300	156,900	0.54	0.00	319,700
2007	107 - ALU	160,500	2,300	156,900	0.54	0.00	319,700
2007	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2006	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2006	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2005	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2005	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2004	107 - ALU	153,900	1,100	126,700	0.54	0.00	281,700
2004	107 - ALU	113,900	1,900	86,200	0.54	0.00	202,000
2003	104 - TWO FAM	113,900	1,900	86,200	0.54	0.00	202,000
2003	104 - TWO FAM	113,900	1,900	86,200	0.54	0.00	202,000
2002	104 - TWO FAM	113,900	1,900	86,200	0.54	0.00	202,000
2002	104 - TWO FAM	113,900	1,900	86,200	0.54	0.00	202,000
2001	104 - TWO FAM	73,900	0	53,000		0.00	126,900
2000	104 - TWO FAM	73,200	700	53,000	0.54	0.00	126,900
1999	104 - TWO FAM	39,900	700	48,400	0.54	0.00	89,000

## **Previous Assessments**

....

#### NOTICE OF APPROVAL

A majority of the members sitting on the Zoning Board of Adjustment for this hearing voted to grant the request, finding that it satisfied all requirements.

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

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

In the event that the requested use subsequently is found by the Hudson Zoning Administrator to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with this Board, and the approval shall be held to be null and void.

\_ Date: 97.21-97 MM Signed: 2 Chairman, Zoning Board of Adjustment Date: Signed: Zoning Administrator

CASE 47-1 (06/26/97) RICHARD AND JEANNE TURMEL 1 RIVERVIEW AVENUE ACCESSORY LIVING UNIT

FINDINGS:

- 1. Applicant has met the requirements of the ordinance.
- 2. Much larger than the typical Accessory Living Units, but in compliance with requirements.
- 3. The homeowners understand the restrictions.

TWENTY DAY WAIVER GRANTED

## Land Use Division



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

#### Zoning Determination #19-065

June 5, 2019

Paula and Dale Bowden 1 Riverview St Hudson, NH 03051

#### Re: <u>1 Riverview Street Map 190 Lot 096</u> District: Town Residence (TR)

Dear Paula and Dale,

You have submitted a plan depicting a proposed 26' x 26' garage that has a side yard setback encroachment of 10.3 ft, leaving 4.7 ft- of side yard setback.

#### Zoning Review / Determination:

You would need a Variance from the Zoning Ordinance section §334-27: <u>Table of</u> <u>Minimum Dimensional Requirements</u>, from the Zoning Board of Adjustment. Please contact Tracy Goodwyn (603) 886-6008 for application details and deadlines.

The proposed garage's access via a new ("additional") driveway will need a waiver from the Planning Board as each lot can only have one driveway "cut", please contact Elvis Dhima (Town Engr) (603) 886-6008 for driveway details.

Sincerely

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

cc: Public Folder E. Dhima, Town Engineer B. Groth, Town Planner File

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



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

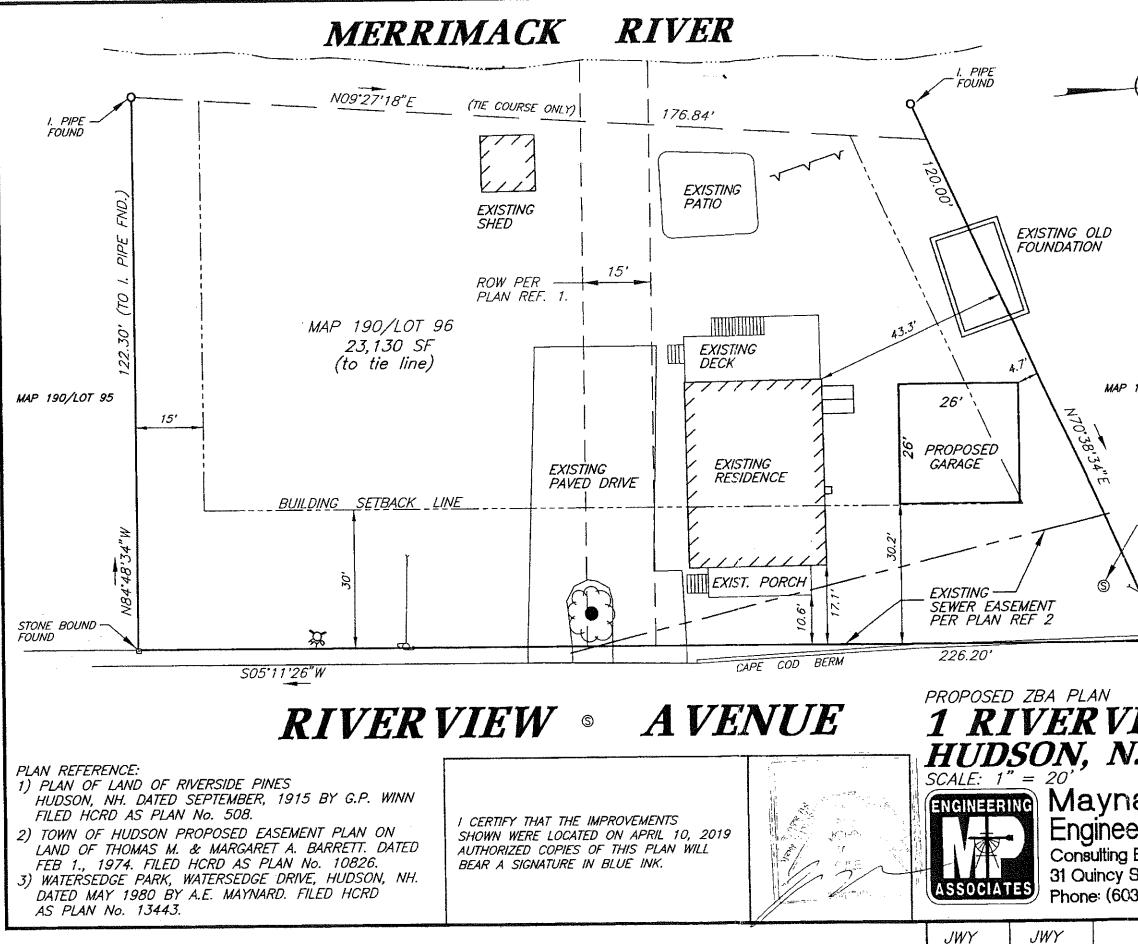
# REQUEST FOR REVIEW/COMMENTS: Case: 190-096 (08-13-20) Property Location: 1 Riverview Street- Variance

For Town Use					
Plan Routing Date: 07/09/20	_Reply requested by:07/17/20	_ZBA Hearing Date: 08/13/20			
I have no comments I have comments (see below)					
	Dhima, P.E.	Date: 07/10/2020			
(Initials)	150				
DEPT. Town Engineer	Fire/Health Department	Town Planner			

Applicant shall remove the extsing driveway or apply for a second driveway. In either case the applicant shall apply for a new driveway permit, which will show the proposed garage connecting to the road.

Applicant shall provide a driveway plan and profile for the new driveway, stamped by a NHPE.

..



CHECKED

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P 190/LOT 97					
SEWER MANHOLE					
I. PIN FOUND		~~ ~~			
<b>IEW</b> <b>V.H.</b> nard &	Paq	<i>REE</i>	2019 <b>E</b>		
ering Ass g Engineers ar Street, Nashu 03)883-8433 F 740/47	nd Land Ja, N.H. ( Fax: (603	Surveya )3060 ))883-72	ors 27 <i>126</i> 、		
BOOK / PAGE	ΤΥΡΕ	SIZE	JOB NL		

WIN OF HUDSOZ						
JUL 0.6 2020 APPLICATION	FOR A VARIANCE					
ning Departme To: Zoning Board of Adjustment	Entries in this box are to be filled out by Land Use Division personnel					
To: Zoning Board of Adjustment Town of Hudson	Case No. 190-096					
	Date Filed					
Name of Applicant Paulie Bouden Map: 196 Lot: 096 Zoning District: TR						
Telephone Number (Home) 403-889-31	Telephone Number (Home) 403-889-3152 (Work)					
Mailing Address 1 Biverview	<u>St.</u>					
Owner Paula - Dale B	owden					
Location of Property	St.					
Duel Bastle	4124120					
Signature of Applicant	Date					
Parte Barden Dal	2 Bowden UIJ4100 Date					
Signature of Property-Owner(s)						

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 pe	rsonnel
COST:Application fee: $3130.00$ Direct Abutters x \$4.96 = $2.87.10$ Indirect Abutters x \$0.55 = $4.40$ Total amount due: $$103.10$	Date received: 7/6/20 Amt. received: \$ 163.10 Receipt No.: 603,591 Chech# 11659
 Received by:	
 By determination of the Zoning Administrator or Building Inspe Departmental review is required:	
 Engineering Fire Department Hea	

Postage Rev. 1/27/19

# 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:

Staff Applicant Initials The applicant must provide 15 copies including the original of the filled-out application 16Initials 1B form, together with this checklist and any required attachments listed. (Paper clips, no staples) Before making the 13 copies, please review the application with the Zoning TG Administrator or staff. 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. NA If the applicant is not the property owner(s), the applicant must provide to the Town PB 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.) JG Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) 4B 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.) A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office) TG-N/A 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. 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.

PLOT PLAN-Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted): The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North TG pointing arrow shown on the plan. T6-T6-The plot plan shall be up-to date and dated, and shall be no more than three years old. The plot plan shall have the signature and the name of the preparer, with his/her/their The plot plan shall include lot dimensions and bearings, with any bounding streets and TG 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 TC the Land Use Division.) 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. TC 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. The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. The plot plan shall show the building envelope as defined from all the setbacks required not shown by the zoning ordinance. 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.

The applicant has signed and dated this form to show his/ner awareness of these ref Paulo backet Date

Signature of Applicant(s)

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, firstserved 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
190	089	KATALLA water walter vereble tru	4 Fiverview St.
140	136	Sanatra Madeira Joac Madeira	3 watersedge de
190	094	Peter Beauchemin	n 3 Piverview St
190	095	Kathleen Beauch	DFIVER View y
190	127	Phillip Jacque Annette Jacque Paula Bowden	s I watersedge de
190	09Le	. Dale Bowden	Riverview St.
190	088	Laura Wanan	50 Riverside dr
190	097	Gregory Black Deborah Black	Ywaters edge dr

# ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	087	Leo Bernard	3 Bungalow Ave
190	090	Roger Landry	le fiverview St.
190	134	Mario Cazeca	49 Riverside dr.
190	128	Jeffrey Terrio Deborah Terrio	51 Riverside dr.
190	091	Heather Reidy	8 Fiverview St.
190	098	Christine Halgis Haigis Revocable tru	of to watersedge at.
190	130	Stanichuk, Paula	47 Riverside dr.
190	086	Lisa Tanzi Beckier	h TBungalow Hi
			ν.σ <sup>2</sup>

SENDER	2:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 190-096         Variance           1         Riverview Street           Map 190/Lot 096-000         1 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1	7018	2290 0001 3001 4413	BOWDEN, DALE M., BOWDEN, PAULA M.	APPLICANT/OWNER-NOTICE SENT
Jacob			<ul> <li>1 RIVERVIEW ST., HUDSON, NH 03051</li> <li>WALTER, KATHLEEN, TR., WALTER, JOHN W., TR., WALTER REVOCABLE</li> </ul>	
2	2079	2290 0001 3001 4420	TRUST	ABUTTER NOTICE SENT
100-100			4 RIVERVIEW ST., HUDSON, NH 03051	
3	7018	2290 0001 3001 4437	MADEIRA, SANDRA P., MADEIRA, JOAO N.	ABUTTER NOTICE SENT
			3 WATERSEDGE DRIVE, HUDSON, NH 03051	
4	7018	2290 0001 3001 4444	BEAUCHEMIN, KATHLEEN M., BEAUCHEMIN, PETER	ABUTTER NOTICE SENT
			3 RIVERVIEW ST., HUDSON, NH 03051	
5	7018	2290 0001 3001 4451	JACQUES, PHILLIP A., JACQUES, ANNETTE P.	ABUTTER NOTICE SENT
			1 WATERSEDGE DRIVE, HUDSON, NH 03051	
6	7018	2290 0001 3001 4468	NOONAN, DAVID J., NOONAN, LAURA J.	ABUTTER NOTICE SENT
			50 RIVERSIDE DR., HUDSON, NH 03051	
7	7018	2290 0001 3001 4475	BLACK, GREGORY A., BLACK, DEBORAH J.	ABUTTER NOTICE SENT
-			4 WATERSEDGE DRIVE, HUDSON, NH 03051-4545	
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			Direct Certified	0 4 2020 Page 1

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case#         190-096         Variance           1         Riverview         Street           Map         190/Lot         096-000         1 of 1
SENDER.	ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1	N/A-mailed First Class	BERNARD, LEO C.	ABUTTER NOTICE SENT
±		3 BUNGALOW AVENUE, HUDSON, NH 03051	
2	N/A-mailed First Class	CAZECA, MARIO J.	ABUTTER NOTICE SENT
		49 RIVERSIDE DR., HUDSON, NH 03051	
3	N/A-mailed First Class	LANDRY, ROGER J.	ABUTTER NOTICE SENT
9		6 RIVERVIEW ST., HUDSON, NH 03051	
4	N/A-mailed First Class	TERRIO, JEFFREY S., TERRIO, DEBORAH L.	ABUTTER NOTICE SENT
		51 RIVERSIDE DR., HUDSON, NH 03051	
5	N/A-mailed First Class	REIDY, HEATHER A.	ABUTTER NOTICE SENT
		8 RIVERVIEW ST., HUDSON, NH 03051	
6	N/A-mailed First Class	HAIGIS, CHRISTINE M., TR., HAIGIS REVOCABLE TRUST	ABUTTER NOTICE SENT
		6 WATERSEDGE DRIVE, HUDSON, NH 03051	
7	N/A-mailed First Class	HEROUX, DENNIS P., STANICHUK, PAULA M.	ABUTTER NOTICE SENT
		47 RIVERSIDE DR., HUDSON, NH 03051	
8	N/A-mailed First Class	BECKWITH, LISA TANZI	ABUTTER NOTICE SENT
		7 BUNGALOW AVENUE, HUDSON, NH 03051	
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10			
11			$\wedge$
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# APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article  $\underline{VIL}$  of HZO Section(s)  $\underline{334-31}$  in order to permit the following change or use:

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.")

NE

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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 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.)

DIDVIDE 14)1 11 -Darl ornviae i pme 01 CHEM Ê

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.) proposed agrage construction nem Similar existing 10 - no appearance 1nl i Xe. torn adur +ne Area

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 <u>and also</u> 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.)

A. TO solve lot line between neighbors property to cut into barn cellar hole.

B. TO MOVE Structure in front of existing cellar hole to allow the pest position for vehicle access. without breaking into existing cellar hele.

C. The garage Cannot be moved closer to the house due to existing sewer lines.

D. Use of this part of property is keeping intact the current use as parking area for upstairs family. The Boudens

820 h nMerrin HASK

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 #19-065

June 5, 2019

Paula and Dale Bowden 1 Riverview St Hudson, NH 03051

#### Re: <u>1 Riverview Street Map 190 Lot 096</u> District: Town Residence (TR)

Dear Paula and Dale,

You have submitted a plan depicting a proposed 26' x 26' garage that has a side yard setback encroachment of 10.3 ft, leaving 4.7 ft- of side yard setback.

# Zoning Review / Determination:

You would need a Variance from the Zoning Ordinance section §334-27: <u>Table of</u> <u>Minimum Dimensional Requirements</u>, from the Zoning Board of Adjustment. Please contact Tracy Goodwyn (603) 886-6008 for application details and deadlines. The proposed garage's access via a new ("additional") driveway will need a waiver from the Planning Board as each lot can only have one driveway "cut", please contact Elvis Dhima (Town Engr) (603) 886-6008 for driveway details.

Sincerel

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

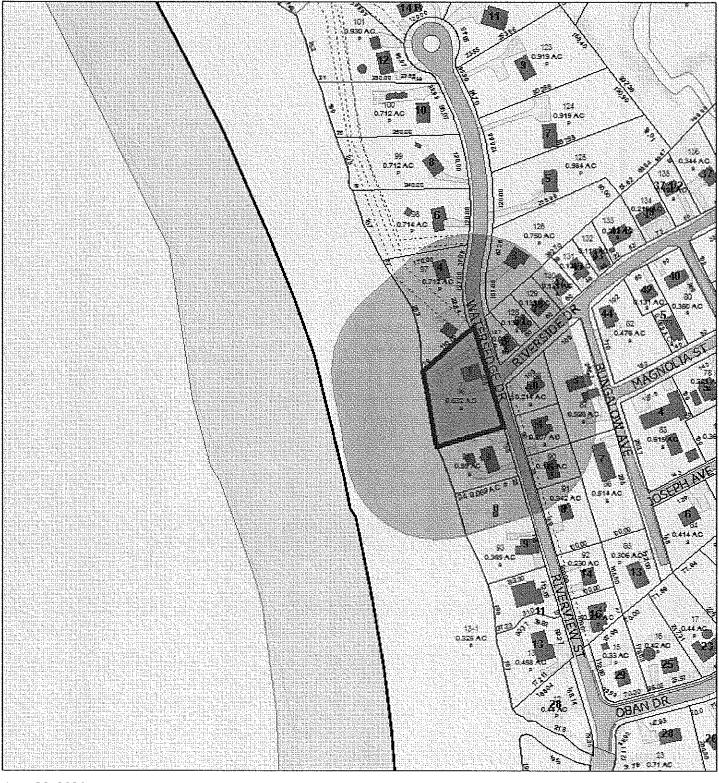
cc: Public Folder E. Dhima, Town Engineer B. Groth, Town Planner File

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

190	096	00						of 1 – R ARD	RESIDENTIAL	ludson		PPRAISED:	264,1	
MAP	LOT	SU					U.	AKU	E	1 (# WESP (# 1 2	U	JSE VALUE:	264,0 264,0	
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	VERVIEW ST, HUD		Use Code	Land Size 0.54		3,700	1,300	99,600	264,600	r.e	gai Description		4839	
WNERSHIP	Unit#:												IS Ref	
Owner 1: BOWDEN, DAL	تنسب سلمي	· t	Π											
Owner 2: BOWDEN, PAU			100000000	0.54	0 40	200	1,300	99,600	264,600	l 	Entered Lot Size	G	IS Ref	
Owner 3;			Total Card	0.54 0.54		3,700 3,700	1,300	99,600 99,600	264,600		tal Land: 0.54			Matrio
Street 1: 1 RIVERVIEW	<u>ST.</u>		د بلیکی کی کار کی کار کرد کرد کرد.	: Market Adi Co	للمحارجة لتجريبه والكافسير سحاف فستعتب مح	واليجابية القنا خطيقا المواد أشبعت	r SQ unit /Card:	محمده فستند ويجرز يحتموا والراري	/Parcel: 110.25	ما ه الله الأربع ميكره برايام ا	Init Type: AC	1	p Date	Patrici Internet Properties Internet
Street 2: wn/City: HUDSON	<u>deserved og sed</u>		·   `	fai		n an 1917 an t-saidh air			Parcel ID	Statute and a state of the stat		06/19/1		USER DEFINED
St/Prov: NH	Cntry	Own Occ:		ASSESSME		a ann an Ac	17 Danie Gata	Watabban :		Notes	leisten sussenstanden dab same		36!	Prior Id # 1: 0047
Postal: 03051	Crimy	Type:		air e ar sann ann an an an airtean			e Land Value 54 99,600	10tal Value 264,600	264.600 Ye	ور معادلت منها المشتخص معامورون	5/6/2020	1		Prior Id # 2: 0001
REVIOUS OWNER			2019 107				54 99,600 54 99,600	264,600	264,600 Ye		9/16/2019	PRINT Date	Time	Prior Id # 3: 0000
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Wher 2: TURMEL, JEAN		<u></u>	2018 107				54 99,600	278,800	278,800 Ye		8/27/2018	LAST R	ana an Ana ang sanananana sa	Prior Id # 2: Prior Id # 3:
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J with a NEW ENGLAN			TURMEL, RIC		)-0119 1	6/25/2018	FAMILY TRAN	5	No No					Reval Dist:
narily VINYL Exterior an	d 2400 Square Feet	t, with 2 Units, 2	[	4942	2-0054	9/2/1988			No No					Year:
ths, 0 3/4 Bath, 0 HalfBa	th, 10 Rooms, and f	6 Bdrms.		.										LandReason:
HER ASSESSMENT	2													BldReason:
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	, , , , , , , , , , , , , , , , , , , ,		BUILDING								ACTIVITY INFO			Name
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	Total SF/	SM: 23522	Parcel LUC	2: 107 ALU	· · · · · · · · · · · · · · · · · · ·	Prime NB D	esc RES AVG			Total:	99,561 Spl Cred	· · · · · · · · · · · · · · · · · · ·	Total:	99,600]

EXTERIOR INFORMATION	BATH FEATURES	COMMENTS	SKETCH		
Type: 15 - NEW ENGLANDR	Full Bath 2 Rating: AVERAG			30	No. And and a state of the second state of the
Sty Ht: 2 - TWO STY	A Bath: Raling:	UNIT.			
	· · · · · · · · · · · · · · · · · · ·			10 WDI	
(Liv) Units: 2 Total: 2 Foundation: 1 - CONCRETE	· · · · · · · · · · · · · · · · · · ·			WD	
in the second	والمستعملة المتعادية والمتعادية والمستعادية والمستعملة المتعادية المتعادية المتعادية المتعادية المتعا			(300	/ /
Frame: 1 - WOOD	1/2 Bath: Rating:				
Prime Wall: 04 - VINYL	A HBth: Rating:	RESIDENTIAL GRID			
the second se	6 OthrFix: Rating:	1st Res Grid Desc. CONV #Unit	elt		
Roof Struct 1 - GABLE	OTHER FEATURES	است محمد الما محمد معرج محمد عديد محمد محمد والترقيق والترقيق والمتحدث والترقيق والترقي المتحدين التر	potence me		
Roof Cover: 9 - METAL	Kifs: 2 Rating: AVERAG	and a second			
Color: LT.GRAY	A Kits: Rating:	Other			
View / Desir.	Frpl: Rating:	Upper Lvl 2		SFL	
GENERAL INFORMATION	WSFlue: Rating:			40 FFL	
Grade: C - AVERAGE	CONDO INFORMATION	Lower		Bhi	
Year Bit: 1927 Eff Yr Bit:	Localien:	Totals RMs 10 BRs: 6 Baths: 2 HE		(12)	90)
Alt LUC: Alt %:	Total Units:	and the second			
Jurisdict: Fact:	Floor	REMODELING RES BREAKDOWN			
Const Mod:	% Own:	Exterior: No Unit RMS BRS	EL		
Lump Sum Adj:	Name	Interior: 1 4 2			
INTERIOR INFORMATION	DEPRECIATION	Additions: 1 6 4	4		
Avg Ht/FL: STD	Phys Cond: AV - Average	32. % Kitchen			
Prim Int Wal 1 - DRYWALL		3.0 % Baths:		4 23	3
Sec Int Wall: 9	Economie;	% Plumbing:		6 01	
Partition; T - TYPICAL	Special:	% Electric			<del>38) 8</del>
Prim Floors: 04 - CARPET	Override:	% Heating			:
[10] J. B. Malaki, A. Sakatana, K. L. K.		1.04 % General: 2 10 6	SUB AREA		SUB AREA DETAIL
Sec Floors: 06 - CERAMIC T 30 %	CALC SUMMARY	Les var universe investigation according to a second second	Code Description	Area - SQ Rate AV Ur	ndepr Value Sub % Descrip % Qu # Ten
Bsmnt Fir: 12 - CONCRETE	Basic \$ / SQ: 98.00	COMPARABLE SALES	BMT BASEMENT	1,200 16.740	20,087 Area Usbi
Subfloor:	Size Adj.: 0.87500000	Rate Parcel ID Typ Date Sale P	FFL FIRST FLOOR	1,200 83.690	100,433
Bsmnt Gar:	Const Adj.: 0.97602129		SFL SECOND FLR	1,200 83.690	100,433
Electric: 3 - TYPICAL	Adj \$ / SQ: 83.694		WDK WOOD DECK	600 12.580	7,550
Insulation: 2 - TYPICAL	Other Features: 14000		OFP OPEN PCH	138 41.000	5,658
Int vs Ext: S	Grade Factor: 1.00				ł
Heat Fuel: 2 - GAS	NBHD Inf: 1.00000000				
Heat Type: 3 - FORCED HW	NBHD Mod:	WtAv\$/SQ: AvRate: Ind.Val	Net Sketched Area	a; 4,338 Total;	234,161
#Heat Sys: 1	LUC Factor: 1.00		Size Ad 2400 Gro	مرور ويعمد أنحب كالبوغي بالتكام كالمناب والراجر والراجر والوكال كالوكو والمتحد	2400
% Heated: 100 % AC: 0	Adj Total: 248159	Juris Factor: Before Depr. 83.69	OIZE AU 2400 OIU	53 /1/64   4030   1 /// 10/21/64	2700
Solar HW: NO Central Vac: NO	Depreciation: 84473	Special Features: 0 Val/Su Net: 37.74	ener ener e and	IMAGE	Assess Pro Patriot Properties, Inc
% Com Wal % Sprinkled	Depreciated Total: 163686	Final Total: 163700 Val/Su SzAd 68.21	·		Assessing factor for the state of the state
MOBILE HOME Make:	Model	Serial #	ar: Color:		
SPEC FEATURES/YARD ITEMS			CEL ID 190-096-000		
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# 1 Riverview St ( Map/Lot 190-096-000)

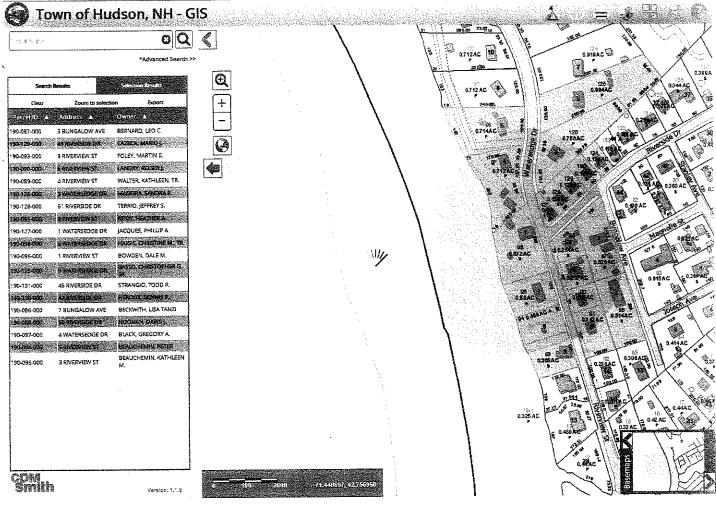


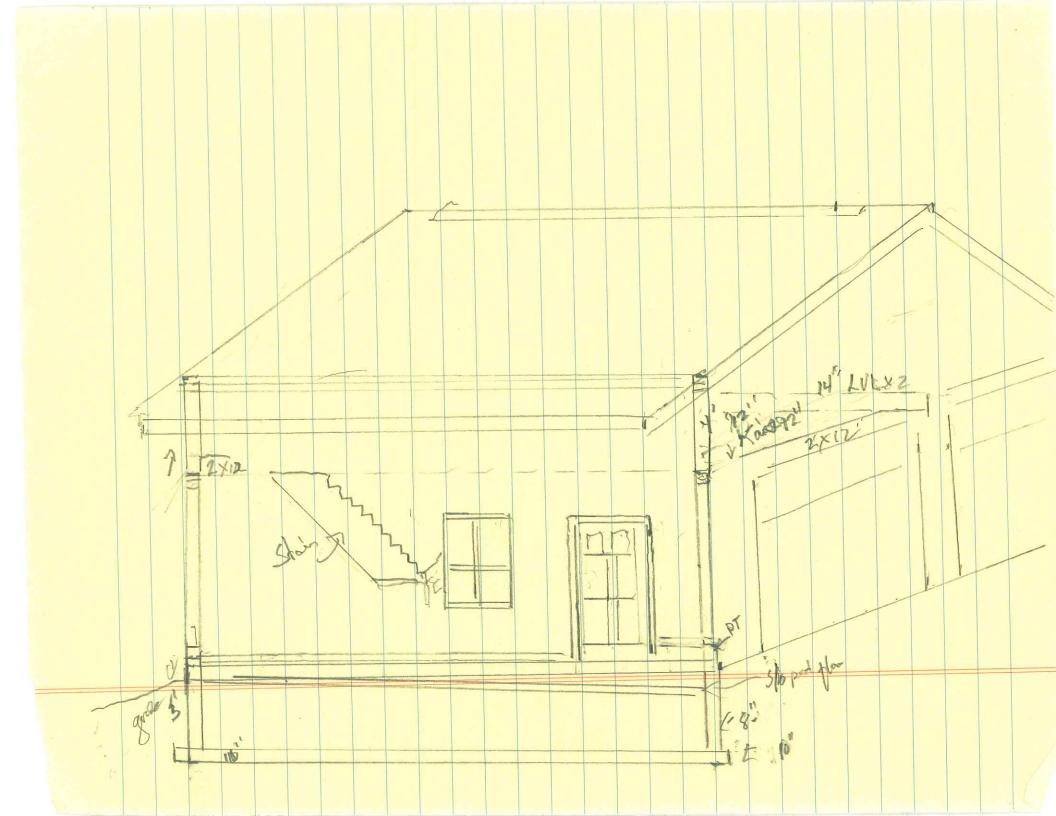


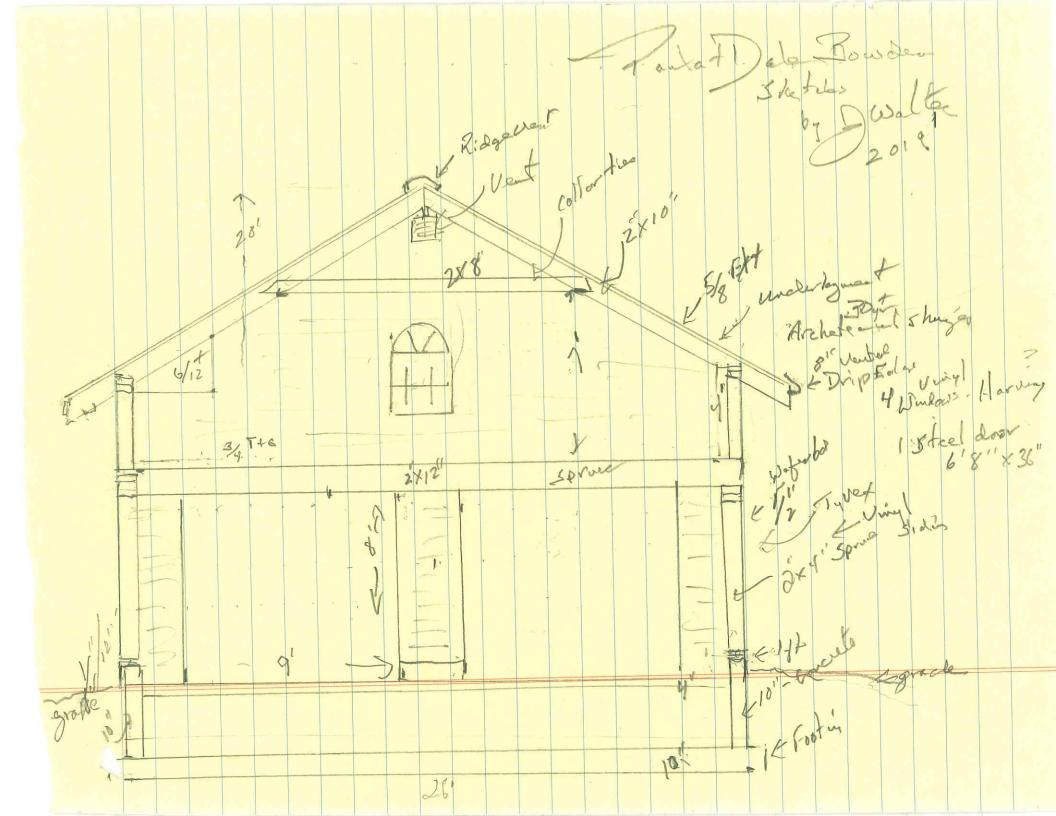


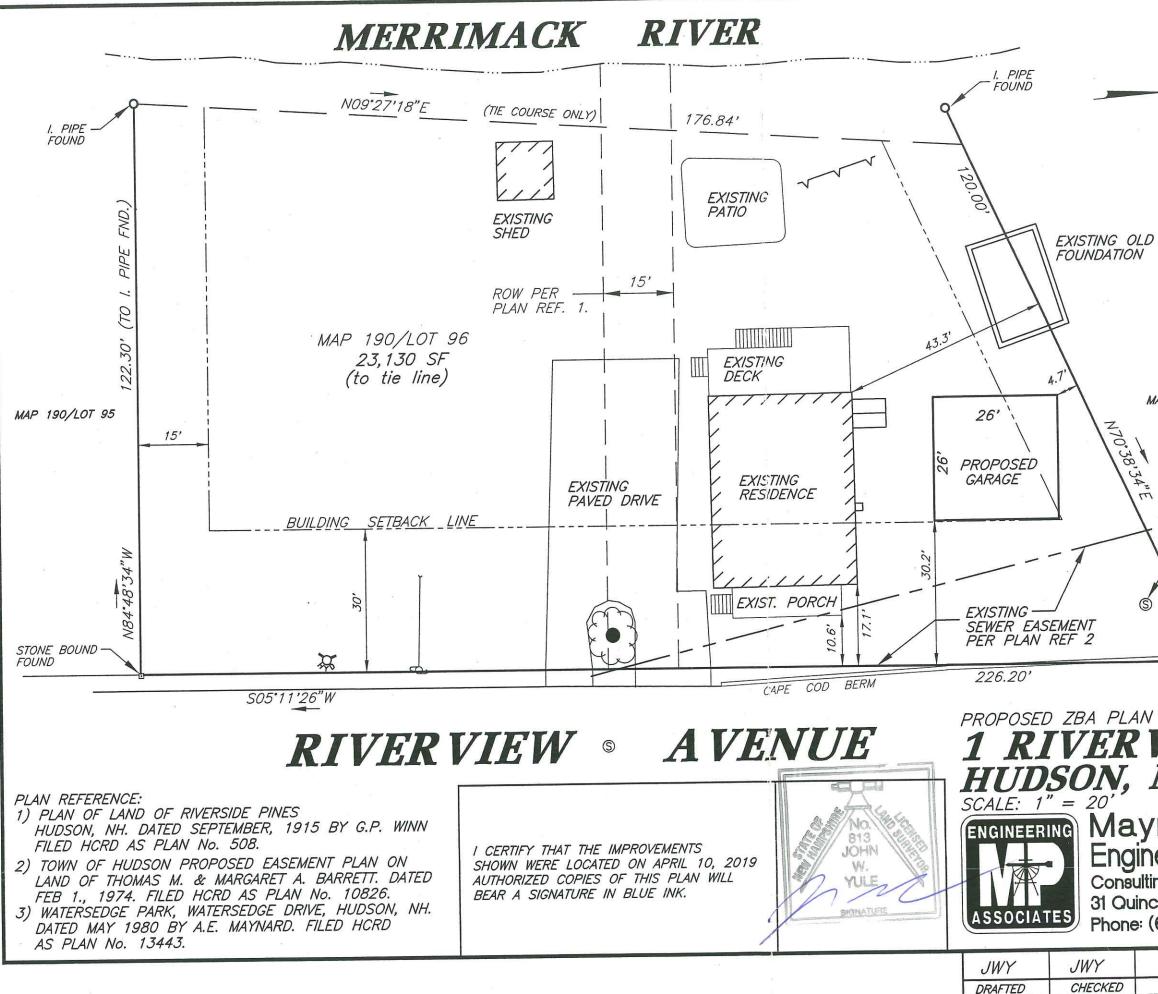
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MAP 190/LOT 97	
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I. PIN SET	
N MAP 190 / LOT 96 VIEW STREET	
N.H.	
nard & Paquette	
neering Associates, LLC	
Iting Engineers and Land Surveyors ncy Street, Nashua, N.H. 03060	
(603)883-8433 Fax: (603)883-7227	
740/4712633BOOK / PAGETYPESIZEJOB NUMBER	_

Printed 7/07/2020 2:21PM Created 7/07/2020 2:15 PM				Town o 12 Se	tion Receipt f Hudson, NH chool Street NH 03051-4249		Receipt#	603,591 tgoodwyn
5		Description			Current Invoice	Payment	Balance	Due
	1.00	Zoning Applicati 1 Riverview Stre Map/Lot 190-09	eet 6-000		0.00	163,1000		0.00
	Variance Application			0.00				
						Total:		163.10
	Remitter			Рау Туре	Reference	Tendered	Change	Net Paid
	Paula & D	ale Bowden		CHECK	CHECK # 11659	163.10	0.00	163.10
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						Net Paid:		163.10



# Land Use Division



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

# Zoning Administrator Staff Report Meeting Date: August 13, 2020 BB 8-3-20

<u>Case 252-023 (08-13-20)</u>: Jessica Ryan Kozick, 6 McKinney Drive, requests a Home Occupation Special Exception to install a single chair home beauty salon in the lower level of the primary residence. [Map 252, Lot 023-000; Zoned Residential-One (R-1); HZO Article VI, Special Exceptions, §334-24, Home Occupations].

## Summary:

Applicant is requesting a Home Occupation Special Exception to conduct a home based beauty salon within the existing house.

## **Property description:**

This lot is a developed conforming lot with regards to the area and setback requirements. The use as a single family is also a legal existing use.

## In-house (Town) review/comments:

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

## <u>History:</u>

<u>Assessing:</u> Listed as single family. Building Permit # 459-85 issued May 16, 1985 28 x 58 SFR. Septic operation approved 1-22-86 3 bedroom.

## **Attachments:**

"A" Assessing record.
"B" Building Permit # 459-85.
"C" Septic approval.
"D" Town Engineer in-house review/comments.
"E" Fire Dept in-house review/comments.

Previous Assessments								
Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total	
2020	101 - ONE FAMILY	203,600	4,500	120,500	1.08	0.00	328,600	
2019	101 - ONE FAMILY	203,600	4,500	120,500	1.08	0.00	328,600	
2019	101 - ONE FAMILY	203,600	4,500	120,500	1.08	0.00	328,600	
2018	101 - ONE FAMILY	203,600	4,500	120,500	1.08	0.00	328,600	
2018	101 - ONE FAMILY	203,600	4,500	120,500	1.08	0.00	328,600	
2017	101 - ONE FAMILY	203,200	4,500	120,500	1.08	0.00	328,200	
2017	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2017	101 - ONE FAMILY	190,600	0	120,500	1.08	0.00	311,100	
2016	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2016	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2015	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2015	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2014	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2014	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2013	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2013	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2012	101 - ONE FAMILY	172,200	0	115,600	1.08	0.00	287,800	
2012	101 - ONE FAMILY	181,600	0	147,600	1.08	0.00	329,200	
2011	101 - ONE FAMILY	181,600	0	147,600	1.08	0.00	329,200	
2011	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2010	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2010	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2009	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2008	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2008	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2007	101 - ONE FAMILY	180,100	0	147,600	1.08	0.00	327,700	
2007	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2006	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2006	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2005	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2005	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2004	101 - ONE FAMILY	210,000	0	115,500	1.08	0.00	325,500	
2004	101 - ONE FAMILY	170,300	0	90,400	1.08	0.00	260,700	
2003	101 - ONE FAMILY	170,300	0	90,400	1.08	0.00	260,700	
	101 - ONE FAMILY	· · · · · · · · · · · · · · · · · · ·	0	90,400	1.08	0.00	260,700	
		170,300	0	90,400	1.08	0.00	260,700	
		170,300	0	90,400	1.08	0.00	260,700	
		118,100	0	55,300		0.00	173,400	
		115,900	2,200	55,300	1.08	0.00	173,400	
L		115,900	2,200	55,300	1.08	0.00	173,400	

# Previous Assessments

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Prove - Holes		Office of Town Building Inspect	for No	459-85
HONTONATO		BUILDING PERMIT	Aay 16, 19	85 , 19
		Peter Bailense		
This cert	ifies that			Name of Owner
	erect	* house		
granted per	repair	******		Description
	move	(80 x 93)		
				·····
of Buildin	8			
on premi	ses located at and	known as		
to 154		awarden Towns Soldin	tor Prive	002-002-030
Number		"Winslow Farms Serior	or Avenue	
	ngs lawful to that			
This perr	nit is issued on ap o the provisions o aced within 60 day	oplication number of the Zoning Ordinance, and is vo ys next after the date hereof. er the condition that this building	oid unless work th	ereunder shall have
ereof and to en commer	mit is issued und			
ereof and to en commer <u>This Pen</u>		ained from the Building Inspector		
ereof and to ren commer <u>This Pen</u> ertificate of			I. C. MAR	nistrative Officer



THE INDIVIDUAL SEWAGE OR WASTE DISPOSAL SYSTEM CONSTRUCTED FOR:	m 2 1 2-30 BP# 459-85	APPROVAL # 112200
Owner: Peter A. Szudenzs S Grasulay Street Listur, Mil 03063	LOT NUMBERS: SUBD. APPVL.#: SUBD. NAME:	2-20 17633
Copy sent to:	TYPE OF SYSTEM:	Three befrom house
Copy sent to: Ceard of Selectmon Tous Office Hodpon, UN 05051	TOWN/CITY LOCATION: STREET LOCATION:	Redson, SR Bolling Oriva
INSTALLER <u>Buryer</u> PERMIT # <u>637</u> DOWNER INSTALLED FOR HIS DOMICILE THIS APPROVAL DOES NOT SUPERCEDE ANY EQUIVALENT OR MORE STRINGENT LOCAL ORDINANCES OR REGULATIONS. STATE STANDARDS ARE MINIMAL AND MUST BE MET STATEWIDE.	Date Approved: By: (Authorized Agent Pollution ( (OVER)	hereby approved for use

4

"C"

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

# REQUEST FOR REVIEW/COMMENTS: Case: 252-023 (08-13-20) Property Location: 6 McKinney Drive

For Town Use	
Plan Routing Date: 07/09/20 Reply requested by: 07/17/20 ZBA Hearing Date: 08/1	3/20
I have no comments I have comments (see below)	
EZD Name: Elvis Dhima, P.E. Date: 07/10/2020	
(Initials)	
	5
DEPT. Town Engineer Fire/Health Department Town Planner	

1.This property is served by Town water and is on a septic system. 2.Applicant shall provide a plan or a statement by a NH Septic System Designer that the lot can accomodate a septic system for the proposed use.

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

# REQUEST FOR REVIEW/COMMENTS: Case: 252-023 (08-13-20)

Property Location: 6 McKinney Drive

	For Town Use	
Plan Routing Date: 07/09/20	_Reply requested by:07/17/20	_ZBA Hearing Date:08/13/20
I have no comments	I have comments (see	below)
RMB Name: Rober	t M. Buxton	Date: 07/10/2020
(Initials)		
DEPT. Town Engineer	Fire/Health Department	Town Planner

Applicant will be required to meet all State of NH licensing and building permit requirements.



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ONIT		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
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# APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

JUL	07 2020	Entries in this box are to be filled out by Land Use Division personnel
Ponina	To: Zoning Board of Adjustment Town of Hudson Depart <sup>m®</sup>	Case No. 252-023
9		Date Filed 7/7/20
	Name of Applicant Jessia Ryan K	OTICK Map: 252 Lot: 023 Zoning District: R-1
	Telephone Number (Home) (633) 801-0	Work)
	Mailing Address <u>6 McKinner</u>	prive Hudson U.H.
	Owner Jessica Kozick	J
	Location of Property 6 McKinn	in Drive Hudson NH.
	(Street Addres	July (Sth 2020
	Signature of Applicant	Date
		July 5th 2020
	Signature of Property-Owner(s)	Date Ø

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

Items in this box are to be filled out by Land Use Division	n personnel
COST:Application fee: $0$ $5$ Direct Abutters x \$4.05 = $20.50$ $1$ Indirect Abutters x \$0.55 =Total amount due: $$130.00$ $$154.35$	
Received by:	Receipt No.: <u>603, 594</u> chech- 183
By determination of the Zoning Administrator or Building Ins Departmental review is required:	spector, the following
Engineering Fire Department H	lealth 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	[0	Staff Initials
JK	The applicant must provide 1/3 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	16-
JK	Before making the <i>b</i> copies, please review the application with the Zoning Administrator or staff.	16-
JK	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>
n/a	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). ( <b>NOTE</b> : if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	TG (MA) OK-TG-
JK	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.)	renailed 1 ist 17/6/20
JK	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	TG-ok ease do single sched. TG-
JK	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.	N/A_

PLOT PLAN-N/A see proposed floor plan n/a 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): The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North a) pointing arrow shown on the plan. The plot plan shall be up-to date and dated, and shall be no more than three years old. b)\_ The plot plan shall have the signature and the name of the preparer, with his/her/their c) seal. The plot plan shall include lot dimensions and bearings, with any bounding streets and d) 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.) The plot plan shall include the location and dimensions of existing or required services, e)\_ 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. The plot plan shall include all existing buildings or other structures, together with their f)\_ dimensions and the distances from the lot lines, as well as any encroachments. The plot plan shall include all proposed buildings, structures, or additions, marked as g). "PROPOSED," together with all applicable dimensions and encroachments. The plot plan shall show the building envelope as defined from all the setbacks required h) by the zoning ordinance. The plot plan shall indicate all parking spaces and lanes, with dimensions. i)

The applicant has signed and dated this form to show his/her awareness of these requirements. July 5th 2020 Date 7

Signature of Applicant(s)

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, firstserved 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)

МАР	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
252	024	Marino Janes M.	8 McKinney Prive Hudson N.H.
927	012	Lacasse, Joan	1 Mc Kinney Drive Hudson NH. 03051
925	023	Lacasse Joan Kozich Jessica R. Kozich Patricia Blackburn, steven M.	6 McKinney Prive Hulson NH. 0305,
252	011	Black burn, steven M. Black burn, paige D.	13 Mickinney Drive Hudson NH. 03051
252	072	Black burn, paige D. Glasheen, Thomas B. Glasheen, Jusan	4 McKinney Dr Hudson MIA. 07051

4

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
252	037	SMALL, FRANCIS E.JR., TR., SMALL, VALERIE A., TR., SMALL REVOCASIE TRUST	54 Pine Road Hudson N.H. 03051
રડત્ર	039	VIGNOLA, BRUCE VIGNOLA, Seame N.	58 Pine Road Hudson NHL 03051 16 Winslow Farm road
252	021	Cochran, David Allen, TR. Cochran Living trust	Holon NHI 56 Pine Road
9:27	038	Vignola, Brian J. Vignola, Barbara F.	56 Pine Road Hudson N.H. 03057, 10 Mchinney Drive
252	025	Marchester, Donald A., III (manchester, Any H.	Hudra N.H. 03051
252	010	TSOUKAris, Michael, TR. TSOUKAris Perocaste trust	9 Millinney Drive Hudson NH 03051
251	093	Finish line PDS.LLC	94 River RD. STELOI HUDODA NH 03051

		TOWN OF	F HUDSON			Case# 252-023 Home Occupation SE 6 McKinney Dr.
		12 SCHO	OL STREET , NH 03051		US POSTAL SERVICE - CERTIFIED MAIL	Map 252/Lot 023-000 1 of 1
SENDER:				- P	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1	תרחד		LE NUMBE	101 4482	KOZICK, JESSICA R., KOZICK, PATRICIA	APPLICANT/OWNER-NOTICE SENT
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2	701.A	2290 1	nnn1, 30	101 4499	MARINO, JAMES M	ABUTTER NOTICE SENT
-		1			8 MCKINNEY DRIVE, HUDSON, NH 03051	ABUTTER NOTICE SENT
3	7018	0P55	0001 30	յնլ 4585	LACASSE, ALAIN J. & Joann	
					1 MCKINNEY DRIVE, HUDSON, NH 03051	I DE MORICE OFNE
4	7018	0255	0001 30	101 4512	BLACKBURN, STEVEN M., BLACKBURN, PAIGE D.	ABUTTER NOTICE SENT
					3 MCKINNEY DRIVE, HUDSON, NH 03051	
5			וכ רחחח	101 4529	GLASHEEN, THOMAS, GLASHEEN, SUSAN	ABUTTER NOTICE SENT
3	1070	2270			4 MCKINNEY DR., HUDSON, NH 03051	and the second sec
6		34			TOWN OF HUDSON RE: 92 River Rd	Notified per Home Occupation Special Exception filed.
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SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 252-023 Home Occupation SE6 McKinney Dr.Map 252/Lot 023-0001 of 1
JANDER	ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/13/20 ZBA Meeting
1	N/A-mailed First Class	Name of Addressee, Street, and post office address SMALL, FRANCIS E. JR., TR., SMALL, VALERIE A., TR.; SMALL REVOCABLE TRUST	ABUTTER NOTICE SENT
1		54 PINE ROAD, HUDSON, NH 03051	
2	N/A-mailed First Class	VIGNOLA, BRUCE; VIGNOLA, JEANNE N.	ABUTTER NOTICE SENT
4		58 PINE ROAD, HUDSON, NH 03051	
3	N/A-mailed First Class	COCHRAN, DAVID ALLEN, TR.; COCHRAN LIVING TRUST	ABUTTER NOTICE SENT
3	N/A-maneu i nise ondos	16 WINSLOW FARM ROAD, HUDSON, NH 03051	
	N/A-mailed First Class	VIGNOLA, BRIAN J.; VIGNOLA, BARBARA E.	ABUTTER NOTICE SENT
4	N/A-mailed First Class	56 PINE ROAD, HUDSON, NH 03051	
-	N/A-mailed First Class	MANCHESTER, DONALD A., III; MANCHESTER, AMY H.	ABUTTER NOTICE SENT
5	N/A-mailed First Class	10 MCKINNEY DRIVE, HUDSON, NH 03051	
-	N/A-mailed First Class	TSOUKARIS, MICHAEL, TR.; TSOUKARIS REVOCABLE TRUST	ABUTTER NOTICE SENT
6	N/A-mailed First Class	9 MCKINNEY DRIVE, HUDSON, NH 03051	
-7	N/A-mailed First Class	FINISH LINE PDS, LLC	ABUTTER NOTICE SENT
7	N/A-mailed First Class	94 RIVER RD. STE 101 HUDSON, NH 03051	
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Non-Direct First Class

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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 likes, 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.

6

#### APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

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

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

I am a licensed Cosmetologist in the state of NH for over 10 year. I would like to have a legal single chair/station

home beauty salon to offer the services of hair coloring, haircuts & hair styling. I will have regular inspections

from the State Board of Cosmetology.

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

The home occupation of beauty salon is secondary to the home's principal use as my primary residence.

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

The home occupation will be carried out in a portion of a finished / In-law apartment on the lower lever of the

residence. The beauty salon will use an independent entrance separate from the living residence which already

exists.

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

The only use of signs will be those permitted under for the home occupation. There will be no change to the

existing exterior or structure of the residence.

## APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION (CONTINUED)

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

Ne exterior storage will be needed.

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

None of the above.

Will the traffic generated by the home occupation activity be substantially greater in volume that would normally be expected in the neighborhood? Please explain the expected traffic to your business. The additional traffic in the neighborhood will be quite minimal seeing that i will only have one workstation being used.

I will only be accepting one client at a time along with one additional vehicle in the residence's driveway. There is ample

space for one additional vehicle in the current driveway for said residence. I will be having 15 -20 clients per week.

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

Clients will be using the existing driveway to the residence. There is ample parking and clients appointments will be

staggered so as not to have more than one additional vehicle at a time parked at the residence.

Who will be conducting the home occupation? Please explain.

Jessica Ryan Kozick, Home Owner

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

No there will not.



# **TOWN OF HUDSON**





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

# **Zoning Determination #20-066**

June 18, 2020

Jesica Kozick 6 McKinney Dr Hudson, NH 03051

## Re: <u>6 McKinney Dr Map 252 Lot 023-000</u> District: Residential One (R-1)

Dear Ms. Kozick,

**Your request:** If you can have a home occupation business as a one chair home salon?

#### Zoning Review / Determination:

This lot is a legal conforming lot with regards to the area requirements of §334-32 <u>Table of Dimensional Requirements</u>. The use as a single family is also a legal existing use. The requested use as a home occupation is a permitted use in the <u>Table of Permitted</u> <u>Accessory Uses</u> §334-22 and would need a Home Occupation Special Exception from the Zoning Board of Adjustment per §334-24.

Sincerely,

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

Encl: Home Occupation Special Exception Criteria cc: Public File File

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

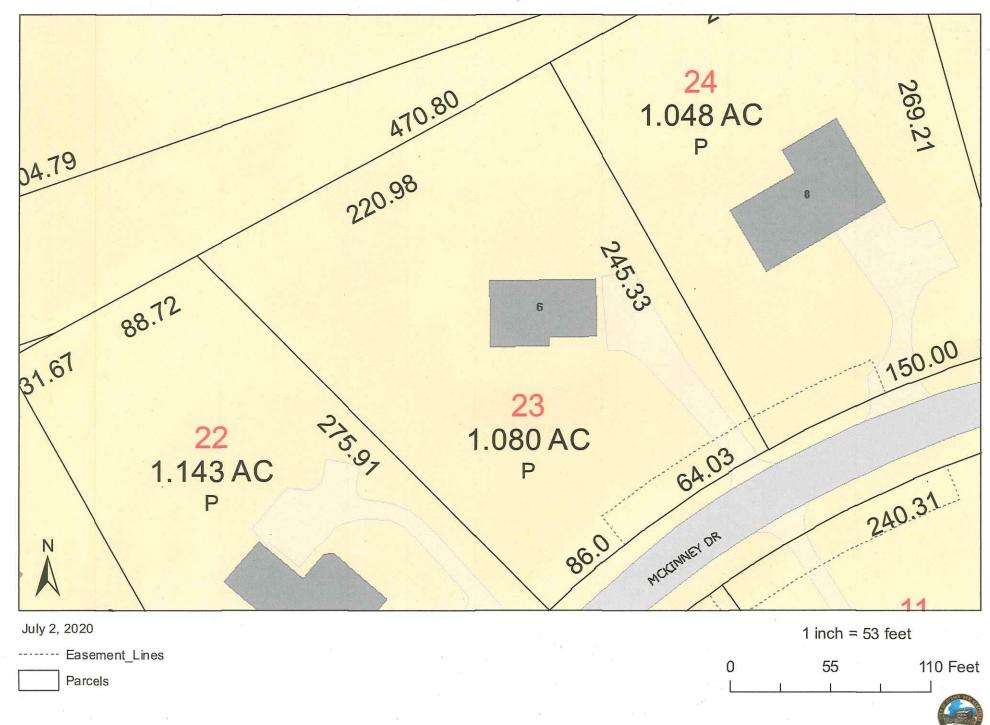
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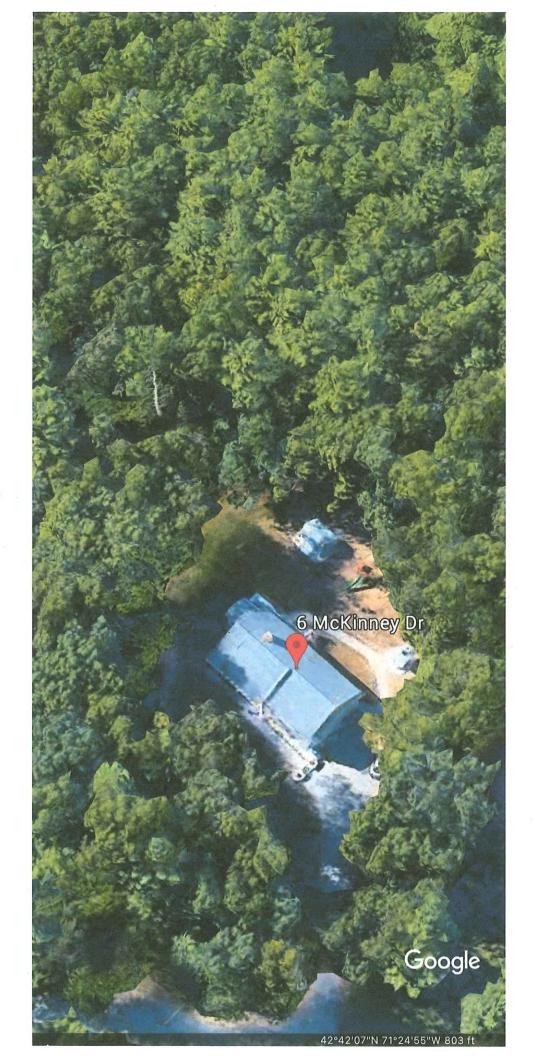
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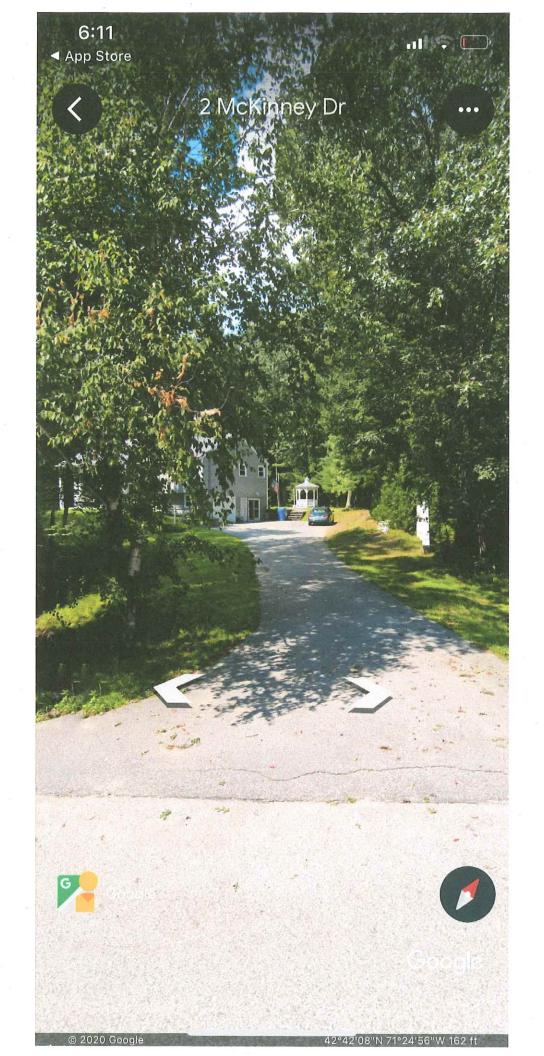
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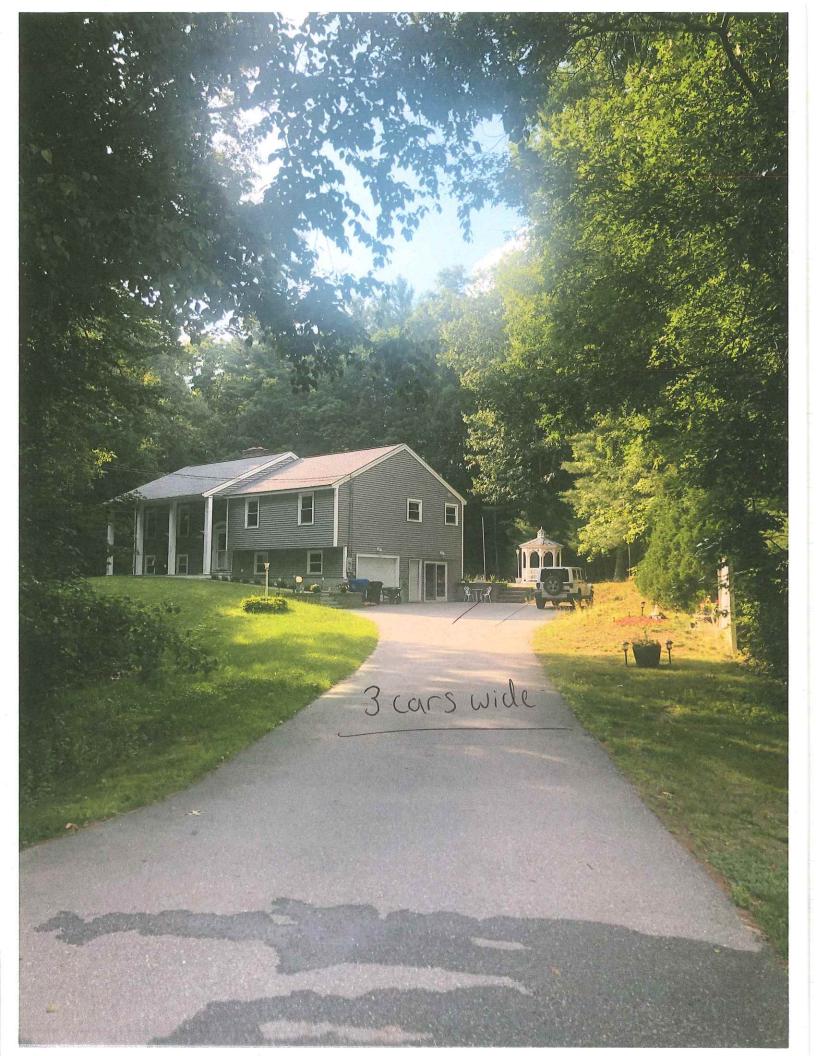
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Roof Cover: 1 - ASPH SHING	Kits: 1 Rating: VERY GO	OOD Level FY LR DR D K FR RR BR FB HB	L O OFP 10		
Color: GREY	A Kits: Rating:	Other			
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	WSFlue: 1 Rating: AVERAG	F LVI 2	28		FFL
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Grade: C - AVERAGE	Location:	Lower			
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Lump Sum Adj:		Interior: 1 5	3: M	32	2 26
INTERIOR INFORMATION		Additions:	· ··· 6	OFP	1
Avg Ht/FL: STD		27. % Kitchen:			4 FFL.
Prim Int Wal 1 - DRYWALL	Functional:	% Baths:	<b>Network of the Providence of </b>		
Sec Int Wall: 9	Economic:	Plumbing:			
Partition: T - TYPICAL			N		
Prim Floors: 15 - WD LAM	Override:	Heating:	3		SUB AREA DETAIL
Sec Floors: 09 - ABOVE AV 25 %	CALC SUMMARY	27.2 % General: 1 5	3 SUB AREA	Area - SQ Rate - AV U	adeas Volua Cub 9/ 9/
Bsmnt Fir: 12 - CONCRETE	Basic \$ / SQ: 107.00	COMPARABLE SALES	Code Description	Area - SQ Rate - AV U 1,676 110.100	184,525 Area Usbi. 78 Qu #Ten
Subfloor:	Size Adj.: 1.03699279		le Price	1,624 34,130	55,428 LLV 100 FLA 80 AV
	11 SIZE A01.11.03099279			1,024 04,100	00,420,000 1001 0001
Bernt Gar 2					
Bsmnt Gar. 2 Electric 3 - TYPICAL	Const Adj.: 0.99225008		OFP OPEN PCH	292 28.210	8,236
Electric: 3 - TYPICAL	Const Adj.: 0.99225008 Adj \$ / SQ: 110.098				
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL	Const Adj.: 0.99225008 Adj \$ / SQ: 110.098 Other Features: 28469		OFP OPEN PCH	292 28.210	8,236
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S -	Const Adj.: 0.99225008 Adj \$ / SQ: 110.098 Other Features: 28469 Grade Factor: 1.00		OFP OPEN PCH	292 28.210	8,236
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL	Const Adj.: 0.99225008 Adj \$ / SQ: 110.098 Other Features: 28469 Grade Factor: 1.00 NBHD Inf: 1.00000000		OFP OPEN PCH WDK WOOD DECK	292 28.210 180 16.780	8,236 3,020
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR	Const Adj.: 0.99225008 Adj \$ / SQ: 110.098 Other Features: 28469 Grade Factor: 1.00 NBHD Inf: 1.00000000 NBHD Mod:	WtAv\$/SQ: AvRate: Ind.Val	OFP OPEN PCH WDK WOOD DECK	292 28.210 180 16.780 a: [3,772 Total:	8,236 3,020 251,209
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:		OFP OPEN PCH WDK WOOD DECK	292 28.210 180 16.780 a: [3,772 Total:	8,236 3,020 251,209
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678	Juris. Factor: Before Depr: 1	OFP OPEN PCH WDK WOOD DECK Net Sketched Area 0.10 Size Ad 1676 Gros	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5	OFP OPEN PCH WDK WOOD DECK Net Sketched Area 0.10 Size Ad 1676 Gros	292 28.210 180 16.780 a: [3,772 Total:	8,236 3,020 251,209
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.0000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1	OFP OPEN PCH WDK WOOD DECK Net Sketched Area 0.10 Size Ad 1676 Gros 1.48	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make:	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial #	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros .98 1.48 Year. Color:	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial #	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Prite D/S Dep LUC Fact NB Fa Appr V	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYP!CAL Insulation: 2 - TYP!CAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Prite D/S Dep LUC Fact NB Fa Appr V	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 %	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 %	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 %	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1103	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: [3,772 Total: ss Area 3772 FinArea	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 100 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 2 SHED-WOOD D Y 1100 14G GAZEBO D Y 144	Const Adj.:         0.99225008           Adj \$ / SQ:         110.098           Other Features:         28469           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         279678           Depreciation:         76072           Depreciated Total:         203605           Model:	Juris. Factor: Before Depr. 1 Special Features: 0 Val/Su Net: 5 Final Total: 203600 Val/Su SzAd 1 Serial # Phit Price D/S Dep LUC Fact NB Fa Appr V 29.08 T 40 101	OFP OPEN PCH WDK WOOD DECK Net Sketched Area Size Ad 1676 Gros 1.48 Year: Color: ARCEL ID 252-023-000 alue JCodJFact Juris. Value 2,400 2,400	292 28.210 180 16.780 a: 3,772 Total: ss Area 3772 FinArea IMAGE	8,236 3,020 251,209 1676 AssessPro Patriot Properties, Inc

## 6 McKinney Drive

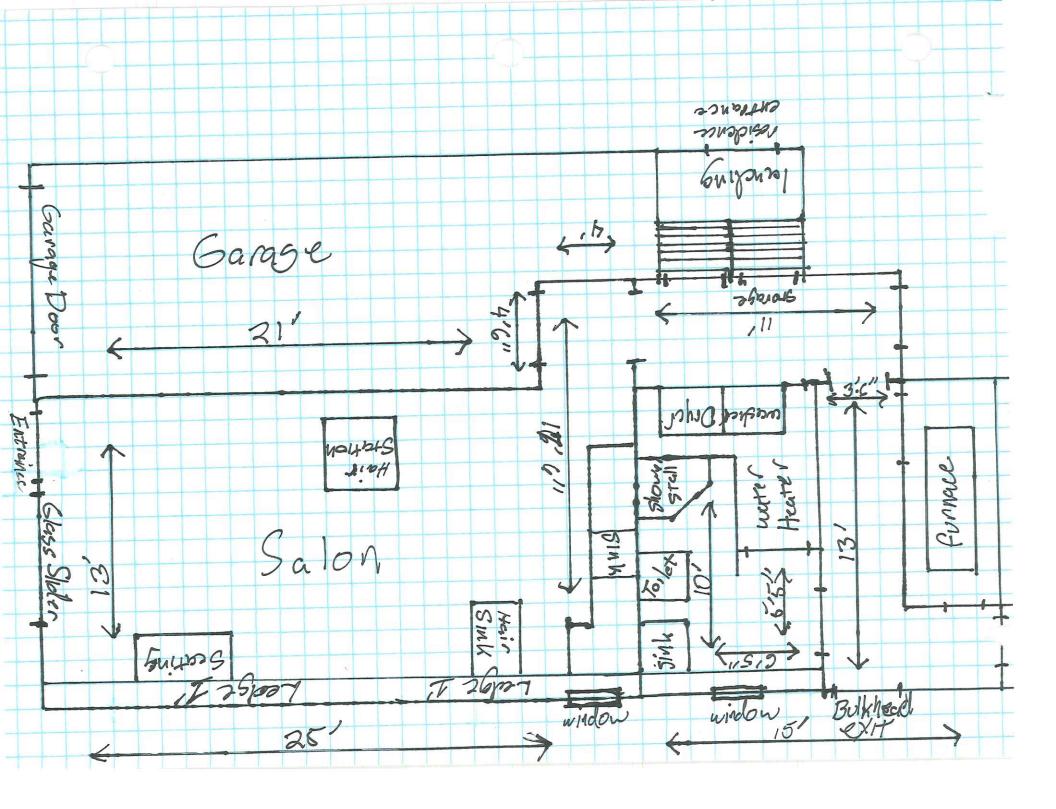












Printed 7/07/2020 3:25PM Created	2020   Transaction Rece     2020   Town of Hudson, NI			n, NH		
7/07/2020 2:21 PM						
		Description	Current Invoice	Payment	Balance Due	
1	1.00	Zoning Application 6 McKinney Dr. Map/Lot 252-023-000				
		Home Occup SE	0.00	154.3500	0.00	
				Total:	154.35	

Pay Type	Reference	Tendered	Change	Net Paid
CHECK	CHECK # 183	154.35	0.00	154.35
		Total Due:		154.35
		Total Tendered:		154.35
		Total Change:		0.00
		Net Paid:		154.35
			CHECK CHECK # 183 154.35 Total Due: Total Tendered: Total Change:	CHECK CHECK # 183 154.35 0.00 Total Due: Total Tendered: Total Change:



# **TOWN OF HUDSON**

## Land Use Division



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

#### Zoning Administrator Staff Report Meeting Date: August 13, 2020 みとられつ

<u>Case 111-017 (08-13-20)</u>: Earl J. Sanford of Sanford Surveying & Engineering representing 4NH Homes, LLC (c/o Mike Gallo), 597 New Boston Road, Bedford, NH requests a Variance for 151 Robinson Road to build a 28 ft. x 48 ft., two bedroom house with a 25 ft. front yard setback where 50 ft. is required. [Map 111, Lot 017-000; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

Address: 151 Robinson Rd Zoning district: General One (G-1)

#### **Summary:**

Applicant requests a variance to construct a SFR in the front setback, leaving 25 ft where 50 ft is required.

#### **Property description**:

This is a vacant existing non-conforming lot of record.

#### In-House review/comments:

Fire Dept: Received, no comments Town Planner: None received Engineering: Yes

#### HISTORY: N/A

May 13, 2020 Zoning Determination #20-048

Attachments: "A" Assessing record. "B" May 13, 2020 Zoning Determination #20-048 "C" Town Engineer In-House review/comments.

	Previous Assessments						
Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	903 - TOWN PROP	0	0	30,400	0.95	0.00	30,400
2019	903 - TOWN PROP	0	0	30,400	0.95	0.00	30,400
2019	903 - TOWN PROP	0	0	81,100	0.95	0.00	81,100
2018	903 - TOWN PROP	0	0	81,100		0.00	81,100
2018	903 - TOWN PROP	0	0	81,100	0.95	0.00	81,100
2017	903 - TOWN PROP	0	0	81,100	0.95	0.00	81,100
2017	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2017	903 - TOWN PROP	0	0	81,100	0.95	0.00	81,100
2016	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2016	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
	903 - TOWN PROP		0	77,500	0.95	0.00	77,500
2015	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2014	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2014	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2013	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2013	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2012	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2012	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2011	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2011	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2010	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2010	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2009	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2008	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2008	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2007	903 - TOWN PROP	0	0	103,300	0.95	0.00	103,300
2007	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2006	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2006	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2005	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2005	903 - TOWN PROP	0	0	77,500	0.95	0.00	77,500
2004	903 - TOWN PROP	0	0	77,100	0.93	0.00	77,100
2004	903 - TOWN PROP	0	0	58,700	0.93	0.00	58,700
2003	903 - TOWN PROP	0	0	58,700	0.93	0.00	58,700
2003	903 - TOWN PROP	0	0	58,700	0.93	0.00	58,700
2002	903 - TOWN PROP	0	0	58,700	0.93	0.00	58,700
<b></b>	903 - TOWN PROP		0	58,700	0.93	0.00	58,700
2001	903 - TOWN PROP	0	0	44,500	0.93	0.00	44,500
j	903 - TOWN PROP	L	0	44,500	0.93	0.00	44,500
1999	903 - TOWN PROP	0	0	44,500	0.93	0.00	44,500

**Previous Assessments** 

http://hudsonnh.patriotproperties.com/g\_previous.asp

" A"



## **TOWN OF HUDSON**



## Land Use Division

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

#### **Zoning Determination #20-048**

May 13, 2020

Stephen Maranian Sandford Surveying & Engineering 597 New Boston Rd Bedford, NH 03110

#### Map 111 Lot 017 151 Robinson Road Re: District: General One (G-1)

Dear Mr. Maranian,

Your request as to what approvals/variance may be required based on your submitted sketch: 1 of 1 dated 5/12/2020.

#### Zoning Review / Determination:

This is a vacant existing non-conforming lot of record.

To proceed with a building as proposed:

You would need a variance from the Zoning Board of Adjustment, due to lack of required front setback of 50ft per §334-27 Table of Minimum Dimensional Requirements.

You would need a Conditional Use Permit for the activity within the Wetland Buffer from the Planning Board, per §334-36 Conditional Uses. Contact Brian Groth - Town Planner for application details (603) 886-6008.

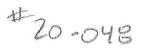
I would recommend you consult with the Town Engineer as to the feasibility of construction of driveway/driveway permit. Contact Elvis Dhima (603) 886-6008.

Sincerely,

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

Public Folder cc: B. Groth, Town Planner E. Dhima, Town Engineer File

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





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



## Town of Hudson

# REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request	5/12/2020			
Property Location	151 Robinson Road			
	Map_111Lot17			
Zoning District if known	G-1			
□Zoning	<u>Type of Request</u> District Determination <i>Use</i> Determination <b>Z</b> Set-Back Requirements Process for Subdivision/ Site Plan if required <b>Z</b> Other			
Description of request.	determination: (Please attach all relevant documentation)			
Relief is needed from t 1. A variance for front 2. A conditional use pe and to allow 15' to the There is no conforming <u>The septic system is con</u>	<ul> <li>The purpose of this plan is to depict relief needed to place a reasonable home on Lot 111/17.</li> <li>Relief is needed from the following:</li> <li>1. A variance for front yard setback allowing 25' where 50' is required §334-27.</li> <li>2. A conditional use permit to allow 25' from wetland to the house foundation where 50' is required and to allow 15' to the raised deck where 50' is required §334-33A &amp; §334-34.</li> <li>There is no conforming building envelope possible on this lot.</li> <li>The septic system is conforming (although tight) and needs no relief. h</li> </ul>			
Applicant Contact Information:Name:Sandford Surveying & EngineeringAddress:597 New Boston Rd. Bedford, NH 03110Phone Number:603-472-2265				
	For Office use	-1		
ATTACHMENTS: 1 NOTES:	TAX CARD  GIS  GIS			
ZONING DETERM	INATION LETTER SENT  DATE:	" 1		

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

# REQUEST FOR REVIEW/COMMENTS:<br/>Case: 111-017 (08-13-20)Property Location: 151 Robinson Road

For Town Use	
Plan Routing Date: 07/24/2020 Reply requested by: 07/31/2020 Z	BA Hearing Date: 08/13/20
I have no comments I have comments (see be	low)
EZD Name: Elvis Dhima, P.E.	Date: 07/24/2020
DEPT. Town Engineer Fire/Health Department	Town Planner

Applicant shal provide plan and profile for the driveway Applicant shall provide plan and profile to show safe sight distance related to the proposed driveway

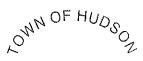
17

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

#### REQUEST FOR REVIEW/COMMENTS: Case: 111-017 (08-13-20) Property Location: 151 Robinson Road

For Town Use				
Plan Routing Date: 07/24/2020 Reply requested by: 07/31/2020 ZBA Hearing Date: 08/13/20				
I have no comments I have comments (see below)				
RMB Name: Robert M. Buxton	Date: 07/27/2020			
(Initials)				
DEPT. Town Engineer Fire/Health Department	_Town Planner			

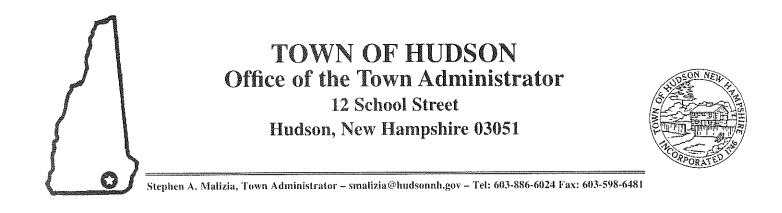
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APPLICATION FOR A V,4RIANCE

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JUL <b>0 9</b> 2020	
	Entries in this box are to be filled out b Land Use Division personnel
no: Zoning Board of Adjustment Dep Town of Hudson	Case No. 111-017 (08-27-20)
	Date Filed 7/9/20
Earl J. Sandford Name of Applicant <u>Sandford Surveying &amp; Eng</u>	ineering Map: 111 Lot: 17 Zoning Dis
Representing 4NH Homes, L	
Telephone Number (Home)	
Mailing Address <u>597 New Boston Road Be</u>	edford, NH 03110
Owner Town of Hudson	Ť
Location of Property 151 Robinson Road Huds	son, NH 03051
(Street) Addre	ess)
	0505/1/7
Signature of Applicant	Date
application is not acceptable unless al Additional information may be supplie	Date Application Form(s) as appropriate. This I required statements have been made. ed on a separate sheet if space provided is
NOTE: Fill in all portions of the application is not acceptable unless al Additional information may be supplied inadequate. If you are not the propert	Application Form(s) as appropriate. This l required statements have been made. ed on a separate sheet if space provided is y owner, you must provide written owner(s) to confirm that the property his/her/their behalf or that you have
NOTE: Fill in all portions of the application is not acceptable unless al Additional information may be supplied inadequate. If you are not the property documentation signed by the property owner(s) are allowing you to speak on	Application Form(s) as appropriate. This l required statements have been made. ed on a separate sheet if space provided is y owner, you must provide written owner(s) to confirm that the property his/her/their behalf or that you have nce.
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NOTE: Fill in all portions of the application is not acceptable unless al Additional information may be supplied inadequate. If you are not the propert documentation signed by the property owner(s) are allowing you to speak on permission to seek the described varia Items in this box are to be filled out by I COST: Application fee: 5_ Direct Abutters x \$4.10 =	Application Form(s) as appropriate. This l required statements have been made. ed on a separate sheet if space provided is y owner, you must provide written owner(s) to confirm that the property his/her/their behalf or that you have ince. Land Use Division personnel Date received: $\frac{7/2}{20}$
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NOTE: Fill in all portions of the application is not acceptable unless al Additional information may be supplied inadequate. If you are not the property documentation signed by the property owner(s) are allowing you to speak on permission to seek the described varia Items in this box are to be filled out by I COST: Application fee: 5_ Direct Abutters x \$4.10 = 6_ Indirect Abutters x \$0.55 = Total amount due:	Application Form(s) as appropriate. This I required statements have been made. ed on a separate sheet if space provided is y owner, you must provide written owner(s) to confirm that the property his/her/their behalf or that you have ince. Land Use Division personnel Date received: $\frac{1/2}{20.50}$ $\frac{$130.00}{$20.50}$ $\frac{$153.80}{$153.80}$ Amt. received: $\frac{$153.8}{$153.80}$ Receipt No.: $\frac{603.965}{$153.80}$



July 6, 2020

Zoning Board of Adjustment 12 School Street Hudson, NH 03051

Please accept this letter as confirmation that Earl Sandford of Sandford Surveying and Engineering has permission from the Town of Hudson, who owns the property located at 151 Robinson Road in Hudson, NH, to apply for and speak on the described variance for the property.

Should you need additional information or have any questions, please do not hesitate to contact me at 886-6024 or via email at <u>smalizia@hudsonnh.gov</u>.

Sincerely,

Stephen A. Malizia Town Administrator

# 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:

		Chaff
Applicant Initials	10	Staff Initials TG
<u>ETS</u>	The applicant must provide 12 copies including the original of the filled-out application _ form, together with this checklist and any required attachments listed. (Paper clips, no staples)	
ETS	Before making the $\mathcal{B}$ copies, please review the application with the Zoning Administrator or staff.	<u> </u>
EJS	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.	TG.
EJS	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). ( <b>NOTE</b> : if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	Attached TG.
EJS	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 apple cable 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.)	
ETS	A copy of both sides of the assessor's card shall b <sup>*</sup> provided. (NOTE: these copies are available from the Assessor's Office)	TG
EJS	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.	16
EJS		N/A Conditional USE APP Required w/ Planning Board.

#### PLOT PLAN-

EJS	Except for requests pertaining to above-ground pools, sheds, decks and use variances,	· G
	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) FTS	The plot plan shall be drawn to scale on an 8 $\frac{1}{2}$ x 11" or 11" x 17" sheet with a North	76
u) <u></u>	pointing arrow shown on the plan.	
b) <i>E.75</i>	The plot plan shall be up-to date and dated, and shall be no more than three years old.	TG
c) EJS	The plot plan shall have the signature and the name of the preparer, with his/her/their	TG
0,005	seal.	
1) 676	The plot plan shall include lot dimensions and bearings, with any bounding streets and	TG
d) <u>EJS</u>	with any rights-of-way and their widths as a minimum, and shall be accompanied by a	
	with any rights-of-way and their widdls as a ministum, and shan be accompanied by a	
	copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at	
050	the Land Use Division.)	TG
e) <u>EJS</u>	The plot plan shall include the location and dimensions of existing or required services,	
	the area (total square footage), all buffer zones, natural features, any landscaped areas,	
	any recreation areas, any safety zones, all signs, streams or other wetland bodies, and	
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	any drainage easements.	10 51.
f)EJS	The plot plan shall include all existing buildings coother structures, together with their	NHIG
·	dimensions and the distances from the lot lines, as well as any encroachments.	
g)EJS	The plot plan shall include all proposed buildings. structures, or additions, marked as	TG
<i>U</i> /	"PROPOSED," together with all applicable dimensions and encroachments.	
h)EJS	The plot plan shall show the building envelope as defined from all the setbacks required	TG
/	by the zoning ordinance.	
i) <u>ETS</u>	The plot plan shall indicate all parking spaces and lanes, with dimensions.	_TG
	and the second	
The	applicant has signed and dated this form to show his/her awareness of these requirem	ents.
	appursant has signed and dated this form to show his her awareness of these requirement	
- Li-	0505-1-7	
ignature of A	Application Date 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, firstserved 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 th'n reach a decision either to grant the request (perhaps with stipulations to make it palatable) or to deny the regulation to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be sent a votice 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 at peal 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 1 oard 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 dec-sion 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.

3

#### 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
111	16	Deans, Marcus Deans, Angela	155 Robinson Road Hudson, NH 03051
111	18	Flanagan, Michael A. Flanagan, Sandra S.	133 Robinson Road Hudson, NH 03051
111	17	Town of Hudson	12 School Street Hudson, NH 03051
111	43	Joan A. Wagner, TR.	150 Robinson Road Hudson, NH 03051
111	44	Joan A. Wagner Revocable Trust	
		Earl Sandford Sandford Surveying & Engineering	597 New Boston Road Bedford, NH 03110
			· · · · · · · · · · · · · · · · · · ·

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
111	46-1	Just, Peter J.	156A Robinson Road Hudson, NH 03051
111	46-2	Sellingham, Brett A. Sellingham, Laurie A.	156B Robinson Road Hudson, NH 03051
111	46	Robinson Road Condominiums	
111	45	Killius, Drew Killius, Beverly	154 Robinson Road Hudson, NH 03051
111	42	Norman,Jonathan R.Jr Norman, Tanya L.	148 Robinson Road Hudson, NH 03051
111	19	Demers, Kevin C. Demers, Alicia D.	149 Robinson Road Hudson, NH 03051
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Postage Rev. 1/27/19

SENDER	٤:	12 SCH	OF HUDSO OOL STR N, NH 030	EET		US POSTAL SERVICE - CERTIFIED MAIL	Case# 111-017 VARIANCE 151 Robinson Road Map 111/Lot 017-000	1 of 1
		ARTIC	CLE NUN	IBER		Name of Addressee, Street, and post office address		0 ZBA Meeting
1	ZILA			3001	4246	DEANS, MARCUS & ANGELA	ABUTTER NOTICE MAILE	D
						155 ROBINSON RD. HUDSON, NH 03051		
2	201.A	2290	רחחח.	3001	4253	FLANAGAN, MICHAEL & SANDRA	ABUTTER NOTICE MAILE	D
						133 ROBINSON RD HUDSON, NH 03051		
3		- Carlos				TOWN OF HUDSON RE: 151 Robinson Rd.	Variance Application R'cvd- I	Notice in file
			THE REAL PROPERTY AND			12 SCHOOL STREET HUDSON, NH 03051		
4	201.8	2290	החחח.	3001	4260	WAGNER, JOAN, TR., JOAN A. WAGNER REVOCABLE TRUST	ABUTTER NOTICE MAILE	D
				5662		150 ROBINSON ROAD HUDSON, NH 03051		
5	2018	2290	0003	3001	4277	EARL SANFORD, SANFORD SURVEYING & ENGINEERING	APPLICANT NOTICE MAIL	ED
		1				597 NEW BOSTON ROAD, BEDOFRD, NH 03110		
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SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 111-017 VARIANCE           151 Robinson Road           Map 111/Lot 017-000         1 of 1
			0/10/0000 (TDA 15
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	8/13/2020 ZBA Meeting ABUTTER NOTICE MAILED
	Mailed First Class	JUST, PETER J.	ABUTTER NOTICE MAILED
		156A ROBINSON RD. HUDSON, NH 03051	INTER NOTION MAILED
)	Mailed First Class	SELLINGHAM, BRETT A., SELLINGHAM, LAURIE A.	ABUTTER NOTICE MAILED
		156B ROBINSON ROAD HUDSON, NH 03051	
3	Mailed First Class	KILLIUS, DREW & BEVERLY	ABUTTER NOTICE MAILED
5	MalleuThetenab	154 ROBINSON RD HUDSON, NH 03051	
4	Mailed First Class	JONATHAN R. NORMAN, JR., TANYA L. NORMAN	ABUTTER NOTICE MAILED
4	Maneu First Class	148 ROBINSON RD. HUDSON, NH 03051	
5	Mailed First Class	KEVIN C. DEMERS, ALICIA D. DEMERS	ABUTTER NOTICE MAILED
5		149 ROBINSON RD. HUDSON, NH 03051	
		PROPERTY MANAGEMENT NEW ENGLAND,	ABUTTER NOTICE MAILED
6	Mailed First Class	RE:ROBINSON ROAD CONDOMINIUMS	
		106 WEST BROADWAY, DERRY, NH 03038	
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#### APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article\_§334-27 \_\_\_\_\_\_\_of HZO Section(s) Table of Minimal Dimensional Requirements in order to permit the following change or use:

A variance for front yard setback allowing 25ft where 50ft is required per §334-27 because this

lot is severely constrained by onsite wetlands. This lot was approved by the town and state. The

lot predates current setbacks from wetlands and frontage but as zoning does not recognize

grandfathered status, a variance is required.

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 you answers here can be summary in nature, and you can provide additional testimony at the time of you hearing.

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.")

This lot is severely constrained by onsite wetlands and to avoid impact to the wetlands requires relief from the front setback. This was a town approved lot that predates the current frontage setback requirement. Generally public interests acknowledge "grandfathered" status of lots that predate requirements and take into consideration whether it is an a nomaly in the neighborhood. This is a lot of record that has been in place for over 50 years and the proposed construction will be consistent with 18 other houses in the neighborhood on Robinson Road that do not meet the 50ft setback (based on Google Maps analysis).

2. The proposed use will observe the spirit of the ordinance, because: (Explain why you feel this to be true—keeping in m nd 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, threater public health, safety, or welfare, or otherwise injure "public rights.")

It keeps the house away from the road to the largest extent possible and is consistent with other nonconforming houses in the neighborhood. It is worthy to sole that at least a third of the front will remain in its natural state, protected from alteration due to the web and's status, no wetland disturbance is proposed by this design. The design incorporates standard conforming regulation in regard to septic design and driveway entrance, promoting public health, safety, and welfare.

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

This lot was approved as a building lot by the Planning B and. To reverse that and condemn the lot would cause far greater harm to the individual owner than to the general public.

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

It is consistent with other houses up and down this road that do not meet setback and the proposed construction is consistent with the trend for modern houses to be somewhat more upscale than older construction. It is expected that the assessment of the proposed construction, when complete, will be greater than the average assessment along Robinson Roz I and will result in no diminution of surrounding properties.

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

(Explain why you believe this to be true—keeping in mind that you must establish that, because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way <u>and also</u> 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.)

No feasible development of this lot is possible without this variance or substantially filling the wetland. Every effort has been made to protect the wetland and provide the best design fit for the site. Literal enforcement is tantamount to condemnation of this lot, which would be an unnecessary hardship. We believe it is fair and reasonable to grant the setback relief needed to make this a viable lot, without altering wetlands. In the late 60's it was legal to fill wet ands to create building area. This plan is not asking for that aspect to be grandfathered in any way, shape, or form, as it protects the wetlands delineated in the field.

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.

8

## **TOWN OF HUDSON**





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

#### **Zoning Determination #20-048**

May 13, 2020

Stephen Maranian Sandford Surveying & Engineering 597 New Boston Rd Bedford, NH 03110

#### 151 Robinson Road Map 111 Lot 017 Re: District: General One (G-1)

Dear Mr. Maranian,

Your request as to what approvals/variance may be required based on your submitted sketch: 1 of 1 dated 5/12/2020.

#### Zoning Review / Determination:

This is a vacant existing non-conforming lot of record.

To proceed with a building as proposed:

You would need a variance from the Zoning Board of Adjustment, due to lack of required front setback of 50ft per §334-27 Table of Minimum Dimensional Requirements.

You would need a Conditional Use Permit for the activity within the Wetland Buffer from the Planning Board, per §334-36 Conditional Uses. Contact Brian Groth - Town Planner for application details (603) 886-6008.

I would recommend you consult with the Town Engineer as to the feasibility of construction of driveway/driveway permit. Contact Elvis Dhima (603) 886-6008.

Sincerely,

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

Public Folder cc: B. Groth, Town Planner E. Dhima, Town Engineer File

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



20-048 COMMUNITY DEVELOPMENT DEPARTMENT 12 School Street Hudson, NH 03051 (603)886-6005 www.hudsonnh.gov



## Town of Hudson

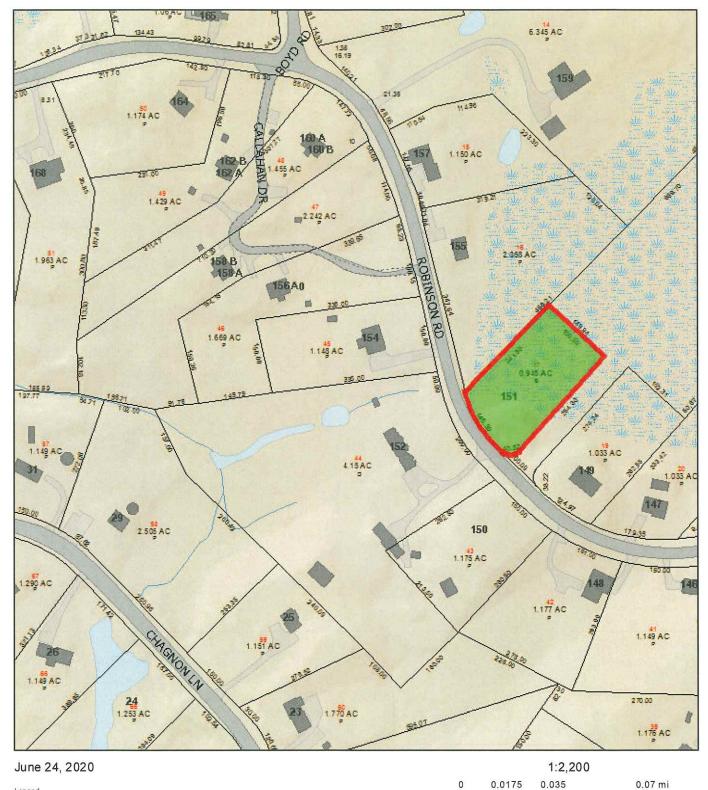
# REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request	5/12/2020
Property Location	151 Robinson Road
	Map _111 Lot17
Zoning District if known	G-1
□Zoning	Type of Request District Determination $\Box$ Set-Back Requirements $\Box$ Process for Subdivision/ Site Plan if required $\blacksquare$ Other
Description of request.	/ determination: (Please attach all relevant documentation)
Relief is needed from t 1. A variance for front 2. A conditional use pe and to allow 15' to the There is no conforming	In is to depict relief needed to place a reasonable home on Lot 111/17. he following: yard setback allowing 25' where 50' is required §334-27. ermit to allow 25' from wetland to the house foundation where 50' is required raised deck where 50' is required §334-33A & §334-34. building envelope possible on this lot. nforming (although tight) and needs no relief. h
Applicant Contact In	formation:
Name: Sandford Surv Address: 597 N Phone Number: 603-4	lew Boston Rd. Bedford, NH 03110
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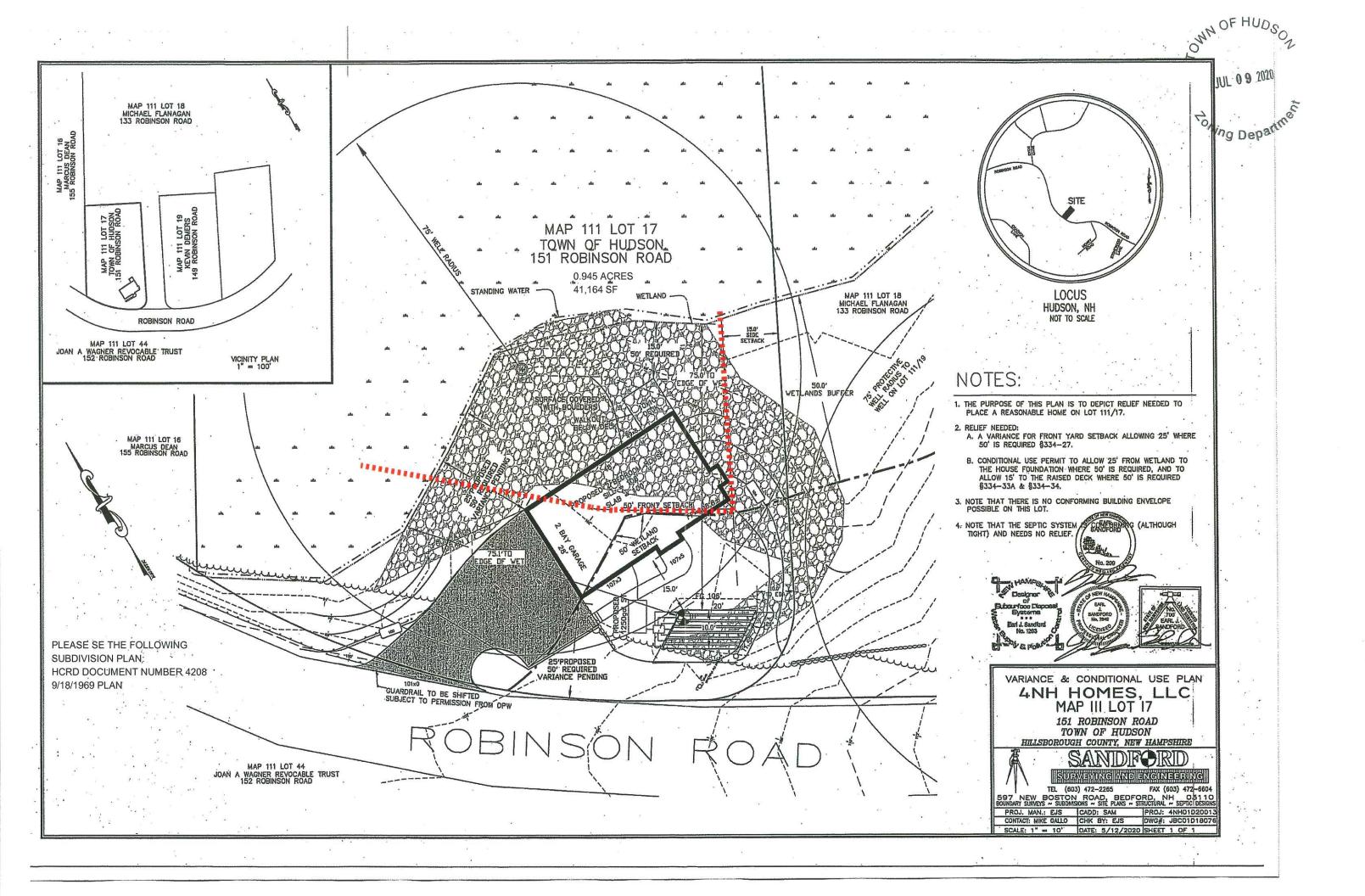


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# SAVE THE DATE



# VIRTUAL LAND USE LAW CONFERENCE

(formerly known as the Municipal Law Lecture Series)

# WHEN Saturday October 31, 2020 9:00 am-3:00 pm

# WHAT

Full day virtual conference for municipal land use officials including members of planning and zoning boards, planners, land use administrators, select boards, town and city councilors, building inspectors, code enforcement officers and public works personnel. Presentations will focus on the legal authority and procedures these land use boards must understand with content structured to be beneficial to both novice and experienced municipal officials.

# **REGISTRATION FEE**

\$100 per person

# **CONTACT INFO**

Ashley Methot Events Coordinator 25 Triangle Park Drive Concord, NH 03301 603.230.3340 amethot@nhmunicipal.org

# FOR ADDITIONAL DETAILS VISIT www.nhmunicipal.org

# REGISTRATION OPENS IN SEPTEMBER





## Attachment "A" [7-23-209-26-19] Chairman's introduction/order of business

Good evening ladies and gentlemen. Welcome to the (Date) Hudson Zoning Board of Adjustment. I call this meeting to order (state the time).

If you could please stand and join me in the Pledge of Allegiance .....

We will proceed with cases in the order they appear on tonight's agenda unless the Board deems it appropriate to take a case out of order. No new case will be heard after 11:00pm. Any carryover cases will be heard at the next carryover meeting usually the 2<sup>nd</sup> Thursday. State law and local ordinances set out the criteria that must be met in order for this Board to grant a request before the Board. These minimum requirements are outlined on application forms in the Town's Land Use Office. Applicants should proceed with this format to provide adequate justification for the Board to grant their request.

The Chairman will open the Hearing to hear testimony either for or against the request. The order of testimony will first be the applicant presenting their case as why it should be approved; next testimony from those supporting the applicant will be heard; and last will be testimony from those either neutral to or against the proposed case. If necessary a second round of testimony will be heard to respond to those in opposition and subsequent rebuttal.

All discussions will be between the applicant and the Board. Please be respectful of all and in interest of time refrain from repeating previous testimony. New documentation will be accepted by the Board for consideration this evening, but may cause the case to be continued or deferred. The Board reserves the right to ask for additional testimony at anytime.

After hearing the facts from all parties the Chairman will close the public hearing and the Board will deliberate and vote either to approve, deny or defer the request before moving on to the next case.

The Selectman's Liaison may participate in the deliberation and discussion,

#### but does not vote on the case.

Handouts are at the back of the room: consisting of the agenda for tonight, and re-hearing request for those that feel aggrieved and wish to appeal any decision the Board may have made. Please be aware of the 30 day time period.

All those that wish to speak are asked to come either to the lectern or the adjacent table, speak clearly, state your name and address. Please spell your last name for the recorder.

Before we begin a few housekeeping items:

- Turn off your cell phones
- There is no smoking in the building
- Please refrain from talking amongst yourselves as it distracts from hearing the testimony of the case

Will the Clerk please call for attendance