



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

MEETING AGENDA – June 24, 2021

The Hudson Zoning Board of Adjustment will hold a meeting on **June 24, 2021**, in the Community Development Paul Buxton Meeting Room in the basement of Hudson Town Hall (please enter by ramp entrance at right side). The public hearings for applications will begin at **7:00 PM**, with the applications normally being heard in the order listed below. The following items before the Board will be considered:

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE


III. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. **Case 247-045-012 (06-24-21)**: Alberto Mateo, **15 Lucier Park Dr.**, requests a Home Occupation Special Exception to operate an on-line/ecommerce store business. [Map 247, Lot 045-012; Zoned Town Residence (TR); HZO Article VI, Special Exceptions, §334-24, Home Occupations].
2. **Case 167-052 (06-24-21)**: David A. Thompson, **135 Highland St.**, requests a Variance to construct and locate a 14 ft. x 6 ft. shed 7 ft. from the property line where 15 ft. is required. [Map 167, Lot 052-000; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
3. **Case 182-035 (06-24-21)**: Steve Lombardi, Member Manager of SJL Properties of NH, LLC, **3 Fulton St.** [Map 182, Lot 035-000; Zoned Town Residence (TR)] requests the following:
 - a. An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing garage to remain in its current location which encroaches approximately 9 feet into the side yard setback leaving approximately 6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements]
 - b. A Variance to allow the continued use of an existing non-conforming two-family structure as a two-family dwelling in the TR Zone. [HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].

IV. REQUEST FOR REHEARING: None

V. REVIEW OF MINUTES: 05/27/21 edited Minutes

VI. OTHER: Workshop (continuation)- Review Zoning Application Drafts



Bruce Buttrick
Zoning Administrator

TOWN OF HUDSON

Land Use Division



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

Zoning Administrator Staff Report

Meeting Date: June 24, 2021

BB 6-7-21

Case 247-045-012 (06-24-21): Alberto Mateo, 15 Lucier Park Drive, requests a Home Occupation Special Exception to operate an on-line/ecommerce store business. [Map 247, Lot 045-012; Zoned Town Residence (TR); HZO Article VI, Special Exceptions, §334-24, Home Occupations].

Address: 15 Lucier Park Drive

Zoning district: Town Residence (TR)

Summary:

Applicant requests a Home Occupation Special Exception to allow operation of an on-line/ecommerce business from this residence.

Property description:

This is an existing lot of record: Having 22,825 sqft, where 10,000 sqft is required and frontage of 186 ft where 90 ft is required. Legal existing single family use.

History:

Assessing: Listed as single family.

Building Permits: # 2017-01103; 2 story, 3 bedroom SFR w/attached 22 x 22 garage and a 10 x 12 rear deck; C.O. issued 7/09/2018.

In-House (Town) review/comments:

Fire Dept: no comment

Engineering: no comment

Town Planner: none received

Attachments:

“A” Assessing record.

“B” Certificate of Occupancy #2017-01103.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	101 - ONE FAMILY	263,700	0	94,300	0.52	0.00	358,000
2020	101 - ONE FAMILY	263,700	0	94,300	0.52	0.00	358,000
2019	101 - ONE FAMILY	263,700	0	94,300	0.52	0.00	358,000
2019	101 - ONE FAMILY	263,700	0	94,300	0.52	0.00	358,000
2018	101 - ONE FAMILY	0	26,400	94,300	0.52	0.00	120,700
2018	101 - ONE FAMILY	0	26,400	94,300	0.52	0.00	120,700
2017	130 - VAC RESD	0	0	42,400	0.52	0.00	42,400
2017	130 - VAC RESD	0	0	40,500	0.52	0.00	40,500
2017	130 - VAC RESD	0	0	42,400	0.52	0.00	42,400

11
A

Town of Hudson, NH
Certificate of Occupancy



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

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

Location of Work: 15 LUCIER PARK DR (Unit or Building)
(No. and Street)

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

Map\Lot: 247-045-012

IRC Bldg Code Edition: 2009

District: TR

Permit(s): 2017-01103, 2017-01103-1-FD, 2017-01103-2-WA, 2017-01103-3-DR, 2017-01103-4-EL, 2017-01103-5-PL, 201

Use Group: R-3

Fire Sprinkler System Required: NO

Fire Alarm System Required: NO

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

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

"B"

Date of Issue: 7/09/2018

Signed: *R. A. B.*

HUDSON ZONING BOARD OF ADJUSTMENT

Home Occupation Special Exception Decision Worksheet

On **06/24/21**, the Hudson Zoning Board of Adjustment heard Case **247-045-012**, being a request by **Alberto Mateo, 15 Lucier Park Dr., Hudson, NH**, to allow for a Home Occupation Special Exception **to operate an on-line/ecommerce store business**. [Map **247**, Lot **045-012**; Zoned **Town Residence (TR)**; **HZO Article VI, Special Exceptions, §334-24, Home Occupations**].

After reviewing the petition, and after hearing all testimony and documentary evidence supplied by the Applicant(s) and any other interested citizens, and after taking into consideration personal knowledge of the property in question, the undersigned member of the Hudson Zoning Board of Adjustment, sitting for this case, made the following determinations.

The intended use for which a Home Occupation Special Exception has been requested complies with the definition of a home occupation as an accessory use which by custom has been carried entirely within a dwelling unit, which is incidental and subordinate to the dwelling use, and which complies with the requirements of §334-24 as follows:

- | | | |
|---|---|--|
| Y | N | The proposed use is a sales / service operation for goods produced or services provided on-site. |
| Y | N | The proposed use shall be secondary to the principal use of the home as the business owner's residence. |
| Y | N | The proposed use shall be carried on within the residence and / or accessory structure. |
| Y | N | Other than the home occupation sign(s) permitted under Article XII, Section 334-67, there shall not be any exterior display nor other exterior indication of the home occupation, and there shall not be any variation from the primarily residential character of the principal or accessory building. |
| Y | N | There shall not be any exterior storage, unless permitted by a special exception (if permitted, must 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, unless this requirement is waiver by the Board because of existing foliage and / or long distances). |
| Y | N | There shall not be any objectionable circumstances (such as noise, vibrations, dust smoke, electrical disturbances, odors, heat or glare) produced as the result of this proposed use. |
| Y | N | Traffic generated by the proposed home occupation activity shall not be substantially greater in volume than would normally be expected in the neighborhood. |
| Y | N | Parking provided for the home occupation activity shall be off-street, located outside of the setback areas and / or the front yard, in driveways or paved areas, and limited to no more than two vehicles at one time. |
| Y | N | The home occupation shall be conducted only by residents of the dwelling. |
| Y | N | Excluding any personal vehicle that can also be used for business purposes, parking of no more than one business vehicle (limited to no more than 13,000 pounds with adequate screening in the B, G, and I zones) shall occur. |

Signed: _____ Date _____
Sitting Member of the Hudson ZBA

TOWN OF HUDSON

MAY 24 2021

Zoning Department

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

Entries in this box are to be filled out by Land Use Division personnel
Case No. 247-045-012 (06-24-21)
Date Filed 5/24/21

To: Zoning Board of Adjustment
Town of Hudson
Name of Applicant Alberto Mateo
Map: 247 Lot 45-12 Zoning District: TR
Telephone Number (Home) 724-372-1132 (Work)
Mailing Address 15 Lucier Park Dr.
Owner Andrew & Margoth Matteo
Location of Property 15 Lucier Park Dr
(Street Address)

Signature of Applicant Alberto Mateo Date 5/10/2021
Signature of Property-Owner(s) Andy Matteo Margoth J. Matteo Date 5/10/2021

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

Items in this box are to be filled out by Land Use Division personnel
COST:
Application fee: \$130.00
8 Direct Abutters x \$4.05 = 33.20
12 Indirect Abutters x \$0.55 = 6.60
Total amount due: \$169.80
Date received: 5/24/21
Amt. received: \$169.80
Receipt No.: 642,219
Received by: TSG
By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required:
Engineering Fire Department Health Officer Planner

chk# 102

May 12, 2021
15 Lucier Park Drive
Hudson, NH 03051


Town of Hudson
Hudson, NH

Dear Sir or Madam:

We, Margoth and Andrew Matteo, the property owners at the above thereby authorize the Town of Hudson to allow our son Alberto A Mateo or his representative to apply on our behalf.

Sincerely,

 05/12/2021
Andrew Matteo

 5/12/2021
Margoth J. Matteo

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

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

Applicant Initials		Staff Initials
<u>AM</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>AM</u>	Before making the 13 ¹⁰ copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>AM</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>AM</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG -</u> <i>see attached</i>
<u>AM</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>AM</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>AM</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

PLOT PLAN-

- 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):
- a) N/A The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) N/A The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) N/A The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) N/A 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) N/A 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) N/A 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) N/A The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) N/A The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) N/A The plot plan shall indicate all parking spaces and lanes, with dimensions.

N/A

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(76)

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

Albert Males
Signature of Applicant(s)

5/10/2021
Date

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

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

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

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

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

ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
247	45-13	Ramon E. Amill Tammie M. Amill	13 Lucier Park Dr.
247	45-10	Nicholas J. Bernardo Gabriele P. Vernacchio	8 Lucier Park Dr.
247	45-11	Matthew B. Mangano Kelley M. Mangano	10 Lucier Park Dr.
247	42	Michael A. Lacroix Dorothy E. Lacroix	38 Eayr's Pond Rd.
247	43	David L. Wilder Karen L. Wilder	40 Eayr's Pond Rd.
247	42	Robert A. Stevens Michelle L. Stevens	42 Eayr's Pond Rd.
247	45-12	Andrew & Margoth Matteo (Owners)	15 Lucier Park Drive
247	45-12	Alberto Mateo (Applicant)	15 Lucier Park Drive

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
247	45-9	Kevin A. Duffey Sara Duffey	6 Lucier Park Dr.
247	45-2	Debbie A. Cole	4 Chestnut St.
247	45-1	Michael Walter Maynard	2 Chestnut St.
247	41	Tammy T. Robinson	1462 Andover St. Tewksbury, MA 01876
247	37	Thomas L. Lacasse Stephanie Burton	22 Sand Hill Rd.
247	36	Richard Bourbeau Jessica M. Dennett	20 Sand Hill Rd.
247	35	Jonathan M. Kingsley Megan E. Gove	18 Sand Hill Rd.
247	34	Alan J. Newton	16 Sand Hill Rd.
247	33	Kristen, Cushman Justin Taylor	14 Sand Hill Rd.
247	45-14	Cody A. Decker Kiana R. Decker	11 Lucier Park Dr.
247	45-15	Jose L. Esquilin Marcia E. Esquilin	9 Lucier Park Dr.
246	087	State of New Hampshire C/o NHDES-Water Division	29 Hazen Drive PO Box 95 Concord, NH 03302

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 247-045-012 HOME OCCP SPECIAL EXCEPT. 15 Lucier Park Dr Map 247/Lot 045-012	1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting	
1	7018 1130 0001 8114 2761	MATTEO, ALBERTO 15 LUCIER PARK DR., HUDSON, NH 03051	OWNER/APPLICANT NOTICE MAILED	
2	7018 1130 0001 8114 2778	MATTEO, ANDREW & MARGOTH 15 LUCIER PARK DR., HUDSON, NH 03051	OWNER/APPLICANT NOTICE MAILED	
3	7018 1130 0001 8114 2785	LACROIX, MICHAEL A. & DOROTHY E. 38 EAYRS POND RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7018 1130 0001 8114 2792	WILDER, DAVID L. & KAREN L. 40 EAYERS POND ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7018 1130 0001 8114 0132	BERNARDO, NICHOLAS J.; VERNACCHIO, GABRIELE P.	ABUTTER NOTICE MAILED	
6	7018 1130 0001 8114 0149	8 LUCIER PARK DR., HUDSON, NH 03051 MANGANO, MATTHEW B. & KELLEY M.	ABUTTER NOTICE MAILED	
7	7018 1130 0001 8114 0156	10 LUCIER PARK DR., HUDSON, NH 03051 STEVENS, ROBERT A. & MICHELLE L.	ABUTTER NOTICE MAILED	
8	7018 1130 0001 8114 0163	42 EAYRS POND RD., HUDSON, NH 03051 AMILL, RAMON E. & TAMMIE M.	ABUTTER NOTICE MAILED	
		13 LUCIER PARK DR., HUDSON, NH 03051		
9				
10				
11				
12				
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office <i>8</i>	Postmaster (receiving Employee) <i>Paula Angeli</i>	



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 247-045-012 HOME OCCP SPECIAL EXCEPT. 15 Lucier Park Dr Map 247/Lot 045-012 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting
1	Mailed First Class	STATE OF NEW HAMPSHIRE ; C/O NHDES-WATER DIVISION	ABUTTER NOTICE MAILED
2	Mailed First Class	29 HAZEN DRIVE/PO BOX 95, Concord, NH 03302-0095 CUSHMAN, KRISTEN; TAYLOR, JUSTIN	ABUTTER NOTICE MAILED
3	Mailed First Class	14 SAND HILL RD., HUDSON, NH 03051 NEWTON, ALAN J.	ABUTTER NOTICE MAILED
4	Mailed First Class	16 SAND HILL ROAD, HUDSON, NH 03051 KINGSLEY, JONATHAN M. ; GOVE, MEGAN E.	ABUTTER NOTICE MAILED
5	Mailed First Class	18 SAND HILL ROAD, HUDSON, NH 03051 BOURBEAU, RICHARD D.; DENNETT, JESSICA M.	ABUTTER NOTICE MAILED
6	Mailed First Class	20 SAND HILL RD., HUDSON, NH 03051 LACASSE, THOMAS L.; BURTON, STEPHANIE	ABUTTER NOTICE MAILED
7	Mailed First Class	22 SAND HILL RD., HUDSON, NH 03051 ROBINSON, TAMMY T.	ABUTTER NOTICE MAILED
8	Mailed First Class	1462 ANDOVER ST., TEWKSBURY, MA 01876 MAYNARD, MICHAEL WALTER	ABUTTER NOTICE MAILED
9	Mailed First Class	2 CHESTNUT ST., HUDSON, NH 03051 COLE, DEBBIE A.	ABUTTER NOTICE MAILED
10	Mailed First Class	4 CHESTNUT ST., HUDSON, NH 03051 DUFFEY, KEVIN A. & SARA	ABUTTER NOTICE MAILED
11	Mailed First Class	6 LUCIER PARK DR., HUDSON, NH 03051 DECKER, CODY A. & KIANA R.	ABUTTER NOTICE MAILED
12	Mailed First Class	11 LUCIER PARK DR., HUDSON, NH 03051 ESQUILIN, JOSE L. & MARCIA E.	ABUTTER NOTICE MAILED
13		9 LUCIER PARK DR., HUDSON, NH 03051	
14			
15			
Total Number of pieces listed by sender 12	Total number of pieces rec'd at Post Office	Postmaster (receiving Employee)	

TOWN OF HUDSON
JUN 11 2021
Mailed @ PO
TD



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

APPLICANT NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **06/24/21** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

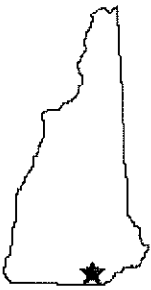
Case 247-045-012 (06-24-21): Alberto Mateo, 15 Lucier Park Dr., requests a Home Occupation Special Exception to operate an on-line/ecommerce store business. [Map 247, Lot 045-012; Zoned Town Residence (TR); HZO Article VI, Special Exceptions, §334-24, Home Occupations].

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

Respectfully,

Bruce Buttrick

Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

ABUTTER NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **06/24/21** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 247-045-012 (06-24-21): Alberto Mateo, 15 Lucier Park Dr., requests a Home Occupation Special Exception to operate an on-line/ecommerce store business. [Map 247, Lot 045-012; Zoned Town Residence (TR); HZO Article VI, Special Exceptions, §334-24, Home Occupations].

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

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

Respectfully,

Bruce Buttrick
Zoning Administrator

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.

Fully online /ecommerce store. Resale of tangible goods such as home products (i.e. tools, decors, furniture and more). All fully online. No physical inventory. Orders are to be placed by customers online and the order is then fulfilled directly from suppliers. The suppliers ship directly to the customers without need for inventory or shipping.

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

Business owner principal use of the home is for primary residence. All operation of the business are performed online on a laptop computer.

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

N/A. The business operations will all be carried out on a laptop computer.

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.

N/A.

There will not be any displayed signs or other exterior indication of the home occupation.

There will not be any variation from the primarily residential character of the property. All business operations will be carried out online on laptop computer.

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.

N/A. There will not be exterior storage. Fully online business.

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.

N/A. Fully online business.

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.

N/A. Fully online business.

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

N/A. Fully online business.

Who will be conducting the home occupation? Please explain.

Alberto Mateo DBA Licofiya. Fully online business.

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

N/A. Fully online business.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-043

March 5, 2021

Alberto Mateo
15 Lucier Dr
Hudson, NH 03051

Re: 15 Lucier Dr Map 247 Lot 045-012
District: Town Residence (TR)

Dear Mr. Mateo,

Your request if you can operate an "on-line" business at this address has been completed.

Zoning Review / Determination:

Your primary principal use allowed is residential per the Zoning Ordinance Table of Permitted Uses §334-21 and the zoning district you are in.

The use as a home occupation is permitted as an Accessory Use per §334-22. You would need a Home Occupation Special Exception from the Zoning Board of Adjustment per §334-24. Please be mindful of some particular requirements for a Home Occupation, such as:

"E. The requested special exception shall be for an occupation which is consistent for what is routinely and/or typically done in a home environment such as a day care, direct office billing, or other activities that are generally service-oriented or produce goods for wholesale purposes.

F. On-site retail sales are an expressly prohibited home occupation special exception use."

Sincerely,

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

cc: Public Folder
B. Groth, Town Planner
File

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

247 045 012
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

APPAISED: 358,000 / 358,000
USE VALUE: 358,000 / 358,000
ASSESSED: 358,000 / 358,000

Total Card / Total Parcel

PROPERTY LOCATION

No	Alt No	Direction/Street/City
15		LUCIER PARK DR, HUDSON

OWNERSHIP

Owner 1:	MATTEO, ANDREW
Owner 2:	MATTEO, MARGOTH
Owner 3:	
Street 1:	15 LUCIER PARK DR.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051 Type:

PREVIOUS OWNER

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

NARRATIVE DESCRIPTION

This parcel contains .524 ACRES of land mainly classified as ONE FAMILY with a COLONIAL Building built about 2018, having primarily VINYL Exterior and 1872 Square Feet, with 1 Unit, 1 Bath, 1 3/4 Bath, 1 HalfBath, 6 Rooms, and 3 Bdms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

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

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.524		SITE ACRE SITE			0	110,000.	1.64	RE						94,292					94,300	

IN PROCESS APPRAISAL SUMMARY

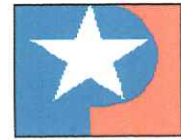
Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.524	263,700		94,300	358,000
Total Card		0.524	263,700	94,300	358,000
Total Parcel		0.524	263,700	94,300	358,000
Source:		Market Adj Cost	Total Value per SQ unit /Card: 191.24		/Parcel: 191.24

Legal Description

Entered Lot Size	
Total Land:	0.524
Land Unit Type:	AC

User Acct

11698
GIS Ref
GIS Ref
Insp Date



Patriot Properties Inc.

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	101	JB	263,700	0	.524	94,300	358,000		Year End Roll	5/12/2021
2020	101	FV	263,700	0	.524	94,300	358,000	358,000	Year End Roll	8/27/2020
2020	101	JB	263,700	0	.524	94,300	358,000	358,000	Year End Roll	5/6/2020
2019	101	FV	263,700	0	.524	94,300	358,000	358,000	Year End Roll	9/16/2019
2019	101	JB	263,700	0	.524	94,300	358,000	358,000	Year End Roll	5/8/2019
2018	101	FV		26400	.524	94,300	120,700	120,700	Year End Roll	8/27/2018
2018	101	JB		26400	.524	94,300	120,700	120,700	Year End Roll	5/9/2018
2017	130	FV		0	.524	42,400	42,400	42,400	Year End Roll	10/26/2017

Parcel ID 247-045-012

!10384!

PRINT

Date	Time
05/17/21	14:52:50

LAST REV

Date	Time
02/25/19	13:58:28

jmichaud 10384

USER DEFINED

Prior Id # 1:	0005
Prior Id # 2:	0109
Prior Id # 3:	0000
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
K&M DEVELOPERS,	9090-0457	1	7/12/2018		381,500	No	No		
K&M DEVELOPERS,	8960-0402	6	4/14/2017	EASEMENT		No	No		
HUDSON, TOWN OF	8862-2168	2	6/3/2016	GOVT TRANS	297,000	No	No		

TAX DISTRICT

PAT ACCT.

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment
5/24/2018	2017-01103-	PROPANE		C				
5/22/2018	2017-01103-	MECHANIC	7,000	C				
5/11/2018	2017-01103-	ELECTRIC		C				
5/10/2018	2017-01103-	MECHANIC		C				
5/10/2018	2017-01103-	PLUMBING		C				
12/22/2017	2017-01103	DWELLING	145,000	C				
12/11/2017	2017-01103-	DRIVEWAY		C				
12/11/2017	2017-01103-	H2O hook		C				
10/31/2017	2017-01103-	FOUNDATI	145,000	C				
8/17/2017	2017-00843	SEPTIC		C				

ACTIVITY INFORMATION

Date	Result	By	Name
11/14/2018	Sale Data VI	12	TECH ASMNT
10/18/2018	Sale Data V	12	TECH ASMNT
3/26/2018	Permit Visit	12	TECH ASMNT
3/6/2017	Info Fm Plan	1	CHIEF ASSESS

Sign:

VERIFICATION OF VISIT NOT DATA

___/___/___

Total AC/HA: 0.52400	Total SF/SM: 22825	Parcel LUC: 101	ONE FAMILY	Prime NB Desc	RES AVG	Total: 94,292	Spl Credit	Total: 94,300
----------------------	--------------------	-----------------	------------	---------------	---------	---------------	------------	---------------

EXTERIOR INFORMATION

Type: 06 - COLONIAL
Sty Ht: 2 - TWO STY
(Liv) Units: 1 Total: 1
Foundation: 1 - CONCRETE
Frame: 1 - WOOD
Prime Wall: 04 - VINYL
Sec Wall: %
Roof Struct: 1 - GABLE
Roof Cover: 1 - ASPH SHING
Color: SAGE
View / Desir:

GENERAL INFORMATION

Grade: B- - GOOD/AVG
Year Blt: 2018 Eff Yr Blt:
Alt LUC: Alt %:
Jurisdict: Fact:
Const Mod:
Lump Sum Adj:

INTERIOR INFORMATION

Avg Ht/FL: STD
Prim Int Wal 1 - DRYWALL
Sec Int Wall: %
Partition: T - TYPICAL
Prim Floors: 03 - HARDWOOD
Sec Floors: 04 - CARPET 50 %
Bsmnt Flr: 12 - CONCRETE
Subfloor:
Bsmnt Gar:
Electric: 3 - TYPICAL
Insulation: 2 - TYPICAL
Int vs Ext: S
Heat Fuel: 2 - GAS
Heat Type: 1 - FORCED AIR
Heat Sys: 1
% Heated: 100 % AC: 100
Solar HW: NO Central Vac: NO
% Com Wal % Sprinkled

MOBILE HOME

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

SPEC FEATURES/YARD ITEMS

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

More: | N

Total Yard Items:

Total Special Features:

Total:

BATH FEATURES

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

OTHER FEATURES

Kits: 1 Rating: GOOD
A Kits: Rating:
Frpl: Rating:
WSFlue: Rating:

CONDO INFORMATION

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

DEPRECIATION

Phys Cond: GD - Good 1.7 %
Functional: %
Economic: %
Special: %
Override: %
Total: 1.7 %

CALC SUMMARY

Basic \$ / SQ: 94.00
Size Adj.: 0.98076922
Const Adj.: 0.98980004
Adj \$ / SQ: 91.252
Other Features: 15968
Grade Factor: 1.20
NBHD Inf: 1.00000000
NBHD Mod:
LUC Factor: 1.00
Adj Total: 268242
Depreciation: 4560
Depreciated Total: 263682

COMMENTS

Boundary Plat #39189..

RESIDENTIAL GRID

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

REMODELING

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

RES BREAKDOWN

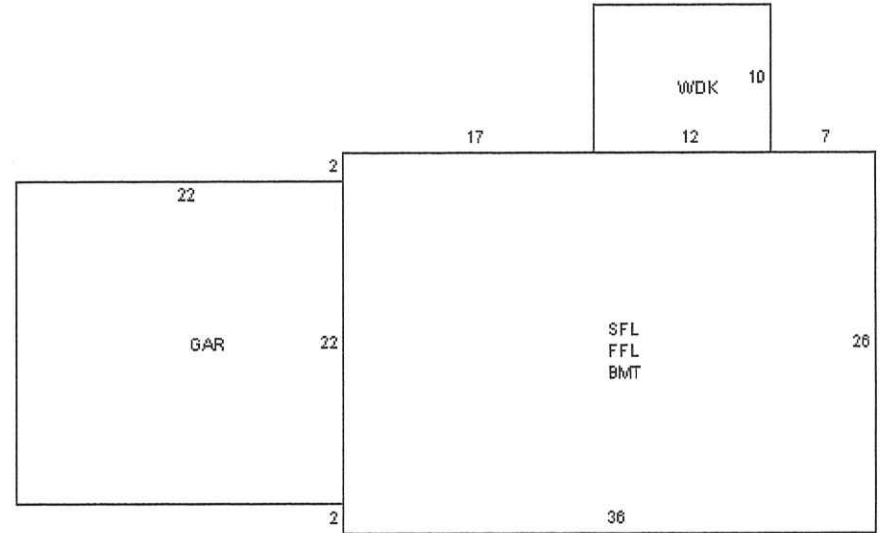
No Unit	RMS	BRS	FL
1	6	3	M
Totals			
1	6	3	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price

WtAv\$/SQ:	AvRate:	Ind.Val
Juris. Factor:	Before Depr:	109.50
Special Features: 0	Val/Su Net:	77.29
Final Total: 263700	Val/Su SzAd	140.87

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
BMT	BASEMENT	936	18.250	17,082	
FFL	FIRST FLOOR	936	91.250	85,412	
SFL	SECOND FLR	936	91.250	85,412	
GAR	GARAGE	484	35.720	17,288	
WDK	WOOD DECK	120	19.770	2,373	
Net Sketched Area:		3,412	Total:	207,567	
Size Ad	1872	Gross Area	3412	FinArea	1872

SUB AREA DETAIL

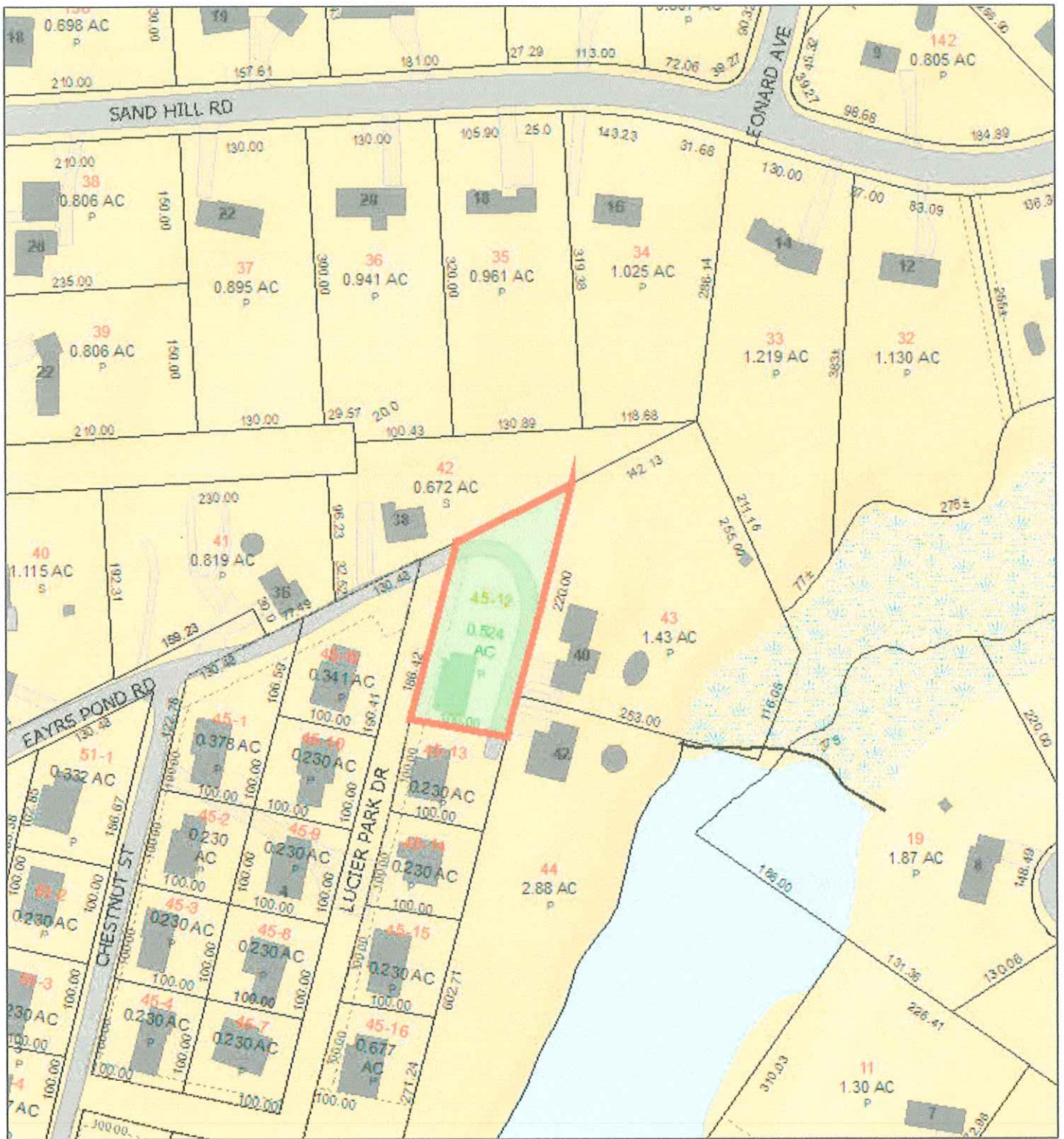
Sub Area	% Usbl	Descrip	% Type	Qu	# Ten

IMAGE

AssessPro Patriot Properties, Inc



15 Lucier Park Dr (Map/Lot 247-045-012)



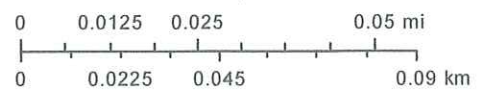
May 11, 2021

Legend

----- Easement_Lines

▭ Parcels

1:1,710



Printed
5/24/2021
4:15PM
Created
5/24/2021
4:12 PM

Transaction Receipt

Receipt# 642,219
tgoodwyn

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

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-6/24/21 ZBA Mtg. 15 Lucier Park Dr Map/Lot 247-045-012 Home Occupation SE	0.00	169.8000	0.00
			Total:	169.80

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Alberto A Mateo	CHECK	CHECK # 102	169.80	0.00	169.80
			Total Due:		169.80
			Total Tendered:		169.80
			Total Change:		0.00
			Net Paid:		169.80



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: June 24, 2021 *BB 6-7-21*

Case 167-052 (06-24-21): David A. Thompson, 135 Highland Street, requests a Variance to construct and locate a 14 ft. x 6 ft. shed 7 ft. from the property line where 15 ft. is required. [Map 167, Lot 052-000; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

Address: 135 Highland Street

Zoning district: Residential - Two (R-2)

Summary:

Applicant requests a Variance to allow a 14' x 6' (84 sqft) shed to remain in the side setback with an encroachment of 8ft into the required side setback of 15 ft. Note: Building permits are not required for sheds < 200 sqft.

This is a result of Code Enforcement action.

Property description:

This as a developed lot of record with 3.130 Acres, where 1 Acre required and has 210 ft of frontage (150 ft required). Existing lawful single family with ADU. This property has a couple of easements across and through this parcel.

Town Staff review/comments:

Town Planner: none received Town Engineer: no comments Fire Dept: no comments

HISTORY:

Assessing: listed as ADU

Code Enforcement:

April 9 2021 Complaint/Notice of Violation

April 15, 2021 Stay of Enforcement

Attachments:

"A" Assessing record

"B" April 9, 2021 Complaint/Notice of Violation

"C" April 15, 2021 Stay of Enforcement

"D" Sketch of easements

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	107 - ALU	198,400	7,100	105,600	3.13	0.00	311,100
2020	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2019	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2019	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2018	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2018	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2017	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2017	107 - ALU	183,000	6,600	102,800	3.13	0.00	292,400
2017	107 - ALU	197,700	7,100	105,600	3.13	0.00	310,400
2016	107 - ALU	183,000	6,600	102,800	3.13	0.00	292,400
2016	107 - ALU	183,000	6,600	102,800	3.13	0.00	292,400
2015	107 - ALU	183,000	6,600	102,800	3.13	0.00	292,400
2015	107 - ALU	183,000	6,600	102,800	3.13	0.00	292,400
2014	107 - ALU	179,800	6,600	102,800	3.13	0.00	289,200
2014	107 - ALU	179,800	6,600	102,800	3.13	0.00	289,200
2013	107 - ALU	179,800	6,600	102,800	3.13	0.00	289,200
2013	107 - ALU	179,800	6,600	102,800	3.13	0.00	289,200
2012	107 - ALU	179,800	6,600	102,800	3.13	0.00	289,200
2012	107 - ALU	208,000	4,300	134,400	3.13	0.00	346,700
2011	107 - ALU	208,000	2,000	134,400	3.13	0.00	344,400
2011	107 - ALU	208,000	2,000	134,400	3.13	0.00	344,400
2010	107 - ALU	208,000	2,000	134,400	3.13	0.00	344,400
2010	107 - ALU	203,900	2,000	134,400	3.13	0.00	340,300
2009	107 - ALU	203,900	2,000	134,400	3.13	0.00	340,300
2008	107 - ALU	203,900	2,000	134,400	3.13	0.00	340,300
2008	107 - ALU	203,900	2,000	134,400	3.13	0.00	340,300
2007	107 - ALU	203,900	2,000	134,400	3.13	0.00	340,300
2007	107 - ALU	169,000	1,400	95,900	3.13	0.00	266,300
2006	107 - ALU	169,000	1,400	95,900	3.13	0.00	266,300
2006	101 - ONE FAMILY	148,800	1,400	95,900	3.13	0.00	246,100
2005	101 - ONE FAMILY	148,800	1,400	95,900	3.13	0.00	246,100
2005	101 - ONE FAMILY	148,800	0	95,900	3.13	0.00	244,700
2004	101 - ONE FAMILY	148,800	0	95,900	3.13	0.00	244,700
2004	101 - ONE FAMILY	125,800	0	74,000	3.13	0.00	199,800
2003	101 - ONE FAMILY	125,800	0	74,000	3.13	0.00	199,800
2003	101 - ONE FAMILY	125,800	0	74,000	3.13	0.00	199,800
2002	101 - ONE FAMILY	125,800	0	74,000	3.13	0.00	199,800
2002	101 - ONE FAMILY	125,800	0	74,000	3.13	0.00	199,800
2001	101 - ONE FAMILY	82,200	0	44,800		0.00	127,000
2000	101 - ONE FAMILY	81,200	1,000	44,800	3.13	0.00	127,000

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
1999	101 - ONE FAMILY	0	0	44,800	3.13	0.00	44,800



TOWN OF HUDSON

Land Use Division



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

Complaint/Violation

April 9, 2021

USPS 1st Class

David Thompson
135 Highland St
Hudson, NH 03051

Re: **135 Highland St Map 167 Lot 052-000**
District: Residential Two (R-2)

Dear Mr. Thompson,

We have reason to believe that your property is in possible violations of Hudson's Zoning Ordinance as follows:

Violations:

- 1) Structures erected/constructed without permits/approvals, thus in violations of Hudson Zoning Ordinance §334-16 Building Permits "Any person, firm or corporation shall obtain a building permit before commencing work on the erection, alteration or movement of any building or structure, except as exempted under Subsection A."
- 2) Buildings/structures are located within the required side setbacks in violation of the Table of Minimum Required Dimensions §334-27.
- 3) Possible violation of NH RSA 483-B: Shoreline Water Quality Protection Act.

Order:

Cease and Desist construction of such structure(s) in violation.

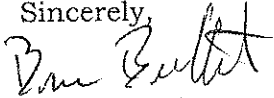
Please schedule a site inspection with this office by **April 19, 2021**, to determine the extent of the code violations and opportunity/options for abatements if possible.

Please call me if you have questions,

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

B₁

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

Encl: Stop Work Order dated 4-9-21

cc: Public Folder

R. Maille - Eversource Real Estate

B. Groth - Town Planner

J. Drociak - DES

File

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

B₂

135 Highland St



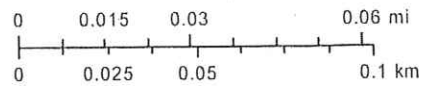
April 9, 2021

Legend

Parcels - Aerials

Parcels

1:2,021



B₃

TOWN OF HUDSON, NH

**STOP WORK
ORDER**

135 Highland St

Violation of Hudson, NH

ZONING ORDINANCE

ARTICLE: *III*

SECTION: *334-16*

CONSTRUCTION w/o Permit/Approvals

You are directed to stop work immediately, and so inform the Community Development Department. Failure to comply with this directive may result in the assessment of fines of up to \$500 per day from the date of this notice and the imposition of attorney's fees.

Bruce Bultman

April 9, 2021

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF HUDSON, NH
603-886-6005

B4



TOWN OF HUDSON

Land Use Division



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

Stay of Enforcement

April 15, 2021

USPS 1st Class

David Thompson
135 Highland St
Hudson, NH 03051

Re: **135 Highland St Map 167 Lot 052-000**
District: Residential Two (R-2)

Dear Mr. Thompson,

Based on our phone conversation of today, I will stay enforcement of the shed setback violation **until May 30, 2021** to allow time to move into compliance. Please refer to the Town's GIS on the Town's Website for your property details etc. (Link): <https://www.hudsonnh.gov/community-development/page/gis-public-use>

Please call me if you have questions,

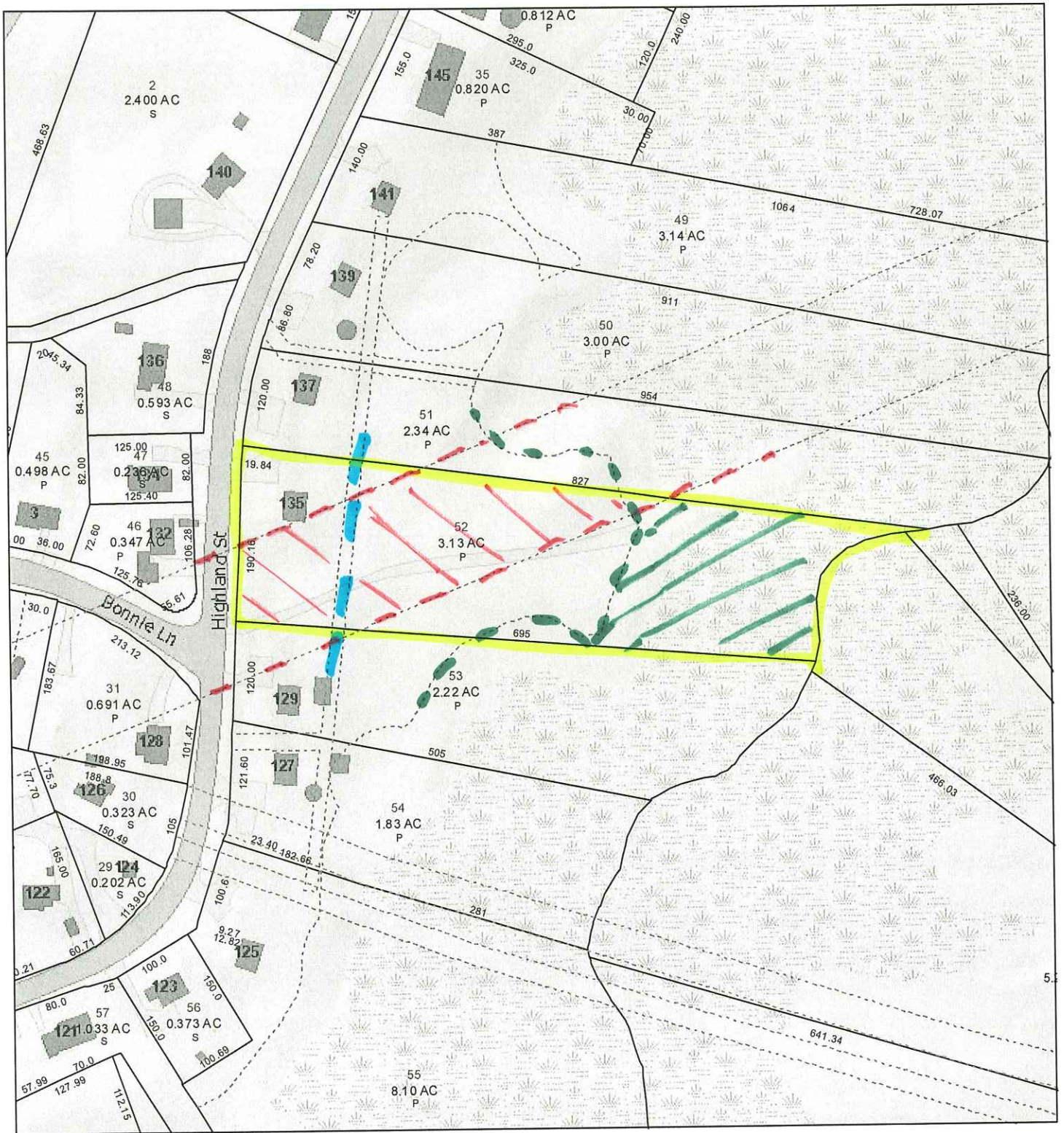
Sincerely,

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

cc: Public Folder
B. Groth – Town Planner
File

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

C



June 7, 2021

1:2,021

Legend

----- Easement_Lines

▭ Parcels



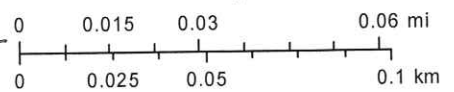
WASTEWATER EASEMENT



EVERSOURCE EASEMENT



Wetland Buffer



"D"



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

On **06/24/21**, the Zoning Board of Adjustment heard Case **167-052**, being a case brought by **David A. Thompson, 135 Highland St., Hudson, NH** for a Variance to **construct and locate a 14 ft. x 6 ft. shed 7 ft. from the property line where 15 ft. is required.** [Map 167, Lot 052-000; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

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

Y **N** **1.** Granting of the requested variance will not be contrary to the public interest, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”

Y **N** **2.** The proposed use will observe the spirit of the ordinance, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”

Y **N** **3.** Substantial justice would be done to the property-owner by granting the variance, and the benefits to the property owner are not outweighed by harm to the general public or to other individuals.

Y **N** **4.** The proposed use will not diminish the values of surrounding properties.

Y **N** **5.** Special conditions exist such that literal enforcement of the ordinance would result in **unnecessary hardship**, either because the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way *and also* because the special conditions of the property cause the proposed use to be reasonable, or, alternatively, there is no reasonable use that can be made of the property that would be permitted under the ordinance, because of the special conditions of the property.

Member Decision: _____

Signed: _____

Sitting member of the Hudson ZBA

Date

Stipulations: _____

TOWN OF HUDSON

MAY 24 2021

Zoning Department

To: Zoning Board of Adjustment
Town of Hudson

APPLICATION FOR A VARIANCE

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

Case No. 167-052(06-24-21)

Date Filed 5/24/21

Name of Applicant DAVID A. THOMPSON Map: 167 Lot: 052⁰⁰⁰ Zoning District: R-2

Telephone Number (Home) cell 603-320-2254 (Work) ---

Mailing Address 135 HIGHLAND ST HUDSON, NH 03051

Owner SAME

Location of Property SAME
(Street Address)

Signature of Applicant [Signature] Date 29 Apr 2021

Signature of Property-Owner(s) [Signature] Date 29 Apr 2021

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

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

COST:		Date received: <u>5/24/21</u>
Application fee:		
<u>9</u> Direct Abutters x \$4. ^{.15} 10 =	\$130.00	
<u>5</u> Indirect Abutters x \$0.55 =	<u>\$37.35</u>	
Total amount due:	<u>2.75</u>	
	<u>\$170.10</u>	Amt. received: \$ <u>170.10</u>

chk #
3825

Received by: [Signature]

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

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

TOWN OF HUDSON, NH NOTICE TO APPLICANTS

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

Applicant Initials		Staff Initials
<u>AS</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	TG 5/14/21 ↓
<u>AS</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	TG
<i>only have one request</i> <u>AS</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	TG
<u>N/A</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	N/A
<u>AS</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	5/24/21 TG ✓ to be reviewed.
<u>AS</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	5/24/21 TG missing
<u>AS</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	TG.
<u>N/A</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	N/A

N/A

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):

N/A

a) N/A

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

b) N/A

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

c) N/A

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

d) N/A

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) N/A

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) N/A

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) N/A

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

h) N/A

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

i) N/A

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

Handwritten 'TB' in a circle with a checkmark pointing to it.

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

[Signature]
Signature of Applicant(s)

21 May 21
Date

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

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

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

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

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

ALL DIRECT ABUTTERS

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

* APPLICANT/OWNER

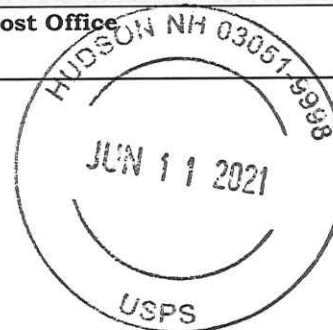
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
* 167	052-000	THOMPSON, DAVID A & FRANCES J.	135 HIGHLAND ST HUDSON, NH 03051
167	031-000	JONES, SHANNA	128 HIGHLAND ST HUDSON, NH 03051
167	046-000	PARENT, BRYAN P. & MEAGHAN	132 HIGHLAND ST HUDSON, NH 03051
167	047-000	ROUSSEL, RONARD A & WINNIFRED E., TRSTS ROUSSEL IRREV TRUST	134 HIGHLAND ST HUDSON, NH 03051
167	048-000	DEARBORN, GERAUD A & CLARICE R., TRSTS DEARBORN REV TRUST	136 HIGHLAND ST. HUDSON, NH 03051
167	051-000	VALENZUELA, ISMAEL	137 HIGHLAND ST. HUDSON, NH 03051
167	053-000	LIVINGSTON, MICHAEL & TERRY L.	129 HIGHLAND ST. HUDSON, NH 03051
167	080-000	FALKNER, LAURA A.	15 WASHINGTON DR. HUDSON, NH 03051
167	082-000	PLANTE, ALAN &	6 MONROE ST HUDSON, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
167	045-000	BIZZARRO, EVARISTO S & MARIA M.	3 BONNIE LN HUDSON, NH 03051
167	050-000	MOREAU, KEVIN C & PAMELA A., TRUST MOREAU FAMILY TRUST	139 HIGHLAND ST HUDSON, NH 03051
167	054-000	DANGLE, BRUCE A & BERNADETTE	127 HIGHLAND ST HUDSON, NH. 03051
167	079-000	BICKFORD, JAMES T. & JANET T.	17 WASHINGTON DR HUDSON, NH 03051
167	083-000	FODEN, CHRISTOPHER M	10 MONROE ST HUDSON, NH 03051
167	084-000	HUDSON, TOWN OF	12 SCHOOL ST. HUDSON, NH 03051

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 167-052 VARIANCE 135 Highland Street Map 167/Lot 052-000	1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting	
1	7018 1130 0001 8114 0170	THOMPSON, DAVID A. & FRANCES J. 135 HIGHLAND STREET, HUDSON, NH 03051	OWNER/APPLICANT NOTICE MAILED	
2	7018 1130 0001 8114 0187	JONES, SHANNA 128 HIGHLAND ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	7018 1130 0001 8114 0194	PARENT, BRYAN P. & MEAGHAN 132 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7018 1130 0001 8114 0200	ROUSSEL, RONALD A. & WINIFRED E., TRSTS; ROUSSEL IRREV. TRUST 134 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7018 1130 0001 8114 0217	DEARBORN, GERALD A. & CLARICE R., TRSTS; DEARBORN REV TRUST 136 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	7018 1130 0001 8114 0224	VALENZUELA, ISMAEL PO BOX 413, BURLINGTON, MA 01803	ABUTTER NOTICE MAILED	
7	7018 1130 0001 8114 0231	LIVINGSTON, MICHAEL & TERRY L. 129 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	7018 1130 0001 8114 0248	FAULKNER, LAURA A. 15 WASHINGTON DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	7018 1130 0001 8114 0255	PLANTE, ALAN G. 6 MONROE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
10				
11				
12				
	Total Number of pieces listed by sender 9	Total number of pieces rec'vd at Post Office 9	Postmaster (receiving Employee)	

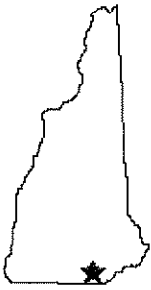


Paula Angeli

Direct Certified

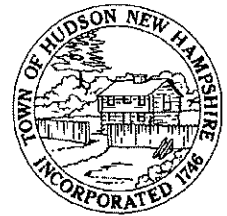
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 167-052 VARIANCE 135 Highland Street Map 167/Lot 052-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting
1	Mailed First Class	BIZARRO, EVARISTO S. & MARIA M.	ABUTTER NOTICE MAILED
		3 BONNIE LANE, HUDSON, NH 03051	
2	Mailed First Class	MOREAU, KEVIN C. & PAMELA A., TRSTS; MOREAU FAMILY TRUST	ABUTTER NOTICE MAILED
		139 HIGHLAND STREET, HUDSON, NH 03051	
3	Mailed First Class	DAIGLE, BRUCE A. & BERNADETTE	ABUTTER NOTICE MAILED
		127 HIGHLAND STREET, HUDSON, NH 03051	
4	Mailed First Class	BICKFORD, JAMES T. & JANET T.	ABUTTER NOTICE MAILED
		17 WASHINGTON DRIVE, HUDSON, NH 03051	
5	Mailed First Class	FODEN, CHRISTOPHER M.	ABUTTER NOTICE MAILED
		10 MONROE ST., HUDSON, NH 03051-3812	
6		TOWN OF HUDSON	ZBA Application R'cvd acts as Notice
		12 SCHOOL STREET, HUDSON, NH 03051	
7			
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9			
10			
11			
12			
13			
14			
15			
	Total Number of pieces listed by sender 5	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)

TOWN OF HUDSON
JUN 11 2021
Zoning Department
Mailed @ PO
(TB)



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

APPLICANT NOTIFICATION

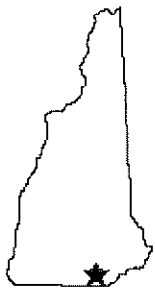
You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **06/24/21** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 167-052 (06-24-21): David A. Thompson, 135 Highland St., requests a Variance to construct and locate a 14 ft. x 6 ft. shed 7 ft. from the property line where 15 ft. is required. [Map 167, Lot 052-000; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].

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

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

ABUTTER NOTIFICATION

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

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

Respectfully,

Bruce Buttrick
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article ~~III~~ VII of HZO Section(s) 334-27 *Table of minimal Dimensional req't* in order to permit the following change or use:

I erected a 14' x 6' shed next to my deck in the back yard to store deck furniture and flammable materials away from the residence. Due to 2 separate easements, there is no other reasonable location for the shed. It is 7' from the property line. If I move it further out, it will be directly under the power lines. No permit was required for the shed but zoning should have been considered.

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

FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

see attached questions 1-5

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

(see attached)

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

(see attached)

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

(see attached)

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

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

(see attached)

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.

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

The variance being requested is for a shed erected in the rear portion of my back yard mostly out of sight of the general public due to 100 foot tall pine trees and a large dirt mound used by the electric utility company to elevate high power lines across the pond. Additionally, the landowner that directly abuts the property line closest to the shed has provided a letter indicating he has no issue with the shed being located where it is.

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

The structure is located on the rear most portion of the property away from public view. The shed is 7'6" from the property line at its closest point and not right up against the fence. Additionally, the structure is being built soundly and similarly to how a house would be constructed. In other words, it will not be an eye sore. It will have a shingled roof, windows, siding, etc. No concrete footers were used. The structure is built on a deck supported by concrete blocks.

3. Substantial justice would be done to the property-owner by granting the variance because:

A tremendous expense was put into the construction of this shed. Due to the ongoing COVID-19 pandemic, the cost of building materials has sky rocketed to nearly unreasonable heights. For example, one sheet of 3/4" plywood for the roof cost \$65. I needed 6 of them. 2x4 studs that used to cost \$1.50 each are now nearly \$7 each! The justice to the property-owner would come in excessive cost savings by not having to shrink the footprint of the shed to remain within the 15 foot requirement to the property line as well as remaining outside the easement to the overhead power lines. In other words, the shed cannot be moved. It would need to be downsized to remain within the zoning requirement which would be a waste of funding for the building supplies utilized.

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

As previously stated in item 2 above, the structure is being built soundly and similarly to how a house would be constructed. In other words, it will not be an eye sore. Once authorized to continue construction, it will end up looking better than a "Reeds Ferry" shed and it'll be a good one!

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

Without approval of this variance, the footprint of the shed would need to be decreased by 50 percent. This would adversely impact my ability to store the items for which I built the shed in the first place. Including the deck that the shed is constructed on, materials have cost nearly \$2300 to date. To change the footprint would certainly be a waste of almost that entire amount of funds. I have two easements on my property and there really is no other "reasonable" or "legitimate" place to construct the shed.

HudsonNH.gov
app for Variance



TOWN OF HUDSON

Land Use Division



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

Stay of Enforcement

April 15, 2021

USPS 1st Class

David Thompson
135 Highland St
Hudson, NH 03051

Re: **135 Highland St Map 167 Lot 052-000**
District: Residential Two (R-2)

Dear Mr. Thompson,

Based on our phone conversation of today, I will stay enforcement of the shed setback violation **until May 30, 2021** to allow time to move into compliance. Please refer to the Town's GIS on the Town's Website for your property details etc. (Link): <https://www.hudsonnh.gov/community-development/page/gis-public-use>

Please call me if you have questions,

Sincerely,

Bruce Buttrick

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

cc: Public Folder
B. Groth - Town Planner
File

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

*663-2940
3732
I've
8-5-21
Bam*

*5375 DNF
61480 TOST*



TOWN OF HUDSON

Land Use Division



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

Complaint/Violation

April 9, 2021

USPS 1st Class

David Thompson
135 Highland St
Hudson, NH 03051

Re: **135 Highland St Map 167 Lot 052-000**
District: Residential Two (R-2)

Dear Mr. Thompson,

We have reason to believe that your property is in possible violations of Hudson's Zoning Ordinance as follows:

Violations:

- 1) Structures erected/constructed without permits/approvals, thus in violations of Hudson Zoning Ordinance §334-16 Building Permits "Any person, firm or corporation shall obtain a building permit before commencing work on the erection, alteration or movement of any building or structure, except as exempted under Subsection A."
- 2) Buildings/structures are located within the required side setbacks in violation of the Table of Minimum Required Dimensions §334-27.
- 3) Possible violation of NH RSA 483-B: Shoreline Water Quality Protection Act.

Order:

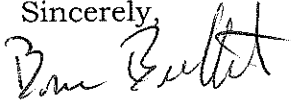
Cease and Desist construction of such structure(s) in violation.

Please schedule a site inspection with this office by **April 19, 2021**, to determine the extent of the code violations and opportunity/options for abatements if possible.

Please call me if you have questions,

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

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

Encl: Stop Work Order dated 4-9-21

cc: Public Folder

R. Maille – Eversource Real Estate

B. Groth – Town Planner

J. Drociak - DES

File

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

TOWN OF HUDSON, NH

**STOP WORK
ORDER**

135 Highland St

Violation of Hudson, NH

ZONING ORDINANCE

ARTICLE: *III*

SECTION: *334-16*

CONSTRUCTION w/o Permit/APPROVALS

You are directed to stop work immediately, and so inform the Community Development Department. Failure to comply with this directive may result in the assessment of fines of up to \$500 per day from the date of this notice and the imposition of attorney's fees.

Bruce Bultman

April 9, 2021

COMMUNITY DEVELOPMENT DEPARTMENT
TOWN OF HUDSON, NH
603-886-6005

135 Highland St



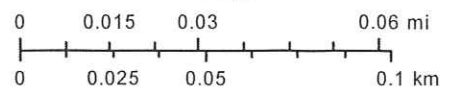
April 9, 2021

Legend

Parcels - Aerials

Parcels

1:2,021



167 052 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD

Hudson

Total Card / Total Parcel
APPRAISED: 311,100/ 311,100
USE VALUE: 311,100/ 311,100
ASSESSED: 311,100/ 311,100



PROPERTY LOCATION

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

OWNERSHIP

Owner 1:	THOMPSON, DAVID A.
Owner 2:	THOMPSON, FRANCES J.
Owner 3:	
Street 1:	135 HIGHLAND STREET
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	THOMPSON, DAVID A. -
Owner 2:	-
Street 1:	135 HIGHLAND STREET
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains 3.13 ACRES of land mainly classified as ALU with a COLONIAL Building built about 1994, having primarily VINYL Exterior and 2692 Square Feet, with 2 Units, 2 Baths, 0 3/4 Bath, 1 HalfBath, 9 Rooms, and 4 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	R2	RESD TWO		water	3	TOWN WATE
				Sewer	2	TOWN SEWE
				Electri		
Census:		Exmpt	V1			VET CREDIT
Flood Haz:	A					
D				Topo	7	STEEP
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes			
107	ALU		1		SITE ACRE	SITE		0	110,000.	0.90	RE			TOPO	-5	LOCATIC	-5	Y151	0			99,275			99,300	PSNH EASEMENT
107	ALU		2.13		ACRES	EXCESS		0	4,750.	0.62	RE			TOPO	-50	EASEME	0	Y151	0			6,323			6,300	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
107	3.130	198,400	7,100	105,600	311,100
Total Card	3.130	198,400	7,100	105,600	311,100
Total Parcel	3.130	198,400	7,100	105,600	311,100
Source:	Market Adj	Cost	Total Value per SQ unit /Card:		115.58
			/Parcel:		115.58

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	107	JB	198,400	7100	3.13	105,600	311,100		Year End Roll	5/12/2021
2020	107	FV	198,400	7100	3.13	105,600	311,100	311,100	Year End Roll	8/27/2020
2020	107	JB	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	5/6/2020
2019	107	FV	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	9/16/2019
2019	107	JB	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	5/8/2019
2018	107	FV	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	8/27/2018
2018	107	JB	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	5/9/2018
2017	107	FV	197,700	7100	3.13	105,600	310,400	310,400	Year End Roll	10/26/2017

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
THOMPSON, DAVID	8844-0723	2	3/18/2016	FAMILY TRANS		No	No		
YASSMINE, MARIS	7189-2663	1	3/22/2004		299,000	No	No		
LOPEZ, MARISOL,	7117-0887	2	8/31/2003	FAMILY TRANS		No	No		
LOPEZ, M/JGLAVI	6222-0348		3/24/2000	UNCLASSIFIED		No	No		
BROOKS, TIMOTHY	6202-1700		1/21/2000		150,000	No	No		
INDUSTRIAL INVE	5419-0195		3/31/1993	BUSINESS		Yes	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
4/17/2019	2019-00288	DECK	1,000	C				
7/2/2018	2018-00650	DRIVEWAY		C				
2/17/2015	2015-00120	MECHANIC		C			FREE STAND GAS FP	
8/30/2011	2011-00440	SHED	3,000	C			Const 8x30 SHED UN	
11/21/2006	2006-805	PORCH	32,000	C	6/7/2007			
3/11/2005	2005-318	INT RENO	14,000	C	6/27/2006		ALU COMPLETED PRIO	
10/18/2001	2002-195	DECK	10,627	C			12 X 30	

ACTIVITY INFORMATION

Date	Result	By	Name
2/26/2021	Info At Door	18	KRT1
2/26/2021	Measured	18	KRT1
5/12/2020	Permit Visit	21	DEP ASR
3/7/2012	Permit Visit	12	TECH ASMNT
6/23/2010	Meas/Inspect	14	APPR TECH 4
9/28/2007	Info By Phon	7	DC
6/13/2007	Info By Phon	3	ASMNT TECH
6/7/2007	Permit Visit	3	ASMNT TECH
6/27/2006	Permit Visit	4	APPR TECH II

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 3.13000 Total SF/SM: 136343 Parcel LUC: 107 ALU Prime NB Desc: RES AVG Total: 105,598 Spl Credit: Total: 105,600

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

Database: AssessPro - Hudson

amym

2021

EXTERIOR INFORMATION

Type:	06 - COLONIAL
Sty Ht:	2 - TWO STY
(Liv) Units:	2 Total: 2
Foundation:	1 - CONCRETE
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	BEIGE
View / Desir:	

BATH FEATURES

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

OTHER FEATURES

Kits:	1	Rating:	AVERAGE
A Kits:	1	Rating:	AVERAGE
Frpl:		Rating:	
WSFlue:	1	Rating:	AVERAGE

CONDO INFORMATION

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

DEPRECIATION

Phys Cond:	AV - Average	28.0%
Functional:		%
Economic:		%
Special:		%
Override:		%
Total:		28.8%

CALC SUMMARY

Basic \$ / SQ:	94.00
Size Adj.:	0.95045042
Const Adj.:	0.99959999
Adj \$ / SQ:	89.307
Other Features:	21673
Grade Factor:	1.20
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	278582
Depreciation:	80232
Depreciated Total:	198351

COMMENTS

JUNE 2006 - PERMIT VISIT FOR ALU, INSPECTED. COMPLETE. ALU HAS 1 FB, WOOD AND CER. TILE FLOORS, AND NEW DECK/WHIRLPOOL TUB IN UPSTAIRS BATHROOM. 8X30 SHD BENEATH EFP ESTIMATED, LOOSE DOG.. 2/21 JS CLOSE TO

RESIDENTIAL GRID

1st Res Grid	Desc:	CONV	# Units:	1
Level	FY LR DR D K FR RR BR FB HB L O			
Other				
Upper				
Lvl 2				
Lvl 1				
Lower				
Totals	RMs:	9	BRs:	4
	Baths:	1	HB:	1

REMODELING

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

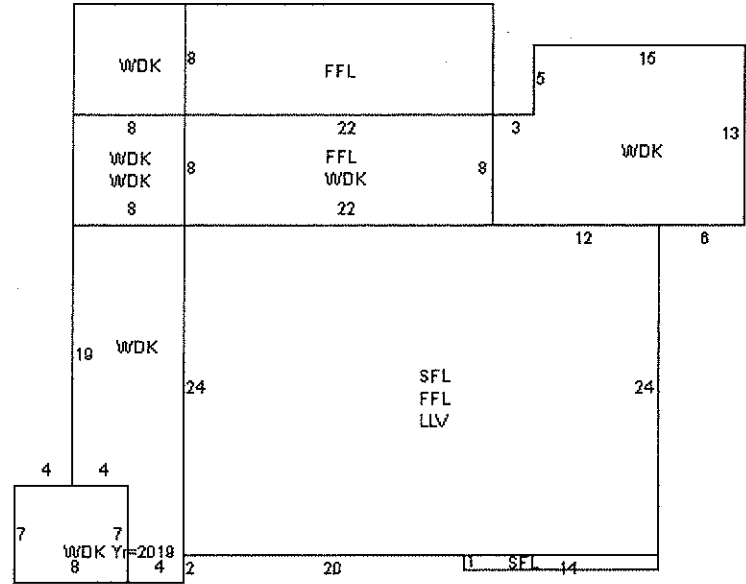
RES BREAKDOWN

No	Unit	RMS	BRS	FL
1	6	3	M	
1	3	1	LLV	
Totals				
2	9	4		

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv\$/SQ:			AvRate:	Ind.Val
Juris. Factor:		Before Depr:	107.17	
Special Features:	0	Val/Su Net:	54.55	
Final Total:	198400	Val/Su SzAd	99.30	

SKETCH



GENERAL INFORMATION

Grade:	B- - GOOD/AVG
Year Blt:	1994
Eff Yr Blt:	
Alt LUC:	Alt %:
Jurisdic:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/FL:	STD
Prim Int Wal:	1 - DRYWALL
Sec Int Wal:	%
Partition:	T - TYPICAL
Prim Floors:	03 - HARDWOOD
Sec Floors:	06 - CERAMIC T 30%
Bsmnt Fir:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S
Heat Fuel:	2 - GAS
Heat Type:	1 - FORCED AIR
# Heat Sys:	1
% Heated:	100
% AC:	100
Solar HW:	NO
Central Vac:	NO
% Com Wal:	% Sprinkled

MOBILE HOME

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

SPEC FEATURES/YARD ITEMS

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
2	SHED-WOOD	D	Y	1	12X14	GD	GD	2004	29.08	T	40	107			2,900			2,900
2	SHED-WOOD	D	Y	1	8X30	AV	EX	2011	23.26	T	25	107			4,200			4,200
221	POOL DECK	D	Y	1	16X40	AV	AV	2010	0.00	T	0	107						

More: N	Total Yard Items:	7,100	Total Special Features:		Total:	7,100
---------	-------------------	-------	-------------------------	--	--------	-------

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	1,168	89.310	104,310	
SFL	SECOND FLR	830	89.310	74,124	
WDK	WOOD DECK	823	12.100	9,955	
LLV	LOWER LEVEL	816	27.070	22,090	
Net Sketched Area:		3,637	Total:	210,479	
Size Ad	1998	Gross Area	3637	FinArea	2692

SUB AREA DETAIL

Sub Area	% Usbl	Descr	% Type	Qu	# Ten
LLV	100	APT	85	AV	

IMAGE

AssessPro Patriot Properties, Inc



4/14/2021

Town of Hudson
12 School Street
Hudson, NH 03051

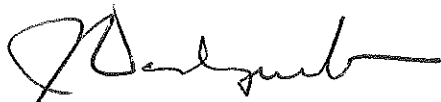
To Whom It May Concern,

I hereby certify that I have no problem at all with Mr. David Thompson building a shed, fence or other structures next to his fence, even when said structure is less than 15 feet away from his fence.

I have never called or communicated with the Town of Hudson to complain about his project. He is an honorable retired Navy Officer who still serves our nation in official matters. I hope we can somehow thank the men and women who risk their lives daily for our safety. Please allow him to complete his project.

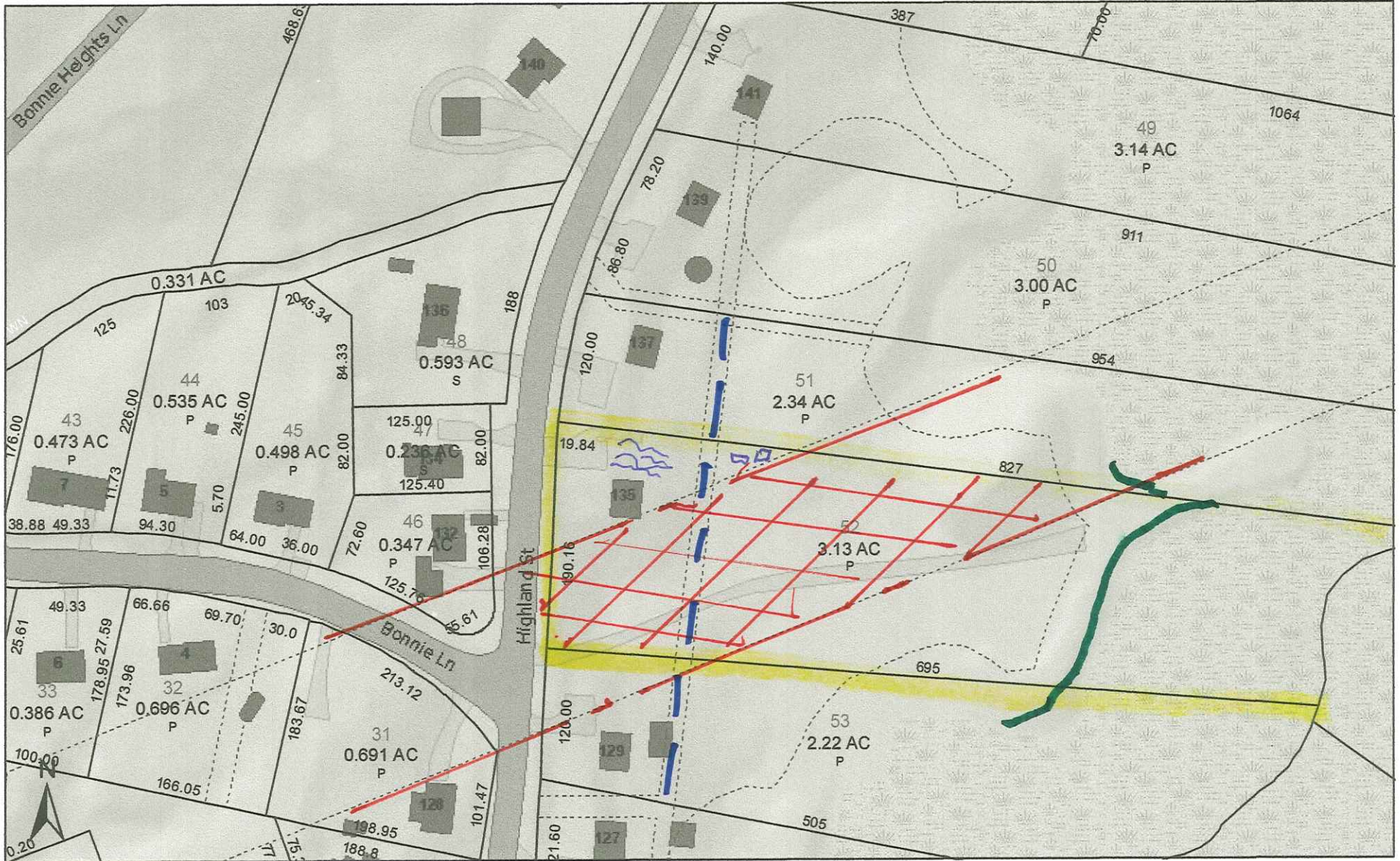
Thank you in advance for your consideration to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ismael Valenzuela', with a long horizontal flourish extending to the right.




Ismael Valenzuela, MHSA, JD
137 B Highland Street
Hudson, NH 03051

135 Highland St

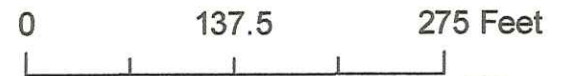


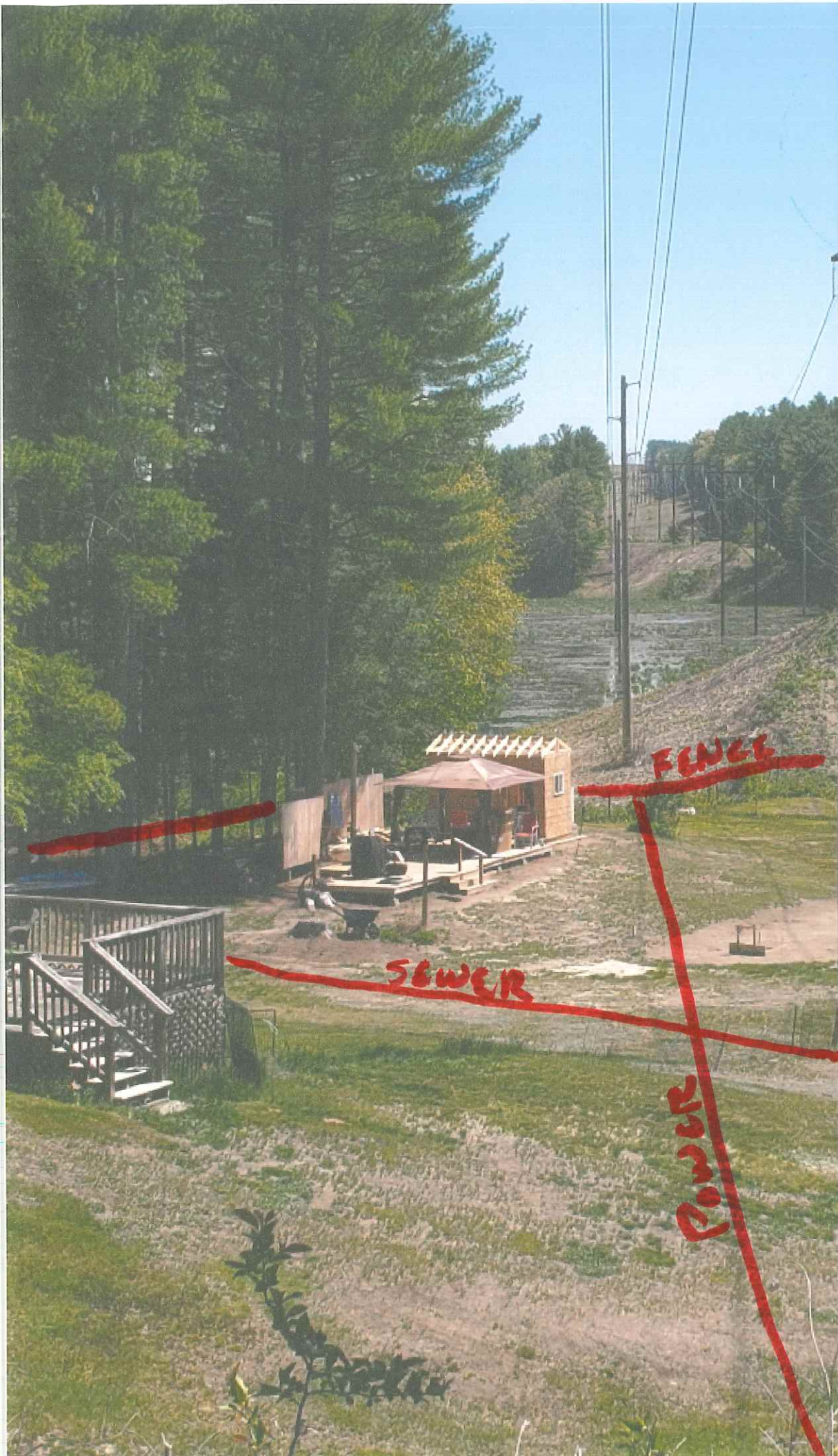
May 18, 2021

- Easement_Lines
- ▭ Parcels

 = Steep Hill
 = Deck
 = Shed

1 inch = 126 feet





3147

49

FENCE

SEWER

POWER



Printed
5/24/2021
4:26PM
Created
5/24/2021
4:15 PM

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

Receipt# 642,221
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-6/24/21 ZBA Mtg 135 Highland Street Map/Lot 167-052-000 Variance Application	0.00	170.1000	0.00
			Total:	170.10

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
David A Thompson	CHECK	CHECK 3825	170.10	0.00	170.10
			Total Due:		170.10
			Total Tendered:		170.10
			Total Change:		0.00
			Net Paid:		170.10



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: June 24, 2021 *8/6-9-21*

Case 182-035(06-24-21): Steve Lombardi, Member Manager of SJL Properties of NH, LLC, **3 Fulton Street** [Map 182, Lot 035-000; Zoned Town Residence (TR)] requests the following:

An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing garage to remain in its current location which encroaches approximately 9 feet into the side yard setback leaving approximately 6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements]

Address: 3 Fulton St

Zoning district: Town Residence (TR)

Summary:

Applicant requests an Equitable Waiver of Dimension, to allow the existing garage to remain within the side setback.

Property description:

Developed conforming corner lot of record with 14,505 sqft where 10,000 sqft is required. Fulton St frontage is 100 ft, where 90 ft is required, and Reed St frontage is 145 ft, where 90 ft is required.

LAND USE HISTORY:

10/7/1966 ZBA granted Variance for an addition for a dentist office with the main house as residential.

6/22/1982 BP # 319-82 for a 10' x 24'-6" sunspace addition to main house.

NOTE: the garage is shown on the plan for this permit.

5/9/2006 Assessing record computer print-out.

NOTE: shows garage on sketch.

5/25/2021 Zoning Determination #21-089 Determination that to continue as two family needs a Variance and the existing garage in the setback needs an Equitable Waiver of Dimension.

ASSESSING HISTORY:

1968 Card 2 (3 Fulton St).

NOTE: Garage shown on sketch.

1991 card 1 of 1.

NOTE: Garage shown on sketch.

CODE ENFORCEMENT HISTORY:

None

Attachments:

Land Use:

“A” Assessing record from GIS.

“B” 10/7/1966 ZBA granted Variance for an addition for a dentist office with the main house as residential.

“C” 6/22/1982 BP # 319-82 for a 10' x 24'-6" sunspace addition to main house.

NOTE: the garage is shown on the plan for this permit.

“D” 5/9/2006 Assessing record computer print-out.

NOTE: shows garage on sketch.

“E” 5/25/2021 Zoning Determination #21-089 Determination that to continue as two family needs a Variance and the existing garage in the setback needs an Equitable Waiver of Dimension.

Assessing:

“F” 1968 Card 2 (3 Fulton St)

NOTE: Garage shown on sketch.

“G” 1991 card 1 of 1 indicates dentist office and residential.

NOTE: Garage shown on sketch.

Code Enforcement:

“H” Code enforcement list of Fulton St addresses.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2009	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2001	101 - ONE FAMILY	130,500	0	53,500		0.00	184,000
2000	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
1999	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000

Letter written
10-10-66
MEETING OF HUDSON
ZONING BOARD OF ADJUSTMENT

NO. 2

DATE 10/7/66

MEMBERS PRESENT

TIME 7:30

~~Karl Burdick~~
~~Bob Costello~~
~~Bob Lane~~
~~Ralph McKay~~
~~Vincent Braccio~~

SEE CASE 1
SHEET

APPLICANT FOR VARIANCE

NAME MRS. ALICE R. BELAND

REQUEST - OVER

ADDRESS 3 FULTON ST.

REPRESENTED BY ~~ATTY DONALD S. LATOURETTE~~ CHESTER LOPEZ

APPEARING IN FAVOR OF VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

APPEARING IN FAVOR OF VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

(SEE ATTACHED SHEET FOR ADDITIONAL NAMES)

OPPOSED TO VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

(SEE ATTACHED SHEET FOR ADDITIONAL NAMES)

MOTION MADE BY RALPH MCKAY

SECONDED BY BOB COSTELLO

MOTION:

REQUEST FOR VARIANCE BE GRANTED.

VOTE: YES 5 NO _____ NOT VOTING _____

VARIANCE GRANTED

VARIANCE DENIED

REMARKS ON BACK OF PAGE

see plan attached

B1

REQUEST PERMISSION TO BUILD A BUILDING 45 FT X 35 FT
ON 75 FT X 100 FT LOT WHICH SHE OWNS ADJACENT TO HER
HOME ON REED ST., SAID BUILDING TO BE USED FOR A
DENTAL OFFICE AND TO BE CONNECTED TO HER HOME WITH
A CLOSED-IN BREEZEWAY. A PROSPECTIVE BUYER WOULD
USE THE HOME AS A RESIDENCE.

FOR S. REPRESENTATIVE

2. ROBERT ANDREWS —

3. KEN CLARK — SHOULD STIPULATE ONE STORY AND
ONLY ONE DR BE ALLOWED TO USE
BUILDING.

4. HARRISON SMITH — REITERATES CLARK'S STATEMENTS
PLUS ON STREET PARKING BE
ALLOWED.

5. GORDON TATE —

6. MRS. ^{Robert} ~~HARRISON~~ SMITH

AGAINST ? — NONE

B₂



Town of Hudson, N. H.

Office of Town Building Inspector
BUILDING PERMIT

No. 319-82

June 22, 1982

This certifies that Dr. W. Beyer Name of Owner

is granted permission to alter 10 x 24' 6" garage addition Description
erect
repair
move

to house
of Building

on premises located at and known as
to

2750 3 Fulton St. ML-47/114
Number Street or Avenue

and to do things lawful to that end.

This permit is issued on application number _____, is subject to the conditions thereof and to the provisions of the Zoning Ordinance, and is void unless work thereunder shall have been commenced within 60 days next after the date hereof.

This Permit is issued under the condition that this building WILL NOT be occupied until a Certificate of occupancy is obtained from the Building Inspector.

Value \$ 3,000.00

Richard E. Millard
Administrative Officer

Fee \$ 6.00

C1



TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date 6/52 19 82

Table with categories: Residential, Commercial, Industrial, Garage, Breezeway, No. of Units

Table with categories: Subdivision, Planning Bd. Approval Sub Div., Water Pollution Approval Sub Div. No., Septic Construction Permit No., Necessary Bonds Posted, Bd. of Adj. Variance Granted If Nec.

Table with categories: New, Alter, Addition, Repair

Permit Number 319-82

Name of Owner DR. W. BEYER Address 3 Fulton St. 8 REED ST. Tel. 889-6119

Land Purchased From Address

Location Property Tax No. 2750

Name of General Contractor Peter-Sun Solar Inc. Map and Lot No. 47/114

Name of Heating Contr. N/A Name of Electrical Contractor R. Sweeney

Type of Heat N/A Name of Plumbing Contractor N/A

Name of Fireplace Mason N/A Name of Masonry Contractor N/A

Material of Building Wood 10'x24' Style of Roof Shed Roof Covering Asphalt

Size of Foundation 4'x8' Living Floor Area 240 sq ft No. of Stories 1

Size of Garage N/A Water Sewer

Foundation Material CONCRETE Width 8" Height 48" Footings Yes No

Fireplace No. of Flues Size Chimney Material

Brief Description of Repair, Alter or Other BUILDING 10'x24' SUNSPACE TO BE ADDED TO EXISTING HOME

Value 3,000.00 Fee 6.00 addition

IF NECESSARY, AN APPLICATION FOR A DRIVEWAY PERMIT MUST BE FILED WITH THE CIVIL ENGINEER.

The undersigned hereby agrees that the proposed work shall be done in accordance with the foregoing statement, and with the plans and specifications submitted; and that the work connected therewith shall conform with the building laws and regulations of the town of Hudson, and that will notify the Building Inspector when foundation, frame, chimneys, fire-stops and heater-pipes, electrical wiring and plumbing are ready for inspection. I also certify that I have been authorized by the owner to apply for this permit.

OVER Sketch of building, show streets set back from property lines on all sides on other side.

Owner's Signature Contractor's Signature Address 101A N. H. ST. W. H.

Handwritten mark C2

Application For Permit to Build

No.

Location

Estimated Cost \$

PERMIT GRANTED

WORK COMPLETED

Building Inspector

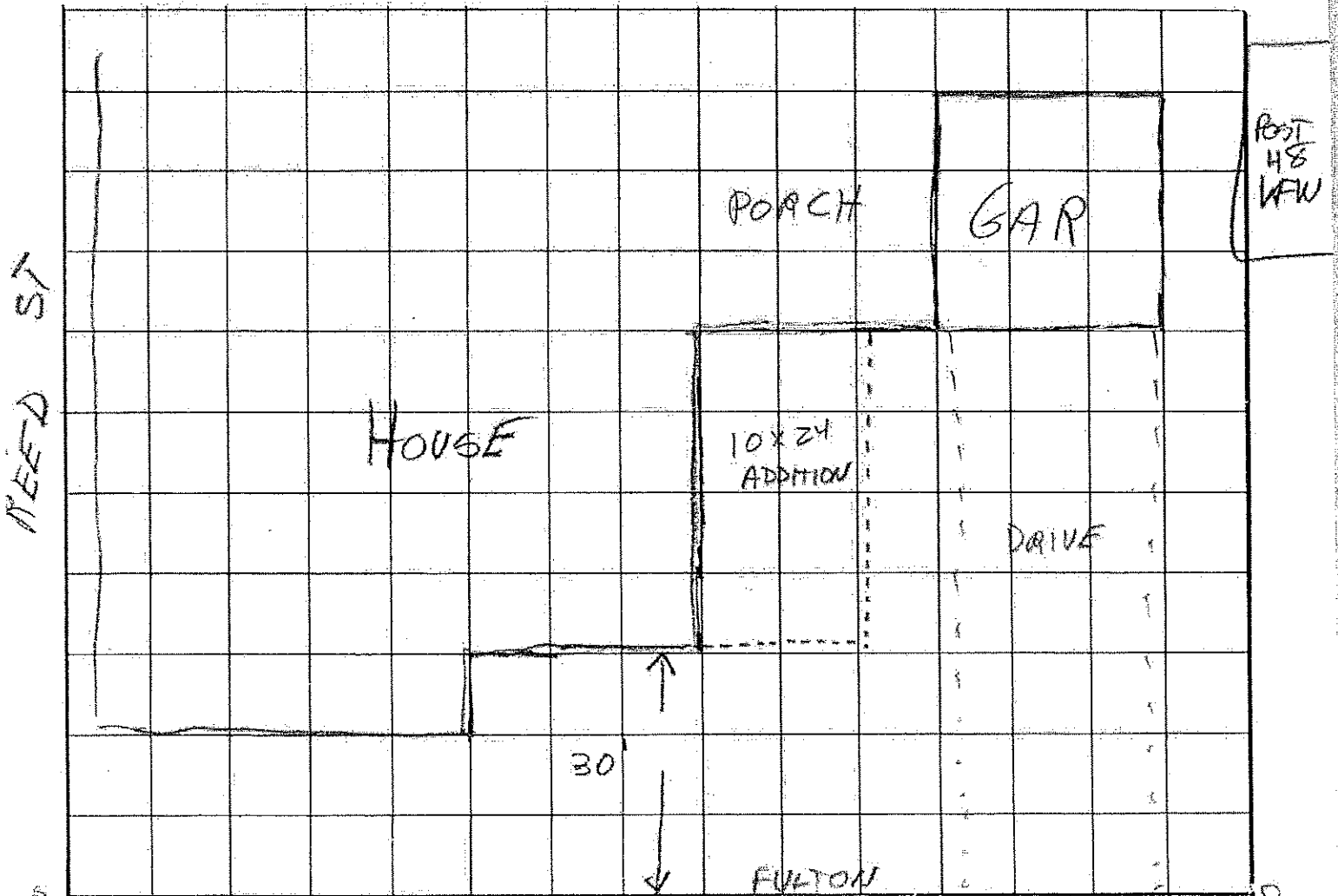
PLOT PLAN

COMMENTS

LOT Owner's Name

SHEET No. Street

SCALE 1" = ft. District



f.

certify this plot.

Date

C3

Card 1 of 1

Location 3 FULTON ST	Property Account Number 2768	Parcel ID 182-035-000
----------------------	---------------------------------	-----------------------

Old Parcel ID 0047 -0114-0000

Current Property Mailing Address

Owner BEYER, BARBARA M.	City HUDSON
Address 3 FULTON STREET	State NH
	Zip 03051
	Zoning TR

Current Property Sales Information

Sale Date	Legal Reference
Sale Price 0	Grantor(Seller)

Current Property Assessment

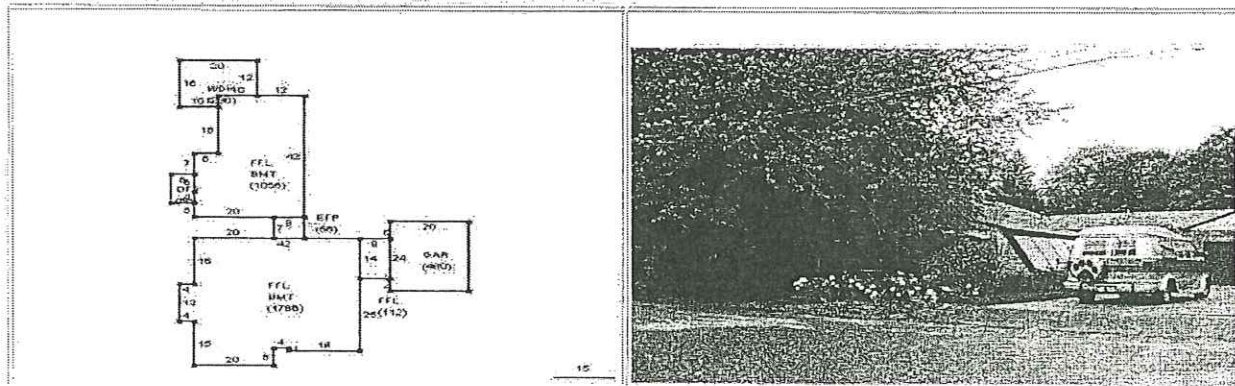
Year 2003	Building Value 196,700
	Xtra Features Value 0
Land Area 0.333 acres	Land Value 84,000
	Total Value 280,700

Narrative Description

This property contains 0.333 acres of land mainly classified as TWO FAM with a(n) RANCH style building, built about 1950 , having VINYL exterior and ASPH SHING roof cover, with 2 unit(s), 9 total room(s), 4 total bedroom(s), 1 total bath(s), 0 total half bath(s), 1 total 3/4 bath(s).

Legal Description

Property Images





TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-089

May 25, 2021

Joseph W. Conti
Welts, White & Fontaine, P.C.
29 Factory Street, PO Box 507
Nashua NH 03061-0507

Via email: jconti@lawyersnh.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Joe,

Your request to continue this property use as a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks.

As for the use as a two family (**existing non-conforming**), I find no documentation converting from the dentist/Dr office to the additional dwelling unit, thus not known to be legal.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit #16-06 (indicates single family).

Assessing records indicate single family until 2005, then two family thereafter.

To continue this use as a two family, a Variance of §334-21 Table of Permitted Principal Uses would need to be granted, as well as an Equitable Waiver of Dimensional Requirements for the setback violations per RSA 674:33-a.

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

E

Sincerely,

Bruce Buttrick

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

cc: Public Folder
J. Michaud, Chief Assessor
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.

E-2

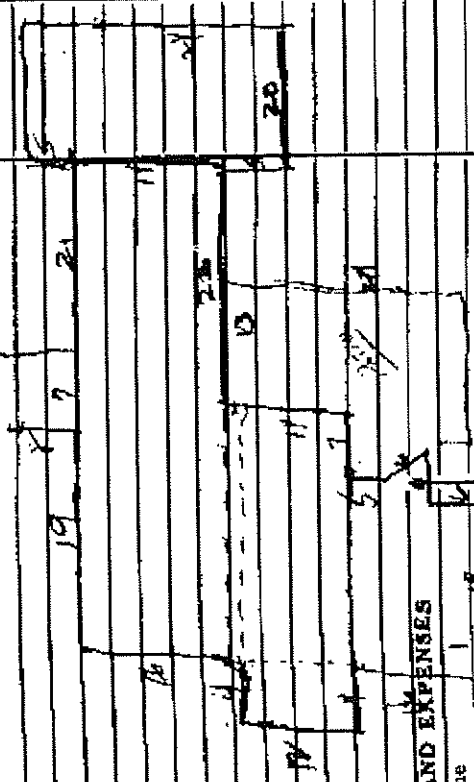
Form 10-18' 48996
 No: 102750
 TOWN OF HUDSON, N.Y. MAP 47 LOT 14

05
 10/28/2

PROPERTY ASSESSMENT RECORD

Name		Treasure Data		LOCATION AND DESCRIPTION		SOUND VALUE	
3		12-28-64		2 FULTON ST		3500	
2		12-29-66		18-19-19		32200	
1		6-5-53		GROSS PLAN		35700	
Appraised by: E.B. Date 4-8-68		Year Purchased 1946 Price Paid 26000		Previous Year 67		13000	
Year Built		Age in Good		1968		35700	
FRAMING		PORCHES		INTERIOR		FLOORS	
Mesa	1 St. 14 x 47 = 658 @	✓	Entrance	✓	Plaster	B	1
Add.	1 St. 14 x 24 = 336 @	✓	Breezeway	✓	Dry Wall	1	54
Add.	1 St. 4 x 12 = 48 @	✓	Closed	✓	Part H	5	5
Add.	1 St. 14 x 21 = 294 @	✓	Open 13 x 24	✓	Fin. H	1	1
	13780 @ 2.50 = 3445	Good	Part	✓	Open Stud	Tile	
Plumber		PLUMBING		TILE		Cement	
1st.	✓	✓	✓	✓	✓	✓	✓
2nd.	✓	✓	✓	✓	✓	✓	✓
EXTRAS		SHAKES		ROOFING		BUILDING VALUES	
Comb. Doors	3	✓	✓	✓	✓	✓	17250
Comb. Windows	3	✓	✓	✓	✓	✓	600
Thru. Pane "	3	✓	✓	✓	✓	✓	12850
Rug	1	✓	✓	✓	✓	✓	3200
Total Points 3		48.5		84		1975 10/0 / 1775	
Bldg.		Type		Size		LAND VALUES	
All Garb		FR		20x24		1600	
Front Ft.		Ave. Depth		F. F. Price		Lot, Utilities	
78'		45'		3000		3400	
LAND VALUE COMPUTATION		100		Total		1600	
Depth %		Excess		Taps		Net Value	
14-31%		-100		-		3400	
REMARKS:		at Fulton + Reed streets		Billis plan 3 contained		Sound Value 3500	

REMARKS:



INCOME AND EXPENSES

Gross Annual Income _____
 Final Annual Income _____
 Deduct for Vacancy _____ %
 Operating Expenses _____
 Net Annual Income _____
 Net Value @ _____ %
 Net to be Cap. for Bidg. Value _____
 x 100 = _____ %

Second Value

Dep. %

Total

Extras

Repro Values

Unit

Gr.

.....Fl.

Size

Type

Depth %

Grass Value

Art. Well

Spring

Dirt

High

Low

Rolling

Steep

Swampy

Septic Tank

Sewer Conn.

Water Conn.

St. Lights

LAND VALUE COMPUTATION

REMARKS

Net Value

Econ.

Topo.

Excess Frats. Adj.

Depth %

Grass Value

Art. Well

Spring

Dirt

High

Low

Rolling

Steep

Swampy

Septic Tank

Sewer Conn.

Water Conn.

St. Lights

ADDITIONS OR DEDUCTIONS

Total

Second Value

Dep. %

Total

Extras

Repro Values

Unit

Gr.

.....Fl.

Size

Type

Depth %

Grass Value

Art. Well

Spring

Dirt

High

Low

Rolling

Steep

Swampy

Septic Tank

Sewer Conn.

Water Conn.

St. Lights

MAP 0047 LOT 0114 SUBLOT 0000

CD# 1 of 1

PROPERTY LOCATION

HUDSON, NH
3 FULTON ST

182-035-000

DATE LISTED: 01/23/91 APPRAISER: JT
BOOK PAGE MM YY TYPE SALE PRICE

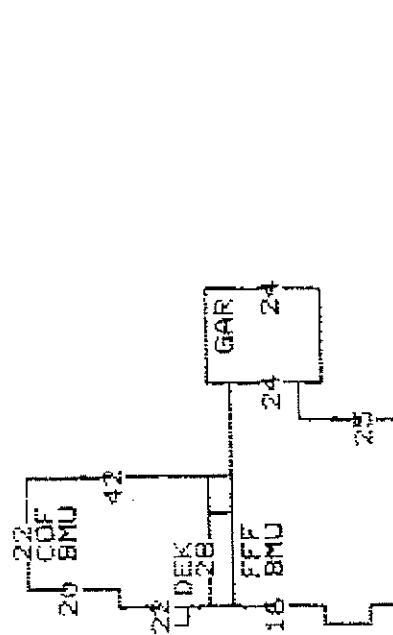
OWNER INFORMATION
OWNER: BEYER, WERNER H & BARBARA M
CO-OWNER: P.O. BOX 188
ADDRESS: HUDSON, NH 03051
CITY-ST-ZIP

PRINT DATE: 07/16/91

SKETCH

BUILDING STRUCTURAL DETAILS

EXT. WALLS	S VINYL SIDING
ROOF STYLE	C GABLE OR HIP
ROOF COVER	C ASPHALT
INT. WALLS	D DRYWALL
FLOOR COVER	H CARPET
HEAT/FUEL	C GAS
HEAT TYPE	D FA DUCTED
CENTRAL AIR	YES
# BEDROOMS	2.00
# BATHROOMS	1.50
# STORIES	A 1 STORY



SKETCH CODING
 (COF, BMU=D20L6D32R28U42L22
)D33L6(CDEK=L3D5)D4R23(EFF=
 D7R8)R22U5(GAR=R20D24)L20U
 4(FFF, BMU=U15L50D16L4D13R4
 D16R20U6R4D1R18U25R8)

LAND DESCRIPTION AND VALUATION

LAND USE	ZONE	NUMBER OF UNITS	TYPE	UNIT PRICE	CD	ADJ	COND	NOTES-ADJUSTMENTS	CD	ADJ	LAND VALUE	
MXU	RES15	0.370	AC	42800.00	E	1.00	1.25	USE			53500	
TOTAL LAND VALUES											0	53500

STYLE YB 1950
NOTES RANCH YLW, TWIN W&S, INT AVG, DENTIST OFF & RES
 OFF - 4 CHAIRS/DARK RM/WAITING AREA/STO
 RM, 2 CENTRAL AC UNITS, ALSO USES AMERCON
 LEGION PARKING LOT

BUILDING VALUATION

GROSS BASE RATE	RSA	47.00
INDEX	1.00X1.00	1.000
QUALITY ADJUSTMENT	AD	0.8466
SIZE ADJUSTMENT		1.000
STORY HEIGHT FACTOR		
COMMI FRAME		
ADJ. BASE RATE		39.79

REPLACEMENT COST NEW

BUILDING	179,174
REPLACEMENT COST NEW	179,174

DEPRECIATION NOTES

TYPE	%
NORMAL	28
ADD PRNS.	0
FUNCTIONAL	0
ECONOMIC	0
TEMPORARY	0
TOTAL DEPRECIATION	28

BUILDING DEPRECIATED VALUE

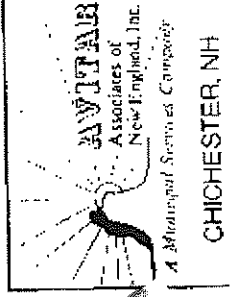
BUILDING DEPRECIATED VALUE	129,000
----------------------------	---------

SUMMARY OF VALUES

BUILDING	129,000
XTRA FEATURES	1,500
LAND	53,500
C-U CREDIT	
CARD TOTAL	184,000
PARCEL TOTAL	184,000

EXTRA FEATURES VALUATION

DESCRIPTIONS	UNITS	RATE	COND	L/B	SOUND VALUE
FIREPLACE 1-1	1	1500.00	1.00		1500



Browse Violations Export to Excel

Street | Number | Date | Owner | Map/Lot | Type | Status |

Street: _____

Violation Number	Violation Date	Street Num	Street Name	Unit	Owner	Map/Lot	
V2011-00204	1/09/2012	2	FRIEL GOLF RD		STEELE FARM LLC	234-001-000	Zor
V2010-00092	6/07/2010	3	FRONT ST		SHEA, ARLINE M. TRU	178-013-020	Dth
V2010-00093	6/07/2010	3	FRONT ST		SHEA, ARLINE M. TRU	178-013-020	Dth
V2010-00126	7/09/2012	3	FRONT ST		SHEA, ARLINE M. TRU	178-013-020	Dth
V2010-00111	7/01/2010	7	FRONT ST		HAND, PATRICIA M.	178-013-022	Bul
V2020-00009	2/21/2020	1	FULLER DR		QUINN, TIMOTHY QU	110-024-000	Dth
V2010-00215	12/02/2010	9	FULLER DR		WILSON, MARK PAUL	110-020-000	Bul
V2013-00080	11/04/2013	7	FULTON ST		GEER, SHANNON B.	192-036-000	Zor
V2017-00016	4/05/2017	8	FULTON ST		LUCIER, CHRISTOPHE	192-012-000	Res
V2018-00015	3/28/2018	8	FULTON ST		LUCIER, CHRISTOPHE	192-012-000	Res
V2013-00064	5/15/2013	14	FULTON ST		COUILLARD, DONALD	190-120-000	Dth
V2010-00217	1/24/2011	15	GABRIELLE DR		GREGORY, JAN GREG	140-070-000	Bul
V2015-00044	3/19/2015	18	GABRIELLE DR		NIEVES, JUAN E. NIEV	140-054-000	Bul
V2009-00137	10/22/2009	6	GAMBIA ST		FEDERAL HOME LOAN	165-018-000	Zor

Dates: Occured: 7/09/2012 Issued: / /

Insert Change Delete

Owner Information: SHEA, ARLINE M. TRUSTEE THE ALDRICH REALTY TRUST

Close Help

0 3 FRONT STREET

H

HUDSON ZONING BOARD OF ADJUSTMENT

EQUITABLE WAIVER DECISION WORKSHEET (RSA 674:33-a, II)

Equitable Waivers are granted, pursuant to RSA 674:33-a, I. When a lot or other division of land, or structure thereupon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance enacted pursuant to RSA 674:16, the zoning board of adjustment shall, upon application by and with the burden of proof on the property owner, grant an equitable waiver from the requirement, if and only if the board makes all of the following findings:

On **06/24/21**, the Hudson Zoning Board of Adjustment heard Case **182-035**, being a request by **Steve Lombardi, Member Manager of SJL Properties of NH, LLC, 3 Fulton St., Hudson, NH** to allow a Waiver from the provisions of **HZO Article VII, Section 334-27**. Applicant(s) request **to allow an existing garage to remain in its current location, which encroaches approximately 9 feet into the side yard setback leaving approximately 6 feet where 15 feet is required. [Map 182, Lot 035-000; Zoned Town Residence (TR), HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements]**

Y N **TEN YEARS OR MORE:** The applicant has demonstrated that the violation has existed for 10 years or more, and that no enforcement action, including written notice of violation, has been commenced against the violation during that time by the municipality or any person directly affected.; and

Y N **NO NUISANCE:** The applicant has successfully demonstrated that the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property; and

Y N **HIGH CORRECTION COST:** The applicant has successfully demonstrated that due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

Signed: _____ Date _____
 Sitting Member of the Hudson ZBA

TOWN OF HUDSON
JUN 07 2021

Zoning Department

APPLICATION FOR AN EQUITABLE WAIVER

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 182-035a(06-24-21)

Date Filed 6/7/21

Name of Applicant SJL Properties of NH, LLC Map: 182 Lot: 035 Zoning District: TR

Telephone Number (Home) 603-321-3733 (Work) _____

Mailing Address 189 Ridge Road, Hollis, NH 03049

Owner SJL Properties of NH, LLC

Location of Property 3 Fulton Street, Hudson, NH
(Street Address)

[Signature] June 4, 2021
Signature of Applicant Date

[Signature] June 4, 2021
Signature of Property-Owner(s) Date

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

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

COST:

Application fee: \$130.00
N/A Direct Abutters x \$4.05 = —
N/A Indirect Abutters x \$0.55 = —
Total amount due: \$130.00

Date received: 6/7/21

Amt. received: \$130.00

Receipt No.: 644,130

chk #
80398

Received by: [Signature]

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

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

SJL Properties of NH, LLC

189 Ridge Rd
Hollis, NH 03049
603-321-3733

Sent Electronically
6/7/2021

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

Re: Authorization for Equitable Waiver

Dear Bruce,

I hereby authorize Joseph W. Conti, Esq. of Welts, White & Fontaine P.C. to represent me to the Zoning Board of Adjustment regarding an Equitable Waiver at Map 182 Lot 035.

Sincerely

DocuSigned by:

Steve Lombardi

Steven Lombardi, Member Manager

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

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

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

PLOT PLAN-

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


N/A

- a) The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.)
- e) The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements.
- f) The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
- g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) The plot plan shall indicate all parking spaces and lanes, with dimensions.

GIS map added as courtesy.

V JB

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


Signature of Applicant(s)

June 4, 2021
Date

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

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

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

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

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

ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
182	30	American Legion	PO Box 157 Hudson, NH 03051
182	31	Martha E. Smith, Trustee Kathleen S. Laliberte, Trustee Martha E. Smith Rev Trust	41 Lexington Ct Hudson, NH 03051
182	22	American Legion	37 Central St. Hudson, NH 03051
182	37	Kade N. Stewart Tomomi Stewart	5 Fulton Street Hudson, NH 03051
182	38	Mark E. O'Connor Mary K. O'Connor	7 Reed Street Hudson, NH 03051
182	35	SJL Properties of NH, LLC Attn: Steve Lombardi, Manager	189 Ridge Road Hollis, NH 03049
		Joseph W. Conti, Esq. Welts, White & Fontaine, P.C.	29 Factory Street Nashua, NH 03060
182	13	James D. Bertrand Kimberly Bertrand	6 Fulton Street Hudson, NH 03051
182	29	Mark L. Nadeau, Trustee Kathryn A. Nadeau, Trustee Nadeau Revocable Trust	11 Stowell Road Bedford, NH 03110
182	32	Martha E. Smith, Trustee Kathleen S. Laliberte, Trustee Martha E. Smith Rev Trust	41 Lexington Ct Hudson, NH 03051
182	39	Diane C. Brin	5 Reed Street Hudson, NH 03051

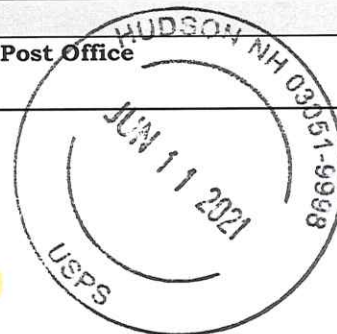
ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
182	56	Patrick Dever Cindy Dever	36 Central Street Hudson, NH 03051
182	12	Mitchell A. Kohl	8 Fulton Street Hudson, NH 03051
182	41	Davidson Properties, LLC	81C Seaverns Bridge Road Merrimack, NH 03054
182	34	Theodore W. Newman	9C Medway Road, PMB 202 Milford, MA 01757
182	28	Michael James Small Matthew Robert Baptista	41 Central Street Hudson, NH 03051
182	36	Shannon B. Geer Patrick A. Lacasse	7 Fulton Street Hudson, NH 03051
182	14	Michael A. Iarrobino Nancy Iarrobino	13 Reed Street Hudson, NH 03051
182	33	Robert L. Dufault Susan M. Dufault	27 Central Street Hudson, NH 03051
182	21	William T. Riley Laurie J. Bellman	16 Reed Street Hudson, NH 03051
182	56	David Lyons Samia Curley	2 Chase Street Hudson, NH 03051
182	40	Kenneth Therrien, Trustee Marcia Therrien, Trustee Therrien Family Rev Trust	1 Reed Street, Hudson NH 03051
182	55	Ernest E. Dion, Trustee Constance F. Dion, Trustee Dion Family Rev Trust	28 D Central St Hudson, NH 03051

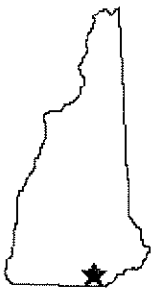
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 182-035 EQUITABLE WAIVER, VARIANCE 3 Fulton Street Map 182/Lot 035-000
ARTICLE NUMBER	Name of Addressee, Street, and post office address		06/24/2021 ZBA Meeting
1	7018 1130 0001 8114 0262	SJL PROPERTIES OF NH, LLC; ATTN: STEVE LOMBARDI-MANAGER	OWNER/APPLICANT NOTICE MAILED
2	7018 1130 0001 8114 0279	189 RIDGE RD, HOLLIS, NH 03049 WELTS, WHITE & FONTAINE, P.C. ATTN: JOSEPH W CONTI	OWNER/APPLICANT NOTICE MAILED
3	7018 1130 0001 8114 0286	29 FACTORY STREET, NASHUA, NH 03060 AMERICAN LEGION	ABUTTER NOTICE MAILED
4	7018 1130 0001 8114 0293	PO BOX 157, HUDSON, NH 03051 SMITH, MARTHA E. , TR; LALIBERTE, KATHLEEN S., TR.; MARTHA E. SMITH REV TRUST	ABUTTER NOTICE MAILED
5	7018 1130 0001 8114 0309	41 LEXINGTON CT., HUDSON, NH 03051 AMERICAN LEGION	ABUTTER NOTICE MAILED
6	7018 1130 0001 8114 0316	37 CENTRAL STREET, HUDSON, NH 03051 STEWART, KADE N. & TOMOMI	ABUTTER NOTICE MAILED
7	7018 1130 0001 8114 0323	5 FULTON ST., HUDSON, NH 03051 O'CONNOR, MARK E. & MARY K.	ABUTTER NOTICE MAILED
8	7018 1130 0001 8114 0330	7 REED STREET, HUDSON, NH 03051 BERTRAND, JAMES D. & KIMBERLY	ABUTTER NOTICE MAILED
9	7018 1130 0001 8114 0347	6 FULTON STREET, HUDSON, NH 03051 NADEAU, MARK L. & KATHRYN A., TRUSTEES; REVOCABLE TRUSTS	ABUTTER NOTICE MAILED
10	7018 1130 0001 8114 0354	11 STOWELL ROAD, BEDFORD, NH 03102 BRIN, DIANE C.	ABUTTER NOTICE MAILED
11		5 REED STREET, HUDSON, NH 03051	
12			
	Total Number of pieces listed by sender 10	Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee) Paula Angelli

Direct Certified



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 182-035 EQUITABLE WAIVER, VARIANCE 3 Fulton Street Map 182/Lot 035-000 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address		06/24/2021 ZBA Meeting
1	Mailed First Class	DEVER, PATRICK & CINDY 36 CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	KOHL, MITCHELL A. 8 FULTON ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	Mailed First Class	DAVIDSON PROPERTIES, LLC 81C SEAVERNS BRIDGE RD., MERRIMACK, NH 03054	ABUTTER NOTICE MAILED
4	Mailed First Class	NEWMAN, THEODORE W. 9C MEDWAY RD. PMB 202, MILFORD, MA 01757	ABUTTER NOTICE MAILED
5	Mailed First Class	SMALL, MICHAEL JAMES; BAPTISTA, MATTHEW ROBERT 41 CENTRAL ST., HUDSON, NH	ABUTTER NOTICE MAILED
6	Mailed First Class	GEER, SHANNON B.; LACASSE, PATRICK A. 7 FULTON STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	Mailed First Class	IARROBINO, MICHAEL A. & NANCY 13 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	Mailed First Class	DUFALUT, ROBERT L. & SUSAN M. 27 CENTRAL STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	RILEY, WILLIAM T.; BELLMAN, LAURIE J. 16 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	LYONS, DAVID; CURLEY, SAMIA 2 CHASE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
11	Mailed First Class	THERRIEN, KENNETH & MARCIA, TRUSTEES; THERRIEN FAMILY REV TRUST 1 REED ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
12	Mailed First Class	DION, ERNEST E. & CONSTANCE F., TRUSTEES; DION FAMILY REV TRUST 28 D CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
13			
14			
15			
Total Number of pieces listed by sender 12	Total number of pieces received at Post Office	Postmaster (receiving Employee)	

TOWN OF HUDSON
JUN 11 2021
Mailed @ PO.
TB



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

APPLICANT NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **06/24/21** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 182-035 (06-24-21): Steve Lombardi, Member Manager of SJL Properties of NH, LLC, 3 Fulton St. [Map 182, Lot 035-000; Zoned Town Residence (TR)] requests the following:

- a. **An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing garage to remain in its current location which encroaches approximately 9 feet into the side yard setback leaving approximately 6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].**
- b. **A Variance to allow the continued use of an existing non-conforming two-family structure as a two-family dwelling in the TR Zone. [HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].**

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

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

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

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

Respectfully,

Bruce Buttrick
Zoning Administrator

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

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

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

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

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

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

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

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

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

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

APPLICATION FOR AN EQUITABLE WAIVER

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

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

See attachment in support of equitable waiver.

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

See attachment in support of equitable waiver.

ATTACHMENT IN SUPPORT OF APPLICATION FOR AN EQUITABLE WAIVER

This form is an attachment in support of an equitable waiver application regarding 3 Fulton Street, Hudson, New Hampshire a/k/a 8 Reed Street. The Owner of the Property and applicant is SJL Properties of NH, LLC whose manager is Steven Lombardi.

I. The waiver requested is as follows:

(i) An equitable waiver from dimensional requirements related to a long-standing garage, on Map 182 Lot 035, known as 3 Fulton Street and 8 Reed Street comprising .333 acres or 14505.5 square feet in a Town Residential (TR) zone.

II. Purpose of the Request:

Narrative

The applicant is requesting an equitable waiver in accordance NH RSA 674:33-a and associated with a variance. Upon submission of the variance for the Town of Hudson's review, Mr. Buttrick indicated that it would be advisable to get an equitable waiver for the garage on the property. According to the tax assessments on the property, the garage has been in place since at least 2003. In images clearly visible on Google Earth the garage has been in place since at least 2007.

The applicant intends to demonstrate to the satisfaction of the board that the violation has existed for 10 years or more, and that no enforcement action, including written notice of violation, has been commenced against the violation during that time by the Town of Hudson or any abutters of the property. Nothing about the existence of the garage creates a nuisance to the public. Lastly, the cost to remove the potential violation is not outweighed by any benefit the public. The garage and any other boundary line disputes will all be resolved by this equitable waiver in accordance with NH RSA 674:33-a Equitable Waiver of Dimensional Requirement.

1. **Innocent Mistake.** Please explain how long the structure has been built, and under what circumstances was it permitted to be built in violation of the dimension requirements of the ordinance.

According to the Town of Hudson Tax Assessor's office, the garage at 3 Fulton St has been in place since at least 2003. We are unsure of the circumstance under which it was built, but the garage borders the American Legion Building, which is a charity/commercial building. There is also a fence separating the applicant's property to the abutters. It was likely constructed without any objection as the garage was built in the rear of the American Legion, which does not have any back door on that side of the property and three car widths between as well as a fence.

2. Discovered too Late. Please explain when it was discovered that the structure was built in violation.

In the process of applying for the variance, Mr. Buttrick informed the applicant that the garage was likely too close to the boundary line. There have been no official surveys done or site plans to our knowledge, so it was only discovered in the variance process.

Approx 6 ft setback remains: (9 ft encroachment)

The screenshot shows a web browser window with the URL <http://gisinternal.hudsonnh.gov/hudsonnhinternal/>. The browser tabs include 'Town of Hudson, NH - GIS', 'Town of Hudson, NH Driveways', and 'Houston Hospital Workers Wal...'. The GIS application interface features a search bar with '3 fulton' entered and a search button. Below the search bar is a table of search results.

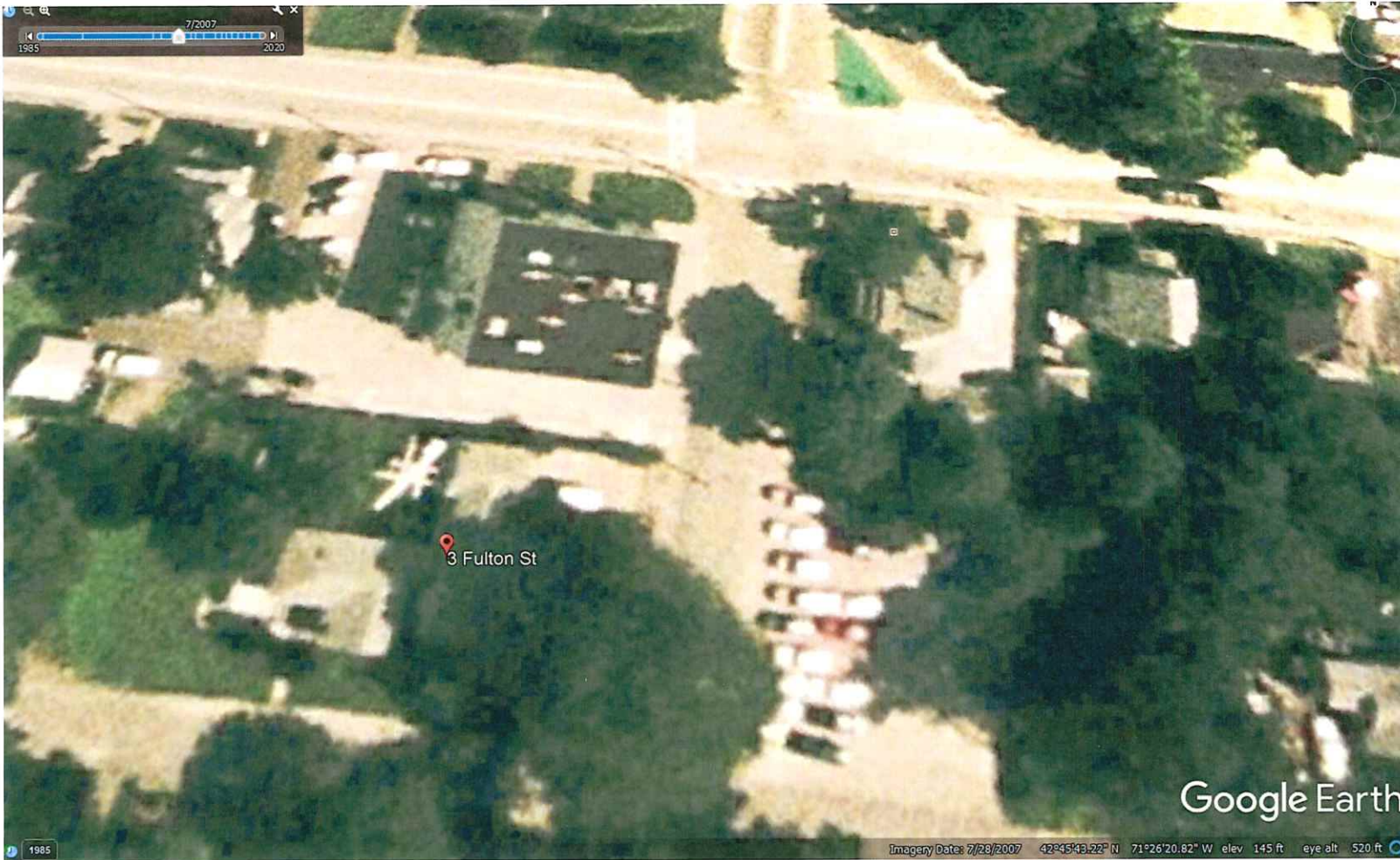
Parcel ID	Address	Owner
182-035-000	3 FULTON ST	BEYER, BARBARA M.

The main map area displays an aerial view of a residential property. A red line is drawn across the map, and a 'Measure Tools' panel is open, showing a 'Measurement Result' of 'Total: 6.04 Feet' and 'Last segment: 0 Feet'. A tooltip indicates: 'Click to start drawing a line for distance and double click to complete'. The CDM Smith logo and version '1.1.5' are visible in the bottom left corner. A scale bar at the bottom shows 0, 5, and 10 feet, with coordinates $-71.439389, 42.762051$.

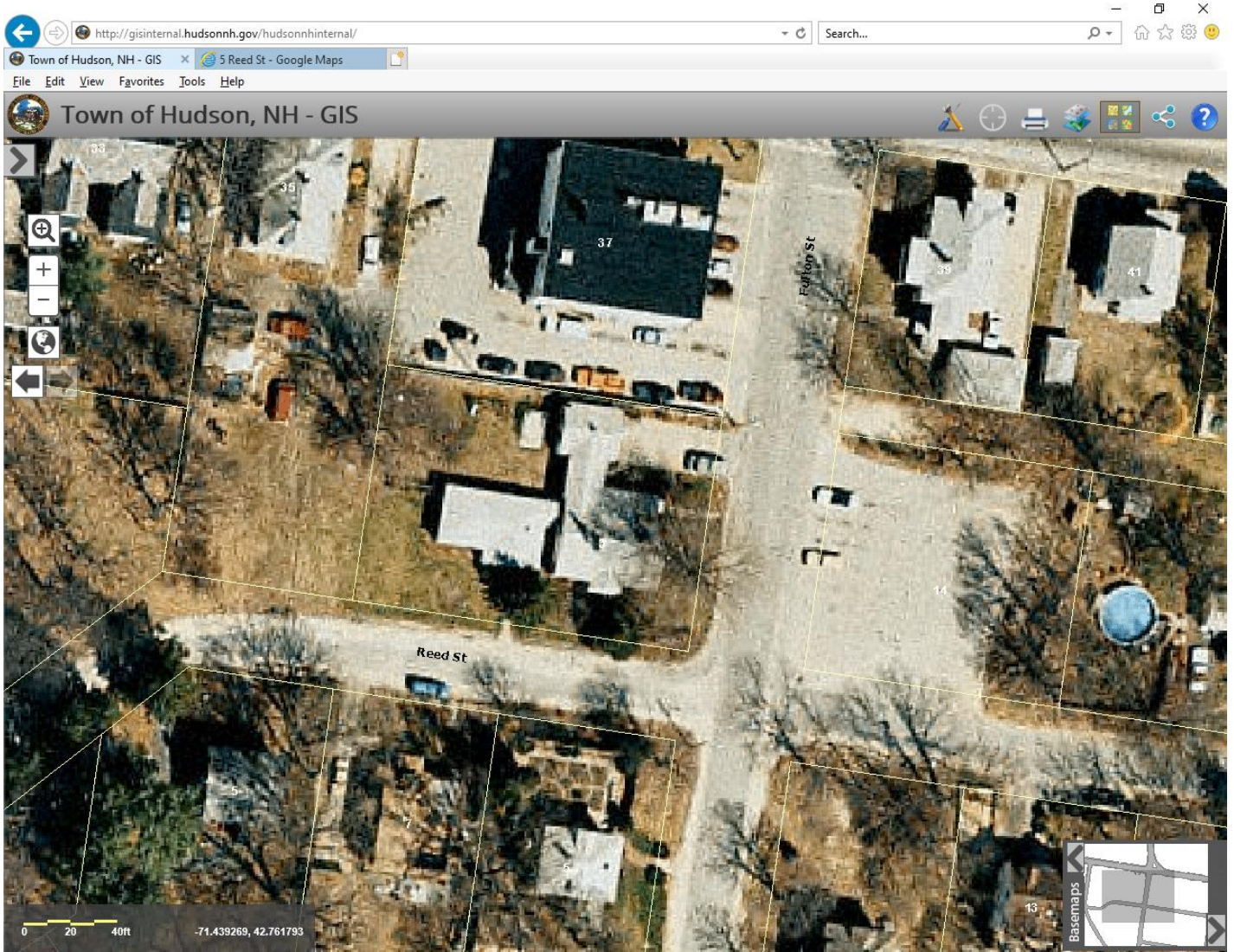


3 Fulton St
Hudson, New Hampshire
Google
Street View





1998:



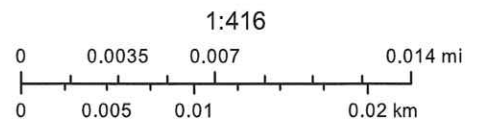
Aerial 2005

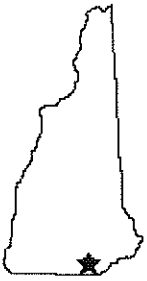


June 7, 2021

Legend

-  Parcels - Aerials
-  Parcels





TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-089

May 25, 2021

Joseph W. Conti
Welts, White & Fontaine, P.C.
29 Factory Street, PO Box 507
Nashua NH 03061-0507

Via email: jconti@lawyersnh.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Joe,

Your request to continue this property use as a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks.

As for the use as a two family (**existing non-conforming**), I find no documentation converting from the dentist/Dr office to the additional dwelling unit, thus not known to be legal.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit #16-06 (indicates single family).

Assessing records indicate single family until 2005, then two family thereafter.

To continue this use as a two family, a Variance of §334-21 Table of Permitted Principal Uses would need to be granted, as well as an Equitable Waiver of Dimensional Requirements for the setback violations per RSA 674:33-a.

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

182 035 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPRaised: 291,700 / 291,700
USE VALUE: 291,700 / 291,700
ASSESSed: 291,700 / 291,700



Patriot
Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
3		FULTON ST, HUDSON

OWNERSHIP

Owner 1:	BEYER, BARBARA M.
Owner 2:	
Owner 3:	
Street 1:	3 FULTON STREET
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

PREVIOUS OWNER

Owner 1:	BEYER, BARBARA M. -
Owner 2:	-
Street 1:	3 FULTON STREET
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

NARRATIVE DESCRIPTION

This parcel contains .333 ACRES of land mainly classified as TWO FAM with a RANCH Building built about 1950, having primarily VINYL Exterior and 2908 Square Feet, with 2 Units, 2 Baths, 2 3/4 Baths, 0 HalfBath, 9 Rooms, and 4 Bdms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	TR	TOWN RES		water	3	TOWN WATE
				Sewer	2	TOWN SEWE
				Electri		
				Exmpt	E3	ELDER-3
				Flood Haz:	C	
				Topo	1	LEVEL
				Street		
				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
104	TWO FAM	1.1	0.333		SITE ACRE	SITE		0	110,000	2.64	RE						96,788						96,800	USE

Total AC/HA:	0.33300	Total SF/SM:	14505	Parcel LUC:	104	TWO FAM	Prime NB Desc:	RES AVG	Total:	96,788	Spl Credit:		Total:	96,800
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.

Database: AssessPro - HudsonNH

mrotast

2021

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
104	0.333	194,900		96,800	291,700		2768
							GIS Ref
							GIS Ref
							Insp Date
							09/05/13
Total Card	0.333	194,900		96,800	291,700	Entered Lot Size	
Total Parcel	0.333	194,900		96,800	291,700	Total Land: 0.333	
Source:	Market Adj Cost		Total Value per SQ unit /Card:	100.31	/Parcel: 100.31	Land Unit Type: AC	

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	104	JB	194,900	0	.333	96,800	291,700	291,700	Year End Roll	5/12/2021
2020	104	FV	194,900	0	.333	96,800	291,700	291,700	Year End Roll	8/27/2020
2020	104	JB	194,900	0	.333	96,800	291,700	291,700	Year End Roll	5/6/2020
2019	104	FV	194,900	0	.333	96,800	291,700	291,700	Year End Roll	9/16/2019
2019	104	JB	195,200	0	.333	96,800	292,000	292,000	Year End Roll	5/8/2019
2018	104	FV	195,200	0	.333	96,800	292,000	292,000	Year End Roll	8/27/2018
2018	104	JB	195,200	0	.333	96,800	292,000	292,000	Year End Roll	5/9/2018
2017	104	FV	195,200	0	.333	96,800	292,000	292,000	Year End Roll	10/26/2017

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
	1911-390		12/29/1966			No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
11/29/2017	2017-01220	MECHANIC		C				

ACTIVITY INFORMATION

Date	Result	By	Name
8/2/2019	Measured	19	KRT2
9/5/2013	Meas/Inspect	15	APPR TECH 5
7/5/2006	Inspected	4	APPR TECH II
6/30/2006	NC Visit	4	APPR TECH II
8/19/2005	New Maps	1	CHIEF ASSESS
7/26/2005	NC Visit	4	APPR TECH II
7/14/2005	Left Notice	3	ASMNT TECH
7/7/2004	Inspected	3	ASMNT TECH
8/13/2003	Inspected	3	ASMNT TECH

Sign: VERIFICATION OF VISIT NOT DATA

EXTERIOR INFORMATION

Type:	19 - RANCH
Sty Ht:	1 - ONE STY
(Liv) Units:	2 Total: 2
Foundation:	1 - CONCRETE
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	08 - BRICK VEN 5%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	TAN
View / Desir:	

GENERAL INFORMATION

Grade:	C - AVG/FAIR	
Year Blt:	1950 Eff Yr Blt:	
Alt LUC:	Alt %:	
Jurisdict:	Fact:	
Const Mod:		
Lump Sum Adj:		

INTERIOR INFORMATION

Avg Ht/Ft:	STD
Prim Int Wall:	1 - DRYWALL
Sec Int Wall:	%
Partition:	T - TYPICAL
Prim Floors:	04 - CARPET
Sec Floors:	03 - HARDWOO 15%
Bsmnt Flr:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S -
Heat Fuel:	2 - GAS
Heat Type:	1 - FORCED AIR
# Heat Sys:	2
% Heated:	100 % AC: 100
Solar HW:	NO Central Vac: Yes
% Com Wal:	% Sprinkled:

BATH FEATURES

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

OTHER FEATURES

Kits:	1 Rating: FAIR
A Kits:	1 Rating: AVERAGE
Fppl:	3 Rating: GOOD
WSFlue:	Rating:

CONDO INFORMATION

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

DEPRECIATION

Phys Cond:	FA - Fair-Avg	36.0 %
Functional:		%
Economic:	L - LOCATION	5.0 %
Special:		%
Override:		%
Total:		39.96 %

CALC SUMMARY

Basic \$ / SQ:	105.00
Size Adj.:	0.80949104
Const Adj.:	0.98343146
Adj \$ / SQ:	83.588
Other Features:	37449
Grade Factor:	0.93
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	324617
Depreciation:	129717
Depreciated Total:	194900

COMMENTS

XFIX= SINK IN SUNROOM, SINK IN BMT BAR
2015: SECOND UNIT ADDRESS IS 8 REED STREET. 8/19 EXT=AVG FENCE=REAR EST.

RESIDENTIAL GRID

1st Res Grid	Desc: CONV	# Units	1
Level	FY LR DR D K FR RR BR FB HB L O		
Other			
Upper Lvl	2		
Lower			
Totals	RMs: 9 BRs: 4 Baths: 1 HB		

REMODELING

Exterior:	
Interior:	
Additions:	2003
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	
General:	

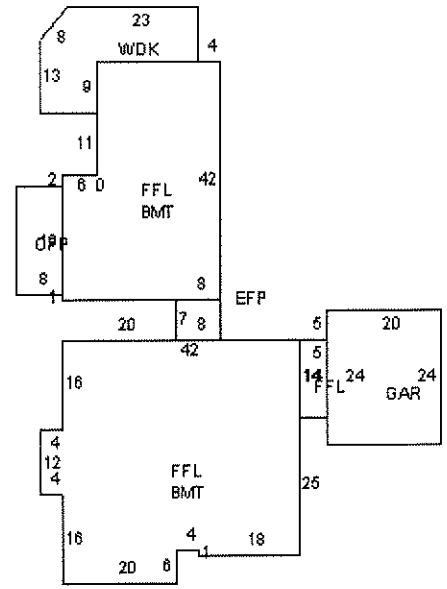
RES BREAKDOWN

No Unit	RMS	BRS	FL
1	9	4	1
Totals			
1	9	4	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WAv\$/SQ:		AvRate:		Ind.Val:
Juris. Factor:		Before Depr:	77.74	
Special Features:	0	Val/Su Net:	31.33	
Final Total:	194900	Val/Su SzAd:	67.02	

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr. Value
FFL	FIRST FLOOR	2,908	83.590	243,075
BMT	BASEMENT	2,270	15.510	35,223
GAR	GARAGE	480	35.810	17,187
WDK	WOOD DECK	355	13.820	4,907
OFP	OPEN PCH	152	38.770	5,892
EFP	ENC PORCH	56	94.940	5,317
Net-Sketched Area:		6,221	Total:	311,601
Size Ad	2908 Gross Area	6789 FinArea		2908

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu # Ten
BMT	80	RRM	90	FR

MOBILE HOME	Make:	Model:	Serial #	Year:	Color:
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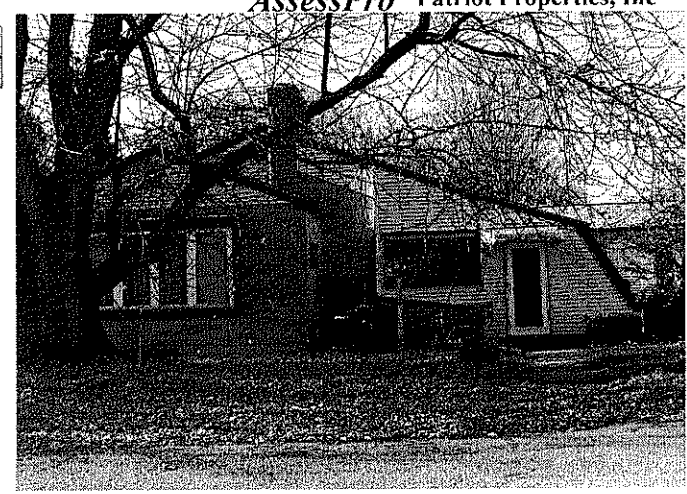
SPEC FEATURES/YARD ITEMS

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

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

PARCEL ID 182-035-000

IMAGE



AssessPro Patriot Properties, Inc

Printed
6/07/2021
3:47PM
Created
6/07/2021
3:46 PM

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

Receipt# 644,130
tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application- 6/24/21ZBA Mtg. 3 Fulton Street Map/Lot 182-035-000			
	Equitable Waiver (a)	0.00	130.0000	0.00
	Variance (b)	0.00	178.1000	0.00
			Total:	308.10

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Welts, White & Fontaine, P.C.	CHECK	CHECK # 80398	130.00	0.00	130.00
Welts, White & Fontaine, P.C.	CHECK	CHECK # 80399	178.10	0.00	178.10
			Total Due:		308.10
			Total Tendered:		308.10
			Total Change:		0.00
			Net Paid:		308.10



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: June 24, 2021 BB 6-8-21

Case 182-035(06-24-21): Steve Lombardi, Member Manager of SJL Properties of NH, LLC, 3 Fulton Street [Map 182, Lot 035-000; Zoned Town Residence (TR)] requests the following:

A Variance to allow the continued use of an existing non-conforming two-family structure as a two-family dwelling in the TR Zone. [HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].

Address: 3 Fulton St

Zoning district: Town Residence (TR)

Summary:

Applicant requests a variance to allow the continued use as a two family dwelling, where only single family is allowed.

Property description:

Developed conforming corner lot of record with 14,505 sqft where 10,000 sqft is required. Fulton St frontage is 100 ft, where 90 ft is required, and Reed St frontage is 145 ft, where 90 ft is required.

LAND USE HISTORY:

10/7/1966 ZBA granted Variance for an addition for a dentist office with the main house as residential.

6/22/1982 BP # 319-82 for a 10' x 24'-6" sunspace addition to main house.

07/18/05 Elect Permit #16-06, for "pulled meter for siding", Kind of Building: Single/Residential.

7/19/2005 PSNH Service Request, Address: 3 Fulton St, single family checked off.

7/25/2005 CRS (PSNH) approval notes house #8 Reed St.

5/9/2006 Assessing record computer print-out showing/indicating as two family.

11/09/2011 Elect Permit #2011-00448 "changing some exist wire on the Service per PSNH w/o.

4/26/2021 Zoning Determination #21-073 Determination that this is not known to be a legal two family (no permits for conversion).

5/25/2021 Zoning Determination #21-089 Determination that to continue as two family needs a Variance.

ASSESSING HISTORY:

1968 Card 1 (Reed St) "Dentist Office" / Card 2 (3 Fulton St) "residential"
1977 Card 1 (3 Fulton St) residential / Card 2 (3 Fulton St) "Office".
1983 Card 1 of 2 (3 Fulton St) residential no card #2 (see note on sketch)
1991 card 1 of 1 indicates dentist office and residential

Attachments:

Land Use:

"A" Assessing record from GIS
"B" 10/7/1966 ZBA granted Variance for an addition for a dentist office with the main house as residential.
"C" 6/22/1982 BP # 319-82 for a 10' x 24'-6" sunspace addition to main house
"D" 07/18/05 Elect Permit #16-06, for "pulled meter for siding", Kind of Building: Single/Residential.
"E" 7/19/2005 PSNH Service Request, Address: 3 Fulton St, single family checked off.
"F" 7/25/2005 CRS (PSNH) approval notes house #8 Reed St.
"G" 5/9/2006 Assessing record computer print-out showing/indicating as two family.
"H" 11/09/2011 Elect Permit #2011-00448 "changing some exist wire on the Service per PSNH w/o.
"I" 4/26/2021 Zoning Determination #21-073 Determination that this is not known to be a legal two family (no permits for conversion).
"J" 5/25/2021 Zoning Determination #21-089 Determination that to continue as two family needs a Variance.

Assessing:

"K" 1968 Card 1 (Reed St) "Dentist Office" / Card 2 (3 Fulton St) "residential"
"L" 1977 Card 1 (3 Fulton St) residential / Card 2 (3 Fulton St) "Office".
"M" 1983 Card 1 of 2 (3 Fulton St) residential no card #2 (see note on sketch)
"N" 1991 card 1 of 1 indicates dentist office and residential

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2009	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2001	101 - ONE FAMILY	130,500	0	53,500		0.00	184,000
2000	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000

A₁

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
1999	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000

Letter written
10-10-66
MEETING OF HUDSON
ZONING BOARD OF ADJUSTMENT

NO. 2

DATE 10/7/66

MEMBERS PRESENT

TIME 7:30

~~Paul Butler~~
~~Bob Costello~~
~~Bob Lane~~
~~Ralph McKay~~
~~Robert Bradis~~

SEE CASE 1 SHEET

APPLICANT FOR VARIANCE

NAME MRS. ALICE R. BELAND

REQUEST - OVER

ADDRESS 3 FULTON ST.

REPRESENTED BY ~~ATTY DONALD S. LATOURETTE~~ CHESTER LOPEZ

APPEARING IN FAVOR OF VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

APPEARING IN FAVOR OF VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

(SEE ATTACHED SHEET FOR ADDITIONAL NAMES)

OPPOSED TO VARIANCE

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

(SEE ATTACHED SHEET FOR ADDITIONAL NAMES)

MOTION MADE BY RALPH MCKAY

SECONDED BY BOB COSTELLO

MOTION:

REQUEST FOR VARIANCE BE GRANTED.

VOTE: YES 5 NO _____ NOT VOTING _____

VARIANCE GRANTED

VARIANCE DENIED

REMARKS ON BACK OF PAGE

see plan attached

B1

REQUEST PERMISSION TO BUILD A BUILDING 45 FT X 35 FT
ON 75 FT X 100 FT LOT WHICH SHE OWNS ADJACENT TO HER
HOME ON REED ST., SAID BUILDING TO BE USED FOR A
DENTAL OFFICE AND TO BE CONNECTED TO HER HOME WITH
A CLOSED-IN BREEZEWAY, A PROSPECTIVE BUYER WOULD
USE THE HOME AS A RESIDENCE.

FOR S1. REPRESENTATIVE

2. ROBERT ANDREWS —

3. KEN CLARK — SHOULD STIPULATE ONE STORY AND
ONLY SHE OR BE ALLOWED TO USE
BUILDING.

4. HARRISON SMITH — REITERATES CLARK'S STATEMENTS
PLUS ON STREET PARKING BE
ALLOWED.

5. GORDON TATE —

6. MRS. ^{Harrison} ~~HARRISON~~ SMITH

AGAINST S — NONE

B₂



Town of Hudson, N. H.

Office of Town Building Inspector

BUILDING PERMIT

No. 319-82

June 22, 1982

This certifies that Mr. W. Beyer Name of Owner

is granted permission to erect 10' x 24' 6" ~~garage~~ addition Description
 alter
 repair
 move

to house
of Building

on premises located at and known as
to

2750 Number 3 Fulton St. Street or Avenue ML - 47/114

and to do things lawful to that end.

This permit is issued on application number _____, is subject to the conditions thereof and to the provisions of the Zoning Ordinance, and is void unless work thereunder shall have been commenced within 60 days next after the date hereof.

This Permit is issued under the condition that this building WILL NOT be occupied until a Certificate of occupancy is obtained from the Building Inspector.

Value \$ 3,000.00

Richard E. Millard
Administrative Officer

Fee \$ 6.00

C1



TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date 6/22 1982

Residential	
Commercial	
Industrial	
Garage	
Breezeway	
No. of Units	

Subdivision	Yes	No
Planning Bd. Approval Sub Div.	Yes	No
Water Pollution Approval Sub Div. No.		
Septic Construction Permit No.		
Necessary Bonds Posted	Yes	No
Bd. of Adj. Variance Granted If Nec.		

New	
Alter	
Addition	
Repair	

Permit Number 319-82

Name of Owner DR. W. BEYER Address 3 Fulton St. 8 REED ST. Tel. 889-6119

Land Purchased From Address

Location Property Tax No. 2750

Name of General Contractor PEER-SUN SOLAR INC Map and Lot No. 47/114

Name of Heating Contr. N/A Name of Electrical Contractor R. SWEENEY

Type of Heat N/A Name of Plumbing Contractor N/A

Name of Fireplace Mason N/A Name of Masonry Contractor N/A

Material of Building WOOD Style of Roof SHED Roof Covering ASPHALT

Size of Foundation 4'x8' Living Floor Area 240sq' No. of Stories 1

Size of Garage N/A Water Sewer

Foundation Material CONCRETE Width 8" Height 48" Footings Yes No

Fireplace No. of Flues Size Chimney Material

Brief Description of Repair, Alter or Other BUILDING 10'x24' SUNSPACE TO BE ADDED TO EXISTING HOME

Value 3,000.00 Fee 6.00 addition

IF NECESSARY, AN APPLICATION FOR A DRIVEWAY PERMIT MUST BE FILED WITH THE CIVIL ENGINEER.

The undersigned hereby agrees that the proposed work shall be done in accordance with the foregoing statement, and with the plans and specifications submitted; and that the work connected therewith shall conform with the building laws and regulations of the town of Hudson, and that will notify the Building Inspector when foundation, frame, chimneys, fire-stops and heater-pipes, electrical wiring and plumbing are ready for inspection. I also certify that I have been authorized by the owner to apply for this permit.

OVER Sketch of building, show streets set back from property lines on all sides on other side.

Owner's Signature Contractor's Signature Address 101A N. BOSTON N.H.

C2

Application For Permit to Build

No.

Location _____

Estimated Cost \$ _____

PERMIT GRANTED

WORK COMPLETED

Building Inspector _____

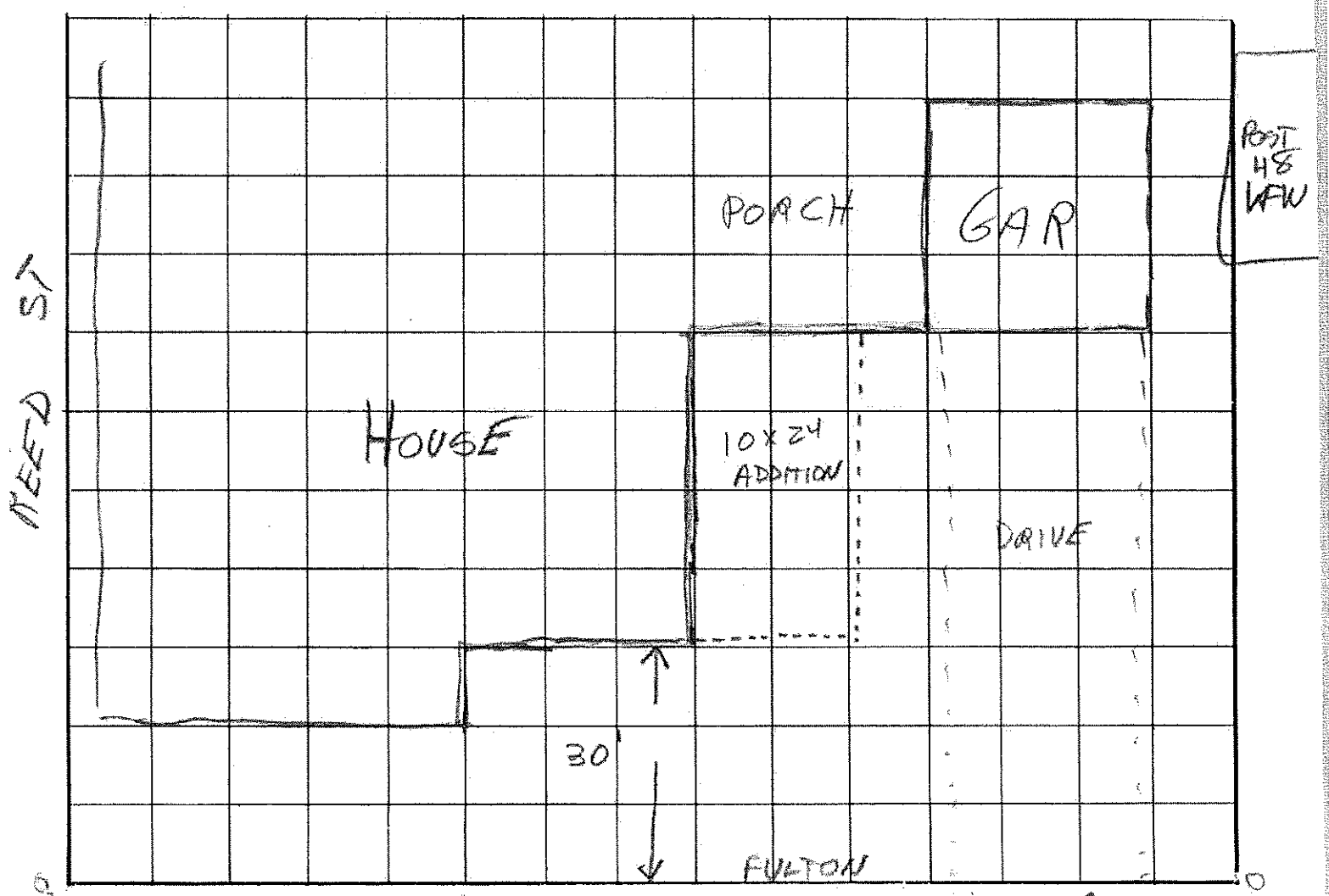
PLOT PLAN

COMMENTS

LOT Owner's Name _____

SHEET No. Street _____

SCALE 1" = ... ft. _____ District _____



I, _____ certify this plot. Date **C3**

13933

Public Service Company of New Hampshire Service Request

Scheduled Date 7/19/2005

Public Service Notified

Date Notified

Person Receiving Call

Elect Permit# 16-06

Type of Service Permanent

Size of Service 200 amps

Overhead

Single Phase

Street Address 3 FULTON ST

Map/Lot/Sublot 182 035 000

Party Responsible for Bill BARBARA BEYER

Billing Address 3 FULTON ST. HUDSON, NH 03051

Electrician HHOMEOWNER

Contact Phone 682-5211

Single Family

Hot Water

Multi-Family

Electric Heat

Commercial Building

If Permanent Service, Should Temporary be Removed?

Type of Service

If upgrading, to what size?

If adding meters, how many?

Reason for adding meters

Inspection Notes WR#446-578

AM PLEASE

*7/25/05
OK
JAB*

*Request ground to
water pipe re-insp
Thursday JAB*

Clerk SUE

*7/21/05 Ground to water pipe not properly made
ground connection connected approx 6 1/2' above water pipe
Must be connected not more than 5' after entering building
w/ wet jumper around shut off valve, also needs mast.*

E

Subject: CRS Approval Confirmation: Request No. 446578

From: psdesk@psnh.com

Date: Mon, 25 Jul 2005 15:34:41 -0400

To: <JKENNEDY@SERESC.NET>

Your approval of the following CRS Request has been successfully processed.

CRS Work Request #:	446578
House No:	8
Lot No:	
Street Name:	REED ST
Town Name:	HUDSON, NH
Inspector:	WILLIAM OLEKSAK
Approval Date:	Jul 25, 2005

 This e-mail, including any files or attachments transmitted with it, is confidential and intended for a specific purpose and for use only by the individual or entity to whom it is addressed. Any disclosure, copying or distribution of this e-mail or the taking of any action based on its contents, other than for its intended purpose, is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete it from your system. Any views or opinions expressed in this e-mail are not necessarily those of Northeast Utilities, its subsidiaries and affiliates (NU). E-mail transmission cannot be guaranteed to be error-free or secure or free from viruses, and NU disclaims all liability for any resulting damage, errors, or omissions.

Card 1 of 1

Location 3 FULTON ST	Property Account Number 2768	Parcel ID 182-035-000
----------------------	---------------------------------	-----------------------

Old Parcel ID 0047 -0114-0000

Current Property Mailing Address

Owner BEYER, BARBARA M.	City HUDSON
Address 3 FULTON STREET	State NH
	Zip 03051
	Zoning TR

Current Property Sales Information

Sale Date	Legal Reference
Sale Price 0	Grantor(Seller)

Current Property Assessment

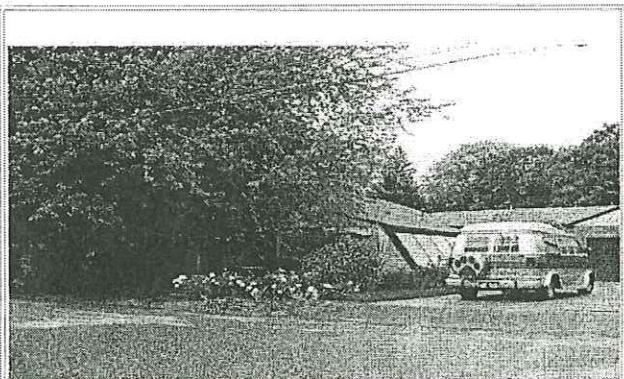
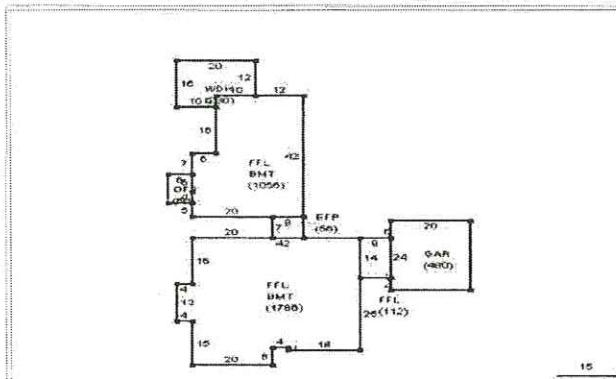
Year 2003	Building Value 196,700
	Xtra Features Value 0
Land Area 0.333 acres	Land Value 84,000
	Total Value 280,700

Narrative Description

This property contains 0.333 acres of land mainly classified as TWO FAM with a(n) RANCH style building, built about 1950 , having VINYL exterior and ASPH SHING roof cover, with 2 unit(s), 9 total room(s), 4 total bedroom(s), 1 total bath(s), 0 total half bath(s), 1 total 3/4 bath(s).

Legal Description

Property Images



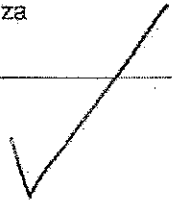
Run: 11/09/11
1:06PM

Building Permit

Page: 1
sfioranza

Town of Hudson, NH

Permit 2011-00448 ELECTRIC PERMIT
Description: Changing some existing wire on the service per public service
w/o 171-9917



Owner: BEYER, BARBARA M.
Street: 3 FULTON ST Unit:
Map/Lot: 182-035-000 Zone: TR Scheduled Date: 11/10/2011

Inspection Code: PERM Date of Inspection:
Inspection Description: PERMANENT SERVICE-PSNH Inspector: JB

Inspection Notes: George Hurd (718-2932)
PSNH # 171-9917
Requested late AM

OK

Inspection Status: In Process

Inspector: JB

Date: 11/10/11

H2



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-073

April 26, 2021

Steven Lombardi
Via email: slomb00@Gmail.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Mr. Lombardi,

Your request to verify this property is a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks. As for the use as a two family (**existing non-conforming**), I find no documentation converting from the dentist/Dr office to the additional dwelling unit.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit # 16-06 (indicates single family).

Sincerely,

Bruce Buttrick

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

cc: Public Folder
J. Michaud, Chief Assessor
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.

I



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-089

May 25, 2021

Joseph W. Conti
Welts, White & Fontaine, P.C.
29 Factory Street, PO Box 507
Nashua NH 03061-0507

Via email: jconti@lawyersnh.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Joe,

Your request to continue this property use as a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks.

As for the use as a two family (**existing non-conforming**), I find no documentation converting from the dentist/Dr office to the additional dwelling unit, thus not known to be legal.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit #16-06 (indicates single family).

Assessing records indicate single family until 2005, then two family thereafter.

To continue this use as a two family, a Variance of §334-21 Table of Permitted Principal Uses would need to be granted, as well as an Equitable Waiver of Dimensional Requirements for the setback violations per RSA 674:33-a.

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

J,

Sincerely,

Bruce Buttrick

Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder
J. Michaud, Chief Assessor
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.

12

No: **62750**

TOWN OF HUDSON, N.Y. MAP 47 LOT 114

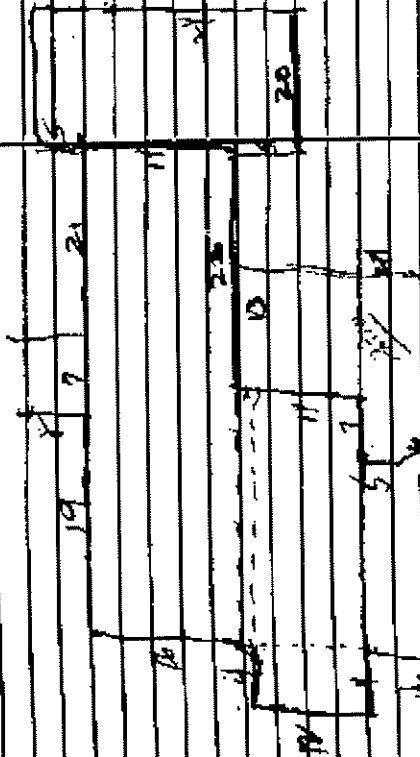
OK

Form 70-18' 40196

PROPERTY ASSESSMENT RECORD

Name		LOCATION AND DESCRIPTION												SOUND VALUE					
3		2/23 3 FULTON ST												Land	3 500				
		LOT 18 + 19 GILLIS PLAN												Buildings	32 200				
														Total	35 700				
														ASSESSMENT RECORD					
2		Appraised by: E.B.		Date: 4-8-68														Previous Year	18,000
1		Dexet Wanner H. + Barbara M.		12-27-66														1968	35,700
		Alice R. DeLand		12-29-66														1969	35,900
		Kendall et al		6-5-53														1970	35,700
		1971		1972														1973	35,700
		1974		1975														1976	35,700
		1977		1978														1979	35,700
		1980		1981														1982	35,700
		1983		1984														1985	35,700
		1986		1987														1988	35,700
		1989		1990														1991	35,700
		1992		1993														1994	35,700
		1995		1996														1997	35,700
		1998		1999														2000	35,700
		2001		2002														2003	35,700
		2004		2005														2006	35,700
		2007		2008														2009	35,700
		2010		2011														2012	35,700
		2013		2014														2015	35,700
		2016		2017														2018	35,700
		2019		2020														2021	35,700
		2022		2023														2024	35,700
		2025		2026														2027	35,700
		2028		2029														2030	35,700
		2031		2032														2033	35,700
		2034		2035														2036	35,700
		2037		2038														2039	35,700
		2040		2041														2042	35,700
		2043		2044														2045	35,700
		2046		2047														2048	35,700
		2049		2050														2051	35,700
		2052		2053														2054	35,700
		2055		2056														2057	35,700
		2058		2059														2060	35,700
		2061		2062														2063	35,700
		2064		2065														2066	35,700
		2067		2068														2069	35,700
		2070		2071														2072	35,700
		2073		2074														2075	35,700
		2076		2077														2078	35,700
		2079		2080														2081	35,700
		2082		2083														2084	35,700
		2085		2086														2087	35,700
		2088		2089														2090	35,700
		2091		2092														2093	35,700
		2094		2095														2096	35,700
		2097		2098														2099	35,700
		2100		2101														2102	35,700
		2103		2104														2105	35,700
		2106		2107														2108	35,700
		2109		2110														2111	35,700
		2112		2113														2114	35,700
		2115		2116														2117	35,700
		2118		2119														2120	35,700
		2121		2122														2123	35,700
		2124		2125														2126	35,700
		2127		2128														2129	35,700
		2130		2131														2132	35,700
		2133		2134														2135	35,700
		2136		2137														2138	35,700
		2139		2140														2141	35,700
		2142		2143														2144	35,700
		2145		2146														2147	35,700
		2148		2149														2150	35,700
		2151		2152														2153	35,700
		2154		2155														2156	35,700
		2157		2158														2159	35,700
		2160		2161														2162	35,700
		2163		2164														2165	35,700
		2166		2167														2168	35,700
		2169		2170														2171	35,700
		2172		2173														2174	35,700
		2175		2176														2177	35,700
		2178		2179														2180	35,700
		2181		2182														2183	35,700
		2184		2185														2186	35,700
		2187		2188														2189	35,700
		2190		2191														2192	35,700
		2193		2194														2195	35,700
		2196		2197														2198	35,700
		2199		2200														2201	35,700
		2202		2203														2204	35,700
		2205		2206														2207	35,700
		2208		2209														2210	35,700
		2211		2212														2213	35,700
		2214		2215														2216	35,700
		2217		2218														2219	35,700
		2220		2221														2222	35,700
		2223		2224														2225	35,700
		2226		2227														2228	35,700
		2229		2230														2231	35,700
		2232		2233														2234	35,700
		2235		2236														2237	35,700
		2238		2239														2240	35,700
		2241		2242														2243	35,700
		2244		2245														2246	35,700
		2247		2248														2249	35,700
		2250		2251														2252	35,700
		2253		2254														2255	35,700
		2256		2257														2258	35,700
		2259		2260														2261	35,700
		2262		2263														2264	35,700
		2265		2266														2267	35,700
		2268		2269														2270	35,700
		2271		2272														2273	35,700
		2274		2275														2276	35,700
		2277		2278														2279	35,700
		2280		2281														2282	35,700
		2283		2284														2285	35,700
		2286		2287														2288	35,700
		2289		2290														2291	35,700
		2292		2293														2294	35,700
		2295		2296														2297	35,700
		2298		2299														2300	35,700
		2301		2302														2303	35,700
		2304		2305														2306	35,700
		2307		2308														2309	35,700
		2310		2311														2312	35,700
		2313		2314														2315	35,700
		2316		2317														2318	35,700
		2319		2320														2321	35,700
		2322		2323														2324	35,700
		2325		2326														2327	35,700
		2328		2329														2330	35,700
		2331		2332														2333	35,700
		2334		2335														2336	35,700
		2337		2338														2339	35,700
		2340		2341														2342	35,700
		2343		2344														2345	35,700
		2346		2347														2348	35,700
		2349		2350														2351	35,700
		2352		2353														2354	35,700
		2355		2356														2357	35,700
		2358		2359														2360	35,700
		2361		2362														2363	35,700
		2364		2365														2366	35,700
		2367		2368														2369	35,700
		2370		2371														2372	35,700
		2373		2374														2375	35,700
		2376		2377														2378	35,700
		2379		2380														2381	35,700
		2382		2383														2384	35,700
		2385		2386														2387	35,700
		2388		2389														2390	35,700
		2391		2392														2393	35,700
		2394		2395														2396	35,700
		2397		2398														2399	35,700
		2400		2401														2402	35,700
		2403		2404														2405	35,700
		2406		2407														2408	35,700
		2409		2410														2411	35,700
		2412		2413														2414	35,700
		2415		2416														2417	35,700
		2418		2419														2420	35,700
		2421		2422														2423	35,700
		2424		2425														2426	35,700
		2427		2428														2429	35,700
		2430		2431														2432	35,700
		2433		2434														2435	35,700
		2436		2437														2438	35,700
		2439		2440														2441	35,700
		2442		2443														2444	35,700
		2445		2446														2447	35,700
		2448		2449														2450	35,700
		2451		2452														2453	

REMARKS:



INCOME AND EXPENSES

Year Annual Income
 Typical Annual Income
 Must for Vacancy %
 Operating Expenses
 Net Annual Income
 and Value @ %
 Net to be Cap. for Bldg. Value
 x 100 + %

Sound Value

Dep. %

Total

Extras

Repro Value

Unit

Gr.

..... Ft.

Size

Type

Building

Front Ft.

Avg. Depth

Basement

Front

Sound Value

Dep. %

Total

Extras

Repro Value

Unit

Gr.

..... Ft.

Size

Type

Building

Front Ft.

Avg. Depth

Basement

Front

LAND VALUE COMPUTATION

REMARKS

Net Value

Excess

Topo.

Excess

Frts. Adj.

Depth %

Grass

Value

Basement

Front

Front Ft.

Avg. Depth

Basement

Front

Front

ADDITIONS OR DEDUCTIONS

Total

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Utilities:

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Utilities:

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Utilities:

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Utilities:

Septic Tank

Sewer Conn.

Water Conn.

Art. Well

Spring

Elec.

Utilities:

PROPERTY ASSESSMENT RECORD **HUDSON, NEW HAMPSHIRE** **2750** **CARD 1 OF 2 CARDS**

RESIDENTIAL	ROAD	3 FULFORD STREET	MAP	47	LOT	114
SEASONAL	OWNER	Werner J. & Barbara H.	PG	RET BY	REMARKS	1042, 40450 360, 26020 66470
COMMERCIAL	DATE	12/66	OK			
INDUSTRIAL	RECORD OF OWNERSHIP					

LAND VALUATION				LOT COMPUTATIONS			
CLASSIFICATION	ACRES	PRICE	TOTAL	DEPTH %	FR FT PRICE	TOTAL	DEPR
HOUSE LOT 61%	37	14600	8540				
COM/IND							
TILLABLE							
PASTURE							
WOODLAND							
WASTE							
TOTAL	37						

AREA TRENDS			
LOCATION	IMPROVING	STATIC	DECLINED
G (F) P			

LAND FACTORS			
TOPOGRAPHY	ROAD	PAVED	GRAVEL
LEVEL			
ROUGH			
ROLLING			
SWAMPY			
HIGH			
LOW			

INTERIOR INSPECTED: *Werner J. & Barbara H.*

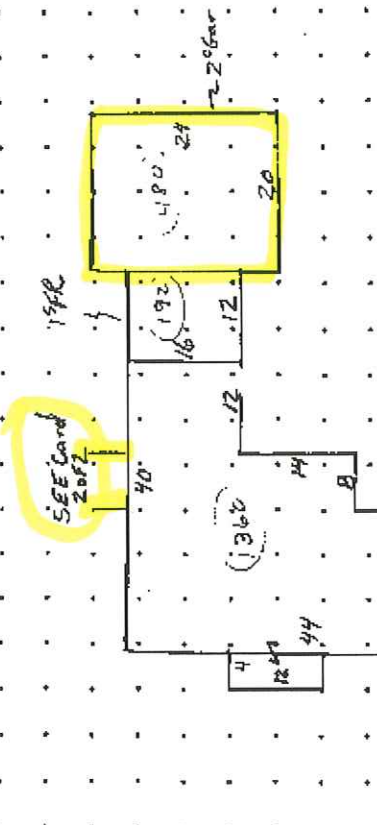


CONSTRUCTION

NOTES

SKETCH

FOUNDATION	FLOORS	LAND COST	BLDG COST	DATE	RENT
CONCRETE	B 1 2 3				
CONC BLOCK	CONCRETE				
CONC BLAB	EARTH				
BRICK OR STONE	PINE				
PIRE	HARDWOOD				
BASEMENT	ASPH TYLE				
PULL NR 76	W/W CRPST				
4 5 6 7 8	TERRAZZO				
FIN BSMT AREA	SINGLE				
BSMT GAR	ATTIC FLR & STAIRS				
FRAMING					
FLR JOISTS	INTERIOR FINISH				
2 x 16 16 o/c	B 1 2 3				
BEAMS & COL	PLASTER				
STUDS	DRYWALL				
WALLS	PLYWOOD				
DOUBLE SIDING	KNOTTY PINE				
SINGLE SIDING	WALLBOARD				
SHINGLES	UNFIN <i>Painted</i>				
CONC BLOCK	FINISH ATTIC AREA				
FACE BRK ON	HEATING				
SOLID COM BRK	NOT AIR				
INSULATION	NOT WATER/NOOR				
ATTIC ONLY	STEAM				
ROOFING	AIR COND				
ASPH SHINGLES	PIPELESS FURN				
WOOD SHINGLES	FLOOR FURN				
METAL	AUTO OIL BURNER				
ROLL ROOFING	GAS				
ROOF TYPE	ELECTRIC				
GABLE	NO HEATING				
FLAT	UNIT HTRE				
MANSARD	PLUMBING				
GAMBREL	BATHROOM				
LIGHTING	TOILET ROOM				
NO ELEC	WATER CLOSET				
OUTLETS	LAVATORY				
WIRING	STALL SHOWER				
FIREPLACES	KITCHEN SINK				
FIREPLACE STACK 1	AUTO WAT HEATER				
FIREPLACE # 2	NO PLUMBING				
NO OF ROOMS	TILING				
BSMT 148	BATH RM & WC				
1ST 610	TOILET RM FLR/WEST				
2ND					
3RD					
INT COND					
INT LAYOUT					



OUTBUILDINGS

	1	2	3	4	5	6	7	8	9	10	11	12
PIER FOUND												
WALL FOUND												
SQL SDG												
DBL SDG												
CEM BLK												
BRK												
FLOOR												
O.H. DOOR												
ROOFING												
PLUMBING												
ELECTRIC												
INT FINISH												
REPL VAL												
COND												
REMO												
AGE												
GRADE												
1954												
AREA												
SIZE												
CONSTRUCTION												
DWLG												
1 F 15 B FR												
SK												
REPL VALUE												
47588												
PHYS VAL												
40450												
FUNC DEF												
BOUND VAL												
4045												

TOTAL VALUE BUILDINGS

1-2

PROPERTY ASSESSMENT RECORD OFFICE HUDSON, NEW HAMPSHIRE

CARD 2 OF 2 CARDS

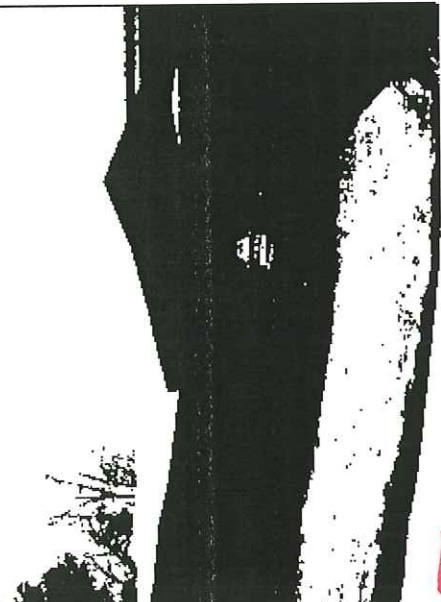
RECORD OF OWNERSHIP	ROAD	Fulton Street	MAP	47	LOT	114
OWNER	Beyer, Werner J. & Barbara M.					
REMARKS:	B					

SUMMARY	
LAND	77
BLDGS.	0
TOTAL	0
LAND	0
BLDGS.	0
TOTAL	0
LAND	0
BLDGS.	0
TOTAL	0
LAND	0
BLDGS.	0
TOTAL	0
LAND	0
BLDGS.	0
TOTAL	0
LAND	0
BLDGS.	0
TOTAL	0

LAND VALUATION										
CLASSIFICATION	ACRES	PRICE	TOTAL	DEPR	VALUE	LAND FACTORS				
HOUSE LOT						TOPOGRAPHY	ROAD			
COM/IND						LEVEL	PAVED			
TILLABLE						ROUGH	GRAVEL			
PASTURE						ROLLING	DIRT			
WOODLAND						SWAMPY	WATER			
WASTE						HIGH	SEWER			
TOTAL						LOW	NO ROAD			

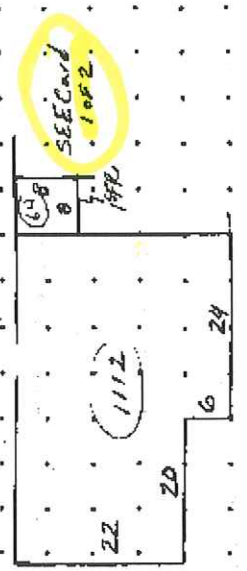
LOT COMPUTATIONS									
FRONTAGE	DEPTH	UNIT PRICE	DEPTH %	FR FT PRICE	TOTAL	DEPR	VALUE	AREA TRENDS	
								IMPROVING	DECLINED
								STATIC	
LOCATION									
G	F	P							

INTERIOR INSPECTED: YES / NO-EST | DATE 2-1-77



43.

SKETCH



NOTES

LAND COST
BLOG COST
PURCH PRICE
PURCH DATE
Rept not office
5 checks
Rm in Bmnt use for Mailings Dept.

CONSTRUCTION

FOUNDATION	FLOORS	DATE	RENT
CONCRETE	1		
CONC BLOCK	2		
CONC SLAB			
BRICK OR STONE			
PIERS			
BASEMENT			
FULL HR			
4			
FIN BSMT AREA			
BSMT GAR			
FRAMING			
PLR JOISTS			
2 x 8			
BEAMS & COL			
STUDS			
WALLS			
DOUBLE SIDING			
SINGLE SIDING			
SHINGLES			
CONC BLOCK			
FACE BRK ON			
SOLID COM BRK			
INSULATION			
ATTIC ONLY			
ROOFING			
ASPH SHINGLES			
WOOD SHINGLES			
METAL			
ROLL ROOFING			
ROOF TYPE			
GABLE			
FLAT			
HIP			
MANSARD			
GAMBREL			
LIGHTING			
NO ELEC			
OUTLETS			
WIRING			
FIREPLACES			
FIREPLACE STACK			
FIREPLACE			
NO OF ROOMS			
BSMT			
1ST			
2ND			
3RD			
INT COND			
INT LAYOUT			

COMPUTATIONS

UNIT	AMOUNT
1112 - SF	24,240
BSMT AREA	
FIN BSMT	14,540 + 1,531
BSMT GAR	
WALLS	
INSULATION	
ROOFING	
FIREPLACES	
FLOORS	
ATTIC	
INT FINISH	
HEATING	7,169
PLUMBING	+ 1,210
TILING	
DORMER	
TOTAL	3,111
ADDITIONS & PCHS	
64 SF	20,90
SF	
SF	
SF	
SF	
SF	
SF	
SF	
SF	
TOTAL	23,519
FACTOR	
REPL VALUE	

OUTBUILDINGS

	1	2	3	4	5	6	7	8	9	10	11	12	DATE LISTED
PIER FOUND													
WALL FOUND													
SOIL BDD													
DBL BDD													
CEM BLK													
BRK													
FLOOR													
O.H. DOOR													
ROOFING													
PLUMBING													
ELECTRIC													
INT FINISH													
REPL VAL													
AGE													
REMOG													
COND													
AREA													
SIZE													
CONSTRUCTION													
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
PHYS VAL													
24,015													
3,259													
20													
26,020													

TOTAL VALUE BUILDINGS

PROPERTY ASSESSMENT RECORD

HUDSON, NEW HAMPSHIRE

CARD 1 OF 2 CARDS
2750

RESIDENTIAL	ROAD	3 Fulton Street	MAP	47	LOT	114
SEASONAL	OWNER					
COMMERCIAL						
INDUSTRIAL						

182-035-000

RECORD OF OWNERSHIP	DATE	GR	PG	RET ST	REMARKS
Beyer, Werner J. & Barbara M.	12-66				319-82
					CATEL #1 44050
					2 26000
					70050

LAND	8640
BLDGS.	68470
TOTAL	75010

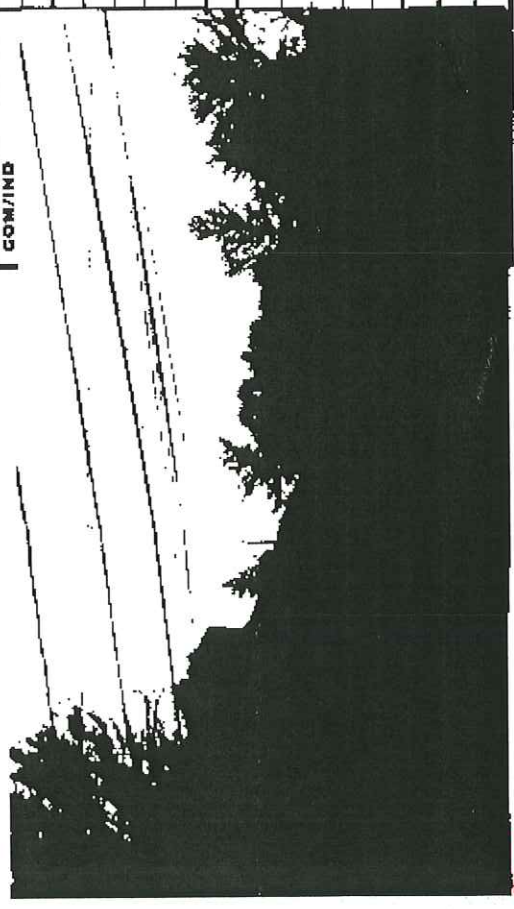
LAND	8550
BLDGS.	70050
TOTAL	78600

INTERIOR INSPECTED:

YES NO-EST DATE 1-11-83

CLASSIFICATION	ACRES	PRICE	DEPR	TOTAL	VALUE
HOUSE LOT	.97	14000			8550
COW/IND					

LAND VALUATION		MEMORANDA	
UNIT PRICE		TOPOGRAPHY	ROAD
DEPTH %		LEVEL	PAVED
FR FT PRICE		ROUGH	GRAVEL
TOTAL		ROLLING	DIRT
DEPR		SWAMPY	WATER
VALUE		HIGH	SEWER
		LOW	NO ROAD



M

182-035-000

HUDSON, NH
3 FULTON ST

CD# 1 of 1 PROPERTY LOCATION

SUBLOT 0000

LOT 0114

MAP 0047

BUILDING VALUATION

GROSS BASE RATE: RSA	47.00
INDEX 1.00X1.00	1.000
QUALITY ADJUSTMENT AO	
SIZE ADJUSTMENT	0.8466
STORY HEIGHT FACTOR	1.000
COMM FRAME	
ADJ. BASE RATE	39.79

DATE LISTED: 01/23/91 APPRAISER: JYT

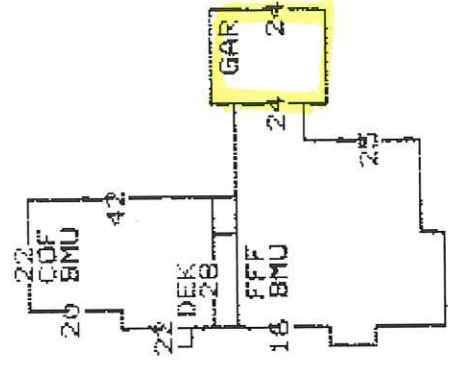
BOOK	PAGE	MM	YY	TYPE	SALE PRICE

OWNER INFORMATION
 OWNER: BEYER, WERNER H & BARBARA M
 CO-OWNER: P.O. BOX 188
 ADDRESS: HUDSON, NH 03051
 CITY-ST-ZIP: HUDSON, NH 03051

PRINT DATE: 07/15/91

BUILDING STRUCTURAL DETAILS

EXT. WALLS	S VINYL SIDING
ROOF STYLE	C GABLE OR HIP
ROOF COVER	C ASPHALT
INT. WALLS	D DRYWALL
FLOOR COVER	H CARPET
HEAT FUEL	C GAS
HEAT TYPE	D FA DUCTED
CENTRAL AIR	YES
# BEDROOMS	2.00
# BATHROOMS	1.50
# STORIES	A 1 STORY



SKETCH CODING
 (COF BMU=D20LED2R28U42L22)
)D33L6 (DEK=L3D5)D4R23 (EPF=
 D7R8)R22US (GAR=R20D24)L20U
 4(FFF, BMU=U15L50D16L4D13R4
 D16R20UGR4D1R1BU25R8)

STYLE RANCH **YE** 1980 **YD** 1963
NOTES YLW, TWN W&S, INT AVG, DENTIST OFF & RES
 OFF - 4 CHAIRS/DARK RM/WAITING AREA/SID
 RM, 2 CENTRAL AC UNITS, ALSO USES AMERCN
 LEGION PARKING LOT

LAND DESCRIPTION AND VALUATION

LAND USE	ZONE	NUMBER OF UNITS	TYPE	UNIT PRICE	CD	FACT	COND	NOTES-ADJUSTMENTS	CH	CRP/III	LAND VALUE
MXU	RES1S	0.370	AC	42800.00	E	1.00	1.25	USE			53500
TOTAL LAND VALUES											
TOTAL ACRES: 0.370											
TOTAL LAND VALUE: 53500											

EXTRA FEATURES VALUATION

DESCRIPTIONS	UNITS	RATE	COND	L:R	SOUND VALUE
FIREPLACE 1-1	1	1500.00	1.00		1500
TOTAL EXTRA FEATURES VALUE					
129,000					

AREA ID	ACTUAL AREA	COST FACTOR	EFFECTIVE AREA
COF	1056	1.75	1848
BMU	3004	0.15	451
DEK	15	0.10	2
EPF	56	0.70	39
GAR	480	0.45	216
FFF	1948	1.00	1948
TOTAL	6559 (sq. ft.)		4503

BUILDING REPLACEMENT COST NEW 179,174

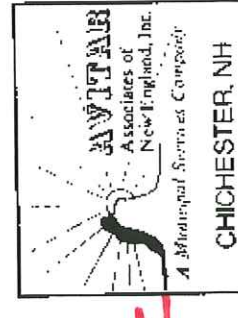
DEPRECIATION NOTES

TYPE	DEPRECIATION %
NORMAL	28
ADD PHNS.	0
FUNCTIONAL	0
ECONOMIC	0
TEMPORARY	0
TOTAL DEPRECIATION	28

BUILDING DEPRECIATED VALUE 129,000

SUMMARY OF VALUES

BUILDING	129,000
XTRA FEATURES	1,500
LAND	53,500
C-U CREDIT	
CARD TOTAL	184,000
PARCEL TOTAL	184,000



CHICHESTER, NH

TOWN OF HUDSON

JUN 07 2021

Zoning Department

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 182-0356 (06-24-21)

Date Filed 6/7/21

Name of Applicant SJL Properties of NH, LLC* Map: 182 Lot: 035 Zoning District: TR
Attn: Steve Lombardi

Telephone Number (Home) 603-321-3733 (Work) _____

Mailing Address 189 Ridge Road, Hollis, NH 03049

Owner SJL Properties of NH, LLC

Location of Property 3 Fulton Street, Hudson, NH
(Street Address)

[Handwritten Signature]

June 4, 2021

Signature of Applicant _____ Date _____

[Handwritten Signature]

June 4, 2021

Signature of Property-Owner(s) _____ Date _____

*Represented by Joseph Conti, Esq. of Welts, White & Fontaine, P.C.

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

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

COST:

Application fee:		\$130.00
<u>10</u> Direct Abutters x <u>.15</u>	\$4.10 =	<u>41.50</u>
<u>12</u> Indirect Abutters x \$0.55 =		<u>6.60</u>
Total amount due:		\$ <u>178.10</u>

Date received: 6/7/21

Amt. received: \$ 178.10

Receipt No.: 644,130

CHK#
80399

Received by: _____ TSG _____

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

_____ Engineering _____ Fire Department _____ Health Officer _____ Planner

SJL Properties of NH, LLC
189 Ridge Rd
Hollis, NH 03049
603-321-3733

Hand Delivered
June 7, 2021

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

Re: Authorization for a Variance

Dear Bruce,

I hereby authorize Joseph W. Conti, Esq. of Welts, White & Fontaine P.C. to represent me to the Zoning Board of Adjustment regarding a Variance at Map 182 Lot 035.

Sincerely



Steven Lombardi, Member Manager

TOWN OF HUDSON, NH NOTICE TO APPLICANTS

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

Applicant Initials		Staff Initials
<u>SE</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>SE</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u> <i>Reviewed 6-4-21</i>
<u>SE</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>SE</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG</u> <i>letter of autho. received</i>
<u>SE</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>SE</u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>SE</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>SE</u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

PLOT PLAN-

N/A

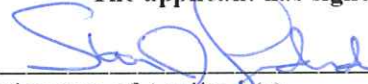
Except for requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful. (NOTE: 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):

- a) The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.)
- e) The plot plan shall include the location and dimensions of existing or required services, the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements.
- f) The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
- g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) The plot plan shall indicate all parking spaces and lanes, with dimensions.

TG - GIS map provided

TG

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



 Signature of Applicant(s)

June 4, 2021

 Date

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

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

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

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

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

ALL DIRECT ABUTTERS

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

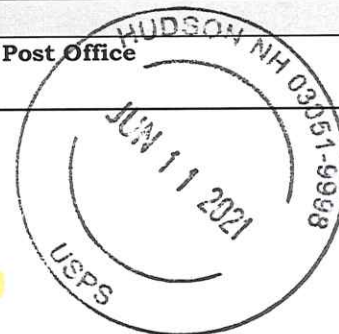
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
182	30	American Legion	PO Box 157 Hudson, NH 03051
182	31	Martha E. Smith, Trustee Kathleen S. Laliberte, Trustee Martha E. Smith Rev Trust	41 Lexington Ct Hudson, NH 03051
182	22	American Legion	37 Central St. Hudson, NH 03051
182	37	Kade N. Stewart Tomomi Stewart	5 Fulton Street Hudson, NH 03051
182	38	Mark E. O'Connor Mary K. O'Connor	7 Reed Street Hudson, NH 03051
182	35	SJL Properties of NH, LLC Attn: Steve Lombardi, Manager	189 Ridge Road Hollis, NH 03049
		Joseph W. Conti, Esq. Welts, White & Fontaine, P.C.	29 Factory Street Nashua, NH 03060
182	13	James D. Bertrand Kimberly Bertrand	6 Fulton Street Hudson, NH 03051
182	29	Mark L. Nadeau, Trustee Kathryn A. Nadeau, Trustee Nadeau Revocable Trust	11 Stowell Road Bedford, NH 03110
182	32	Martha E. Smith, Trustee Kathleen S. Laliberte, Trustee Martha E. Smith Rev Trust	41 Lexington Ct Hudson, NH 03051
182	39	Diane C. Brin	5 Reed Street Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
182	56	Patrick Dever Cindy Dever	36 Central Street Hudson, NH 03051
182	12	Mitchell A. Kohl	8 Fulton Street Hudson, NH 03051
182	41	Davidson Properties, LLC	81C Seaverns Bridge Road Merrimack, NH 03054
182	34	Theodore W. Newman	9C Medway Road, PMB 202 Milford, MA 01757
182	28	Michael James Small Matthew Robert Baptista	41 Central Street Hudson, NH 03051
182	36	Shannon B. Geer Patrick A. Lacasse	7 Fulton Street Hudson, NH 03051
182	14	Michael A. Iarrobino Nancy Iarrobino	13 Reed Street Hudson, NH 03051
182	33	Robert L. Dufault Susan M. Dufault	27 Central Street Hudson, NH 03051
182	21	William T. Riley Laurie J. Bellman	16 Reed Street Hudson, NH 03051
182	56	David Lyons Samia Curley	2 Chase Street Hudson, NH 03051
182	40	Kenneth Therrien, Trustee Marcia Therrien, Trustee Therrien Family Rev Trust	1 Reed Street, Hudson NH 03051
182	55	Ernest E. Dion, Trustee Constance F. Dion, Trustee Dion Family Rev Trust	28 D Central St Hudson, NH 03051

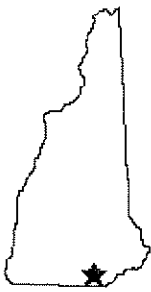
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 182-035 EQUITABLE WAIVER, VARIANCE 3 Fulton Street Map 182/Lot 035-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting
1	7018 1130 0001 8114 0262	SJL PROPERTIES OF NH, LLC; ATTN: STEVE LOMBARDI-MANAGER	OWNER/APPLICANT NOTICE MAILED
2	7018 1130 0001 8114 0279	189 RIDGE RD, HOLLIS, NH 03049 WELTS, WHITE & FONTAINE, P.C. ATTN: JOSEPH W CONTI	OWNER/APPLICANT NOTICE MAILED
3	7018 1130 0001 8114 0286	29 FACTORY STREET, NASHUA, NH 03060 AMERICAN LEGION	ABUTTER NOTICE MAILED
4	7018 1130 0001 8114 0293	PO BOX 157, HUDSON, NH 03051 SMITH, MARTHA E. , TR; LALIBERTE, KATHLEEN S., TR.; MARTHA E. SMITH REV TRUST	ABUTTER NOTICE MAILED
5	7018 1130 0001 8114 0309	41 LEXINGTON CT., HUDSON, NH 03051 AMERICAN LEGION	ABUTTER NOTICE MAILED
6	7018 1130 0001 8114 0316	37 CENTRAL STREET, HUDSON, NH 03051 STEWART, KADE N. & TOMOMI	ABUTTER NOTICE MAILED
7	7018 1130 0001 8114 0323	5 FULTON ST., HUDSON, NH 03051 O'CONNOR, MARK E. & MARY K.	ABUTTER NOTICE MAILED
8	7018 1130 0001 8114 0330	7 REED STREET, HUDSON, NH 03051 BERTRAND, JAMES D. & KIMBERLY	ABUTTER NOTICE MAILED
9	7018 1130 0001 8114 0347	6 FULTON STREET, HUDSON, NH 03051 NADEAU, MARK L. & KATHRYN A., TRUSTEES; NADEAU REVOCABLE TRUSTS	ABUTTER NOTICE MAILED
10	7018 1130 0001 8114 0354	11 STOWELL ROAD, BEDFORD, NH 03102 BRIN, DIANE C.	ABUTTER NOTICE MAILED
11		5 REED STREET, HUDSON, NH 03051	
12			
	Total Number of pieces listed by sender 10	Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee) Paula Angelli



Direct Certified

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 182-035 EQUITABLE WAIVER, VARIANCE 3 Fulton Street Map 182/Lot 035-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	06/24/2021 ZBA Meeting
1	Mailed First Class	DEVER, PATRICK & CINDY 36 CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	KOHL, MITCHELL A. 8 FULTON ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	Mailed First Class	DAVIDSON PROPERTIES, LLC 81C SEAVERNS BRIDGE RD., MERRIMACK, NH 03054	ABUTTER NOTICE MAILED
4	Mailed First Class	NEWMAN, THEODORE W. 9C MEDWAY RD. PMB 202, MILFORD, MA 01757	ABUTTER NOTICE MAILED
5	Mailed First Class	SMALL, MICHAEL JAMES; BAPTISTA, MATTHEW ROBERT 41 CENTRAL ST., HUDSON, NH	ABUTTER NOTICE MAILED
6	Mailed First Class	GEER, SHANNON B.; LACASSE, PATRICK A. 7 FULTON STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	Mailed First Class	IARROBINO, MICHAEL A. & NANCY 13 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	Mailed First Class	DUFALT, ROBERT L. & SUSAN M. 27 CENTRAL STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	RILEY, WILLIAM T.; BELLMAN, LAURIE J. 16 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	LYONS, DAVID; CURLEY, SAMIA 2 CHASE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
11	Mailed First Class	THERRIEN, KENNETH & MARCIA, TRUSTEES; THERRIEN FAMILY REV TRUST 1 REED ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
12	Mailed First Class	DION, ERNEST E. & CONSTANCE F., TRUSTEES; DION FAMILY REV TRUST 28 D CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
13			
14			
15			
	Total Number of pieces listed by sender 12	Total number of pieces received at Post Office	Postmaster (receiving Employee)

TOWN OF HUDSON
JUN 11 2021
Mailed @ PO.
TB



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

APPLICANT NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **06/24/21** starting at 7:00 P.M., Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 182-035 (06-24-21): Steve Lombardi, Member Manager of SJL Properties of NH, LLC, 3 Fulton St. [Map 182, Lot 035-000; Zoned Town Residence (TR)] requests the following:

- a. **An Equitable Waiver of Dimensional Requirement per RSA 674:33-a: to allow an existing garage to remain in its current location which encroaches approximately 9 feet into the side yard setback leaving approximately 6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].**
- b. **A Variance to allow the continued use of an existing non-conforming two-family structure as a two-family dwelling in the TR Zone. [HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].**

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

Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

June 10, 2021

ABUTTER NOTIFICATION

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- b. **A Variance to allow the continued use of an existing non-conforming two-family structure as a two-family dwelling in the TR Zone. [HZO Article V, Permitted Uses, §334-21, Table of Permitted Principal Uses].**

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

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

Respectfully,

Bruce Buttrick
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article V of HZO Section(s) 334-21 in order to permit the following change or use:

A two-family dwelling unit in the TR Zone.

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

FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

See attachment in support of Application for Variance.

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

See attachment in support of Application for Variance.

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

See attachment in support of Application for Variance.

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

See attachment in support of Application for Variance.

ATTACHMENT IN SUPPORT OF APPLICATION FOR A VARIANCE

This form is an attachment in support of a variance application regarding 3 Fulton Street, Hudson, New Hampshire a/k/a 8 Reed Street. The Owner of the Property and applicant is SJL Properties of NH, LLC whose manager is Steven Lombardi.

I. The variance requested is as follows:

(i) A variance from Article V, Section 334-21, and Attachment 1, Town of Hudson, Allowed and Principal Uses and Table of Permitted Principal Uses to permit a two-family dwelling on Map 182 Lot 035, known as 3 Fulton Street and 8 Reed Street comprising .333 acres or 14505.5 square feet in a Town Residential (TR) zone.

II. Purpose of the Request:

Narrative

The Property is a corner lot located at 3 Fulton Street and 8 Reed Street in Hudson, NH. Currently, the Hudson assessor's card indicates that this is a two-family dwelling, located at Map 182 Lot 035. Mr. Buttrick has indicated in his letter of April 28, 2021 and a second letter dated May 25, 2021, that this is a non-conforming two-family dwelling, that was taxed a single-family home for a few years, and mixed-use facility from at least 1966 until 2000.

The dwelling currently utilizes the two separate addresses as referenced above. The addition having an address of 8 Reed St. was initially approved and legally constructed to be a doctor or a dentist office in a 1966 variance. From at least 2005 the property has been acting as two separate single-family homes, with a common owner, having a breezeway contacting the two units, which is completely sealed off as to prevent access from one unit to the other.

The directly abutting properties consist of a two-family dwelling at 35&35 ½ Central Avenue, the American Legion Hall, a second separate lot owned by the American Legion used for parking, and two single family residences at 5 Fulton St. and 7 Reed St. The two single family residence are on lots smaller than 3 Fulton St. as they are .199 acres and .214 acres.

This property is on public sewer and water, has ample space for parking, and the applicant intends to add a separate area for parking as needed on the property.

1. Granting of the requested variance will not be contrary to the public interest.

The property has been occupied and taxed as a two-family dwelling unit since 2005. The second unit is a former dentist office and was legally built to be a dentist office from a 1966 variance. Granting the variance will not affect the character of the neighborhood as the neighborhood includes many other two-family and multi-family dwelling units with similar density calculations and character. Additionally, this home has already been acting and has been taxed as a two-family home. The exterior of the home will only be upgraded by the granting of this variance.

2. The proposed use will observe the spirit of the ordinance.

The character of the neighborhood will not be changed and there is no threat to public health, safety or welfare. While a two-family dwelling is not permitted, it is similar to other properties in the area and the population will be no different than one single family home or even a single home with an accessory dwelling unit. The general purpose and objective of the ordinance is to permit the continued use, maintenance and vitality of these unique residential areas, protecting their residential character, while simultaneously limiting the expansion of these neighborhoods into adjacent, undeveloped lands. The new owner will not be expanding onto undeveloped land and is keeping the current structure fully in place. It will maintain the vitality and the character of the neighborhood.

3. Substantial justice would be done to the property owner by granting the variance.

The property was formerly a pre-existing non-conforming two-family dwelling. The new owner intends to upgrade the property including landscaping to beautify the property and maintain the character of the neighborhood. It makes sense to apply for a variance for relief due to the uniqueness of the property and uniqueness of facts. If the variance is granted there will be no harm to the public as the public was used to having a two-family dwelling on this property. Denial of the variance will create harm to the owner which is not outweighed by any benefit to the public.

4. The proposed use will not diminish the values of surrounding properties.

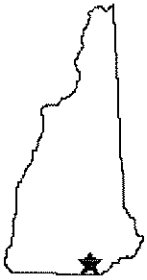
Granting the variance will not cause any real change as to what has long been a two-family use of the property in the neighborhood. Adjacent properties will not be

adversely affected as they will only see potential upgrades to the exterior of the building and will not see any practical change from what been in use for years.

5. Special conditions exist such that literal enforcement of the original results in unnecessary hardship.

This property is unique in that it has long been a non-conforming two-family home, taxed as a two-family residence. The MLS Listing for the property, (#4855821), even indicates that this is a multi-family home. It is a structure which contains two separate houses connected only through a breezeway, which has a seal as to not provide access from one unit to the other. The property is designed in a way where it cannot be a single-family home. Enforcing the single-family home regulations against this property bears no fair and substantial relationship to the purpose of keeping the character of the neighborhood and preventing overcrowding. The proposed use to allow a two-family dwelling in an existing structure with no external visible changes is a reasonable use in the area, as there are other two-family homes, multi-family homes, and a charity building (American Legion) abutting this property. With the legally constructed second unit it does not make sense to return this to a single-family dwelling. This reasonable use will allow a legal unit for an additional family to be created in the Town of Hudson.

The applicant used other avenues to relieve his hardship and received confirmation from the town administrator that this is a non-conforming two-family dwelling.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-089

May 25, 2021

Joseph W. Conti
Welts, White & Fontaine, P.C.
29 Factory Street, PO Box 507
Nashua NH 03061-0507

Via email: jconti@lawyersnh.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Joe,

Your request to continue this property use as a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks.

As for the use as a two family (**existing non-conforming**), I find no documentation converting from the dentist/Dr office to the additional dwelling unit, thus not known to be legal.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit #16-06 (indicates single family).

Assessing records indicate single family until 2005, then two family thereafter.

To continue this use as a two family, a Variance of §334-21 Table of Permitted Principal Uses would need to be granted, as well as an Equitable Waiver of Dimensional Requirements for the setback violations per RSA 674:33-a.

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

Sincerely,

Bruce Buttrick

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

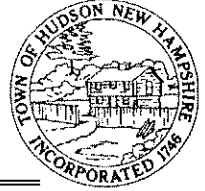
cc: Public Folder
J. Michaud, Chief Assessor
E. Dhima, Town Engineer
B. Groth, Town Planner
File

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-073

April 26, 2021

Steven Lombardi
Via email: slomb00@Gmail.com

Re: **3 Fulton St Map 182 Lot 035-000**
District: Town Residence (TR)

Dear Mr. Lombardi,

Your request to verify this property is a two family status.

Zoning Review / Determination:

This is a conforming corner lot in respect to lot area and frontage requirements in this zone. However, the structure is existing non-conforming in relation to their required setbacks.

As for the use as a two family **(existing non-conforming)**,

I find no documentation converting from the dentist/Dr office to the additional dwelling unit.

History we have:

10/7/1966 ZBA granted variance for the addition along Reed St to construct as a Dental/Dr's office.

7/18/05 Electrical permit # 16-06 (indicates single family).

Sincerely,

Bruce Buttrick

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

cc: Public Folder
J. Michaud, Chief Assessor
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.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2020	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	194,900	0	96,800	0.33	0.00	291,700
2019	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2018	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2017	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2017	104 - TWO FAM	195,200	0	96,800	0.33	0.00	292,000
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2016	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2015	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2014	104 - TWO FAM	152,100	0	84,000	0.33	0.00	236,100
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2013	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	160,500	0	84,000	0.33	0.00	244,500
2012	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2011	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2010	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2009	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2008	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	183,000	0	112,000	0.33	0.00	295,000
2007	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	200,700	0	84,000	0.33	0.00	284,700
2006	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	104 - TWO FAM	196,700	0	84,000	0.33	0.00	280,700
2005	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	202,600	0	85,200	0.37	0.00	287,800
2004	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	148,800	0	64,900	0.37	0.00	213,700
2003	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2002	101 - ONE FAMILY	137,800	0	64,900	0.37	0.00	202,700
2001	101 - ONE FAMILY	130,500	0	53,500		0.00	184,000
2000	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000
1999	MXU - N/A	129,000	1,500	53,500	0.37	0.00	184,000

27 Central
3 Family

8 Maple
4 Apartments
Multi-Conver

1 Reed St.
Single Fam

31 & 33A-B
Central
5 Units

35 & 35 1/2 Central
Two Fam

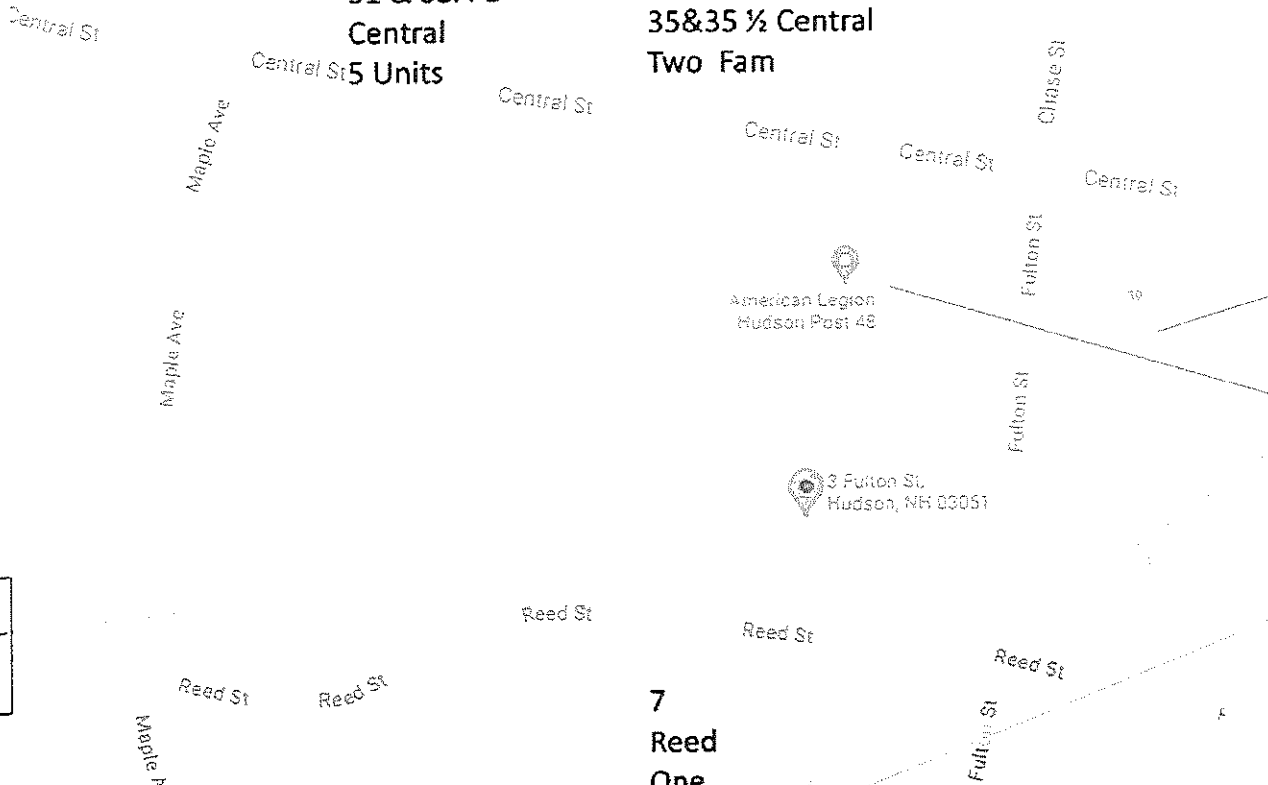
39 Central
4 units

American Legion
Building plus
empty lot

5 Fulton
1 fam

7
Reed
One
fam

5 Reed
Single Fam




6/2/2021

3 Fulton Street, Hudson, NH 03051 - NEREN

3 FULTON STREET

Hudson, NH 03051

MLS ID# 4855821 **Multi-Family**

 EST. PAYMENT

\$340,000

2 1

Find Out How Much House You Can Afford. Get Pre-Approved Today!



U.S. Military Veterans: See if You Qualify for a \$0 Down VA Home Loan

FEATURES AND DETAILS

CLOSED PRICE	\$360,000
CATEGORY	Multi-Family
TYPE	Multi-Family
VILLAGE/NEIGHBORHOOD	
COUNTY	Hillsborough

CLOSED DATE	5/26/2021
LOT SIZE	14375

ACRFAGE	0 33
https://www.neren.com/Listing/3-Fulton-SU607848c3b569bb72f5491901	1/3

6/2/2021

3 Fulton Street, Hudson, NH 03051 - NEREN

AGENCY	0.00
MLS ID#	4855821
YEAR BUILT	1950
BEDS TOTAL	0
BATHS TOTAL	0
BATHS FULL	0
BATHS HALF	0
GARAGE CAPACITY	1
TOTAL UNITS	2
LIVING AREA	2908 sqft

Basement Bulkhead, Unfinished, Interior Access	Construction
Wood Frame	Driveway Paved
Concrete	Electric Circuit Breaker(s)
Corner, Level	Heating Hot Air
Paved	Cooling Central AC
Foreclosed/Bank-Owned: No	Siding Vinyl Siding
Deed Book: 1911, Page: 930	Style Ranch
Delayed Showings No	Tax Year: 2020, Amount: \$6234
Unit 1 Appliances Included, Baths: 2, Bedrooms: 2, Rooms: 5	Foreclosed/Bank-Owned
Appliances Included, Baths: 2, Bedrooms: 2, Rooms: 4	Unit 2
	Safe Type Sale

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This listing was last updated on 5/27/2021 8:53:35 AM.

LISTING COURTESY OF



COLDWELL BANKER REALTY BEDFORD NH

Web: http://https://www.coldwellbankerhomes.com/nh/bedford/office/bedford-nh/oid_4



SHANNON HASSAN



6/2/2021

3 Fulton Street, Hudson, NH 03051 - NEREN

LISTING SOLD BY



CRYSTAL PERHAM
603-233-0197



 Advertisement

Mary Ann Crowell
Register of Deeds, Hillsborough County
LCHIP HIA613622 25.00
TRANS TAX HI135345 5,400.00

\$5400

FIDUCIARY DEED

Lara Wheat, Conservator of the Estate of Barbara M. Beyer, having a mailing address of 13 Equestrian Ridge, Newton, Connecticut 06470, by power conferred by the 9th Circuit – Probate Division – Nashua, Case Number: 316-2021-GI-00816, and every other power, for consideration paid, grants to **SJL Properties of NH, LLC**, a New Hampshire limited liability company, having a mailing address of 189 Ridge Road, Hollis, New Hampshire 03049, the following described premises:

A certain tract or parcel of land, with the buildings thereon, situated in Hudson, County of Hillsborough and State of New Hampshire, bounded and described as follows:

Beginning at a stone bound at the junction of the westerly line of Fulton Street and the northerly line of Reed Street; thence northerly by the westerly line of Fulton Street one hundred (100) feet to a stone bound at the corner of a passageway twenty (20) feet wide running westerly from said Fulton Street to land now or formerly of Daniels; thence westerly by the southerly line of said passageway seventy-five (75) feet to a stone bound at land now or formerly of Gillis; thence southerly by said Gillis land one hundred (100) feet to a stone bound in the northerly line of said Reed Street; and thence easterly by the northerly line of said Reed Street seventy-five (75) feet to the point of beginning.

The above described premises are hereby conveyed subject to the following conditions and restrictions: No building to be erected thereon except for residential purposes and no building to be erected thereon within twenty (20) feet of the northerly line of said Reed Street or the westerly line of said Fulton Street.

Said premises are shown as Lot No. 18 on a certain plan entitled "House Lots Hudson, N.H. owned by J. F. Gillis" recorded October 19, 1925 in Hillsborough County Registry of Deeds as Plan No. 544, which plan is marked: "Traced from plan by Bartlett, Gay & Young, C.E.".

Also another certain parcel of land, together with all buildings and improvements thereon, situated in Hudson, County of Hillsborough and State of New Hampshire, bounded and described as follows:

Beginning at a stone bound at the southwesterly corner of the premises, in the northerly line of Reed Street, so-called, and at the land now or late of Annie W. Daniels; thence northerly by said land now or late of Daniels one hundred (100) feet to a stone bound in the southerly line of a passageway twenty (20) feet wide, leading from said land now or late of Daniels to Fulton Street, so-called; thence easterly by said passageway seventy-five (75) feet to a stone bound at the corner of land now or late of one Robinson; thence southerly by said land now or late of Robinson one hundred (100) feet to a stone bound in the northerly line of said Reed Street; and thence westerly by said Reed Street to the point of beginning. Containing seventy-five hundred (7500) square feet of land, be the same more or less.

Said premises are hereby conveyed with the full right of said passageway leading from said Daniels to said Fulton Street, with other abutters on said passageway, which passageway shall at all times be kept open and not in any way obstructed, said lot of land being sold for residential and agricultural purposes only and no house to be constructed thereon the main part of which shall be within twenty (20) feet of the northerly line of said Reed Street, in so far as said rights of way, easements and restrictions are in force and applicable thereto.

Said premises are shown as Lot No. 19 on plan of lots for sale by J. F. Gillis, in Hudson, New Hampshire, as drawn by Bartlett, Gay and Young, C. E., September, 1892, and recorded in the Hillsborough County Registry of Deeds as Plan No. 544.

Meaning and intending to describe and convey the same premises conveyed to Werner H. Beyer and Barbara M. Beyer as joint tenants with rights of survivorship by deed of Alice R. Beland, dated December 28, 1966 and recorded in the Hillsborough County Registry of Deeds at Book 1911, Page 390. The said Werner H. Beyer died on April 11, 1998, see 9th Circuit – Probate Division – Nashua, Case Number: 316-1998-ET-00711. See also Estate Of/In The Matter Of Barbara M. Beyer (21-0002) Court of Probate, Northern Fairfield County, District No. PD45, State of Connecticut and Conservatorship/Guardianship of Barbara Beyer, 9th Circuit – Probate Division – Nashua, Case Number: 316-2021-GI-00816.

NOT HOMESTEAD PROPERTY.

EXECUTED this 26th day of May, 2021.

Estate of Barbara M. Beyer

By: 
Lara Wheat, Conservator

-3-

STATE OF NH

COUNTY OF Hillsborough

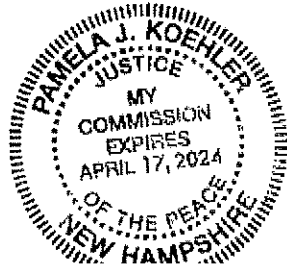
May 26, 2021

Personally appeared **Lara Wheat, Conservator of the Estate of Barbara M. Beyer** and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me,

PN
Notary Public

My Commission Expires: 4-17-2024



182 035 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPRaised: 291,700 / 291,700
USE VALUE: 291,700 / 291,700
ASSESSed: 291,700 / 291,700



Patriot Properties Inc.

USER DEFINED

Prior Id # 1: 0047
Prior Id # 2: 0114
Prior Id # 3: 0000
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:

ASR Map:
Fact Dist:

Reval Dist:
Year:

LandReason:
BldReason:

CivilDistrict:
Ratio:

PRINT

Date Time
06/04/21 12:19:14

LAST REV

Date Time
01/13/21 13:33:56

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IN PROCESS APPRAISAL SUMMARY

Table with columns: Use Code, Land Size, Building Value, Yard Items, Land Value, Total Value. Includes summary rows for Total Card and Total Parcel.

Table with columns: Legal Description, User Acct, GIS Ref, Entered Lot Size, Total Land, Land Unit Type.

PREVIOUS ASSESSMENT

Table with columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date. Includes a Parcel ID 182-035-000.

SALES INFORMATION

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

TAX DISTRICT

PAT ACCT.

PRINT

Date Time
06/04/21 12:19:14

LAST REV

Date Time
01/13/21 13:33:56

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PROPERTY LOCATION

Table with columns: No, Alt No, Direction/Street/City. Value: 3, FULTON ST, HUDSON.

OWNERSHIP

Table with columns: Owner 1, Owner 2, Owner 3, Street 1, Street 2, TwN/City, St/Prov, Postal, Type.

PREVIOUS OWNER

Table with columns: Owner 1, Owner 2, Street 1, TwN/City, St/Prov, Postal, Type.

NARRATIVE DESCRIPTION

This parcel contains .333 ACRES of land mainly classified as TWO FAM with a RANCH Building built about 1950, having primarily VINYL Exterior and 2908 Square Feet, with 2 Units, 2 Baths, 2 3/4 Baths, 0 HalfBath, 9 Rooms, and 4 Bdrms.

OTHER ASSESSMENTS

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

PROPERTY FACTORS

Table with columns: Item, Code, Description, %, Item, Code, Description. Includes items like TOWN RES, water, Sewer, Electri, Exmpt, ELDER-3, Flood Haz: C, Topo, LEVEL, Street, Gas.

BUILDING PERMITS

Table with columns: Date, Number, Descrip, Amount, C/O, Last Visit, Fed Code, F. Descrip, Comment.

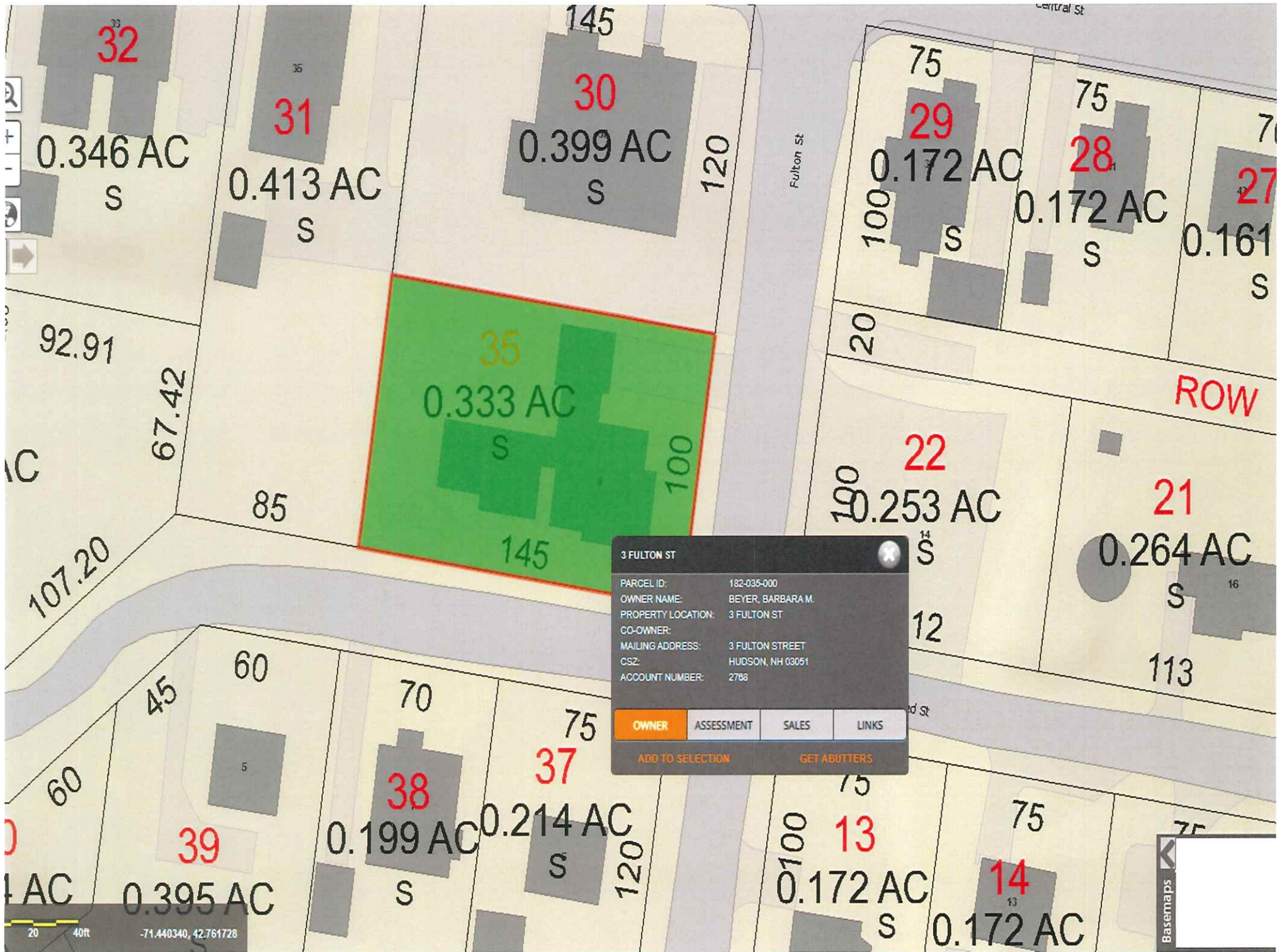
ACTIVITY INFORMATION

Table with columns: Date, Result, By, Name. Includes activities like Measured, Meas/Inspect, Inspected, NC Visit, New Maps, Left Notice, Inspected.

LAND SECTION (First 7 lines only)

Table with columns: Use Code, Description, LUC Fact, No of Units, Depth / Price/Units, Unit Type, Land Type, LT Factor, Base Value, Unit Price, Adj, Neigh, Neigh Infl, Neigh Mod, Infl 1, %, Infl 2, %, Infl 3, %, Appraised Value, Alt Class, %, Spec Land, J Code, Fact, Use Value, Notes.

Total AC/HA: 0.33300 Total SF/SM: 14505 Parcel LUC: 104 TWO FAM Prime NB Desc RES AVG Total: 96,788 Spl Credit Total: 96,800



3 FULTON ST

PARCEL ID:	182-035-000
OWNER NAME:	BEYER, BARBARA M.
PROPERTY LOCATION:	3 FULTON ST
CO-OWNER:	
MAILING ADDRESS:	3 FULTON STREET
CSZ:	HUDSON, NH 03051
ACCOUNT NUMBER:	2783

[OWNER](#) [ASSESSMENT](#) [SALES](#) [LINKS](#)

[ADD TO SELECTION](#) [GET ABUTTERS](#)



PURCHASE AND SALES AGREEMENT
New Hampshire Association of REALTORS® Standard Form



(EFFECTIVE DATE)
EFFECTIVE DATE is defined in Section 21 of this Agreement.

1. THIS AGREEMENT made this 19th day of April, 2021 between Owner of Record ("SELLER") of 3 Fulton St, Hudson, NH 03051 and SJL Properties of NH, LLC

("BUYER") of 189 Ridge Rd, Hollis, NH 03049

2. WITNESSETH: That SELLER agrees to sell and convey, and BUYER agrees to buy certain real estate situated in City/Town of Hudson located at 3 Fulton St, Hudson NH, 03051. County Hillsborough Book 1911 Page 930 Date 12/28/1966 ("PROPERTY").

3. The SELLING PRICE is Three Hundred Seventy Thousand Dollars \$370,000.00. A DEPOSIT in the form of Check is to be held in an escrow account by Coldwell Banker Realty Bedford NH ("ESCROW AGENT"). BUYER [] has delivered, or [X] will deliver to the ESCROW AGENT's FIRM within 3 days of the EFFECTIVE DATE, a deposit of earnest money in the amount of \$10,000.00. BUYER agrees that an additional deposit of earnest money in the amount of \$NA will be delivered on or before []. If BUYER fails to deliver the initial or additional deposit in compliance with the above terms, SELLER may terminate this Agreement. The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check, in the amount of \$360,000.00.

4. DEED: Marketable title shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except usual public utilities serving the PROPERTY.

5. TRANSFER OF TITLE: On or before May 28, 2021 at Summit Title or some other place of mutual consent as agreed to in writing.

6. POSSESSION: Full possession and occupancy of the premises with all keys shall be given upon the transfer of title free of all tenants and occupant's personal property and encumbrances except as herein stated. Said premises to be then in the same condition in which they now are, reasonable wear and tear excepted. SELLER agrees that the premises will be delivered to BUYER free of all debris and in "broom clean" condition. Exceptions:

Buyer reserves the right to conduct a walk through inspection upon reasonable notice to SELLER's real estate FIRM within 24 hours prior to time of closing to ensure compliance with the terms of this Agreement.

7. REPRESENTATION: The undersigned SELLER(S) and BUYER(S) acknowledge the roles of the agents as follows: H&Co. Realty Group of Coldwell Banker Realty Bedford NH is a [X] seller agent [] buyer agent [] facilitator [] disclosed dual agent*. Crystal Maribito Perham of East Key Realty is a [] seller agent [] buyer agent [X] facilitator [] disclosed dual agent*

*If agent(s) are acting as disclosed dual agents, SELLER and BUYER acknowledge prior receipt and signing of a Dual Agency Informed Consent Agreement. [] NOTICE OF DESIGNATED AGENCY: If checked, notice is hereby given that BUYER is represented by a designated buyer's agent and SELLER is represented by a designated seller's agent in the same firm.

8. INSURANCE: The buildings on said premises shall, until full performance of this Agreement, be kept insured against fire, and other extended casualty risk by SELLER. In case of loss, all sums recoverable from said insurance shall be paid or assigned, on transfer of title, to BUYER, unless the premises shall previously have been restored to their former condition by SELLER; or, at the option of BUYER, this Agreement may be rescinded and the DEPOSIT refunded if any such loss exceeds \$5,000.00.

SELLER(S) INITIALS / BUYER(S) INITIALS [SJL]

PURCHASE AND SALES AGREEMENT
New Hampshire Association of REALTORS® Standard Form



9. TITLE: If upon examination of title it is found that the title is not marketable, SELLER shall have a reasonable time, not to exceed thirty (30) days from the date of notification of defect (unless otherwise agreed to in writing), to remedy such defect.

10. PRORATIONS: Taxes, condo fees, special assessments, rents, water and sewage bills shall be prorated as of time and date of closing. Buyer shall pay for all fuel remaining in tank(s) calculated as of the closing date or such earlier date as required to comply with lender requirements, if any.

None Other

11. PROPERTY INCLUDED: All Fixtures All Kitchen appliances, light fixtures, in both units, as seen on 4/17/2021.

12. In compliance with the requirements of RSA 477:4-a, the following information is provided to BUYER relative to Radon Gas and Lead Paint:

RADON: Radon, the product of decay of radioactive materials in rock may be found in some areas of New Hampshire. Radon gas may pass into a structure through the ground or through water from a deep well.

Arsenic: Arsenic is a common groundwater contaminant in New Hampshire that occurs at unhealthy levels in well water in many areas of the state. Tests are available to determine whether arsenic is present at unsafe levels, and equipment is available to remove it from water.

LEAD: Before 1978, paint containing lead may have been used in structures. Exposure to lead from the presence of flaking, chalking, chipping lead paint or lead paint dust from friction surfaces, or from the disturbance of intact surfaces containing lead paint through unsafe renovation, repair or painting practices, or from soils in close proximity to the building, can present a serious health hazard, especially to young children and pregnant women.

Disclosure Required [X] YES [] NO

13. BUYER ACKNOWLEDGES RECEIPT OF SELLER'S PROPERTY DISCLOSURE FORM AND SIGNIFIES

BY INITIALING HERE:

SJL

14. INSPECTIONS: The BUYER is encouraged to seek information from licensed home inspectors and other professionals normally engaged in the business regarding any specific issue of concern. SELLER'S real estate FIRM makes no warranties or representations regarding the condition, permitted use or value of the SELLER'S real or personal property.

Table with 4 columns: TYPE OF INSPECTION, YES, NO, RESULTS TO SELLER. Rows include General Building, Sewage Disposal, Water Quality, Radon Air Quality, Radon Water Quality, Lead Paint, Pests, Hazardous Waste, and other unspecified inspections.

The use of days is intended to mean calendar days from the effective date of this Agreement. TIME IS OF THE ESSENCE in the observance of all deadlines set forth within this Paragraph 14. All inspections will be done by licensed home inspectors or other professionals normally engaged in the business, to be chosen and paid for by BUYER.

(a) BUYER shall have the option at BUYER'S sole discretion to terminate this Agreement and all deposits shall be returned to BUYER in accordance with NH RSA 331-A:13; or

(b) If BUYER elects to notify SELLER in writing of the unsatisfactory condition(s) then:

1) SELLER and BUYER can reach agreement in writing on the method of repair or remedy of the unsatisfactory condition(s); or

SELLER(S) INITIALS / BUYER(S) INITIALS SJL

PURCHASE AND SALES AGREEMENT
New Hampshire Association of REALTORS® Standard Form



- 2) If SELLER elects not to repair or remedy the unsatisfactory conditions(s) the BUYER may release the home inspection contingency and accept the property as is; or
3) If SELLER and BUYER cannot reach agreement in writing with respect to the method of repair and remedy of the unsatisfactory condition(s), then this Agreement is terminated and all deposits shall be returned to BUYER in accordance with NH RSA 331-A:13.

Notification in writing of SELLER'S intent to repair or remedy or not to repair or remedy pursuant to Section (b) above, shall be delivered to BUYER or their licensee within five (5) days of receipt by SELLER of notification of unsatisfactory condition(s). BUYER shall respond in writing to SELLER'S notification within five (5) days. If BUYER does not respond within five (5) days, SELLER may elect to terminate this Agreement and all deposits shall be returned to BUYER in accordance with NH RSA 331-A:13.

In the absence of inspection mentioned above, BUYER is relying upon BUYER'S own opinion as to the condition of the PROPERTY.

BUYER HEREBY ELECTS TO WAIVE THE RIGHT TO ALL INSPECTIONS AND SIGNIFIES BY INITIALING

HERE: SJL

15. DUE DILIGENCE: This Agreement is contingent upon BUYER'S satisfactory review of the following:

- a. Restrictive Covenants of Record YES NO [] [X]
b. Easements of Record/Deed YES NO [] [X]
c. Park Rules and Regulations YES NO [] [X]
d. Condominium documentation per N.H. RSA 356-B:58 YES NO [] [X]
e. Co-op/PUD/Association Documents YES NO [] [X]
f. Availability of Property/Casualty Insurance YES NO [] [X]
g. Availability and cost of Flood Insurance YES NO [] [X]

If such review is unsatisfactory, BUYER must notify SELLER in writing within N/A days from the effective date of the Agreement failing which such contingency shall lapse.

16. LIQUIDATED DAMAGES: If BUYER shall default in the performance of their obligation under this Agreement, the amount of the deposit may, at the option of SELLER, become the property of SELLER as reasonable liquidated damages. In the event of any dispute relative to the deposit monies held in escrow, the ESCROW AGENT may, in its sole discretion, pay said deposit monies into the Clerk of Court of proper jurisdiction in an Action of Interpleader, providing each party with notice thereof at the address recited herein, and thereupon the ESCROW AGENT shall be discharged from its obligations as recited therein and each party to this Agreement shall thereafter hold the ESCROW AGENT harmless in such capacity. Both parties hereto agree that the ESCROW AGENT may deduct the cost of bringing such Interpleader action from the deposit monies held in escrow prior to the forwarding of same to the Clerk of such court.

17. PRIOR STATEMENTS: Any verbal representation, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties.

18. FINANCING: This Agreement ([] is) ([X] is not) contingent upon BUYER obtaining financing under the following terms:

AMOUNT TERM/YEARS RATE MORTGAGE TYPE CASH

CASH SALE, See proof of funds

For the purposes of this Agreement, financing is to be demonstrated by a conditional loan commitment letter, which states that BUYER is creditworthy, has been approved and that the lender shall make the loan in a timely manner at the Closing on specified customary conditions for a loan of the type specified above. BUYER is responsible to resolve all conditions included in the loan commitment by the Closing date.

SELLER(S) INITIALS / BUYER(S) INITIALS SJL

PURCHASE AND SALES AGREEMENT
New Hampshire Association of REALTORS® Standard Form



The existence of conditions in the loan commitment will not extend either the Financing Deadline described below or the closing date.

BUYER hereby authorizes, directs and instructs its lender to communicate the status of BUYER'S financing and the satisfaction of lender's specified conditions to SELLER and SELLER'S/BUYER'S real estate FIRM.

TIME IS OF THE ESSENCE in the observance of all deadlines set forth within this financing contingency.

BUYER agrees to act diligently and in good faith in obtaining such financing and shall, within NA calendar days from the effective date, submit a complete and accurate application for mortgage financing to at least one financial institution currently providing such loans, requesting financing in the amount and on the terms provided in this Agreement.

If BUYER provides written evidence of inability to obtain financing to SELLER by NA ("Financing Deadline"), then:

- (a) This Agreement shall be null and void; and
- (b) All deposits will be returned to BUYER in accordance with the procedures required by the New Hampshire Real Estate Practice Act (N.H. RSA 331-A:13) ("the Deposit Procedures"); and
- (c) The premises may be returned to the market.

BUYER may choose to waive this financing contingency by notifying SELLER in writing by the Financing Deadline and this Agreement shall no longer be subject to financing.

If, however:

- (a) BUYER does not make application within the number of days specified above; or
- (b) BUYER fails to provide written financing commitment or written evidence of inability to obtain financing to SELLER by the Financing Deadline,

Then SELLER shall have the option of either:

- (a) Declaring BUYER in default of this Agreement; or
- (b) Treating the financing contingency as having been waived by BUYER.

If SELLER declares BUYER in default, in addition to the other remedies afforded under this Agreement:

- (a) SELLER will be entitled to all deposits in accordance with the Deposit Procedures; and
- (b) This Agreement will be terminated; and
- (c) The premises may be returned to the market for sale.

If SELLER opts to treat the financing contingency as waived or relies on a conditional loan commitment and BUYER subsequently does not close in a timely manner, SELLER can then declare BUYER in default. SELLER then, in addition to the other remedies afforded under this Agreement:

- (a) Will be entitled to all deposits in accordance with the Deposit Procedures; and
- (b) This Agreement will be terminated; and
- (c) The premises may be returned to the market for sale.

BUYER shall be solely responsible to provide SELLER in a timely manner with written evidence of financing or lack of financing as described above.

WIRE FRAUD ALERT. Sophisticated criminals are targeting the email accounts of real estate agents, title companies, settlement attorneys and others to generate fake wire transfer instructions designed to divert closing funds to the criminals. The emails are professionally created and look real. Buyer and Seller should not send personal information such as social security numbers, bank account numbers or credit card numbers except through secure email or personal delivery of the ^{DS}ion. **Buyer and Seller are advised not to wire any funds without personally speaking with the intended recipient of ^{DS}ion.** Seller _____ Bu^{DS} _____

number and the account number. **SJL** e to confirm the routing

SELLER(S) INITIALS _____ / _____ BUYER(S) INITIALS **SJL** _____ / _____

PURCHASE AND SALES AGREEMENT
New Hampshire Association of REALTORS® Standard Form



19. ADDITIONAL PROVISIONS:

Multiple horizontal lines for additional provisions.

20. ADDENDA ATTACHED: [] Yes [X] No

21. EFFECTIVE DATE/NOTICE: Any notice, communication or document delivery requirements in this agreement may be satisfied by providing the required notice, communication or documentation to the party or their licensee. All notices and communications must be in writing to be binding except for withdrawals of offers or counteroffers. This Agreement is a binding contract when signed and all changes initialed by both BUYER and SELLER and when that fact has been communicated in writing which shall be the EFFECTIVE DATE. Licensee is authorized to fill in the EFFECTIVE DATE on Page 1 hereof. The use of days is intended to mean calendar days from the EFFECTIVE DATE of this Agreement. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the EFFECTIVE DATE, unless another starting date is expressly set forth, beginning with the first day after the EFFECTIVE DATE, or such other established starting date, and ending at 12:00 midnight Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 12:00 midnight Eastern Time on such date.

Each party is to receive a fully executed copy of this Agreement. This Agreement shall be binding upon the heirs, executors, administrators and assigns of both parties.

PRIOR TO EXECUTION, IF NOT FULLY UNDERSTOOD, PARTIES ARE ADVISED TO CONTACT AN ATTORNEY.

DocuSigned by: Steven J. Lombardi 4/19/2021
BUYER DATE/TIME
MAILING ADDRESS
CITY STATE ZIP

SELLER accepts the offer and agrees to deliver the above-described PROPERTY at the price and upon the terms and conditions set forth.

SELLER DATE/TIME
Owner of Record
3 Fulton St
MAILING ADDRESS
CITY STATE ZIP

PROPERTY DISCLOSURE - RESIDENTIAL ONLY
New Hampshire Association of REALTORS® Standard Form



TO BE COMPLETED BY SELLER

The following answers and explanations are true and complete to the best of SELLER'S knowledge. This statement has been prepared to assist prospective BUYERS in evaluating SELLER'S property. This disclosure is not a warranty of any kind by the SELLER, or any real estate FIRM representing the SELLER, and is not a substitute for any inspection by the BUYER.

NOTICE TO SELLER(S): COMPLETE ALL INFORMATION AND STATE NOT APPLICABLE OR UNKNOWN AS APPROPRIATE. IF ANY OF THE INFORMATION IN THIS PROPERTY DISCLOSURE FORM CHANGES FROM THE DATE OF COMPLETION, YOU ARE TO NOTIFY THE LISTING FIRM PROMPTLY IN WRITING.

- 1. SELLER: Lara Wheat as Conservator for Barabara M Beyer
2. PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217
3. CONDOMINIUM, CO-OP, PUD DISCLOSURE RIDER OR MULTIFAMILY DISCLOSURE RIDER ATTACHED? Yes
4. SELLER: has occupied the property for 50 years.

5. WATER SUPPLY
Please answer all questions regardless of type of water supply.
a. TYPE OF SYSTEM: Public Private Seasonal Unknown
b. INSTALLATION: Location: public water meter in basement
c. USE: Number of persons currently using the system: none
d. MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water systems?
Pump: Yes No N/A Quantity: Yes No
Quality: Yes No Unknown
e. WATER TEST: Have you had the water tested? Yes No Date of most recent test

COMMENTS:

6. SEWAGE DISPOSAL SYSTEM
a. TYPE OF SYSTEM: Public: Yes No Community/Shared: Yes No
Private: Yes No Unknown
Septic Design Available: Yes No
b. IF PUBLIC OR COMMUNITY/SHARED
Have you experienced any problems such as line or other malfunctions? Yes No
What steps were taken to remedy the problem?
c. IF PRIVATE:
TANK: Septic Tank Holding Tank Cesspool Unknown Other
Tank Size Gal. Unknown Other
Tank Type Concrete Metal Unknown Other
Location: Location Unknown Date of Installation:
Date of Last Servicing: Name of Company Servicing Tank:
Have you experienced any malfunctions? Yes No
Comments:
d. LEACH FIELD: Yes No Other
IF YES, Location: Size Unknown
Date of installation of leach field: Installed By:

SELLER(S) INITIALS LSW for BMB BUYER(S) INITIAL SJL

PROPERTY DISCLOSURE - RESIDENTIAL ONLY
New Hampshire Association of REALTORS® Standard Form



TO BE COMPLETED BY SELLER

PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217

e. IS SYSTEM LOCATED ON "DEVELOPED WATERFRONT" as described in RSA 485-A? Yes No Unknown
IF YES, has a site assessment been done? Yes No Unknown

Source of Information:
Comments:

FOR ADDITIONAL INFORMATION THE BUYER IS ENCOURAGED TO CONTACT THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES SUBSURFACE SYSTEMS BUREAU

Table with 7 columns: LOCATION, Yes, No, Unknown, If YES, Type, Amount, Unknown. Rows include Attic or Cap, Crawl Space, Exterior Walls, Floors.

8. HAZARDOUS MATERIAL

a. UNDERGROUND STORAGE TANKS - Current or previously existing:

Are you aware of any past or present underground storage tanks on your property? Yes No Unknown

IF YES: Are tanks currently in use? Yes No

IF NO: How long have tank(s) been out of service?

What materials are, or were, stored in the tank(s)?

Age of tank(s): Size of tank(s):

Location:

Are you aware of any past or present problems such as leakage, etc? Yes No Comments:

If tanks are no longer in use, have the tanks been removed? Yes No Unknown

b. ASBESTOS - Current or previously existing:

As insulation on the heating system pipes or ducts? Yes No Unknown

In the siding? Yes No Unknown In the roofing shingles? Yes No Unknown

In flooring tiles? Yes No Unknown Other Yes No Unknown

If YES, Source of information:

Comments:

c. RADON/AIR - Current or previously existing:

Has the property been tested? Yes No Unknown

If YES: Date: By:

Results: If applicable, what remedial steps were taken?

Has the property been tested since remedial steps? Yes No

Are test results available? Yes No Comments:

d. RADON/WATER - Current or previously existing:

Has the property been tested? Yes No Unknown

If YES: Date: By:

Results: If applicable, what remedial steps were taken?

Has the property been tested since remedial steps? Yes No

Are test results available? Yes No Comments:

e. LEAD-BASED PAINT - Current or previously existing:

Are you aware of lead-based paint on this property? Yes No

If YES: Source of information:

Are you aware of any cracking, peeling, or flaking lead-based paint? Yes No

Comments:

SELLER(S) INITIALS LSW BMB

BUYER(S) INITIALS DS SJL

PROPERTY DISCLOSURE - RESIDENTIAL ONLY
New Hampshire Association of REALTORS® Standard Form



TO BE COMPLETED BY SELLER

PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217

- f. Are you aware of any other hazardous materials? Yes No
If YES: Source of information: _____
Comments: _____

9. GENERAL INFORMATION

- a. Is this property subject to liens, encroachments, easements, rights-of-way, leases, restrictive covenants, attachments, life estates, or right of first refusal?
 Yes No Unknown If YES, Explain: Property tax liens
What is your source of information? _____
- b. Is this property subject to special assessments, betterment fees, association fees, or any other transferable fees?
 Yes No Unknown If YES, Explain: _____
What is your source of information? _____
- c. Are you aware of any onsite landfills or any other factors, such as soil, flooding, drainage, etc?
 Yes No If YES, Explain: _____
- d. Are you aware of any problems with other buildings on the property? Yes No If YES, Explain: _____
- e. Are you receiving a tax exemption or reduction for this property for any reason including but not limited to current use, land conservation, etc.?
 YES NO UNKNOWN If YES, Explain: _____
- f. Is any part of this property in Current Use? Yes No Unknown If YES, Explain: _____
- g. Is this property located in a Federally Designated Flood Zone? Yes No Unknown
- h. Has the property been surveyed? Yes No Unknown If YES, By: _____
If YES, is survey available? Yes No Unknown
- i. How is the property zoned? _____
- j. Heating System Age: unknown Type: Gas / hot oil Fuel: natural gas Tank/Location: _____
Owner of Tank: _____
Annual Fuel Consumption: _____ Price: _____ Gallons: _____
Date system was last serviced and by whom? _____
Solar Panels: Leased Owned If leased, explain terms of agreement: _____
Comments: _____
- k. Roof Age: unknown Type of Roof Covering: _____
Moisture or leakage: _____
Comments: _____
- l. Foundation/Basement: Full Partial Other: _____ Type: _____
Moisture or leakage: _____
Comments: _____
- m. Chimney(s) How Many? 2 Lined? unknown Last Cleaned: unknown Problems? unknown
- n. Plumbing Type: original Age: _____
Comments: _____
- o. Domestic Hot Water: Age: 1 yr old (4 yrs old apt) Type: Both Electric Gallons: 40 gallon at main house
- p. Electrical System Amps: unknown Circuit Breakers Fuses 40 gallon at apartment
Comments: _____
- q. Modifications: Are you aware of any modifications or repairs made without the necessary permits? Yes No
If Yes, please explain: _____
- r. Pest Infestation: Are you aware of any past or present pest infestations? Yes No Type: _____
Comments: _____
- s. Methamphetamine Production: Do you have knowledge of methamphetamine production ever occurring on the property?
(Per RSA 477:4-g) Yes No If YES, please explain: _____
- t. Other (e.g. Alarm System, Irrigation System, etc.) N/A

SELLER(S) INITIALS LSW for [signature]

BUYER(S) INITIALS DS SVL

PROPERTY DISCLOSURE - RESIDENTIAL ONLY
New Hampshire Association of REALTORS® Standard Form



TO BE COMPLETED BY SELLER

PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217

NOTICE TO PURCHASER(S): PRIOR TO SETTLEMENT YOU SHOULD EXERCISE WHATEVER DUE DILIGENCE YOU DEEM NECESSARY WITH RESPECT TO ADJACENT PARCELS IN ACCORDANCE WITH THE TERMS AND CONDITIONS AS MAY BE CONTAINED IN PURCHASE AND SALES AGREEMENT AND DEPOSIT RECEIPT. YOU SHOULD EXERCISE WHATEVER DUE DILIGENCE YOU DEEM NECESSARY WITH RESPECT TO INFORMATION ON ANY SEXUAL OFFENDERS REGISTERED UNDER NH RSA CHAPTER 651-B. SUCH INFORMATION MAY BE OBTAINED BY CONTACTING THE LOCAL POLICE DEPARTMENT.

10. **ADDITIONAL INFORMATION**

- a. ATTACHMENT EXPLAINING CURRENT PROBLEMS, PAST REPAIRS, OR ADDITIONAL INFORMATION?
 Yes No
- b. ADDITIONAL COMMENTS:

I am the conservator for this property and have never lived here, so
I can make no representations on the condition of this property.

ACKNOWLEDGEMENTS:

SELLER ACKNOWLEDGES THAT HE/SHE HAS PROVIDED THE ABOVE INFORMATION AND THAT SUCH INFORMATION IS ACCURATE, TRUE AND COMPLETE TO THE BEST OF HIS/HER KNOWLEDGE. SELLER AUTHORIZES THE LISTING BROKER TO DISCLOSE THE INFORMATION CONTAINED HEREIN TO OTHER BROKERS AND PROSPECTIVE PURCHASERS.

SELLER(S) MAY BE RESPONSIBLE AND LIABLE FOR ANY FAILURE TO PROVIDE KNOWN INFORMATION TO BUYER(S).

Lara Wheat as Conservator for Barbara 14 April 2021
 SELLER DATE SELLER DATE

BUYER ACKNOWLEDGES RECEIPT OF THIS PROPERTY DISCLOSURE RIDER AND HEREBY UNDERSTANDS THE PRECEDING INFORMATION WAS PROVIDED BY SELLER AND IS NOT GUARANTEED BY BROKER/AGENT. THIS DISCLOSURE STATEMENT IS NOT A REPRESENTATION, WARRANTY OR GUARANTY AS TO THE CONDITION OF THE PROPERTY BY EITHER SELLER OR BROKER. BUYER IS ENCOURAGED TO UNDERTAKE HIS/HER OWN INSPECTIONS AND INVESTIGATIONS VIA LEGAL COUNSEL, HOME, STRUCTURAL OR OTHER PROFESSIONAL AND QUALIFIED ADVISORS AND TO INDEPENDENTLY VERIFY INFORMATION DIRECTLY WITH THE TOWN OR MUNICIPALITY.

DocuSigned by:
Steven J. Lombardi 4/19/2021
 E 023E8F58874141B... DATE BUYER DATE

DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS FOR HOUSING SALES



This Disclosure Form is from the National Lead Information Center under the United States Environmental Protection Agency. This is not a New Hampshire Association of REALTORS® form.

Property Address: 3 Fulton St, Hudson, NH 03051-4217

LEAD WARNING STATEMENT

Every purchaser of any interest in residential property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
 - (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).
 - (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the seller (check (i) or (ii) below):
 - (i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).
 - (ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgement (initial)

- (c) SVL Purchaser has received copies of all information listed above.
- (d) SVL Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.
- (e) Purchaser has (check (i) or (ii) below):
 - (i) received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
 - (ii) waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgement (initial)

- (f) SH Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Lara Wheat as Conservator for Barbara M Beyer 14 April 2021
 Seller Lara Wheat as Conservator for Barbara M Beyer Date Seller Date

DocuSigned by: Steven J. Lombardi 4/19/2021 Date

023E8F5B874141B... Date

DocuSigned by: Shannon Hassan 4/14/2021 Date

Agent's Name: Realty Group/Shannon Hassan Date

Purchaser: Crystal Maribito Perham 4/19/2021 Date

C60394F014B3405... Date

MULTIFAMILY PROPERTY DISCLOSURE RIDER
(To be used in conjunction with Property Disclosure - Residential)



New Hampshire Association of REALTORS® Standard Form

PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217

5. ADDITIONAL PROPERTY INCOME (laundry, storage, garage rental, etc.): N/A

6. EXPENSE INFORMATION:

- a. Annual real estate taxes and year: _____
- b. Annual hazard insurance: unknown
- c. Annual snow removal expense: unknown
- d. Annual lawn mowing, yard maintenance expense: unknown
- e. Annual fuel consumption paid by landlord: # Gallons, cu.ft: unknown Cost: unknown
- f. Annual electric costs paid by landlord: unknown
- g. Annual trash removal expense: unknown
- h. Other expenses: unknown

7. ADDITIONAL INFORMATION:

- a. Attachment regarding expenses, rents, lease information or additional information? Yes No
- b. Additional comments:
I am the conservator for the estate, have never lived at this property, therefore I cannot make any representations on the property or its condition.

8. ACKNOWLEDGEMENTS:

SELLER ACKNOWLEDGES THAT HE/SHE HAS PROVIDED THE ABOVE INFORMATION AND THAT SUCH INFORMATION IS ACCURATE, TRUE AND COMPLETE TO THE BEST OF HIS/HER KNOWLEDGE. SELLER AUTHORIZES THE LISTING BROKER TO DISCLOSE THE INFORMATION CONTAINED HEREIN TO OTHER BROKERS AND PROSPECTIVE PURCHASERS.

Lara Wheat as Conservator for Barbara Meyer 19 April 2021
SELLER Lara Wheat as Conservator for Barabara M DATE SELLER DATE

BUYER ACKNOWLEDGES RECEIPT OF THIS PROPERTY DISCLOSURE RIDER AND HEREBY UNDERSTANDS THE PRECEDING INFORMATION WAS PROVIDED BY SELLER AND IS NOT GUARANTEED BY BROKER/AGENT. THIS DISCLOSURE STATEMENT IS NOT A REPRESENTATION, WARRANTY OR GUARANTY AS TO THE CONDITION OF THE PROPERTY BY EITHER SELLER OR BROKER. BUYER IS ENCOURAGED TO UNDERTAKE HIS/HER OWN INSPECTIONS AND INVESTIGATIONS VIA LEGAL COUNSEL, HOME, STRUCTURAL OR OTHER PROFESSIONAL AND QUALIFIED ADVISORS AND TO INDEPENDENTLY VERIFY INFORMATION DIRECTLY WITH THE TOWN OR MUNICIPALITY.

DocuSigned by: Steven J. Lombardi 4/19/2021
E 023E8F5B674141B... DATE BUYER DATE

MULTIFAMILY PROPERTY DISCLOSURE RIDER
(To be used in conjunction with Property Disclosure - Residential)



New Hampshire Association of REALTORS® Standard Form

1. SELLER: Lara Wheat as Conservator for Barabara M Beyer
2. PROPERTY LOCATION: 3 Fulton St, Hudson, NH 03051-4217
3. GENERAL INFORMATION:
 - a. Number of city/town approved units: 2
 - b. Number and type of appliances included in sale: All appliances
 - c. Number and location of washer / dryer hookups: no washer/dryer hook-ups at apartment side & washer/dryer @ hall
 - d. Number and type of electrical service entrances: unknown
 - e. Number and type of heating systems (note ages): unknown
 - f. Any rented water heaters, burners or other equipment or appliances? Yes No If yes, please explain: _____
 - g. Any other leases or contracts for services on the building? Yes No If yes, please specify: unknown
 - h. Is a municipal certificate of compliance required? Yes No If yes, list date of expiration: _____
 - i. Are there any outstanding state or local lead based paint abatement orders or code enforcement orders? no
If yes, please explain: _____
 - j. Smoke detectors: Locations _____ Hard-wired? Yes No

4. RENT SCHEDULE: All vacant

Unit #	Lease (Y/N) or Vacant?	Length of Tenancy	Lease Expires?	Monthly Rent (See Below)	Is Rent Current?	Amount of Security Deposit	Tenant Pays (Check) See Legend Below			Landlord Pays (Check) See Legend Below						
							<input type="checkbox"/> H	<input type="checkbox"/> HW	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> S	<input type="checkbox"/> H	<input type="checkbox"/> HW	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> S
	<u>Vacant</u>						<input type="checkbox"/> H	<input type="checkbox"/> HW	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> S	<input type="checkbox"/> H	<input type="checkbox"/> HW	<input type="checkbox"/> E	<input type="checkbox"/> W	<input type="checkbox"/> S
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Monthly Rent: If vacant please enter most recent rent.
Legend: H = Heat, HW = Hot Water, E = Electric, W = Water, S = Sewer

Have any tenants given notice or have you served notices to quit or started eviction proceedings against any tenants? vacant

Comments: _____

SELLER(S) INITIALS LSW for BMB BUYER(S) INITIALS DS SVL

Utilities and Services

Please provide company name, where applicable to help provide a seamless transfer of utilities for the buyers of your home. Please note that you should call and remove your name from all utilities prior to closing.

Address 3 Fulton Street, Hudson, NH 03051

Gas/Oil: Liberty Utilities

Electric: Eversource

Water: Town of Hudson - Water Utility

Sewer: Town of Hudson - Sewer Utility

Garbage: Town of Hudson (Waste Management)

Recycling: Town of Hudson (every other week)

Cable: N/A

Internet: N/A

Alarm System: N/A

Printed
6/07/2021
3:46PM
Created
6/07/2021
3:39 PM

Transaction Receipt

Receipt# 644,130
tgoodwyn

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

<u>Description</u>		<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application- 6/24/21ZBA Mtg. 3 Fulton Street Map/Lot 182-035-000			
	Equitable Waiver (a)	0.00	130.0000	0.00
	Variance (b)	0.00	178.1000	0.00
			Total:	308.10

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Welts, White & Fontaine, P.C.	CHECK	CHECK # 80398	130.00	0.00	130.00
Welts, White & Fontaine, P.C.	CHECK	CHECK # 80399	178.10	0.00	178.10
			Total Due:		308.10
			Total Tendered:		308.10
			Total Change:		0.00
			Net Paid:		308.10



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison

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

MEETING MINUTES – May 27, 2021 - edited

I. CALL TO ORDER

Chairman Gary Daddario called the meeting to order at 7:17 PM, welcomed everyone, invited all to stand for the Pledge of Allegiance and read the COVID-19 meeting procedure that in conformance with the NH State of Emergency Order #12 confirmed the following: (a) providing public access to meeting by telephone and video access; (b) provided public notice on how to access the meeting; (c) mechanism to advise if there is a problem with accessing meeting and (d) should there be an issue with accessibility, the meeting will need to be adjourned and rescheduled; and (e) that voting would be by roll call vote. Mr. Daddario stated that the Board would go into recess so that the public could call in their questions or concerns during public testimony and added that if anyone cannot gain access, that the meeting would need to be adjourned. Mr. Daddario noted that specific instructions for meeting access was included in both the Applicant Notification and the Abutter Notification and were posted on the website.

Mr. Buttrick read the Preamble into the record, identified as Attachment A of the Board’s Bylaws, which included the procedure and process for the meeting, and the importance of the 30-day time period for appeal.

Mr. Daddario stated that Clerk Etienne is excused from the meeting and that Mr. Pacocha would be Acting Clerk for this meeting.

Mr. Pacocha took attendance. Members present were Gary Daddario (Regular/Chair), Leo Fauvel (Regular), Marcus ~~Nicholas~~Nicolas (Member) and Jim Pacocha (Regular/Vice Chair/Acting Clerk). Also present were Bruce Buttrick, Zoning Administrator and Louise Knee, Recorder (via remote access) and Kara Roy, Selectman Liaison. Excused was Brian Etienne (Regular/Clerk). Absent was Ethan Severance (Alternate).

Mr. Daddario noted that there would be only four (4) Members voting and offered the option to continue a hearing to the June Meeting with the hope that there would be five (5) Members present. Mr. Dhima stated that the Board could have only four (4) Members present next month too and stated that it is okay to move forward with just four (4) voting.

II. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

CONTINUED HEARING:

47
48 1. **Case 111-017 (05-27-21)(continued from 04-22-21):** Elvis Dhima, Town
49 Engineer and authorized representative, Town of Hudson, requests a Variance for
50 **151 Robinson Rd., Hudson, NH** to allow a front yard setback of 30 feet where 50
51 feet is required. [Map 111, Lot 017-000; Zoned General-One (G-1); HZO Article VII,
52 Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements].
53

54 Mr. Pacocha raised a Point of Order, questioned if the Case is valid to be before the
55 Board tonight and stated that at the last meeting the vote was tied and should have
56 been a denial and the Case should have been Appealed for a Rehearing to be in front
57 of the Board again. Mr. Buttrick and Mr. Daddario stated that Town Counsel was
58 consulted and even though the Board made two (2) Motions, one to deny and one to
59 approve with both Motions failing with a Vote of 2:2, the Board then made a third
60 Motion, unanimously voted, to continue the Case and that a Point of Order should
61 have been made at that meeting.
62

63 Town Engineer Elvis Dhima stated that the lot is an existing lot of record approved by
64 the Planning Board in 1969 when the front setback was set at thirty feet (30') and
65 noted that the front setback was increased to fifty feet (50') in 1978 and the wetland
66 setback was also increased in 1990. The previous application was seeking a twenty
67 five foot (25') front setback. The application before the Board is seeking a front
68 setback at thirty feet (30'), the exact front setback that existed in 1969 when the lot
69 was created. Mr. Dhima stated that since the last meeting the proposed plan has been
70 reviewed and unanimously approved by both the Conservation Commission and the
71 Planning Board.
72

73 Mr. Dhima addressed the criteria necessary for the granting of a Variance and the
74 information shared included:
75

- 76 (1) *not contrary to public interest* – existing developed lots in proximity to this lot
77 (143-148, 155 & 157 Robinson Road) currently do not comply with the 50'
78 front setback – granting the Variance would place the proposed house in
79 similar location to most of the properties around it.
80 (2) *use will observe spirit of Ordinance* – the proposed use provides a thirty foot
81 (30') front setback while avoiding impact to the wetland in the rear of the
82 property while minimizing wetland buffer impact
83 (3) *substantial justice to the property owner* – this is currently an approved lot
84 by the Hudson Planning Board and State of NH and the variance should be
85 granted because the lot was created in conformance to the rules and
86 regulations of the time, prior to the expansion of the front and wetland
87 buffer setback distances
88 (4) *use will not diminish surrounding property values* – this lot would have the
89 same front setback as most of the existing developed properties along this
90 road and would not result in diminution of surrounding properties as there
91 would be an improvement (a single family house) built
92 (5) *hardship* – this is an existing lot of record that is currently undeveloped and
93 since it was created the rules and regulations have changed (increased)
94 making this lot currently a non-conforming/grandfathered lot and the
95 proposed layout provides for the thirty foot (30') front setback as was the

96 standard when the lot was created and does not impact the extensive
97 wetlands in the rear of the lot

98 Mr. Daddario asked and received confirmation from Mr. Dhima that the relief being
99 sought is twenty feet (20') into the current fifty foot (50') front setback and that both
100 the Conservation Commission and the Planning Board have granted their approvals
101 for the proposed plan.
102

103 Mr. Fauvel stated that he attended their meeting and his concerns were addressed –
104 shrubs to be eliminated for sight distance, that if Robinson Road was to be expanded
105 the widening in pavement would occur across the street from this lot - that a
106 developed lot is an improvement over an underdeveloped lot and that a condition of
107 the CUP approval was that a stone barrier be placed at the wetland buffer line.
108

109 Mr. Pacocha stated that he still has concern for the large wetland on this property and
110 Ms. Roy stated that the application before the Board is for a Variance to the front
111 setback only. Mr. Buttrick concurred and stated that until approximately a year and a
112 half ago, encroachment into a wetland buffer was under ZBA jurisdiction through a
113 Wetland Special Exception and was changed to needing a Conditional Use Permit
114 (CUP) from the Planning Board. Mr. Buttrick stated that both the Conservation
115 Commission and the Planning Board conditionally approved the plan and added that
116 their condition requiring a stone barrier at the wetland buffer is good for Code
117 Enforcement purposes should there be any attempt to further encroach.
118

119 Board took a five-minute recess from 7:46 PM – 7:51 PM for the public to call in or
120 connect. Mr. Buttrick confirmed that there were no calls or connections made during
121 the recess. Mr. Daddario noted that Earl Sanford, CWS, was connected remotely and
122 asked if anyone had questions for him. No questions. Mr. Daddario declared the Case
123 before the Board.
124

125 Mr. Fauvel made the motion to approve Case #111-017 and grant the Variance for a
126 thirty foot (30') front setback. Mr. Nichols seconded the motion. Mr. Fauvel spoke to
127 his motion stating that his concerns regarding sight distance and future widening of
128 Robinson Road have been addressed and that the stone barrier solves his concern,
129 that granting the request would not be contrary to public interest and observes the
130 spirit of the Ordinance and would not hinder public interest or diminish surrounding
131 property values and that hardship is met with the later expansion of the front setback.
132 Mr. ~~Nicholas~~Nicolas concurred and noted that the proposed plan meets the front
133 setback of 1969 when the lot was created. Mr. Daddario added that a Variance is
134 needed in order to make use of the lot. Roll call vote was 3:1. Mr. Pacocha opposed.
135 Motion carried. Variance granted. Mr. Daddario noted the 30-day Appeal period. Mr.
136 Dhima thanked the Board.
137

138 **III. REQUEST FOR REHEARING:**

139
140 No requests were received for Board consideration.
141

142 **IV. REVIEW OF MINUTES:**

143
144 04/22/21 edited Minutes: Mr. Pacocha stated that he submitted his edits late and that his edits had not
145 been included and noted that Line 40 should read “Mr.” and not “Me”. Mr. Pacocha made the motion to

146 approve the 4/22/2021 Minutes as edited and amended. Mr. Fauvel seconded the motion. Vote was
147 3:0:1. Mr. Nichols abstained. Minutes adopted.

148

149 **V. OTHER:**

150

151 1. OSI 27th Annual Spring Planning & Zoning Recap

152

153 Mr. Buttrick stated that a printout of the information was included in the meeting
154 packet, noted that importance of the information, that it is always helpful and will be
155 placed on the Town's website under Resources.

156

157 2. Revival of ZORC Meetings

158

159 Mr. Buttrick stated that ZORC stands for Zoning Ordinance Review Committee, that it
160 is comprised of two (2) Members from each Board and the Town Planner and the
161 Zoning Administrator and should convene by September with a target date of
162 November to submit proposed Zoning Ordinance Amendments to the Planning Board
163 as they are required to hold Public Hearings before an item can be placed as a
164 Warrant Article for Town Vote in March. Mr. Buttrick made an appeal to Members for
165 late summer.

166

167 3. Workshop- Review Zoning Application Drafts

168

169 Mr. Buttrick stated that the recent review of Home Occupation special Exception
170 application with its omission of "retail sales expressly forbidden" has prompted review
171 of all other Application forms to the Zoning Ordinance and RSAs. Mr. Buttrick
172 referenced the large packet that contained current Application forms, a proposed draft
173 for the Equitable Waiver and Board Decision Sheets. Mr. Buttrick noted that
174 according to the Board's ByLaws, the ZBA needs to approve changes to the Application
175 Forms.

176

177 Mr. Buttrick stated that the Zoning Application Instructions is also in need of
178 clarification and a draft of proposed changes has been prepared. Mr. Buttrick noted
179 that in working with the Town Engineer it would/could also be beneficial to have the
180 on-line Application Forms modified to allow answers to be inserted.

181

182 Discussion arose on the Equitable Waiver. Mr. Fauvel noted that the Decision Sheet is
183 backwards, suggested that Option 1 and Option 2 be on separate sheets of paper and
184 questioned why Mr. Buttrick as the Zoning Administrator could not be charged with the
185 authority to approve an Equitable Waiver if there is documentation that it existed for
186 longer than ten (10) years and not come before the Board. Tracy Goodwyn, Zoning
187 Admn Aide, joined the conversation on the telephone, and stated that the RSA is clear
188 that the ZBA needs to review and grant, that it is the Applicant who decides whether
189 to pursue either Option 1 or Option 2, agreed that the Meeting Packets should only
190 include the Applicant's choice and stated that review of the 2020-2021 RSA book
191 should be made and compared to the Zoning Ordinance and all Application Forms.
192 Mr. Buttrick added that one benefit is that all Abutters are notified for each
193 Application, which would not be the case if it were handled administratively.

194

195 Mr. Fauvel questioned the Abutter preparation process. Mr. Buttrick stated that the
196 burden is on the Applicant to provide an accurate abutter list and that the Town does
197 help with that process with the use of GIS and added that per State Law, only direct
198 Abutters are to be sent certified notices of an application and that the Town of Hudson
199 requires that all abutters within two hundred feet (200') also be notified through
200 regular USP mail.

201
202 Mr. Fauvel stated that street number should be on every building in Town and added
203 that it should be a requirement for the granting of a Certificate of Occupancy. Mr.
204 Buttrick responded that it could be part of the Building Code, is a part of a Sign
205 Permit and suggested it could be included in the upcoming ZORC review or maybe the
206 Town Code.

207
208 Mr. Daddario agreed with Ms. Goodwyn that reference to the Zoning Ordinance and/or
209 the RSA should be on every Application and noted that it is not on the Home
210 Occupation Special Exception Application Form.

211
212 Mr. Daddario asked the Members to review the packet for continued discussion at the
213 next meeting. Mr. Buttrick stated that there are already two (2) applications for the
214 next meeting and added that fee charges should also be included in the review and
215 noted that any change to the fees would require Selectmen approval.

216
217
218 Motion made by Mr. Pacocha and seconded by Mr. Fauvel to adjourn the meeting.
219 Vote was 4:0. The 5/27/2021 ZBA meeting adjourned at 8:45 PM.

220
221 Respectfully submitted,
222
223 Louise Knee, Recorder