

# **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 – October 28, 2021

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, October 28, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the basement of Hudson Town Hall (please enter by ramp entrance at right side). 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. <u>Case 190-140 (10-28-21)</u>: Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH, Map 190, Lot 140-000; Zoned Town Residence (TR) requests the following:
  - a) A Variance for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures.
  - b) An Equitable Waiver of Dimensional Requirement for an existing 9 ft. x 13 ft. (117 sqft) shed which encroaches the side and rear setbacks leaving 2 feet and 11 feet respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
- 2. <u>Case 190-029 (10-28-21)</u>: Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029-000, Split Zoned Business (B) and Town Residence (TR) requests the following:
  - a) A Use Variance for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of non-conforming uses.
  - b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
- 3. <u>Case 166-031 (10-28-21)</u>: Daniel M. Flores, PE of SFC Engineering Partnership, Inc., 183 Rockingham Rd, Unit 3 East, Windham NH 03087 requests a Variance for 8 Lindsay St., Hudson, NH for relief from HZO Article VII, Dimensional Requirements; § 334-27.1 D, General Requirements: to allow the creation of a new lot that has insufficient required frontage on a class V or better portion off Grigas St. [Map 166, Lot 031-000, Zoned Town Residence (TR).]
- IV. REQUEST FOR REHEARING: None

#### V. REVIEW OF MINUTES:

08/26/21 edited Minutes; 09/09/21 edited Minutes; 09/23/21 edited Minutes

IV. OTHER: 2022 Proposed ZBA Meeting Schedule

Bruce Buttrick Zoning Administrator

Posted: Town Hall, Town Website, Library, Post Office - 10/18/2021

## Legal Notice

DaVita Dialysis of Bedford, located at 15 Constitution Drive in Bedford, NH, will withdraw its participation in the Medicare program and permanently close effective October 22nd, 2021. Please direct all medical record inquiries to DaVita Dialysis of Manchester, NH located at 903 Hanover Street, Manchester, NH. (UL - Oct. 19, 20)

## Legal Notice

#### SEEKING LOCAL SUBCONTRACTORS

North Branch Construction, Inc., as Construction Manager for the Harvey Heights Apartments Renovation Project, located in Meredith, NH is seeking local subcontractors interested in providing bid pricing. This is an existing apartment complex consisting of 25 units which are in one interconnected building. Units are roughly 900/sf. Apartments will receive abatement of ACM popcorn ceilings, new kitchens, flooring, sprinkler system, appli-ances, steel hand rails, insulation, doors, bath fixtures, electrical upgrades, patching and painting. Other scopes include; siding, windows, and site work. The anticipated start date is mid-November with an anticipated duration of 12 months. The project is available for bidding immediately. All interested subcontractors should contact Bronson Raspuzzi or Carol Card at North Branch Construction (603) 224-3233. Bids are due to North Branch Construction no later than 2:00pm on October 22, 2021

This Project is funded through, NHFFA, Rural Development and the Community Development Finance Authority under provisions, and subject to Com-munity Development Block Grant requirements under Title 1 of the Housing and Community Develop-ment Act of 1974. Federal compliance requirements include Equal Employment Opportunity, Civil Rights, Affirmative Action, and DAVIS-BACON WAGE RATES (Residential Belknap County).

The Owner is an equal opport unity/affirmative action agency. All qualified bidders will receive consideration without regard to race, color, religions, creed, age, sex or national origin. Minorityowned, Women-owned, minorityowned, and Section 3 contractors are encouraged to submit bids.

A prequalification package will be required, which includes insurance verification. The Owner re-serves the right to reject any and all of the bids received and to waive any informalities in the bidding. No bid shall be with-drawn for a period of 60 days subsequent to the opening of bids without consent of the Owner. (UL - Oct. 19, 20, 22, 24)

## Legal Notice

### NOTICE

A meeting of the Board of Directors of New Hampshire Health and Education Facilities Authority, which is open to the public, will be held on October 26, 2021, at 9:30 a.m. in the Dion Center at Rivier University, 420 S. Main St., Nashua, NH. The matters include, but are not limited

process is Corporation Service Company d/b/a Lawyers Incorporating Service.

You can contact the New Hampshire Banking Department by e-mail at <u>nhbd@banking.nh.gov</u>. For information on getting help with housing and foreclosure is-sues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be enti-tled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

#### TERMS OF SALE

deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasur-er's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attor-ney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachu-setts, on September 20, 2021. U.S. Bank Trust National

Association, not in its individual capacity but solely as owner trustee for GS Mortgage-Backed Securities Trust 2018-RPL1 By its Attorney, Allison West Dalton Harmon Law Offices, P.C. PO Box 610389 Newton Highlands, MA 02461 603-669-7963 16766

(UL - Oct. 13, 20, 27)

## Legal Notice

#### Public Notice The Community College System of New Hampshire **Request for Proposal** For: Classroom Audio/Video Conferencing Equipment & Installation At Great Bay Community College, Portsmouth, NH Project # GBC22-01

Great Bay Community College is accepting proposals for the purchase and installation of Classroom Audio/Video Conferencing Equipment in the campus's main building. The scope of this project includes forty-three (43) classrooms.

Electronic proposals per the Request for Proposal will be accepted by email to Sean Fitzpatrick at sfitzpatrick@ccsnh.edu until Friday. November 5, 2021 at 1:00pm. Details can be found at community College System of claims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is AS IS, WHERE IS".

The foreclosure sale will be made for the purpose of foreclo-sure of all rights of redemption of the said mortgagor(s) therein possessed by them and any and all persons, firms, corporations, or agencies claiming by, from or under them.

#### TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check, or money order will be required to be delivered at or before the time the bid is offered. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

PNC Bank, National Association, successor by merger to National City Bank Present Holder of said Mortgage, By Its Attorneys, Orlans PC

PO Box 540540

Waltham, Massachusetts 02454 Phone: (781) 790-7800 (UL - Oct. 13, 20, 27)

## Legal Notice

#### **PUBLIC NOTICE**

The Town of Goffstown, NH Parks and Recreation Dep. invites RFP for the Request for replace-ment of a 200 amp three-phase electrical service to the Barnard Pool House. RFP specifications are available from Town of Goffstown website www.goffstown.com, Contact Rick Wilhelmi, Director Parks and Recreation, rick.wilhelmi <u>@goffstownnh.gov</u>. Sealed Bids will be submitted to the Select Board office at Goffstown Town Hall at 16 Main Street Goffstown, NH 03045 no later than 2:00 pm on November 15, 2021, and be marked "**2021 Barnard Pool** Three Phase Electrical Service" to be considered. The Town reserves the right to reject and/or waive any bids or RFPs if deemed in the best interest of the Town. Bids should be clearly marked Parks and Recreation Electronic Message Center". (UL - Oct. 20)

## Legal Notice

#### MORTGAGEE'S SALE **OF REAL ESTATE**

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Karen Richard-Kenney f/k/a Karen Richard and James J. Kenney to First Bank d/b/a First Bank Mortgage, dated October 29, 2004 and recorded with the Hillsbor-ough County Registry of Deeds in Book 7350, Page 2893, of which mortgage U.S. Bank Trust National Association, as Trustee of CVI LCF Mortgage Loan Trust I is the present holder by assignment, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at 1073 Page Street, Manchester, Hillsbor-ough County, New Hampshire will be sold at a Public Auction at 1:00 PM on August 25, 2021, being the premises described in the mortgage to which reference is made for a more particular description thereof. Said public aucbid, bidders must register to bid and present to the Mortgagee or its agent the sum of Five Thou-sand Dollars and 00/100 (\$5,000.00) by certified check or other form of payment acceptable to the Mortgagee or its agent prior to the commencement of the public auction. The balance of the purchase price must be paid in full by the successful bidder by certified check within thirty (30) days from the date of the public auction, or on delivery of the foreclosure deed, at the option of Mortgagee. The deposits the placed by unsuccessful bidders shall be returned to those bidders at the conclusion of the public auction. The successful bidder shall execute a Memorandum of Foreclosure Sale immediately after the close of bidding. If the successful bidder fails to complete the purchase of the Mortgaged Prem-ises, the Mortgagee may, at its option, retain the deposit as

liquidated damages. RESERVATION OF RIGHTS: The Mortgagee reserves the right to (i) cancel or continue the foreclosure sale to such subse-quent date or dates as the Mortgagee may deem necessary or desirable, (ii) bid upon and pur-chase the Mortgaged Premises at the foreclosure sale, (iii) reject any and all bids for the Mortgaged Premises and (iv) amend or change the terms of sale set forth herein by announcement, written or oral, made before or during the foreclosure sale. Such change(s) or amendment(s) shall be binding on all bidders.

Other terms to be announced at sale.

U.S. Bank Trust National Association, as Trustee of CVI LCF Mortgage Loan Trust I Present holder of said mortgage,

by its Attorneys Susan W. Cody Korde & Associates, P.C.

900 Chelmsford Street, Suite 3102 Lowell, MA 01851

(978) 256-1500 ALW 21-038406 Kenney

NOTICE OF ADJOURNMENT At the above time and place, the above referenced foreclosure was postponed, continued and adjourned until November 17, 2021 at 12:00 PM

By order of the Mortgagee which gives notice of its intention to bid at such sale or any postponement or adjournment thereof.

KORDE & ASSOCIATES, P.C. Attorneys for the Holder of the Mortgage 900 Chelmsford Street Suite 3102 Lowell, MA 01851 (978) 256-1500 (October 20, 2021, October 27,

2021 and November 3, 2021) 21-038406 (UL - Oct. 20, 27; Nov. 3)

# Legal Notice

#### **MORTGAGEE'S SALE** OF REAL ESTATE By virtue of and in execution of the Power of Sale contained in a certain mortgage given by **Dennis M. Pendergast and Ruth G.** George NKA Ruth G. Pender**gast** to Option One Mortgage Corporation, dated January 8, 2007 and recorded with the Rockingham County Registry of Deeds in Book 4756, Page 394, of which mortgage Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust

Premises will be made by the Mortgagee and accepted by the successful bidder without any express or implied warranties whatsoever, including, without limitation, any representations or warranties with respect to title, possession, permits, approvals, recitation of acreage, hazardous materials and physical condition. All risk of loss or damage to the Mortgaged Premises shall be assumed and borne by the successful bidder immediately after the close of bidding. TERMS OF SALE: To qualify to

bid, bidders must register to bid and present to the Mortgagee or its agent the sum of Five Thousand Dollars and 00/100 (\$5,000.00) by certified check or other form of payment acceptable to the Mortgagee or its agent prior to the commencement of the public auction. The balance of the purchase price must be paid in full by the successful bidder by certified check within thirty (30) days from the date of the public auction, or on delivery of the foreclosure deed, at the option of the Mortgagee. The deposits placed by unsuccessful bidders shall be returned to those bidders at the conclusion of the public auction. The successful bidder shall execute a Memorandum of Foreclosure Sale immediately after the close of bidding. If the successful bidder fails to complete the purchase of the Mortgaged Premises, the Mortgagee may, at its option, retain the deposit as liquidated damages.

RESERVATION OF RIGHTS: The Mortgagee reserves the right to (i) cancel or continue the foreclosure sale to such subsequent date or dates as the Mortgagee may deem necessary or desirable, (ii) bid upon and purchase the Mortgaged Premises at the foreclosure sale, (iii) reject any and all bids for the Mortgaged Premises and (iv) amend or change the terms of sale set forth herein by announcement, written or oral. made before or during the foreclosure sale. Such change(s) or amendment(s) shall be binding on all bidders.

Other terms to be announced at sale.

Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust 2007-3, Asset-Backed Certificates, Series 2007-3 Present holder of said mortgage, by its Attorneys Susan W. Cody Korde & Associates, P.C.

900 Chelmsford Street, Suite 3102 Lowell, MA 01851 (978) 256-1500

POW 19-034910 Pendergast NOTICE OF ADJOURNMENT At the above time and place, the above referenced foreclosure was postponed, continued and

adjourned until 2021 at 11:00 AM November 17 By order of the Mortgagee which gives notice of its intention to bid at such sale or any postponement or adjournment

thereof. KORDE & ASSOCIATES, P.C. Attorneys for the Holder of the Mortgage 900 Chelmsford Street Suite 3102 Lowell, MA 01851 (978) 256-1500 (October 20, 2021, October 27, 2021 and November 3, 2021)

19-034910 (UL - Oct. 20, 27; Nov. 3)

#### NewRez LLC d/b/a Shellpoint Mortgage Servicing (the "Mortgagee"), said mortgage dated Sep-tember 19, 2019, and recorded with the Hillsborough County Registry of Deeds in Book 9211 at Page 978 (the "Mortgage"), pur-suant to and for breach of the conditions in said Mortgage and for the purpose of foreclosing the same will be sold at: Public Auction

## On

November 29, 2021 at 12:00 PM Said sale to be held on the mortgaged premises described in said mortgage and having a pres-ent address of 88 Whitney Road, Hillsborough, Hillsborough County, New Hampshire.

ty, New Hampshire. **NOTICE** PURSUANT TO NEW HAMP-SHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORT-CACEP DEPEMBES APE SITU. GAGED PREMISES ARE SITU-ATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

YOU ARE ALSO NOTIFIED THAT THE ADDRESS OF THE MORTGAGEE FOR SERVICE OF PROCESS IS: 75 BEATTIE PLACE, SUITE 300, GREENVILLE, SC 29601. THE NAME OF THE MORTGAGEE'S AGENT FOR SERVICE OF PROCESS IS: NEW REZ LLC, D/B/A SHELLPOINT MORTGAGE SERVICING.

For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire banking department. There is no charge for this call. The contact information for the New Hamp-shire banking department is 53 Regional Drive, Suite 200, Concord, NH 03301, with an email

address of <u>nhbd@banking.nh.gov</u>. The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances, which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

AS IS WHERE IS . **TERMS OF SALE** A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within sixty (60) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. Dated at Farmington, CT on

October 19, 2021

Shellpoint Mortgage Servicing By its Attorney,

NewRez LLC d/b/a

to: • Approval: Minutes of September 28, 2021; Financial Report for September 2021

• Direct Loans: Thomas More College, Northeast Woodland Chartered Public School and Community Crossroads

• Reports: 2021 Audit, 2021 Marketing, Executive Director's, Nominating Committee • Election of Officers

• Such other and further matters as may come before the meeting. (UL - Oct. 20)

## Legal Notice

#### **MORTGAGEE'S NOTICE OF** SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by Jose Javier Perez, Cecilia C. Perez ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for Merrimack Mortgage Company, Inc., a Massachusetts Corporation, dated November 14, 2006 and recorded in the Hillsborough County Registry of Deeds in Book 7768, Page 2604 (the "Mortgage"), which mortgage is held by U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for GS Mortgage-Backed Securities Trust 2018-RPL1, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at: Public Auction

#### on November 10, 2021 at

4:00 PM

Said sale being located on the mortgaged premises and having a present address of 9 Catherine Nashua, Hillsborough Street. County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor's(s') title see deed recorded with the Hillsbor-ough County Registry of Deeds in Book 7768, Page 2602.

NOTICE PURSUANT TO NEW HAMP-SHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORT-GAGED PREMISES ARE SITU-ATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The address of the mortgagee for service of process is 10 Ferry Street Suite 313, Concord, NH 03301 and the name of the mortgagee's agent for service of

New Hampshire website at https ://www.ccsnh.edu/about-ccsnh/ bidding-rfp/ (UL - Oct. 18, 19, 20)

## Legal Notice

#### **MORTGAGEE'S NOTICE OF** SALE OF REAL ESTATE

By virtue of a Power of Sale contained in a certain Mortgage given by **Alwin Alkonis** (the "Mortgagor") to First Franklin A division of Nat. City Bank of IN., dated November 28, 2005 and recorded in the Rockingham County Registry of Deeds in Book 4587, Page 876 (the "Mortgage") of which mortgage the undersigned is present holder by assignment, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purpose of foreclosing same will be sold at:

Public Auction on November 3, 2021 at 1:00 PM Said sale being located on the

mortgaged premises and having a present address of 117 Lawrence Road, Salem, Rockingham County, NH. The premises are more particularly described in the Mortgage.

NOTICE

PURSUANT TO NEW HAMP-SHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORT-GAGED PREMISES ARE SITU-ATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The mortgagee's name and address for service of process is PNC Bank, National Association, successor by merger to National City Bank c/o Select Portfolio Servicing, Inc. at 3217 S. Decker Lake Dr, Salt Lake City, UT, 84119. The name and address of the mortgagee's agent for service of process is Lawyers Incorporat-ing Service at 10 Ferry Street 313, Concord, NH 03301. You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov.

For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mort-gage. Notwithstanding any title information contained in this notice, the Mortgagee expressly dis-

tion will occur on the Mortgaged Premises.

For mortgagor's title, see deed recorded with the Hillsborough County Registry of Deeds in Book 6910, Page 593

NOTICE TO THE MORTGA-GOR AND ALL INTERESTED PAR-TIES: YOU ARE HEREBY NOTI-FIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREM-ISES ARE SITUATED, WITH SERVICE UPON THE MORTGA-GEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORE-CLOSURE SALE.

THE AGENTS FOR SERVICE OF PROCESS ARE:

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF MORTGAGE LOAN LCF CVI TRUST I, 300 East Delaware Avenue, 8th Floor, Wilmington, DE 19809 (Mortgagee)

New Penn Financial LLC DBA Shellpoint Mortgage Servicing c/o Corporation Service Company, 10 Ferry Street, Suite 313, Concord, NH 03301 (Mortgagee Servicer)

You can contact the New Hampshire Banking Department at 53 Regional Drive #200, Con-cord, NH 03301 Tel (603) 271-3561 and by email at nhbd

@banking.nh.gov FOR INFORMATION ON GET-TING HELP WITH HOUSING AND FORECLOSURE ISSUES, PLEASE CALL THE FORECLOSURE IN-FORMATION HOTLINE AT 800-437-5991. THE HOTLINE IS A SERVICE OF THE NEW HAMP-SHIRE BANKING DEPARTMENT. THERE IS NO CHARGE FOR THIS CALL.

LIENS AND ENCUMBRAN-CES: The Mortgaged Premises shall be sold subject to any and all easements, unpaid taxes, liens, encumbrances and rights, title and interests of third persons of any and every nature whatsoever which are or may be entitled to precedence over the Mortgage.

NO WARRANTIES: The Mortgaged Premises shall be sold by the Mortgagee and accepted by the successful bidder "AS IS" AND "WHERE IS" and with all faults. Except for warranties arising by operation of law, if any, the conveyance of the Mortgaged Premises will be made by the Mortgagee and accepted by the successful bidder without any express or implied warranties whatsoever, including, without limitation, any representations or warranties with respect to title, possession, permits, approvals, recitation of acreage, hazardous materials and physical condition. All risk of loss or damage to the Mortgaged Premises shall be assumed and borne by the success-ful bidder immediately after the close of bidding.

TERMS OF SALE: To qualify to

2007-3, Asset-Backed Certificates. Series 2007-3 is the present holder by assignment, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at **51 Chester Road**, Derry, Rockingham County, New Hampshire will be sold at a Public Auction at 12:00 PM on September 15, 2021, being the premises described in the mortgage to which reference is made for a more particular description there-of. Said public auction will occur on the Mortgaged Premises.

For mortgagor's title, see deed recorded with the Rockingham County Registry of Deeds in Book 3274, Page 0945.

S274, Page 0945. NOTICE TO THE MORTGA-GOR AND ALL INTERESTED PAR-TIES: YOU ARE HEREBY NOTI-FIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREM-ISES ARE SITUATED, WITH SERVICE UPON THE MORTGA-GEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORE-CLOSURE SALE.

THE AGENTS FOR SERVICE

OF PROCESS ARE: WELLS FARGO BANK, NA-TIONAL ASSOCIATION AS TRUST-EE FOR OPTION ONE MORT-GAGE LOAN TRUST 2007-3. ASSET-BACKED CERTIFICATES, SERIES 2007-3, 101 North Phillips Avenue, Sioux Falls, SD 57104 (Mortgagee)

PHH MORTGAGE CORPORA-TION, C/O CORPORATION SERV-ICE COMPANY, 10 Ferry Street, Suite 313, Concord, NH 03301 (Mortgagee Servicer)

You can contact the New Hampshire Banking Department at 53 Regional Drive #200, Con-NH 03301 Tel (603) cord, 271-3561 and by email at  $\underline{nhbd}$ @banking.nh.gov FOR INFORMATION ON GET-

TING HELP WITH HOUSING AND FORECLOSURE ISSUES, PLEASE CALL THE FORECLOSURE IN-FORMATION HOTLINE AT 800-437-5991. THE HOTLINE IS A SERVICE OF THE NEW HAMP-SHIRE BANKING DEPARTMENT. THERE IS NO CHARGE FOR THIS CALL.

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# Legal Notice

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By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Sean Schoeneman** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc. as nominee for NewRez LLC and now held by

/s/ Christopher I. Henry, Esq. Christopher I. Henry, Esq. Bendett & McHugh, P.C. 270 Farmington Avenue, Ste. 151 Farmington, CT 06032 (860) 677-2868

(UL - Oct. 20, 27; Nov. 3)

**Going Online?** See more public notices at www.unionleader.com

#### **TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearings** THURSDAY, October 28, 2021

The Town of Hudson Zoning Board of Adjustment will hold a regularly scheduled meeting on Thursday, October 28, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room located in the basement of Hudson Town Hall (please enter by ramp entrance at right side). The following cases will be heard

PUBLIC HEARING OF SCHEDULED APPLICATIONS **BEFORE THE BOARD:** 

- Case 190-140 (10-28-21): Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH, Map 190, Lot 140-000 Zoned Town Residence (TR) requests the following:
- a) A Variance for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing nonconforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures.
- b) An Equitable Waiver of Dimensional Requirement for an existing 9 ft. x 13 ft. (117 sq. ft. ) shed which encroaches the side and rear setbacks leaving 2 feet and 11 feet respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
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- a) A Use Variance for relief from HZO Article V, Permitted Jses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of non-conforming uses.
- b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sq. ft.) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.
- 3. Case 166-031 (10-28-21): Daniel M. Flores, PE of SFC Engineering Partnership, Inc., 183 Rockingham Rd., Unit 3 East, Windham NH 03087 requests a Variance for 8 Lindsay St., Hudson, NH for relief from HZO Article VII, Dimensional Requirements; §334-27.1 D, General Requirements: to allow the creation of a new lot that has insufficient required frontage on a class V or better portion off **Grigas St.** [Map 166, Lot 031-000, Zoned Town Residence (TR).]

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: October 28, 2021 B& 10-14-21

1. <u>Case 190-140 (10-28-21)</u>: Kevin & Cynthia Farrell, **29 Riverside Dr., Hudson, NH,** Map 190, Lot 140; Zoned Town Residence (TR) requests the following:

a) Variance to Article VII Section 334-27 <u>Table of Minimum Dimensional Requirements</u>: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. Variance is required per Article VIII Section 334-31Alteration and expansion of nonconforming structures.

Address: 29 Riverside Dr Zoning district: Town Residence (TR)

### Summary:

Applicant requests a variance to extend and rebuild an existing non-conforming 15 ft. x 5 ft. three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches 1'-0" into the front yard setback leaving 9.2 feet setback where 30 feet is required and further encroaches 0'-6" into the side yard setback leaving 9.8 feet where 15 feet is required. Variance is required per Article VIII Section 334-31 Alteration and expansion of nonconforming structures.

### **Property description**:

Lot of record: Non-conforming area of 7,187 sqft where 10,000 sqft required. Non-conforming frontage with 75 ft where 90 ft required.

## LAND USE HISTORY:

Aug 11, 1962 ZBA letter Authorizing a Garage rebuild 26" (inches) from westerly side property line, expand 8 ft easterly, but denying 4 ft expansion towards Riverside Dr.

## **ASSESSING HISTORY:**

Property card indicates the house built ~ 1920 Single Family

## Town in-house review comments:

Town Engr: No comment requested Town Planner: Fire Dept:

## Attachments: A: 1962 ZBA Decision B: Assessing property card C: Assessing history D: 2021-00850 Building permit application denial.

August 1, 1962

5 NORMAN

Mr. Normand <sup>J</sup>urand 29 Riverside Avenue Hudson, New Hampshire

Deer Mr. Durand:

With reference to your recent letter without date and the public hearing held at the Library Building on August 8, 1962 in regard to your request for a variance from the provisions of Model III, Section 3 of the Zoning Ordinance of the Town of Hudson, New Hampshire covering the matter of front and sideline setbacks, in connection with proposed rebuilding and enlarging the garage on your property at the above location:

This Board has approved your request to rebuild the garage on the present pen-conforming setback of 26 inches from your property line on the west side and add about 6 fast in width on the east side toward your house. Your request to add h feet to front of garage toward liverside Avenue is declined on account of the limited setback from your property line, on the west side resulting in obstruction of view from adjuding property.

Very truly yours

Chairman Board of Adjustment

JHP/h

cc: Lionel Boucher Building Inspector With sketch

Ou with Printing The Very Num Roard Munhers "Inconcense" The pille Jal 3/11/63 116 Durach and cares the 2 had. - Received Tel. 48162 (2) Normand Durand, 28 River-stide Avenue to rebuild and in-crease the size of a garage, pres-vity 36" from the side lot line, whe same location. and the bert fr Current 1

# **General Property Data**

Parcel ID 190-140-000 Account Number 4824 Prior Parcel ID 0047 -0008-0000 Property Owner FARRELL, KEVIN Property Location 29 RIVERSIDE DR FARRELL, CYNTHIA **Property Use ONE FAMILY** Mailing Address 29 RIVERSIDE DR Most Recent Sale Date 11/18/2003 Legal Reference 7122-1624 **City HUDSON** Grantor DURAND, NORMAND E., Mailing State NH Zip 03051 Sale Price 189,000 ParcelZoning Land Area 0.165 acres **Current Property Assessment** Xtra Features 11,600 Value Card 1 Value Building Value 100,600 Land Value 82,400 Total Value 194,600 **Building Description** 

Building Style NEW ENGLANDR # of Living Units 1 Year Built 1920 Building Grade AVG/FAIR Building Condition Average Finished Area (SF) 1281 Number Rooms 5 # of 3/4 Baths 0 Foundation Type BRICK/STONE Frame Type WOOD Roof Structure GABLE Roof Cover ASPH SHING Siding VINYL Interior Walls PLASTER # of Bedrooms 2 # of 1/2 Baths 1

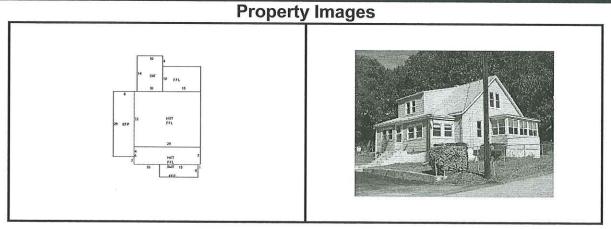
### # of 1/2 Baths 1 Legal Description

#### Basement Floor CONCRETE Heating Type FORCED AIR Heating Fuel OIL Air Conditioning 0% # of Bsmt Garages 0 # of Full Baths 1 # of Other Fixtures 0

Flooring Type LINO/VINYL

# **Narrative Description of Property**

This property contains 0.165 acres of land mainly classified as ONE FAMILY with a(n) NEW ENGLANDR style building, built about 1920, having VINYL exterior and ASPH SHING roof cover, with 1 unit(s), 5 room(s), 2 bedroom(s), 1 bath(s), 1 half bath(s).



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

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	101 - ONE FAMILY	100,600	11,600	82,400	0.17	0.00	194,600
2021	101 - ONE FAMILY	100,600	11,600	82,400	0.17	0.00	194,600
2020	101 - ONE FAMILY	100,600	11,600	82,400	0.17	0.00	194,600
2020	101 - ONE FAMILY	100,600	11,600	82,400	0.17	0.00	194,600
2019	101 - ONE FAMILY	100,600	11,600	82,400	0.17	0.00	194,600
2019	101 - ONE FAMILY	97,000	11,600	82,400	0.17	0.00	191,000
2018	101 - ONE FAMILY	97,000	11,600	82,400	0.17	0.00	191,000
2018	101 - ONE FAMILY	97,000	11,600	82,400	0.17	0.00	191,000
2017	101 - ONE FAMILY	97,000	11,600	82,400	0.17	0.00	191,000
2017	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2017	101 - ONE FAMILY	97,000	11,600	82,400	0.17	0.00	191,000
2016	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2016	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2015	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2015	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2014	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2014	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2013	101 - ONE FAMILY	74,000	9,400	78,700	0.17	0.00	162,100
2013	101 - ONE FAMILY	65,300	8,800	78,700	0.17	0.00	152,800
2012	101 - ONE FAMILY	65,300	8,800	78,700	0.17	0.00	152,800
2012	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2011	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2011	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2010	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2010	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2009	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2008	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2008	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2007	101 - ONE FAMILY	92,700	6,600	104,900	0.17	0.00	204,200
2007	101 - ONE FAMILY	91,400	6,100	78,700	0.17	0.00	176,200
2006	101 - ONE FAMILY	91,400	6,100	78,700	0.17	0.00	176,200
2006	101 - ONE FAMILY	91,400	6,100	78,700	0.17	0.00	176,200
2005	101 - ONE FAMILY	91,400	6,100	78,700	0.17	0.00	176,200
2005	101 - ONE FAMILY	91,400	6,100	78,900	0.17	0.00	176,400
2004	101 - ONE FAMILY	91,400	6,100	78,900	0.17	0.00	176,400
2004	101 - ONE FAMILY	71,000	6,200	60,100	0.17	0.00	137,300
2003	101 - ONE FAMILY	71,000	6,200	60,100	0.17	0.00	137,300
2003	101 - ONE FAMILY	71,000	6,200	60,100	0.17	0.00	137,300
2002	101 - ONE FAMILY	71,000	6,200	60,100	0.17	0.00	137,300
2002	101 - ONE FAMILY	71,000	6,200	60,100	0.17	0.00	137,300
2001	101 - ONE FAMILY	47,600	0	37,000	1	0.00	84,600
2000	101 - ONE FAMILY	43,200	4,400	37,000	0.17	0.00	84,600



# Land Use Division



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

## Zoning Determination #21-137 BP application #2021-00850 DENIAL

Re:

August 23, 2021

Kevin and Cynthia Farrell 29 Riverside Ave Hudson, NH 03051

<u>29 Riverside Ave Map 190 Lot 140-000</u> District: Town Residence (TR)

Dear Mr. & Mrs. Farrell,

#### Zoning Review / Determination:

This structure (house) is an existing non-conforming in regards to front and side setback requirements per Table of Minimum Dimensional Requirements §334-27.

Based on your submitted plot plan, I determine that an increase (expansion) of footprint would need to conform to §334-31.A <u>Alteration and expansion of nonconforming structures</u>: "A nonconforming structure may not be altered or expanded, except by variance. A nonconforming structure may be altered, reconstructed, externally or structurally modified, provided that such alterations, reconstruction, extension or structural modification does not make any portion or portions of the existing structure more nonconforming." Thereby would need a variance.

To continue with your proposal you would need to start with a Variance application (link): <u>https://www.hudsonnh.gov/zoning/page/variance</u>

Sincerely,

cc:

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

Public Folder D. Hebert, Building Official D. 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

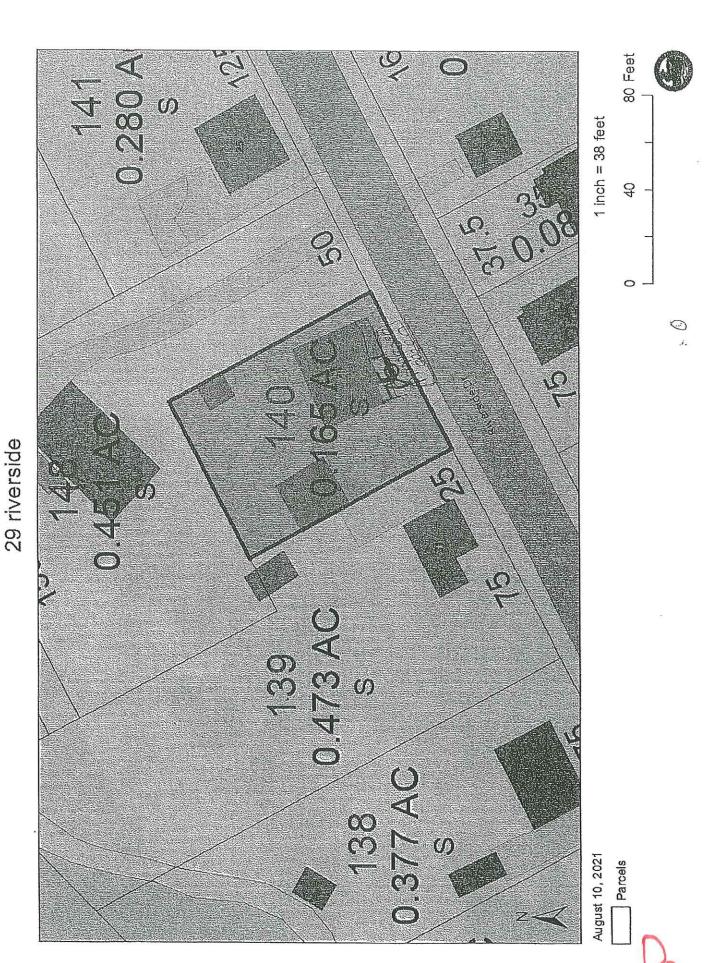
# .... AUG 1 0 2021

FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION FIRE SERVICES DIVISION FIRE SERVICES DIVISION FIRE SERVICES DIVISION 12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6005 · Fax: 603-594-1142

## **BUILDING PERMIT APPLICATION – PLEASE PRINT**

		Office use:	
Address: 29 Riverside Ane.		Map Lot Zone	
		Permit #	
Residential V Single family detached Modular Homes Duplex 3+ family dwelling (# of units) Other	Type of Improvement        New Building        Addition        Alteration/Renovation        Repair/Replacement        Conversion of +/- dwelling ur        Conversion of +/- dwelling ur	Deck Shed Swim Pool Garage aitsCarport _ <u>3 Sec surge</u> (1976/2016/2016/2016/2016/2016/2016/2016/201	
Commercial      Office/Bank/Professional      Garage        Office/Bank/Professional      Garage        Hospital/Medical      School        Industrial/Warehouse      Store        Restaurant      Utility        Other	Type of Improvement New Building Addition Alteration/Renovation Replacement Conversion from residential t Other	o commercial space	
Will the applicant/owner manufacture, assemble or product Yes (Need IDA Form) No (Need IDA Checklist) *Plo	e any product, regardless of wate		
General Description of Work and Use Include dimensions of building, room, shed, pool, etc. List # of bedrooms and bathrooms if new home or added. If use of existing building is being changed, enter proposed use. Project: \$15K-20K			
Square Footage       Footprint       Renovated/added _Ste Su +       Number of stories         Living area of new home (exclude unfinished areas and garage)       Total area of bldg			
Principal Type of Frame Masonry (wall bearing)	Wood Frame	Structural steel	
Type of Sewage Disposal Town or private company Private (septic tank, efc.)	(requires Town permit)		

:



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

On 10/28/21, the Zoning Board of Adjustment heard Case 190-140, being a case brought by Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH for a Variance for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures. [Map 190, Lot 140-000; Zoned Town Residence (TR).]

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	Ν	<b>1.</b> 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	Ν	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	Ν	<b>3.</b> 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	Ν	<b>4.</b> The proposed use will not diminish the values of surrounding properties.
Y	Ν	<b>5.</b> Special conditions exist such that literal enforcement of the ordinance would result in <b>unnecessary hardship</b> , 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 <u>and also</u> 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.
Meml	ber Decis	sion:

\_\_\_\_

#### APPLICATION FOR A VARIANCE

NOFHUDSON	
APPLICATION	FOR A VARIANCE
OCT 01 2021 APPLICATION	FOR A VARIANCE
to attrice	Entries in this box are to be filled out by Land Use Division personnel
<sup>Conin</sup> gTO: Zoning Board of Adjustment Town of Hudson	Case No. 190-140 (10-28-21)
Town of Hudson	
	Date Filed _/0/1/2/
Name of Applicant Cynthia Farre	Map: 190 Lot: 140 Zoning District: TR
Telephone Number (Home) 781-956-5	5025 (Work)
Mailing Address 29 Rivers	ide Are
Owner Kevin + Canthie	- Farrell
Location of Property 29 Riversi	de Ave
(Street Address)	0-22-24
Signature of Applicant	Date 9-2-2-21
signature of Appricant	(22-2)
Signature of Property-Owner(s)	Date
	pplication Form(s) as appropriate. This
application is not acceptable unless all r Additional information may be supplied	
inadequate. If you are not the property of documentation signed by the property of	
owner(s) are allowing you to speak on hi	s/her/their behalf or that you have
permission to seek the described varianc	e
Items in this box are to be filled out by Lar	-
COST:	185.60 Date received: 10/1/2/
Application fee: 7 Direct Abutters x \$4.33=	\$130.00 30.31 Partial fee-1
17 Indirect Abutters x \$9.57 =	9.86 22517 Aut 100 22617 Check#
Total amount due:	$p \rightarrow - 1$ / Ant. received: $p \rightarrow 7$ $30 \le 7$
	185.60       Date received: $10/1/21$ Partial fee-1 $30.31$ $9.86$ $9.86$ $225.17$ Amt. received: $225.17$ Amt. received: $225.17$ $3057$ Receipt No.: $658, 536$ $3057$
Received by:	

By determination of the Zoning Administrator or Building Inspector, the following Departmental review is required: Engineering \_ \_\_\_\_\_ Fire Department \_\_\_\_\_ Health Officer \_\_\_\_\_ Planner

Postage Rev. 11/12/20

1

# 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 Staff 10 Initials Initials The applicant must provide 18 copies including the original of the filled-out application TG-ΛF form, together with this checklist and any required attachments listed. (Paper clips, no staples) Before making the copies, please review the application with the Zoning TG 9/22/21 NE Administrator or staff. A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson. NA  $\checkmark$  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.) CF 7/-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.) A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office) TG N/A A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application. NA / For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.

#### PLOT PLAN-OF 76. 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): $(PFa) \vee$ The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. 2Fb) The plot plan shall be up-to date and dated, and shall be no more than three years old. The plot plan shall have the signature and the name of the preparer, with his/her/their Fc) seal. The plot plan shall include lot dimensions and bearings, with any bounding streets and 76-. with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at the Land Use Division.) The plot plan shall include the location and dimensions of existing or required services, 76the area (total square footage), all buffer zones, natural features, any landscaped areas, any recreation areas, any safety zones, all signs, streams or other wetland bodies, and any drainage easements. The plot plan shall include all existing buildings or other structures, together with their 76 dimensions and the distances from the lot lines, as well as any encroachments. The plot plan shall include all proposed buildings, structures, or additions, marked as PROPOSED," together with all applicable dimensions and encroachments. The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. The plot plan shall indicate all parking spaces and lanes, with dimensions.

The applicant has signed and dated this form to show his/her awareness of these requirements. in fandt 9-77-21 With Signature of Applicant(s)

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

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

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

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

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

#### ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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
		Famell Kellin	29 Riverside Dr.
190	140-000	Farrell Cynthia	Hudson MM 03051
190	03400	morgan, Jeffrey S.	24 Riverside Dr. Hudson NH 03051
190	0350	mecquity, Kevin P.	28 Riverside Dr. Hudson NH 0305-1
190	0364	pizano, Julie A.	30 Riverside pr. Mudson NH 03051
190	037	PIZGNO JULIE A. mello, Bernard J mello, Craig J Bartlett, Cheric B.	34 Riverside Dr. Hudson NH 03051
190	148-00	Pedellaro, John F.	27 Riverside Dr. Hudson NM 03051
190		Collins, Wayne A a Collins, Meghan	31 Riverside Dr. Hudson MY 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. For indirect abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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
,		Ricard, Raymond A	22 Riverside Dr
190	033-00	RILLORD DENIZE A.	Mudson NH 0305-1
		Freeman Harold J	19 Andrews Ave.
190	0 380	Preeman Deburah A	Hudson NH 0305-1
100	1		73 Dionter Dr.
<u>  190</u>	0390	Lacasse Sylvain	Nashua NH 03062
190	0400	Carraggi Michael Carraggi, Lori Woodman, Robert E TR	11 Andrews Are
8		Carraggi, Lori	Hudson MT 03051
190	nula	Wordman, Jebert & JR	
	0 11-20	Woodman Revocable Thist	Audson NH U3051 23 Lenox Cir.
190	11700	Michaud, Chantal	Lawrence MA 01843
			15 B Gillis St
190	117-02	Burly, Cara A.	Mudson AHUBOSY
			1314 Gillis St
190	118-001	Timpe, Stephanic A.	Mudson NM 03051
100	í		17 ASODIT St
190	118002	Carter, Neal D.	Mudson NY 03051
190	1		7 Guernszy Dr.
190	13/-000	Leclerc, Anthony R.	Attainson NH 03811
190			194 River st
110	170-000	Cars YU, LLC	Haverhill MA 01832
190	141-020	Lish, Carol	25 Riverside Dr.
1.	· · · · · · · · · · · · · · · · · · ·		Audson My 0305/ 21 Riverside pr
190	142-000	Gagnon, Thomas P Gagnun Debra L	MUdsun 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. For indirect abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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)

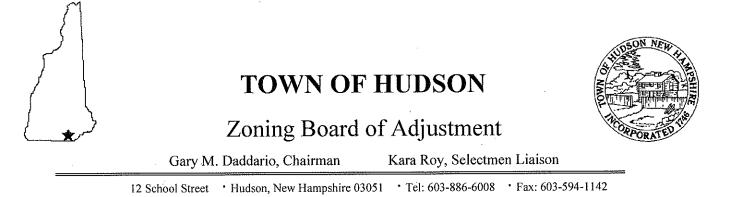
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
<u>_190</u>	140-000	Gamache, George D.	8 clark St Mudson NA 03051
190	147000	Buchley John P Buchley Gail D. Ostrander, William	161 middle Rd Deerfield NH 03037
190	149-000	Ostrander, Nicola	7 clark St Hudson NH USOST
190		Kearns, Fredrich JR Kearns, Mildred	5 Clark St Modson WM 03051
		-	
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Rev. July 2021

SENDE	CR:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 190-140         VARIANCE           29 Riverside Dr         EQ. WVR.           Map 190/Lot 140-000         1 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	בח ובחב	350 0000 1884 5581	FARRELL, KEVIN; FARRELL, CYNTHIA	APPLICANT NOTICE MAILED
<u> </u>			29 RIVERSIDE DR., HUDSON, NH 03051	
2	ים ובסר	350 0000 1884 5598	MORGAN JEFFREY S.	ABUTTER NOTICE MAILED
			24 RIVERSIDE DR., HUDSON, NH 03051	
3			MCCAULEY, KEVIN P.	ABUTTER NOTICE MAILED
	1057 0:	350 0000 1884 5604	28 RIVERSIDE DR., HUDSON, NH 03051	
1		350 0000 1884 5611	PIZANO, JULIE A.	ABUTTER NOTICE MAILED
4	1057 D	320 0000 1004 2017	30 RIVERSIDE DR., HUDSON, NH 03051	
5	702l O	 350 0000 1884 5628	MELLO, BERNARD J; MELLO, CRAIG J.; BARTLETT, CHERIE B.	ABUTTER NOTICE MAILED
			34 RIVERSIDE DR., HUDSON, NH 03051	
6	2021 OI	350 0000 1884 5635	PADELLARO, JOHN F.	ABUTTER NOTICE MAILED
7	7021. D		27 RIVERSIDE DR., HUDSON, NH 03051 COLLINS, WAYNE A.; COLLINS, MEGHAN	ABUTTER NOTICE MAILED
1			31 RIVERSIDE DR., HUDSON, NH 03051	
0			31 RIVERSIDE DR., HODSON, NII 03031	
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		т. ж	Direct Certified	9 2021 Page 1

	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		Case# 190-140         VARIANCE +           29 Riverside Dr         EQ. WVR           Map 190/Lot 140-000         1 of 2
SENDER:	HUDSON, NH 03051 K	US POSTAL SERVICE - FIRST CLASS MAIL	
	ARTICLE NUMBER OCT 1 9 2021	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	Mailed First Class	RICARD, RAYMOND A.; RICARD, DENISE A.	ABUTTER NOTICE MAILED
-	10	22 RIVERSIDE DR., HUDSON, NH 03051	
2	Mailed First Class Depart	FREEMAN, HAROLD J.; FREEMAN, DEBORAH A	ABUTTER NOTICE MAILED
-	Nailed	19 ANDREWS AVENUE, HUDSON, NH 03051	
3	Mailed First Class	LACASSE, SYLVAIN	ABUTTER NOTICE MAILED
0	(TSP)	73 PIONEER DRIVE, NASHUA, NH 03062	
4	Mailed First Class	CARRAGGI, MICHAEL; CARRAGGI, LORRI	ABUTTER NOTICE MAILED
	Maneu First Class	11 ANDREWS AVE., HUDSON, NH 03051	
		WOODMAN, ROBERT E., TR.;	
5	Mailed First Class	WOODMAN REVOCABLE TRUST	ABUTTER NOTICE MAILED
		9 ANDREWS AVENUE, HUDSON, NH 03051	
6	Mailed First Class	MICHAUD, CHANTAL	ABUTTER NOTICE MAILED
0		23 LENOX CIR., LAWRENCE, MA 01843-3415	
7	Mailed First Class	BURLEY, CARA A.	ABUTTER NOTICE MAILED
		15B GILLIS STREET, HUDSON, NH 03051	
8	Mailed First Class	TIMPE, STEPHANIE A.	ABUTTER NOTICE MAILED
0		13A GILLIS ST., HUDSON, NH 03051	
9	Mailed First Class	CARTER, NEAL D.	ABUTTER NOTICE MAILED
9		17 ABBOTT ST., HUDSON, NH 03051	
10	Mailed First Class	LECLERC, ANTHONY R.	ABUTTER NOTICE MAILED
10	Maneu First Class	7 GUERNSEY DR., ATKINSON, NH 03811-2389	
11	Mailed First Class	CARS4U, LLC	ABUTTER NOTICE MAILED
11	Mailed First Class		
10	N. 1. 1 D'+ Ol	194 RIVER ST., HAVERHILL, MA 01832	ABUTTER NOTICE MAILED
12	Mailed First Class		
		25 RIVERSIDE DR., HUDSON, NH 03051 GAGNON, THOMAS P.; GAGNON, DEBRA L.	ABUTTER NOTICE MAILED
13	Mailed First Class		
		21 RIVERSIDE DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED
14	Mailed First Class	GAMACHE, GEORGE D.	ADUITER NOTICE MAILED
		8 CLARK ST., HUDSON, NH 03051	The day of the second second second
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SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 190-140         VARIANCE           29 Riverside Dr         EQ. WVC.           Map 190/Lot 140-000         2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	<b>10/28/2021 ZBA Meeting</b> ABUTTER NOTICE MAILED
1	Mailed First Class	BUCKLEY, JOHN P.; BUCKLEY, GAIL D.	ABOTTER NOTICE MAILED
2	Mailed First Class	161 MIDDLE RD., DEERFIELD, NH 03037 OSTRANDER, WILLIAM; OSTRANDER, NICOLE	ABUTTER NOTICE MAILED
3	Mailed First Class	7 CLARK STREET, HUDSON, NH 03051 KEARNS, FREDRICK JR; KEARNS, MILDRED KEARNS, FAMILY, REV TRUS T 5 CLARK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
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October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

# <u>Case 190-140 (10-28-21):</u> Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH, Map 190, Lot 140-000; Zoned Town Residence (TR) requests the following:

- a) A <u>Variance</u> for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures.
- b) An <u>Equitable Waiver of Dimensional Requirement</u> for an existing 9 ft. x 13 ft. (117 sqft) shed which encroaches the side and rear setbacks leaving 2 feet and 11 feet respectively where 15 feet is required for both setbacks. [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

October 18, 2021

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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: <u>www.hudsonnh.gov</u> 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 VII., of HZO Section(s) <u>334-27</u>
in order to permit the following change or use:
extension and Rebuild of a three scason
Dorch That encroaches The front vard
setback where 30 feet is required.

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

### FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

The proposed god hop will not obstruct any view to abotting properties nor will it abstract eway street, or the like we are only asking Drive Way an already existing porch and hb putting an Entrance to the house on the Sidt. Sheat

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.")

ow house was within the set backs limits Even It was in the same correct state we would the same addition and be well within doina the current rules

 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.)

addition will allow us to update and Stranghten our house thad agive us a more functional use of the street, side giving increasing curb appeal and ichty prodern 100h to UUSC

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.)

bELIEVE DU addihun and may benefit other properties 13 WHITE Value to our property may theirs aswell. Aslo granbage this may encorrage others to exply and G.C own properties

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

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

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



# **TOWN OF HUDSON**

# Land Use Division



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

## Zoning Determination #21-137 BP application #2021-00850 DENIAL

Re:

August 23, 2021

Kevin and Cynthia Farrell 29 Riverside Ave Hudson, NH 03051

<u>29 Riverside Ave Map 190 Lot 140-000</u> District: Town Residence (TR)

Dear Mr. & Mrs. Farrell,

#### Zoning Review / Determination:

This structure (house) is an existing non-conforming in regards to front and side setback requirements per Table of Minimum Dimensional Requirements §334-27.

Based on your submitted plot plan, I determine that an increase (expansion) of footprint would need to conform to §334-31.A <u>Alteration and expansion of nonconforming structures</u>: "A nonconforming structure may not be altered or expanded, except by variance. A nonconforming structure may be altered, reconstructed, externally or structurally modified, provided that such alterations, reconstruction, extension or structural modification does not make any portion or portions of the existing structure more nonconforming." Thereby would need a variance.

To continue with your proposal you would need to start with a Variance application (link): https://www.hudsonnh.gov/zoning/page/variance

Sincerely

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

cc: Public Folder D. Hebert, Building Official D. 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.

# RECEIVED

AUG 1 0 2021

# TOWN OF HUDSON

FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION TRE SERVICES DIVISION 12 School Street + Hudson, New Hampshire 03051 + Tel: 603-886-6005 + Fax: 603-594-1142

BUILDING PERMIT APPLICATION – PLEASE PRINT			
Address: <u>29 Riverside Auc</u> Site/Sub Plan:			
Residential Single family detached Modular Homes Duplex 3+ family dwelling (# of units) Other	Type of Improvement		
Commercial          Office/Bank/Professional       Garage         Hospital/Medical       School         Industrial/Warchouse       Store         Restaurant       Utility         Other       Other			
General Description of Work and Us List # of bedrooms and bathrooms if ne enter proposed use. Project: WWWRCLUIDing the current	ease consult the Town Engineer at 886-6008 with any questions see Include dimensions of building, room, shed, pool, etc. whome or added. If use of existing building is being changed, $1 \pm 3$ 5645000 placets (151x 51) page 11 <sup>1</sup> to make a		
Square Footage       Footprint       Renovated/added _STe_Ste_F4       Number of stories         Living area of new home (exclude unfinished areas and garage)       Total area of bldg			
Principal Type of Frame Masonry (wall bearing)	Wood Frame Structural steel		
Type of Sewage Disposal       Town or private company         Private (septic tank, etc.)	(requires Town permit)		

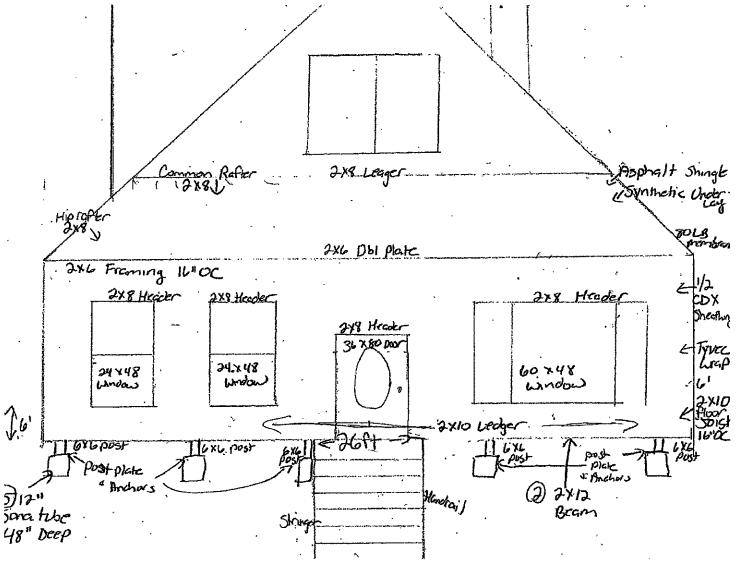
Page 2 of 4

INSP-15 - Rev. 11/2019

	F 162 L 1						
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Type of Water S	Supply	Town Private (v	vell, cistern)	Type of	Heat Source	Gas	Other
	Name		Address		City/	State/Zip	Phone
Owner	Kevin +	Cynthic Fe	rell 29 h	werside	Be H	Judson NH	1 781-389-160
Lessee		••••••••••••••••••••••••••••••••••••••			ť		
Contractor	<u></u>						
Architect							
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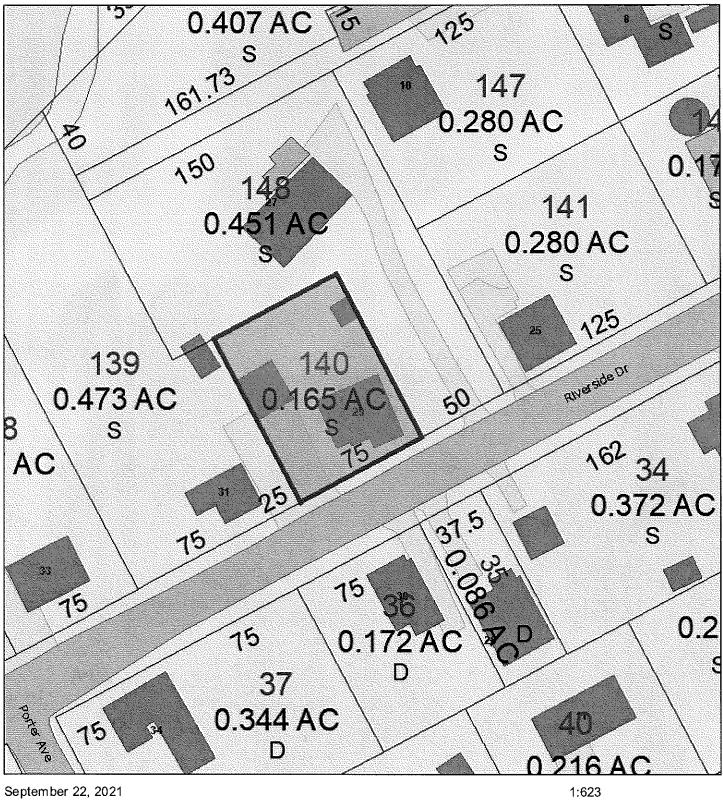
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		CONVENTS	C	SKETCH
EXTERIOR INFORMATION	BATH FEATURES			
Type: 15 - NEW ENGLANDR	Full Bath 1 Rating: AVERAG	E ACCESS 1 BDRM THRU /CRAWL SPACE/HATCH	1	10 4
Sty Ht: 1H - 1.5 STY	A Bath: Rating:	REFUSAL/EST REAR=0	11	
(Liv) Units: 1 Total: 1	3/4 Bath: Rating:	ME TO GO THROUGH F		14
Foundation: 3 - BRICK/STONE	A 3QBth Rating:		ENOC	PAT 10 FFL
Frame: 1 - WOOD	1/2 Bath: 1 Rating: AVERAG	iΕ		
Prime Wall: 04 - VINYL	A HBth: Rating:			10 15
Sec Wall: 05 - ASBESTOS 25 %	OthrFix: Rating:	RESIDENTIAL GRID		8
Roof Struct: 1 - GABLE	OTHER FEATURES	1st Res Grid Desc CO		
Roof Cover: 1 - ASPH SHING	Kits: 1 Rating: AVERAG	E Level FY LR DR D K	FR RR BR FB HB L 0	
Color: TAN	A Kits: Rating:	Other		
View / Desir:	Frpl: Rating:	Upper		22 HST
	WSFlue: Rating:	Lvl 2		
GENERAL INFORMATION	CONDO INFORMATION	LM 1		28 EFP
Grade: C AVG/FAIR	Location:	Lower		
Year Bit: 1920 Eff Yr Bit:	Total Units:	Totals RMs: 5 BRs	: 2 Baths: 1 HB 1	
Alt LUC: Alt %:				26
Jurisdict: Fact:	Floor:		ES BREAKDOWN	
Const Mod:	% Own:	Exterior: No	Unit RMS BRS FL	<b>1</b> <b>1</b>
Lump Sum Adj:	Name:	Interior:	1 5 2 M	BIT 3
	DEPRECIATION	Additions:		۲ <u>۲۲ – ۲۶۲ – ۲۶۲ – ۲۶۲ – ۲۵</u> ۱۵ – ۱۵۸۳ – ۲۵
	Phys Cond: AV - Average	32. % Kitchen:		10 BMT 15 1 5
Avg Ht/FL: STD	Functional:	% Baths:		FFP
Prim Int Wal 2 - PLASTER	Economic:	% Plumbing:		
Sec Int Wall: 8 - PLY PANEL 50 %	Special:	Electric:		
Partition: T - TYPICAL	Override:	Heating:	Totals	
Prim Floors: 05 - LINO/VINYL	Total	32 % General:	1 5 2	SUB AREA SUB AREA DETAIL
Sec Floors: 04 - CARPET 50 %	CALC SUMMARY			
Bsmnt FIr: 12 - CONCRETE	Basic \$ / SQ: 98.00	COMPARABLE SALES		FFL FIRST FLOOR 904 107.810 97,462 Sub % Descrip % Qu #
Subfloor:	Size Adj.: 1.20257616	Rate Parcel ID Typ	Date Sale Price	HST HALF STORY 377 107.810 40,645 HST 100 FR
Bsmnt Gar:	Const Adj.: 0.91480047			EFP ENC PORCH 283 48.610 13,757
Electric: 3 - TYPICAL	Adj \$ / SQ: 107.811	-		BMT BASEMENT 182 21.560 3,924
Insulation: 2 - TYPICAL	Other Features: 2000			PAT PATIO 140 9.390 1,314
Int vs Ext S		-		
Heat Fuel: 1 - OIL	Grade Factor: 0.93	-		
Heat Type: 1 - FORCED AIR	NBHD Inf: 1.00000000			
#Heat Sys: 1	NBHD Mod:	WtAv\$/SQ: AvRate	Ind Val	Net Sketched Area: 1,886 Total: 157,102
	LUC Factor: 1.00		Before Depr: 100.26	Size Ad 1281 Gross Area 2263 FinArea 1281
	Adj Total: 147965	Juris. Factor:		
Solar HW: NO Central Vac: NO	Depreciation: 47349	Special Features: 0	Val/Su Net: 53.34	IMAGE Assess Pro Patriot Properties, In
% Com Wal % Sprinkled	Depreciated Total: 100616	Final Total: 100600	Val/Su SzAd 78.53	
MOBILE HOME Make:	Model:	Serial #	Year	Colon
SPEC FEATURES/YARD ITEMS			PARCEL ID	D 190-140-000
	Size/Dim Qual Con Year U	nit Price D/S Dep LUC Fac		
3 GARAGE D Y 122X		34.85 T 40 101	11,000	11,000
2 SHED-WOOD D Y 19X1		23.91 T 80 101	600	600
	- //• //• //•			
		······		
More: N Total Ya	ard Items: 11,600	Total Special Featues:		Total: 11,600

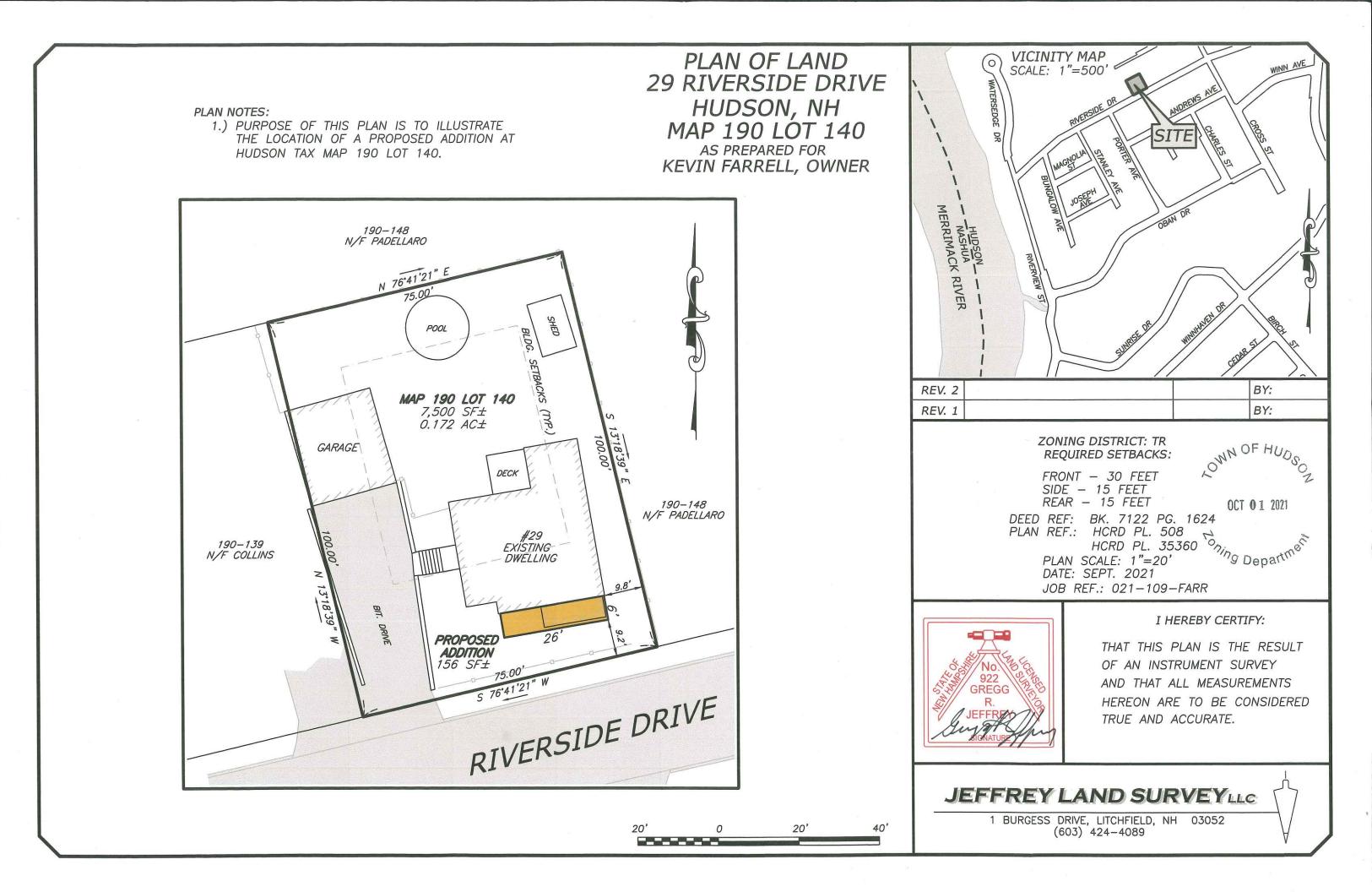
# 29 Riverside Dr (Map/Lot 190-140-000)





Legend





Printed 10/01/2021 3:37PM Created 10/01/2021 3:32 PM		Receipt#	658,536 tgoodwyn			
	Description		Current Invoice	Payment	Balance	Due
1.00	Zoning Applications-10/ 29 Riverside Dr. Map/Lot 190-140-000	28/21 ZBA M	leeting			
	Variance		0.00	225.1700	0.00	
	Equitable Waiver		0.00	185.0000		0.00
				Total:		410.17
Remitter	Remitter		Reference	Tendered	Change	Net Paid
Kevin M.	Kevin M. Farrell, Jr.& Cynthia M.Farrell		CHECK # 3057	410.17	0.00	410.17
				Total Due:		410.17
				Total Tendered:		410.17
				Total Change:		0.00
				Net Paid:		410.17





Land Use Division

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

# Zoning Administrator Staff Report Meeting Date: October 28, 2021 BB 10-19-21

1. <u>Case 190-140 (10-28-21)</u>: Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH, Map 190, Lot 140; Zoned Town Residence (TR) requests the following:

b) Equitable Waiver of Dimensional Requirement for an existing 11 ft. x 12 ft. (132 sqft) shed which encroaches the side and rear setbacks where 15 feet is required for both setbacks as shown on the plan dated Sept. 2021 by Greg R. Jeffrey, LLS. Article VII, Dimensional Requirements; §334-27, <u>Table of Minimum Dimensional</u> Requirements.

Address: 29 Riverside Dr Zoning district: Town Residence (TR)

#### Summary:

Applicant requests the existing shed (132 sqft) within the rear and side setbacks to remain, leaving 2'-0" of side setback and 11'-0" of rear setback.

This size of shed <200 sqft does not need a building permit, however all structures must comply with the Zoning Ordinance regarding setbacks.

The shed appears to have existed since at least 1991. No Code Enforcement history.

## Property description:

Lot of record: Non-conforming area of 7,187 sqft where 10,000 sqft required. Non-conforming frontage with 75 ft where 90 ft required.

#### LAND USE HISTORY:

N/A

#### **ASSESSING HISTORY:**

1991 Assessing worksheet indicating shed

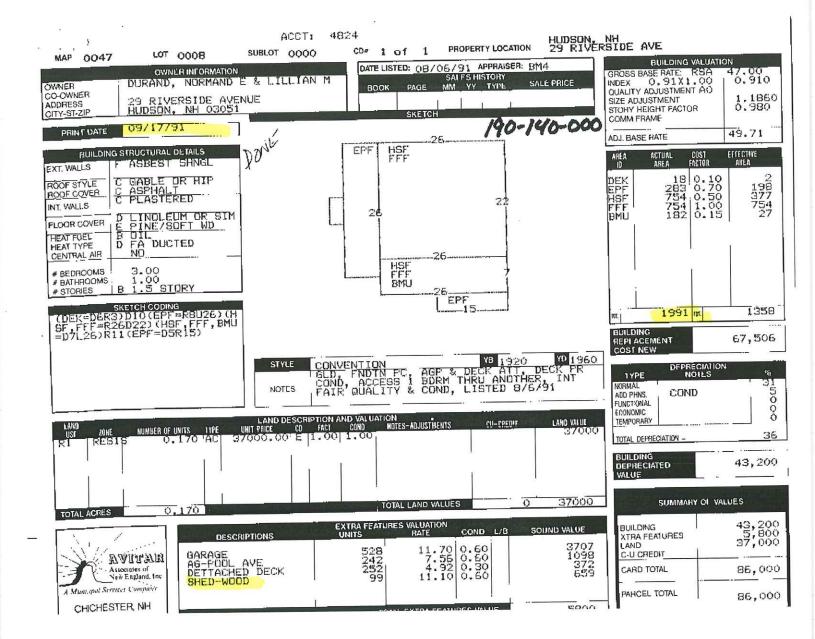
2010 Aerial indicating shed in same location as present shed.

Town in-house review comments:

Town Engr: None requested Town Planner: Fire Dept:

## Attachments:

A: Assessor worksheetB: 2010 Aerial showing shed in setbackC:2021 plot plan showing existing shed



A

# 2010 Aerial

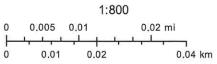


October 13, 2021

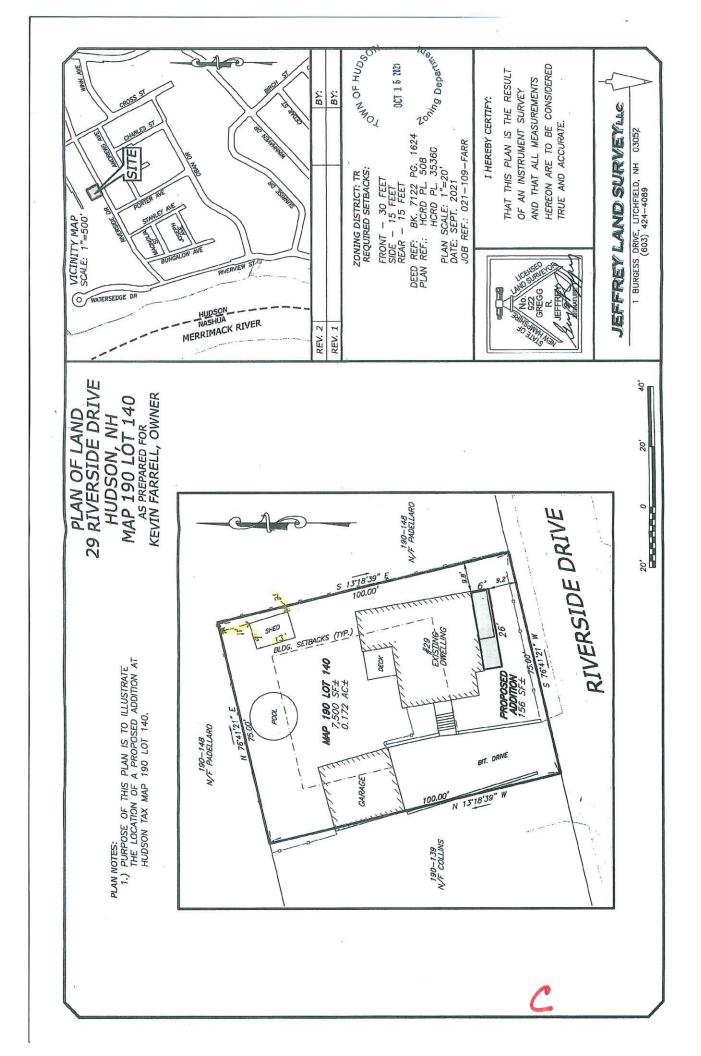
Legend



Parcels







## HUDSON ZONING BOARD OF ADJUSTMENT

## EQUITABLE WAIVER DECISION WORKSHEET Option 2- (Per 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... **II. In lieu of the findings required by the board under subparagraphs I(a) and (b), the owner may demonstrate the following to the satisfaction of the board:** 

On 10/28/21, the Hudson Zoning Board of Adjustment heard Case 190-140, being a request by Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH to allow a Waiver from the provisions of HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements. Applicant(s) request An Equitable Waiver of Dimensional Requirement for an existing 9 ft. x 13 ft. (117 sqft) shed which encroaches the side and rear setbacks leaving 2 feet and 11 feet respectively where 15 feet is required for both setbacks. [Map 190, Lot 140, Sub lot 000; Zoned Town Residence (TR)]

**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

**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

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: \_

Y

Y

Y

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Sitting Member of the Hudson ZBA

Date

## APPLICATION FOR AN EQUITABLE WAIVER

APPLICATION FOR	
OCT OI 2021	N EQUITABLE WAIVER
	Entries in this box are to be filled out by Land Use Division personnel
ົ <sup>o</sup> ning Toezoning Board of Adjustment Town of Hudson	Case No. 190-140 (10-28-21)
	Date Filed
Name of Applicant Cynthia Farrell	Map: 190 Lot: 140 Zoning District: TR
Telephone Number (Home) 781-952-502	)(Work)
Mailing Address A Riverside 1	γ
Owner Kevin & Cynthia	Farrell
Location of Property 29 Riversia	le pr.
(untue Street Address)	9-2221
Signature of Applicant	Date
Cinthe Land	9-22-2-1
Signature of Property-Owner(s)	Date

By filing this application as indicated above, the owner(s) hereby give permission to the Town of Hudson, it's officials, employees, and agents, including the members of the Zoning Board of Adjustment (ZBA), as well as, abutters and other interested members of the public, to enter upon the property which is the subject of this application during any public meeting conducted at the property, or at such reasonable times as may be authorized by the ZBA, for the purpose of such examinations, surveys, tests and inspections as may he deemed appropriate by the ZBA. The owner(s) release(s) any claim to or right he/she (they) may now or hereafter possess against any of the above identified parties or individuals as a result of any such public meeting, examinations, surveys, tests and/or inspections conducted on his/her (their) property in connection with this application.

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/represent 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 I COST: Application fee (processing, advertising & recording <u>Abutter Notice</u> : <u>Direct Abutters x Certified postage rate</u> <u>IT</u> Indirect Abutters x First Class postage rate S Total amount due Paid # 225.17 - Variance Total check #3057 - #410.17 Received by: <u>ISO</u> By determination of the Zoning Administrator, the following the second s	Date receive ( <b>non-refundable</b> ): <u>4.33</u> = <u>5.0.58</u> = <b>a:</b> Amt. received: Receipt No.:	ed: 10/1/21 \$ 185.00 \$ N/C \$ N/C \$ N/C \$ \$ 185.00 \$ 185.00 658,536	(Partial fee Check# 3057
Engineering Fire Dept Health Officer PlannerOther			-	•

# TOWN OF HUDSON, NH Application Checklist

The following **requirements/checklist** pertain to the Zoning Board of Adjustment applications. Fill in all portions of this Application Form(s) as applicable. This application will not be accepted unless all requirements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate.

Applicant Staff Initials Initials T6-Please review the application with the Zoning Administrator or staff. The applicant must provide the original of the filled-out application form (with wet signatures) together with 10 single-sided copies, together with this checklist and any required attachments listed below. (Paper clips, no staples) CF\_A separate application shall be submitted for each request, with a separate TCapplication fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waivery 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. N/A  $\rho = \sqrt{1}$  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.)  $\Lambda F$  /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 by using the Hudson Geographical Information System (GIS) on the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use (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.)  $( P \vdash \mathcal{I}$  GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks 77and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use . /Provide a copy of both single sided pages of the assessor's card. TG-10-1-21 (NOTE: these copies are available from the Assessor's Office) 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. CF /If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or N (circle one). If yes, submit an application to the Planning Board.

#### **CERTIFIED PLOT PLAN:**

Requests **other than** above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful.

(NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted).

The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. /The plot plan shall be up-to date and dated, and shall be no more than three years old.  $f = \sqrt{2}$  The plot plan shall have the signature and the name of the preparer, with his/her/their seal.  $\int \frac{1}{2} \int \frac{$ 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: A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use) The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.) / The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. h) CF / The plot plan shall show the building envelope as defined from all the setbacks required / by the zoning ordinance. The plot plan shall indicate all parking spaces and lanes, with dimensions.

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

Signature of Applicant(s)

mature of Property Owner(s

Date

Date

#### 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 adjoins or is directly across the street or stream from the land under consideration. For abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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
		Famell Kellin	29 Riverside Dr.
<u>i 90</u>	140-000	Farrell Cynthia	Hudson MM 03051
			24 Riverside Dr.
190	03400	morgan, Jettrey S.	Hudson NH 03051
		P	28 RIVErside Dr.
H90-	0350	mecquity, Kevin P.	Hudson NH 0305-1
190	121-12	Phina Theo	30 Riverside pr.
	0.200	Pizano Julie A.	Mudson WH 03051 34 Riverside Dr.
190	037	Mello, Bernard J Mello, Craig J Bartlett, Cheric B.	Hudson NH 03051
		$\left  \frac{156 - 1611}{100} \right $	27 Riverside Dr.
190	14800	Padellaro, John F.	Hudson M 03051
		Collins, Wayne A	31 Riverside Dr.
190	1390	pcollins Meghan	Hudson MY 0305/
			·
1			

#### 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. For indirect abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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
		Ricard, Raymond A	22 Riverside Dr
190	j	RILORD DENIZE A	Hudson NH 03051
		Freeman Harold J	19 Andrews Ave
190	0380	"Freeman Deburah A	Hudson NH 03051
10.			73 Dionter Dr.
190	039-0	Lacasse Sylvain	Nashua NH 03062
190	NUDO	Carraggi Michael Carraggi Lori Woodman, Robert ETR	11 Andrews Are
		Carraggi, Lori	Hudson MT 0305-1
190	lente a	Woodman, Robert & TK	9 Andrews Are
170	041-00	Woodman Revocable Thust	Mudson NH U3051
100	100.0		23 LENOX CIA.
μ <u>η</u> ν	11/4	Michaud, Chantal	Lawrence MA 01843
190	11205	Purchas Care A	15B Gillis St
	11.70%	Burly, Cara A.	Mudson AMU3051
190	116-00-1	T. Shahing	1314 Gillis St
<u> </u>	115-001	Timpe, Stephanic A.	Hudson NHY 03051
190	118-007	Carter, Neal D.	17 ASOUT St Hudson AND DROST
		· Carici, IVEAI D.	Hudson My 03051 7 Guernsey Dr.
190	137-100	Leclerc Anthony R.	Attinson NH 03811
¢		Lucio Princip R.	194 RIVE St
190	138-000	Cars YU, LLC	Haverhill MA 01832
		· · ·	25 Riverside Dr.
190	141-200	Lish, Carol	Mudson MA 0305/
	1.1.5	Gagnon, Thomas P Gagnon Debra L	21 Riverside pr
190	142-000	Gagnon Debra L	Mudson NH 03057

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

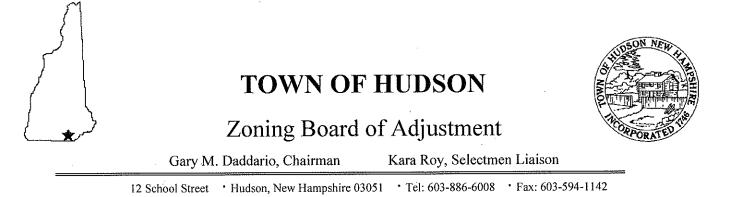
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. For indirect abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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
MO_	142-000	Gamache, George D.	8 claru St- Hudson NH 0305-1
190	147000	Gamache, beorge D. Buchley John P Buchley Gail D. Ostrander, William	161 middle Rd Dearfield NH 03035
190	149-000	Ostrander, Nicola	7 clark St Hudson NH 03051
190	150000	Kearns, Fredrich JR Kearns, Mildred	5 claru st Modson NM 03051
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SENDE	CR:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 190-140         VARIANCE           29 Riverside Dr         EQ. WVR.           Map 190/Lot 140-000         1 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	בח ובחב	350 0000 1884 5581	FARRELL, KEVIN; FARRELL, CYNTHIA	APPLICANT NOTICE MAILED
<u> </u>			29 RIVERSIDE DR., HUDSON, NH 03051	
2	ים ובסר	350 0000 1884 5598	MORGAN JEFFREY S.	ABUTTER NOTICE MAILED
			24 RIVERSIDE DR., HUDSON, NH 03051	
3			MCCAULEY, KEVIN P.	ABUTTER NOTICE MAILED
	1057 0:	350 0000 1884 5604	28 RIVERSIDE DR., HUDSON, NH 03051	
1		350 0000 1884 5611	PIZANO, JULIE A.	ABUTTER NOTICE MAILED
4	1057 D	320 0000 1004 2017	30 RIVERSIDE DR., HUDSON, NH 03051	
5	702l O	 350 0000 1884 5628	MELLO, BERNARD J; MELLO, CRAIG J.; BARTLETT, CHERIE B.	ABUTTER NOTICE MAILED
			34 RIVERSIDE DR., HUDSON, NH 03051	
6	2021 OI	350 0000 1884 5635	PADELLARO, JOHN F.	ABUTTER NOTICE MAILED
7	7021. D		27 RIVERSIDE DR., HUDSON, NH 03051 COLLINS, WAYNE A.; COLLINS, MEGHAN	ABUTTER NOTICE MAILED
1			31 RIVERSIDE DR., HUDSON, NH 03051	
0			31 RIVERSIDE DR., HODSON, NII 03031	
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			Direct Certified	9 2021 Page 1

	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		Case# 190-140         VARIANCE +           29 Riverside Dr         EQ. WVR           Map 190/Lot 140-000         1 of 2
SENDER:	HUDSON, NH 03051 K	US POSTAL SERVICE - FIRST CLASS MAIL	
	ARTICLE NUMBER OCT 1 9 2021	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	Mailed First Class	RICARD, RAYMOND A.; RICARD, DENISE A.	ABUTTER NOTICE MAILED
-	10	22 RIVERSIDE DR., HUDSON, NH 03051	
2	Mailed First Class Depart	FREEMAN, HAROLD J.; FREEMAN, DEBORAH A	ABUTTER NOTICE MAILED
-	Nailed	19 ANDREWS AVENUE, HUDSON, NH 03051	
3	Mailed First Class	LACASSE, SYLVAIN	ABUTTER NOTICE MAILED
0	(TSP)	73 PIONEER DRIVE, NASHUA, NH 03062	
4	Mailed First Class	CARRAGGI, MICHAEL; CARRAGGI, LORRI	ABUTTER NOTICE MAILED
	Maneu First Class	11 ANDREWS AVE., HUDSON, NH 03051	
		WOODMAN, ROBERT E., TR.;	
5	Mailed First Class	WOODMAN REVOCABLE TRUST	ABUTTER NOTICE MAILED
		9 ANDREWS AVENUE, HUDSON, NH 03051	
6	Mailed First Class	MICHAUD, CHANTAL	ABUTTER NOTICE MAILED
0		23 LENOX CIR., LAWRENCE, MA 01843-3415	
7	Mailed First Class	BURLEY, CARA A.	ABUTTER NOTICE MAILED
		15B GILLIS STREET, HUDSON, NH 03051	
8	Mailed First Class	TIMPE, STEPHANIE A.	ABUTTER NOTICE MAILED
0		13A GILLIS ST., HUDSON, NH 03051	
9	Mailed First Class	CARTER, NEAL D.	ABUTTER NOTICE MAILED
9		17 ABBOTT ST., HUDSON, NH 03051	
10	Mailed First Class	LECLERC, ANTHONY R.	ABUTTER NOTICE MAILED
10	Maneu First Class	7 GUERNSEY DR., ATKINSON, NH 03811-2389	
11	Mailed First Class	CARS4U, LLC	ABUTTER NOTICE MAILED
11	Mailed First Class		
10	N. 1. 1 D'+ Ol	194 RIVER ST., HAVERHILL, MA 01832	ABUTTER NOTICE MAILED
12	Mailed First Class		
		25 RIVERSIDE DR., HUDSON, NH 03051 GAGNON, THOMAS P.; GAGNON, DEBRA L.	ABUTTER NOTICE MAILED
13	Mailed First Class		
		21 RIVERSIDE DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED
14	Mailed First Class	GAMACHE, GEORGE D.	ADUITER NOTICE MAILED
		8 CLARK ST., HUDSON, NH 03051	The day of the second second second
	Total Number of pieces listed by sender 14	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 190-140         VARIANCE           29 Riverside Dr         EQ. WVC.           Map 190/Lot 140-000         2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	<b>10/28/2021 ZBA Meeting</b> ABUTTER NOTICE MAILED
1	Mailed First Class	BUCKLEY, JOHN P.; BUCKLEY, GAIL D.	ABOTTER NOTICE MAILED
2	Mailed First Class	161 MIDDLE RD., DEERFIELD, NH 03037 OSTRANDER, WILLIAM; OSTRANDER, NICOLE	ABUTTER NOTICE MAILED
3	Mailed First Class	7 CLARK STREET, HUDSON, NH 03051 KEARNS, FREDRICK JR; KEARNS, MILDRED KEARNS, FAMILY, REV TRUS T 5 CLARK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
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5	OF HUDSO 2 Mail	S	
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October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

# <u>Case 190-140 (10-28-21):</u> Kevin & Cynthia Farrell, 29 Riverside Dr., Hudson, NH, Map 190, Lot 140-000; Zoned Town Residence (TR) requests the following:

- a) A <u>Variance</u> for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures.
- b) An <u>Equitable Waiver of Dimensional Requirement</u> for an existing 9 ft. x 13 ft. (117 sqft) shed which encroaches the side and rear setbacks leaving 2 feet and 11 feet respectively where 15 feet is required for both setbacks. [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





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

October 18, 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: <u>www.hudsonnh.gov</u> or in the Land Use Department located at Hudson Town Hall.

Respectfully. Bruce Buttrick, Zoning Administrator

#### APPLICATION FOR AN EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENT Select Option 1 or Option 2 only

Per RSA674:33-a, II, Equitable Waiver of Dimensional Requirement: (OPTION 2)

II. In lieu of the findings required by the board under subparagraphs I(a) and (b), the owner may demonstrate the following to the satisfaction of the board:

**TEN YEARS OR MORE:** Please explain how 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

PVISTON Do 17 the 00  $\gamma\gamma$ ho the  $n \circ$ 

(c) NO NUISANCE. Please explain how the physical or dimensional violation <u>does not</u> 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

OVIC YPCS Var V 700 Mac mArc

(d) HIGH CORRECTION COST. Please explain how 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.

NO CLEWNS wise. at least 18yzors.



# Land Use Division



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

## **Zoning Determination #21-158**

October 1, 2021

Kevin and Cynthia Farrell 29 Riverside Ave Hudson, NH 03051

Re: <u>29 Riverside Ave Map 190 Lot 140-000</u> District: Town Residence (TR)

Dear Mr. & Mrs. Farrell,

## Zoning Review / Determination:

Your existing structure (shed) is not a legal existing non-conforming structure in regards to rear and side setback requirements per Table of Minimum Dimensional Requirements §334-27. To continue the existing non-conforming location would require an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment. These applications available at Town Hall and/or can be found online: https://www.hudsonnh.gov/zoning/page/equitable-waiver-dimensional-requirement

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.* 

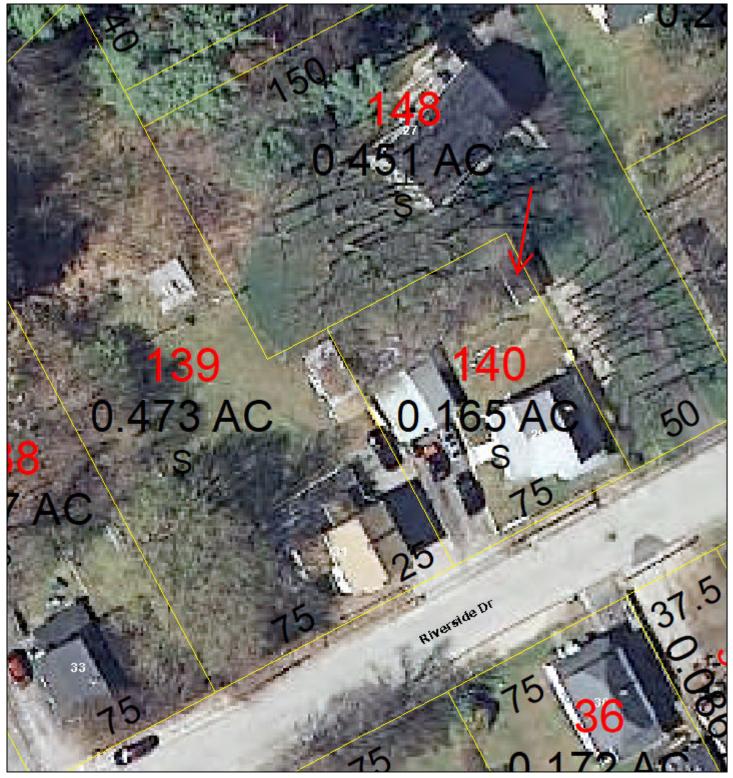
# #21-158

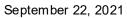
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LAND USE DEPARTMENT 12 School Street Hudson, NH 03051 (603) 886-6008 S=2 2 2021 S=2 2 2021 Town of Hudson b S=2 2 2021
"Ing Departs"
REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION
Date of request <u>9-77</u> Property Location <u>29 Riverside Dr.</u>
Property Location $\frac{\mathcal{F}_{1}}{\mathcal{F}_{1}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{2}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{1}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{2}}{\mathcal{F}_{2}} = \frac{\mathcal{F}_{2}$
Map <u>190</u> Lot <u>140</u> Sublot <u>000</u>
Zoning District if known
Type of Request         Zoning District Determination        Use Determination          Process for Subdivision/ Site Plan if required         Other
Description of request / determination: (Please attach all relevant documentation)
Request for existing variances for shed and Gorage which are arrently in the Setbachs,
Applicant Contact Information: Name: <u>Cynthic Farrell</u>
Address: <u>29 Riverside Ave</u> Phone Number: <u>781-956-5025</u> Email: <u>Ctarrell 2013 @ Teloud, Com</u>
For Office use
ATTACHMENTS: TAX CARD GIS ONOTES:
ZONING DETERMINATION LETTER SENT  DATE:

190 <b>map</b>	14 LC			В		סטמא				-		RESIDENTIAI		son		USE V	/ALUE: ESSED:	194,0 194,0 <u>194</u> ,0	300/ 300/	Parcel 194,600 194,600 194,600
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Owner 2: FARRELL,				Tata	ol Cord		<u> </u>	100 60	) 11	.600	82,400	194,600							1 <b>8-1</b> 8	
Owner 3:				1 2 5 6 5	entral to change them in the			100,60	<b>1</b> 1	,600	82,400					65	Inst	Date	par	riot
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Twn/City: HUDSON							SMENT	M. I.Stanaid	Land Ciro	Land Volue	Total Value			Notes		Date	1045			
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VARRATIVE DES This parcel contains	165 ACRES of I	and main	nly classified as							Sale Code			Vetii			110100				
ONE FAMILY with a		R Buildí	ing built about																}	
1920, having primaril	v VINYL Exterior	and 128	81 Square Feet,		LIAN M J DI	JR	5645-1970	8/	2/1995 L		0	10 110	· · · · ·							
with 1 Unit, 1 Bath, 0	3/4 Bath, 1 Haif	Bath, 5 F	Rooms, and 2				l		······											
Bdrms											• • •		. E						L	
OTHER ASSESS			Comulat	-1-																
Code Descrip/N		11 <u>5L</u>	00111, att										·····						1,400.	
Anness		·····					: 	<u> </u>	1		1		11							
				BI	III DING F	PERMIT	s							A		Y INFORI		D.	LN	ame
							Descrip	Amount	C/O Las	t Visit Fed	Code F. D	Descrip (	Comment			D Entry Doni				ante
PROPERTY FAC	TORS								<u> </u>								cu			
Item Code Desc									<u>+</u>				·					15		15
Z TR TOW		water 3		i				<b></b>			·		·· ··· ·					10		
		Sewer 2		<u>-</u>														5		
n		Electri Exmpt						· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·	···· · (·							- 5		
Census: Flood Haz: C		Exilipi							1		-	· · · · · · · · · · · · · · · · · · ·					ect			
D <sup>•</sup> :		Topo 8	B LEDGY												8/6/199	1 Inspected		Z	AVITAR	
S		Street																. <u> </u>	i/	1
t		Gas:												i	Sign:	VERIFICAT	ION OF VISIT	NOT DATA		!
LAND SECTION						0	16-24		Noish D					Appraised	Ait	, Spec	J	i Iloo Vehre	Notor	
	LUC Fact No of Units		Unit Type	Land Ty	ype Eactor			Adj Nek		· · · · · · · · · · · · · · · · · · ·	% In	ufi 2 % infi 3	%	Value	Class					·
					Factor			<u> </u>							54		:	82,40	01	
101 ONE FAMILY	0.165		BITE AURES	OUCD SUB         CARD         Hudson         Use value:         194,600         194,600           NPROCESS APPRAISAL SUMMARY         Ward thema         Ind Value:         104,000         194,600         194,600           NUM         Citis         Budday Value:         Yard thema         Ind Value:         194,600         194,600           NUM         Citis         Budday Value:         Yard thema         Ind Value:         194,600         194,600           NUM         Citis         Budday Value:         Yard thema         Ind Value:         194,600         194,600           Numerica         Otto         194,600         Endored Lot Size         Ind Value:         I																
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				······ 1	Dese	7.404	ONE PAN	: V B		CRES AV	 }	······	Tot	al: 82	2,445 S	Spl Credit	17	Total:	82,400	
Total AC/HA: 0.16	500		F/SM: 7187			السموي في المري							L						202	1
Disclaimer: This	Information is	s believ	ved to be corri	ect but	t is subled	to cha	inde and i	s not war	ianteeu.	DataDa		200110 - 11000								

		Let a let	
EXTERIOR INFORMATION	BATH FEATURES		KETCH
Type: 15 - NEW ENGLANDR	Full Bath 1 Rating: AVERAGE	ACCESS 1 BDRM THRU ANOTHER, INT FAIR	- 10 4
Sty Ht: 1H - 1.5 STY	A Bath: Rating:	CRAWL SPACE/HATCH TO BMT. 6/19 EA/INT	
(Liv) Units: 1 Total: 1	3/4 Bath: Rating:	REFUSAL/EST REAR=OWNER DID NOT WANT ME TO GO THROUGH FENCE	14 <sub>PAT</sub>
Foundation: 3 - BRICK/STONE	A 3QBth Rating:	ME TO GO TAROUGHT ENGL.	10 FFL
Frame: 1 - WOOD	1/2 Bath: 1 Rating: AVERAGE		10 15
Prime Wall: 04 ~ VINYL	A HBth: Rating:	RESIDENTIAL GRID	
Sec Wall: 05 - ASBESTOS 25 %	OthrFix: Rating:	1st Res Grid Desc: CONV # Units 1	0
Roof Struct: 1 - GABLE	OTHER FEATURES	Level FY LR DR D K FR RR BR FB HB L 0	
Roof Cover: 1 - ASPH SHING	Kits: 1 Rating: AVERAGE	Other	
Color: TAN	A Kits: Rating:	Upper	22 HST
View / Desir:	Frpl: Rating:	LVI 2	22 HSJ 26 EFP FFL
GENERAL INFORMATION	WSFlue: Rating:		20 EFP
Grade: C AVG/FAIR	CONDO INFORMATION	Lower	
Year Bit: 1920 Eff Yr Bit:	Location:	Totais RMs: 5 BRs: 2 Baths: 1 HB 1	
Alt LUC: Alt %:	Total Units:		26
Jurisdict: Fact:	Floor.	REMODELING RES BREAKDOWN	4
Const Mod:	% Own:	Exterior: No Unit RMS BRS FL	HST (
Lümp Sum Adj:	DEPRECIATION	Interior: 1 5 2 M	
INTERIOR INFORMATION		Additions:	10 BMT 15 1
Avg Ht/FL: STD	Phys Cond: AV - Average 32 Functional:		
Prim Int Wal 2 - PLASTER	Economic		
Sec Int Wall: 8 - PLY PANEL 50 %	Special:	% Plumbing:	
Partition: T - TYPICAL	Override:	% Electric: Totals	
Prim Floors: 05 - LINO/VINYL		1 5 2	SUB AREA DETAIL
Sec Floors: 04 - CARPET 50 %			Code Description Area - SQ Rate - AV Undepr Value Sub % Description % Out # Ten
Bsmnt Fir. 12 - CONCRETE	Basic \$ / SQ: 98.00	COMPARABLE SALES	FFL FIRST FLOOR 904 107.810 97,462 Area Usbl Type
Subfloor	Size Adj.: 1.20257616	Rate Parcel ID Typ Date Sale Price	HST HALF STORY 377 107.810 40,645 HST 100 FR
Bsmnt Gar:	Const Adj.: 0.91480047		EFP ENC PORCH 283 48.610 13,757
Electric: 3 - TYPICAL	Adj \$ / SQ: 107.811	a second and a second se	BMT BASEMENT 182 21.560 3,924
	A0 3/302.10/.011 ["		
Insulation: 2 - TYPICAL			PAT PATIO 140 9.390 1,314
Insulation: 2 - TYPICAL Int vs Ext: S	Other Features: 2000 Grade Factor: 0.93		
Int vs Ext: S Heat Fuel: 1 - OIL	Other Features: 2000		
Int.vs Ext: S	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000	WtAv\$/SQ: AvRate: Ind.Val	PAT PATIO 140 9.390 1.314
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1	Other Features: 2000 Grade Factor: 0.93 NBHD Inf: 1.00000000 NBHD Mod:		PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1.00           LUC Factor:         1.00           Adj Total:         147965	Juris. Factor: Before Depr. 100.26	Drift         PATIO         140         9.390         1,314           PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1.00           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349	Juris. Factor: Before Depr. 100.26 Special Features: 0 Val/Su Net: 53.34	Drift         PATIO         140         9.390         1,314           PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1.00           LUC Factor:         1.00           Adj Total:         147965	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd	PAT       PATIO       140       9.390       1,314         Net Sketched Area:       1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         IMAGE       AssessPro       Patriot Properties, Inc
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:	PAT       PATIO       140       9.390       1,314         PAT       PATIO       140       9.390       1,314         Net Sketched Area:       1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         IMAGE       Assess Pro       Patriot Properties, Inc         Color:       Image: Color:       Image: Color:
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make:	Other Features: 2000 Grade Factor: 0.93 NBHD Inf: 1.00000000 NBHD Mod: LUC Factor: 1.00 Adj Total: 147965 Depreciation: 47349 Depreciated Total: 100616	Juris. Factor: Before Depr. 100.26 Special Features: 0 Val/Su Net: 53.34 Final Total: 100600 Val/Su SzAd 78.53 Serial # Year: PARCEL II	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         190-140-000         190-140-000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat.Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS	Other Features: 2000 Grade Factor: 0.93 NBHD Inf: 1.00000000 NBHD Mod: LUC Factor: 1.00 Adj Total: 147965 Depreciation: 47349 Depreciated Total: 100616	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:	PAT       PATIO       140       9.390       1.314         Net Sketched Area: 1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         IMAGE       Assess Pro       Patriot Properties, Inc         190-140-000       190-140-000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat.Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty	Other Features:       2000         Grade Factor:       0.93         NBHD Inf:       1.00000000         NBHD Mod:       1.00         LUC Factor:       1.00         Adj Total:       147965         Depreciation:       47349         Depreciated Total:       100616         Model:       100616	Juris. Factor:         Before Depr.         100.26           Special Features:         0         Val/Su Net:         53.34           Final Total:         100600         Val/Su SzAd         78.53           Serial #         Year:         PARCEL II           Price         D/S         Dep         LUC         Fact INB Fa         Appr. Value         JCc           34.85 T         40:         101         11,000         11,000         11,000	PAT       PATIO       140       9.390       1.314         Net Sketched Area: 1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         FinArea       1281         IMAGE       Assess Pro       Patriot Properties, Inc         O       190-140-000       11,000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat.Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS	Other Features:       2000         Grade Factor:       0.93         NBHD Inf:       1.00000000         NBHD Mod:       1.00         Adj Total:       147965         Depreciation:       47349         Depreciation:       47349         Size/Dim       Qual       Con         Year       Unit-F         Q4       AV       AV	Juris. Factor:     Before Depr. 100.26       Special Features:     0     Val/Su Net: 53.34       Final Total:     100600     Val/Su SzAd 78.53       Serial #     Year:       PARCEL II       Price     D/S Dep 5     LUC	PAT       PATIO       140       9.390       1.314         Net Sketched Area: 1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         IMAGE       Assess Pro       Patriot Properties, Inc         190-140-000       Image: Additional Action of the second and the second action of the second action
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT       PATIO       140       9.390       1.314         Net Sketched Area: 1,886       Total:       157,102         Size Ad       1281       Gross Area       2263         IMAGE       Assess Pro       Patriot Properties, Inc         Color:
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1.314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int.vs Ext: S Heat Fuel: 1 - OIL Heat.Type: 1 - FORCED AIR # Heat:Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1 222	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Model:	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000
Int vs Ext: S Heat Fuel: 1 - OIL Heat Type: 1 - FORCED AIR # Heat Sys: 1 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled MOBILE HOME Make: SPEC FEATURES/YARD ITEMS Code Description A Y/S Qty 3 GARAGE D Y 1222 2 SHED-WOOD D Y 19X	Other Features:         2000           Grade Factor:         0.93           NBHD Inf:         1.00000000           NBHD Mod:         1.00           LUC Factor:         1.00           Adj Total:         147965           Depreciation:         47349           Depreciated Total:         100616           Size/Dim:         Qual Con Year         Unit-F           (24         AV         AV         1960           13         AV         AV         1960	Juris. Factor:         Before Depr. 100.26           Special Features:         0         Val/Su Net: 53.34           Final Total:         100600         Val/Su SzAd 78.53           Serial #         Year:           Price         D/S Dep         LUC           34.85:T         40:         101	PAT         PATIO         140         9.390         1,314           Net Sketched Area:         1,886         Total:         157,102           Size Ad         1281         Gross Area         2263         FinArea         1281           IMAGE         Assess Pro         Patriot Properties, Inc           D         190-140-000         11,000         11,000           600         11,000         11,000         11,000

# 29 Riverside Aerial 2010

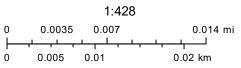






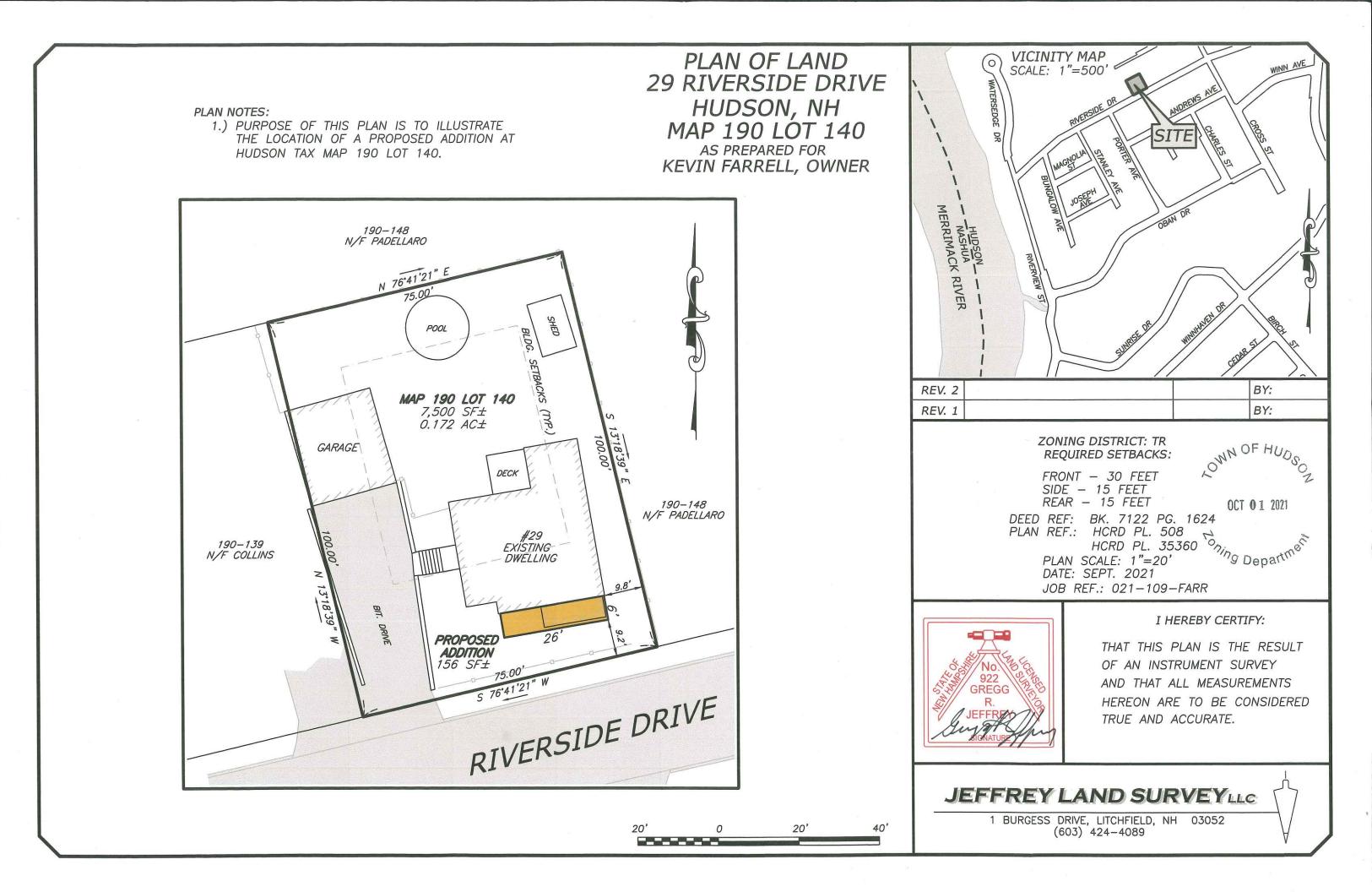


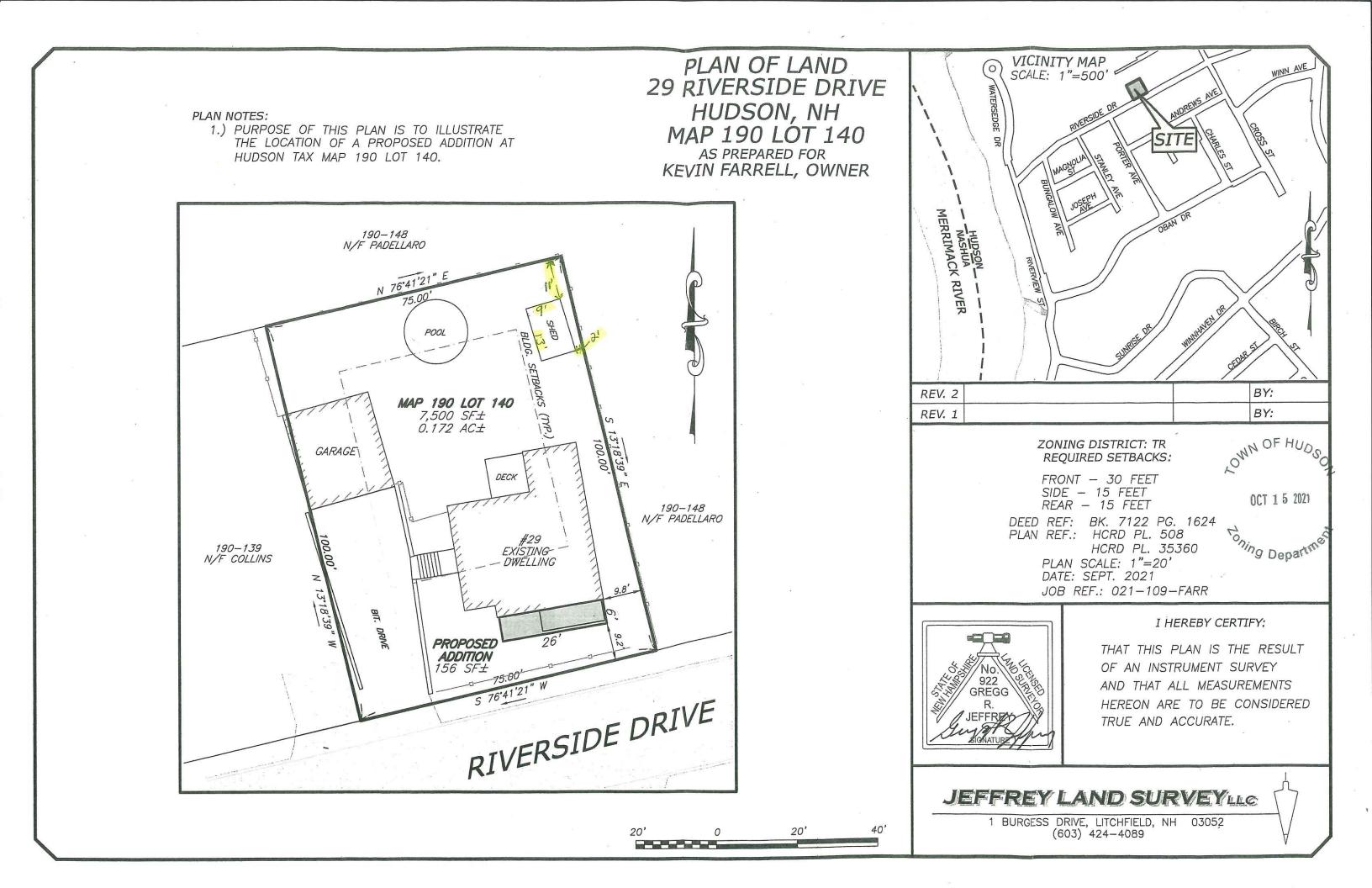
Parcels - Aerials





Parcels





inted /01/2021 36PM eated /01/2021 32 PM		Receipt#	658,536 tgoodwyn			
	Description		Current Invoice	Payment	Balance	Due
1.00	Zoning Applications-10/ 29 Riverside Dr. Map/Lot 190-140-000 Variance Equitable Waiver	/28/21 ZBA N	leeting 0.00 0.00	225.1700 <mark>185.0000</mark> Total:		0.00 0.00 410.17
Remitter		Рау Туре	Reference	Tendered	Change	Net Paid
Kevin M.	Farrell, Jr.& Cynthia M.Farrell	CHECK	CHECK # 3057	410.17	0.00	410.17
			<u>10</u>	Total Due:		410.17
				Total Tendered:		410.17
				Total Change:		0.00
				Net Paid:		410.17



# Land Use Division



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

# Zoning Administrator Staff Report Meeting Date: October 28, 2021 Bl 10-14-21

<u>Case 190-029 (10-28-21)</u>: Antonio M Pinheiro De Carvalho, **14A Riverside Dr., Hudson, NH,** Map 190, Lot 029, Zoned Business (B) and Town Residence (TR) requests the following: a) Use Variance to Article V Section 334-21 <u>Table of Permitted Principal Uses</u> for a newly built deck, pool and shed. Variance is required per Article VIII Section 334-29 <u>Extension or enlargement of non-conforming uses</u>.

Address: 14 Riverside Dr Zoning districts: Business (B) and Town Residence (TR)

## Summary:

Applicant requests a use variance for residential use associated with a two family structure/use on a parcel currently "split" zoned with Business (B) and Town Residence (TR) bisecting this parcel and structure. The structure and use are existing non-conforming by virtue of a Building Permit and subsequent Certificate of Occupancy issued Nov 7, 2001. The proposed uses are an expansion of a non-conforming use w/in both zoning districts.

## **Property description:**

Lot of record: Area = 18,396 sqft where 10,000 sqft required (TR) and/or 30,000 sqft required non-conforming (B). Frontage = 116 ft where 90 ft required (TR) and/or 150 ft required (B).

## LAND USE HISTORY:

Nov 7, 2001 Certificate of Occupancy for two family Sept 23, 2021 Building Permit application(s) denials

## **ASSESSING HISTORY:**

Two Family

## Town in-house review comments:

Town Engr: No comment requested Town Planner: Fire Dept: No comment requested

## Attachments:

A: Assessing record
B: Nov 7 2001Ceertificate of Occupancy - Two Family
C: 2021 Plot plan showing split zones (TR) and (B)
D: Building permit applications denials

**Previous Assessments** 

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
	104 - TWO FAM	272,800	0	98,100	0.37	0.00	370,900
	104 - TWO FAM	272,800	0	98,100	0.37	0.00	370,900
2020	104 - TWO FAM	261,800	0	98,100	0.37	0.00	359,900
2020	104 - TWO FAM	261,800	0	98,100	0.37	0.00	359,900
	104 - TWO FAM	261,800	0	98,100	0.37	0.00	359,900
2019	104 - TWO FAM	265,000	0	98,100	0.37	0.00	363,100
2018	104 - TWO FAM	265,000	0	98,100	0.37	0.00	363,100
2018	104 - TWO FAM	265,000	0	98,100	0.37	0.00	363,100
2017	104 - TWO FAM	265,000	0	98,100	0.37	0.00	363,100
2017	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2017	104 - TWO FAM	265,000	0	98,100	0.37	0.00	363,100
2016	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2016	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2015	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2015	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2014	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2014	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2013	104 - TWO FAM	225,700	0	85,200	0.37	0.00	310,900
2013	104 - TWO FAM	235,700	0	85,200	0.37	0.00	320,900
2012	104 - TWO FAM	235,700	0	85,200	0.37	0.00	320,900
2012	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2011	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2011	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2010	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2010	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2009	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2008	and the second	332,600	0	113,500	0.37	0.00	446,100
2008	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2007	104 - TWO FAM	332,600	0	113,500	0.37	0.00	446,100
2007	104 - TWO FAM	282,500	0	85,200	0.37	0.00	367,700
2006	104 - TWO FAM	282,500	0	85,200	0.37	0.00	367,700
2006	104 - TWO FAM	282,500	0	85,200	0.37	0.00	367,700
2005	104 - TWO FAM	282,500	0	85,200	0.37	0.00	367,700
2005	104 - TWO FAM	282,500	0	87,400	0.44	0.00	369,900
2004	104 - TWO FAM	282,500	0	87,400	0.44	0.00	369,900
2004	104 - TWO FAM	222,900	0	66,600	0.44	0.00	289,500
2003	104 - TWO FAM	222,900	0	66,600	0.44	0.00	289,500
2003	104 - TWO FAM	226,900	0	66,600	0.44	0.00	293,500
2002		226,900	0	66,600	0.44	0.00	293,500
2002		226,900	0	66,600	0.44	0.00	293,500
2001		83,900	0	48,400		0.00	132,300
2000		102,600	0	48,400	0.44	0.00	151,000



CO # 60

# CERTIFICATE OF OCCUPANCY

Herbert Foss					
Owner/Builder/Applicant					
14 Riverside Ave.	48	30	0		
Address	Мар	Lot	Sublot		
Two family residence Construction Type	Building Permit #				
			43-01		ç .
Other	Electrical Permit #		Plumbing Permit #		

PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING

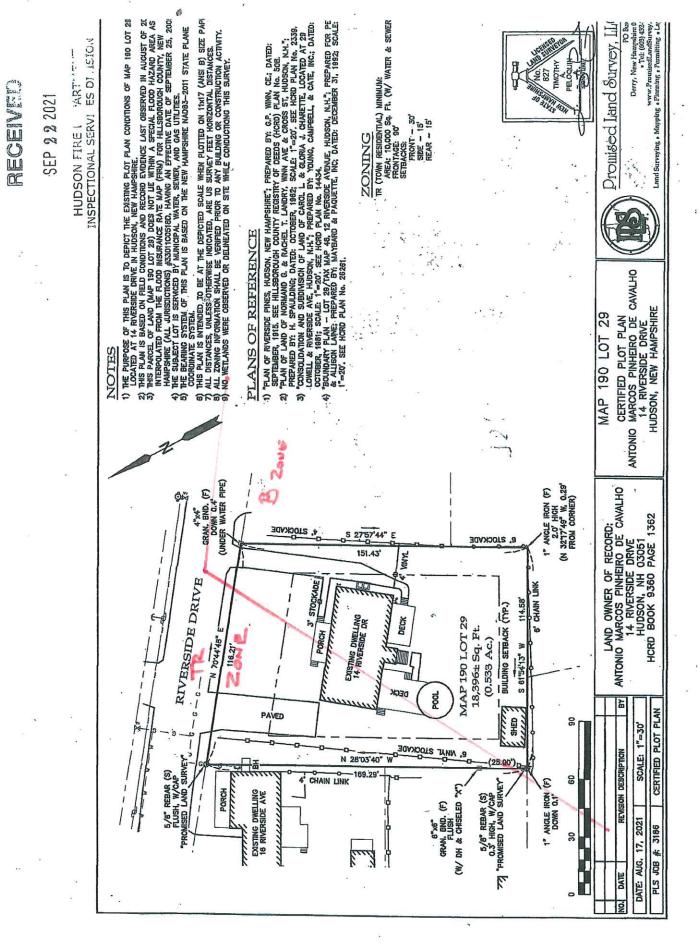
NOU. 7, 2001 

Date Issued

Milliam A. Olehsek

Building Inspector's Approval

No person shall occupy this building until Inspector's approval



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Land Use Division

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

## Zoning Determination #21-159 Building Permit Applications 2021-00999/2021-01000/2021-01001 DENIED

September 23, 2021

Antonio Marco Pinheiro DeCarvalho 14 Riverside Dr Re: Hudson, NH 03051

<u>14 Riverside Dr Map 190 Lot 029-000</u> Districts: Business (B) and Town Residence (TR)

Dear Mr. DeCarvalho,

## Zoning Review / Determination:

This structure (house) is existing non-conforming in regards to use as a Two Family (within both zoning districts). Based on your submitted plot plan, I determine that all three permit applications are an increase (expansion) of use, and you would need a Variance to §334-29 Extension or enlargement of non-conforming uses.

If a Variance is granted for the residential shed use, an Equitable Waiver of Dimensional Requirement would also be required for the shed to remain in its location.

Therefore, I deny these Building Permit applications.

Sincerely,

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

cc: Public Folder D. Hebert, Building Official 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.* 

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

On 10/28/21, the Zoning Board of Adjustment heard Case 190-029, being a case brought by Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH for a Use Variance for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of non-conforming uses. [Map 190, Lot 029-000; Split Zoned Business (B) and Town Residence (TR).]

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 Ν **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." 2. The proposed use will observe the spirit of the ordinance, since the proposed use does Y Ν 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." **3.** Substantial justice would be done to the property-owner by granting the variance, and Y Ν the benefits to the property owner are not outweighed by harm to the general public or to other individuals. \_\_\_\_\_ Y **4.** The proposed use will not diminish the values of surrounding properties. Ν Y Ν 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

\_\_\_\_

APPLICATION									
OCT 08 LUL,	FOR A VARIANCE								
Non Soning Board of Adjustment Town of Hudson	Entries in this box are to be filled out by Land Use Division personnel Case No. $190 - 0292(10 - 28 - 21)$ Date Filed $10/8/21$								
Name of Applicant Antonio Maccos Pinheirs De	Convolho_Map: 190_Lot: 29_Zoning District: TR/B								
Telephone Number (Home) 63 438 9533	(A)								
Mailing Address 14 A Riverside Avenu	Mailing Address 14 A Riverside Avenue DR. CIS								
Owner <u>Antonio</u> moreos pinheiro de la	(TP)								
Location of Property 4 <u>A Riverside</u> (Street Addres									
Signature of Applicant	<u> </u>								
A Ami	10/05/21								
Signature of Property-Owner(s)	Daté /								
application is not acceptable unless all	l on a separate sheet if space provided is owner, you must provide written owner(s) to confirm that the property is/her/their behalf or that you have								
Items in this box are to be filled out by La	The second								
COST:         Application fee:               Direct Abutters x         \$4.10 =	185 Date received: 10/8/21 \$130.00								
$\frac{-0}{18}$ Indirect Abutters x \$0.55 = 0.58 Total amount due:	10.44 \$ 230.08 Amt. received: \$ 2.30.08 fee 1								
Received by:	$\frac{$130.00}{34.64}$ $\frac{10.44}{$230.08}$ Amt. received: $$230.08$ Receipt No.: $659,136$ $123$								
By determination of the Zoning Administrate Departmental review is required:	or or Building Inspector, the following								
EngineeringFire Departm	nent Health Officer Planner								

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# TOWN OF HUDSON, NH NOTICE TO APPLICANTS

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

Staff Applicant 10 Initials Initials 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) 10 Before making the 18 copies, please review the application with the Zoning Administrator or staff. A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson. 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.) 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.) A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office) A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application. For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.

1	PLOT PLAN-	
·A	Except for requests pertaining to above-ground pools, sheds, decks and use variances,	76
	the application must include a copy of a certified plot plan from a licensed land	1
	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	i i
,	all items are not satisfactorily submitted):	
a) A	The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North	
14	pointing arrow shown on the plan.	
b)_ <u>A</u>	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	
71	seal.	
d)	The plot plan shall include lot dimensions and bearings, with any bounding streets and	
71	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.)	1
e) <u>A</u>	The plot plan shall include the location and dimensions of existing or required services,	
	the area (total square footage), all buffer zones, natural features, any landscaped areas,	
	any recreation areas, any safety zones, all signs, streams or other wetland bodies, and	1
	any drainage easements.	
f)_ <u>A</u>	The plot plan shall include all existing buildings or other structures, together with their	
/	dimensions and the distances from the lot lines, as well as any encroachments.	
g)	The plot plan shall include all proposed buildings, structures, or additions, marked as	
/V A	"PROPOSED," together with all applicable dimensions and encroachments.	1
h)_/t	The plot plan shall show the building envelope as defined from all the setbacks required _	
A	by the zoning ordinance.	V
i)_ <u>/</u>	The plot plan shall indicate all parking spaces and lanes, with dimensions.	
1		
	1	

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

Signature of Applicant(s)

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

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

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

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

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

09/28/21

#### ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	629	Antonio De Carvalho	14 A Aiverside Ave DR. Hudson NH 03051
190	02.8	Liakasy Nancey	12 Riverside Ave. DR.
190	621	Brooks, Kimberley, TR. Brooks Fumily Rev Trust	5 Winn Ave Hudson NH 03051
190	020	Don-Kev properties LL	195R Central St. Hudson NH 03051
190	019	Driscolly Sean C.	18 Cross st. Hudson NH 1030151
100 100	030	Ferreirag John C. III	16 Riverside Ave. DR. Hubson NH 03051
140	158	Rand - Oljey, Pauline E. Oljey, Richard F. JR.	2 Oak Ave Hudsen NH 03051
190	157	Chapit, Rudy J. A Chapit, Kimberly A	13 Riverside Ave. DR. Hudson NH 03051
190			
E			

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	618	Montoya , Albeiro	ZI Cross St. Hudson NH 03051
190	043	Young , Richard M.	1 Andrews cAve. Hudson Nh. 03051
190	031	Wilcox, John G. Joyce A.	1700501 2011 0305
190	143	Paradis Family Rev Trust Paradis, Richard E, TR. Paradis Kelly A?, TR.	17 Riverside Ave. DR, Hudson NH 03051
190	154	Macmillan y Losley	10 Crossist. Hudson NH 03051
140	155	Rudolphy Lisa Ann	8 Cross St. Hudson NH 03051
190	159	Hall g SusanB.	6 Oak avenue Hudson NH 03051
146	167	Adams, Kenneth C.	9 Riverside Ave. DR. Hudson NH 03651
190	168	Lavoie, Debra L.	7 Riverside Apor DR. Hudson NH 03051
190	627	Caron, Renee D.	10 Riverside Are DR. Hudson NH 03051
146	624	Butlerg Francis Lee Butler, Africa M.	Po box 3836
190	622	Winn Avenue Real Estate Lic	3 Winn avenue Hudson NH 03051
190	613	Zoraky Property Management 22C	8 winn Avenue Itudson Nit 03051
			7 m ch

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Pizzamac Real Estate Holdings

7 minute manmath rd. Windham NH 03087

# ALL INDIRECT ABUTTERS WITHIN 200 FEET

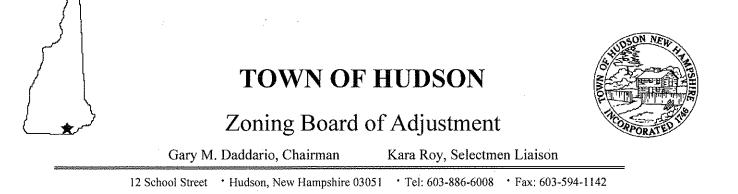
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. For indirect abutting properties being under a condominium or other collective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

	MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
	190	160	Beauchesne Family Rev Trust BEAUCHESNE, Michael D., M REAUCHESNE, DENIZEH, TH	JODAK AVE HUdson NH 03051
	190.	166	FERUNO, MichAel AI	7 OAK AUC HUESON NH 03051
	190	025	STINSON, GREGORY M.	12 Tessien ST Hud SON NH 03051
2	190	032	Thomas, Terron D.	18 Riverside DR. Hudson, NH 03051
				1

SENDE	ER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 190-029 VARIANCE & EQ. WVR.14 Riverside Dr.Map 190/Lot 029-0001 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	<b>10/28/2021 ZBA Meeting</b> APPLICANT NOTICE MAILED
1	2057 03	350 0000 1884 5659	PINHEIRO DE CARVALHO, ANTONIO MARCOS	APPLICANT NOTICE MAILED
			14 RIVERSIDE DR., HUDSON, NH 03051	ADUSTED NOTIOD MAILED
2	7021 03	350 0000 1884 5666	DRISCOLL, SEAN C.	ABUTTER NOTICE MAILED
			18 CROSS STREET, HUDSON, NH 03051	
3	702l 03	350 0000 1884 5673 📃	DON-KEV PROPERTIES LLC	ABUTTER NOTICE MAILED
			195R CENTRAL ST,, HUDSON, NH 03051	
4	2021 O.	350 0000 1884 5680	BROOKS, KIMBERLEY, TR.; BROOKS FAMILY REV TRUST	ABUTTER NOTICE MAILED
			5 WINN AVE.,, HUDSON, NH 03051	
5	7021 O	350 0000 1884 5697	LIAKAS, NANCY N.	ABUTTER NOTICE MAILED
			12 RIVERSIDE DR., HUDSON, NH 03051	
5	7021 03	350 0000 1884 5703 🛛 🕅	FERREIRA, JOHN C. III	ABUTTER NOTICE MAILED
			16 RIVERSIDE DR., HUDSON, NH 03051	
7	7021 O	350 0000 1884 5710	CHAPUT, RUDY J.; CHAPUT, KIMBERLY A.	ABUTTER NOTICE MAILED
	Prote and the second second		13 RIVERSIDE DR., HUDSON, NH 03051	
8	7021 0	350 0000 1884 5727	RAND-OLJEY, PAULINE E.; OLJEY, RICHARD F. JR.	ABUTTER NOTICE MAILED
0			2 OAK AVE., HUDSON, NH 03051	
			2 OAR AVE., HODSON, MI 00001	
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			Direct Certified	Page

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 190-029 VARIANCE & EQ. WVR.           14 Riverside Dr.           Map 190/Lot 029-000         1 of 2
	ARTICLE NUMBER OCT 1 9 2021	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1.42 Jack	Mailed First Class	PIZZAMAC REAL ESTATE HOLDINGS,	ABUTTER NOTICE MAILED
	Manou Thot on on	7 MAMMOTH RD., WINDHAM, NH 03087	
	Mailed First Class	ZORAK, PROPERTY MANAGEMENT LLC	ABUTTER NOTICE MAILED
	Mailed First Class 9 Departmer	8 WINN AVENUE, HUDSON, NH 03051	
	Mailed First Class VS	MONTOYA, ALBEIRO	ABUTTER NOTICE MAILED
1.200	Malled First Class (130)	21 CROSS ST., HUDSON, NH 03051	
		WINN AVENUE REAL ESTATE LLC	ABUTTER NOTICE MAILED
-	Mailed First Class		
		3 WINN AVENUE, HUDSON, NH 03051 STINSON, GREGORY M.	ABUTTER NOTICE MAILED
5	Mailed First Class		
		12 TESSIER ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
<b>;</b>	Mailed First Class	BUTLER, FRANCIS LEE; BUTLER, AFRICA M.	ADDITER NOTICE MIMEDO
		PO BOX 3836, NASHUA, NH 03061	ADUTTED NOTICE MAILED
7	Mailed First Class	CARON, RENEE D.	ABUTTER NOTICE MAILED
		10 RIVERSIDE DR., HUDSON, NH 03051	
3	Mailed First Class	WILCOX, JOHN G.; WILCOX, JOYCE A.	ABUTTER NOTICE MAILED
		15 CROSS STREET, HUDSON, NH 03051	
9	Mailed First Class	THOMAS, TERRON D.	ABUTTER NOTICE MAILED
		18 RIVERSIDE DR., HUDSON, NH 03051	9
10	Mailed First Class	YOUNG, RICHARD M.	ABUTTER NOTICE MAILED
10		1 ANDREWS AVENUE, HUDSON, NH 03051	
		PARADIS, RICHARD E., TR.;	
		PARADIS, KELLY A., TR.;	I DUTTED NOTICE MAILED
11	Mailed First Class	PARADIS FAMILY REV TRUST	ABUTTER NOTICE MAILED
		17 RIVERSIDE DR., HUDSON, NH 03051	
12	Mailed First Class	RUDOLPH, LISA ANN	ABUTTER NOTICE MAILED
		8 CROSS ST., HUDSON, NH 03051	
13	Mailed First Class	MACMILLAN, LESLEY	ABUTTER NOTICE MAILED
		10 CROSS ST., HUDSON, NH 03051	
14	Mailed First Class	HALL, SUSAN B.	ABUTTER NOTICE MAILED
ТТ		6 OAK AVENUE, HUDSON, NH 03051	
	Total Number of pieces listed by sender 14	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - F <mark>IRST CLASS MAIL</mark>	Case# 190-029 VARIANCE & EQ. WVR.           14 Riverside Dr.           Map 190/Lot 029-000         2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	Mailed First Class	BEAUCHESNE, MICHAEL D., TR.; BEAUCHESNE, DENISE H., TR.; BEAUCHESNE FAMILY REV TRUST	ABUTTER NOTICE MAILED
2	Mailed First Class	10 OAK AVENUE, HUDSON, NH 03051 FERINO, MICHAEL A.	ABUTTER NOTICE MAILED
2		7 OAK AVE., HUDSON, NH 03051	
3	Mailed First Class	ADAMS, KENNETH G.	ABUTTER NOTICE MAILED
		9 RIVERSIDE DR., HUDSON, NH 03051	
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October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

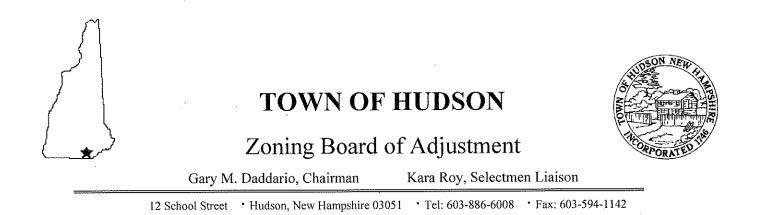
<u>Case 190-029 (10-28-21)</u>: Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029-000, Split Zoned Business (B) and Town Residence (TR) requests the following:

- a) A <u>Use Variance</u> for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of nonconforming uses.
- b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [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



October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

<u>Case 190-029 (10-28-21)</u>: Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029-000, Split Zoned Business (B) and Town Residence (TR) requests the following:

- a) A <u>Use Variance</u> for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of nonconforming uses.
- b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

Respectfully Bruče 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  $\sqrt{110}$  of HZO Section(s) 339-292in order to permit the following change or use:

1.2.6 TILL a

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.

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

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

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

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

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

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

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



# **TOWN OF HUDSON**

Land Use Division



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

### Zoning Determination #21-159 Building Permit Applications 2021-00999/2021-01000/2021-01001 DENIED

September 23, 2021

Antonio Marco Pinheiro DeCarvalho 14 Riverside Dr Re: Hudson, NH 03051

<u>14 Riverside Dr Map 190 Lot 029-000</u> Districts: Business (B) and Town Residence (TR)

Dear Mr. DeCarvalho,

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

This structure (house) is existing non-conforming in regards to use as a Two Family (within both zoning districts). Based on your submitted plot plan, I determine that all three permit applications are an increase (expansion) of use, and you would need a Variance to §334-29 Extension or enlargement of non-conforming uses.

If a Variance is granted for the residential shed use, an Equitable Waiver of Dimensional Requirement would also be required for the shed to remain in its location.

Therefore, I deny these Building Permit applications.

Sincerely,

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

cc: Public Folder D. Hebert, Building Official 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



CO # 60

CERTIFICATE OF OCCUPANCY

Herbert Foss		
Owner/Builder/Applicant		
14 Riverside Ave.	48 30	0
Address	Map Lot	Sublot
Two family residence	306-01	
Construction Type	Building Permit #	
	179-01	43-01
Other	Electrical Permit #	Plumbing Permit #

## PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING

NOU. 7, 2001 Date Issued

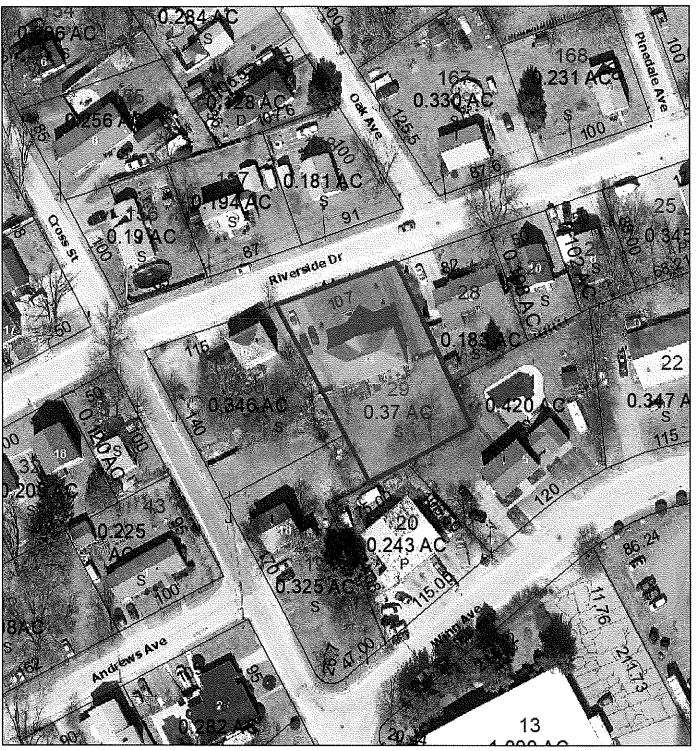
Milliam A. Olehsch

Building Inspector's Approval

No person shall occupy this building until Inspector's approval

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PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D s t LAND SECTION (Fi	RS ion % Item Sewer Electri Exmpr Topo Street Gas: rst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i i 1 LEVEL t ) th / Leit Tuno Loo	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item Sewer Electr Exmp Topo Street Gas: irst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item Sewer Electr Exmp Topo Street Gas: irst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item Sewer Electr Exmp Topo Street Gas: irst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item Sewer Electr Exmp Topo Street Gas: irst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item Sewer Electr Exmp Topo Street Gas: irst 7 lines only No of Units Dep Price	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 10/11/2000 9/13/2000	PERMI     Number     0306-01     0263-01     0112-01     Ease     tor     Value	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         % Land	Result a V d spect d ss spect sist spect d TION OF VISIT I S Fact	21 19 15 10 1 5 0 0 2 VOT DATA Use Value	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 
PROPERTY FACTO Item Code Descript Z 0 n Census: Flood Haz C D 5 t LAND SECTION (Fi Use Description LUC Code Fact	RS ion % Item water Sewer Electri Exmpl Topo Street Gas: irst 7 lines only No of Units No of Units No of Units	Code Description 3 TOWN WATE r 2 TOWN SEWE i 1 1 LEVEL t 1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	BUILDING Date 11/27/2000 9/13/2000 9/13/2000	PERMI     Number 0306-01 0263-01 0112-01	TS Descrip DWELLING MANUAL MANUAL MANUAL	Amount C/( 162,000 C C 5,000 C	D Last Visit 3/1/2001	t Fed Cod	e F. Desc	rip Co DEMO 2-F/ TEMP MBL	AM E HME % Appraise Value 98,1	Date           11/13/2020         Sale Data           6/14/2019         Measured           6/4/2013         Meas/Ins           8/9/2007         Measured           8/9/2007         Measured           8/9/2007         Measured           8/23/2005         New Map           5/10/2004         Meas/Ins           4/26/2002         Permit Vit           3/1/2001         Meas/Ins           2/13/1991         Inspected           Sign:         VERIFIC41           d         Alt         % Spec           Class         %         Land	Result a V d ippect d js spect sisit spect d TROK OF VISIT Code Fact	21 19 15 10 1 5 0 0 2 40T 0ATA Use Value 98,100	Ratio: DEP ASR KRT2 APPR TECH 5 APPRAISER II CHIEF ASSESS NEMC PATRIOT PATRIOT AVITAR 

	BATH FEATURES	COMMENTS	\$	SKETCH	4		,				
EXTERIOR INFORMATION	Full Bath 3 Rating: AVERAG				•		<u> </u>	Г			7
Type: 141 - DUPLEX		IN SEPARATE AREAS OF I		-		**					
Sty Ht: 2 - TWO STY	A Bath: Rating:	PART OF A 4 FIXTURE BA			12	WDK		1:	, Ψ	NDK	
(Liv) Units: 2 Total: 2	3/4 Bath: 1 Rating: GOOD	EA//2020-appears to be bath			12				-		
Foundation: 1 - CONCRETE	A 3QBth Rating:	progress.		,	.		3 <sup>4</sup> UGI	N 4		20	1
Frame: 1 - WOOD	1/2 Bath: 2 Rating: GOOD	progress,				20		4		£0	" <u>L</u>
Prime Wall: 04 - VINYL	A HBth: Rating:	Ł	f				60				
Sec Wall: %		E RESIDENTIAL GRID									
Roof Struct: 2 - HIP	OTHER FEATURES	1st Res Grid Desc: CONV									
Roof Cover. 1 - ASPH SHING	Kits: 2 Rating: AVERAG	E Level FY LR DR D K FR	R RR BR FB HB L O								
Color: GREY	A Kits: Rating:	Other									
View / Desir:	Frpl: Rating:	Upper					SF	L			
	WSFlue: Rating:	Lvl 2			30		FF				
GENERAL INFORMATION	CONDO INFORMATION						Bh⁄	ſT			
Grade: C - AVERAGE	Location:										
Year Bit: 2001 Eff Yr Bit:		Totals RMs: 10 BRs: 6	6 Baths: 3 HB 2								
Alt LUC: Alt %:	Total Units:		)								
Jurisdict: Fact:	Floor	REMODELING RES	S BREAKDOWN								
Const Mod:	<u>% Own:</u>	Exterior: No Ur	Init RMS BRS FL								
Lump Sum Adi:	Name:	Interior:	1 6 4 M		-	20 -	<u></u> 28	4	SFL	20	
		Additions:	1 4 2 M				20 OFP		OFP		
INTERIOR INFORMATION	Phys Cond: AV - Average	20. % Kitchen:					UFF	· · · · ·			
Avg Ht/FL: STD	Functional:	% Baths: 2020				L					
Prim Int Wal 1 - DRYWALL	Economic:	% Plumbing:									
Sec Int Wall: %	Special:	1 10/10/19/									
Partition: T - TYPICAL	Override:		Totals								
Prim Floors: 04 - CARPET	Total:	non ricaling.	2 10 6	SUB A						A DETAIL	
Sec Floors: 05 - LINO/VINYL 15 %		20 % General:		Code	Description	Area - SQ	Rate - AV U	ndepr Value	Sub %		%
Bsmnt Fir: 12 - CONCRETE		COMPARABLE SALES								I IOCOTIO ···	: CH 122 1 AN
				OCTI 1		1 8 20	73 330	133 457	Area lish	State Contraction	ivne :
	Basic \$ / SQ: 100.00		Date Sale Price		SECOND FLR	1,820	73.330		Area Usb	X · · · ·	Type 100 AV
Subfloor:	Size Adj.: 0.74861878		Date Sale Price	FFL	FIRST FLOOR	1,800	73.330	131,990	BMT 9	0 RRM	100 AV
Subfloor: Bsmnt Gar:	Size Adj.: 0.74861878 Const Adj.: 0.97950864		Date Sale Price	FFL BMT	FIRST FLOOR BASEMENT	1,800 1,620	73.330 16.870	131,990 27,322	) BMT 90	X · · · ·	
Subfloor: Bsmnt Gar: Electric:3 - TYPICAL	Size Adj.: 0.74861878 Const Adj.: 0.97950864 Adj \$ / SQ: 73.328		Date Sale Price	- FFL BMT WDK	FIRST FLOOR BASEMENT WOOD DECK	1,800 1,620 480	73.330 16.870 13.030	131,990 27,322 6,255	BMT 90	X · · · ·	
Subfloor: Bsmnt Gar: Electric: 3 - TYPICAL Insulation: 2 - TYPICAL	Size Adj.: 0.74861878 Const Adj.: 0.97950864 Adj \$ / SQ: 73.328 Other Features: 34905		Date Sale Price	FFL BMT WDK OFP	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH	1,800 1,620 480 160	73.330 16.870 13.030 37.660	131,990 27,322 6,255 6,020	BMT 90	X · · · ·	
Subfloor: Bsmnt Gar: Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S	Size Adj.: 0.74861878 Const Adj.: 0.97950864 Adj \$ / SQ: 73.328 Other Features: 34905 Grade Factor: 1.00		Date Sale Price	FFL BMT WDK OFP	FIRST FLOOR BASEMENT WOOD DECK	1,800 1,620 480	73.330 16.870 13.030	131,990 27,322 6,255	BMT 90	X · · · ·	
Subfloor: Bsmnt Gar: Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S Heat Fuel: 2 - GAS	Size Adj.: 0.74861878 Const Adj.: 0.97950864 Adj \$ / SQ: 73.328 Other Features: 34905 Grade Factor: 1.00 NBHD Inf: 1.00000000	Rate Parcel ID Typ	· · · · · · · · · · · · · · · · · · ·	FFL BMT WDK OFP	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH	1,800 1,620 480 160	73.330 16.870 13.030 37.660	131,990 27,322 6,255 6,020	BMT 90	X · · · ·	
Subfloor: Bsmnt Gar: Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S Heat Fuel: 2 - GAS Heat Type: 1 - FORCED AIR	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1.000000000000000000000000000000000000		Date Sale Price	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY	1,800 1,620 480 160 32	73.330 16.870 13.030 37.660	131,990 27,322 6,255 6,026 1,071	BMT 90	X · · · ·	
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       -	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00	Rate     Parcel ID     Typ       Image: Second sec	[ Ind.Val	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are	1,800 1,620 480 160 32 xa: [5,912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121	BMT 90	X · · · ·	
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	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1.000000000000000000000000000000000000	Rate     Parcel ID     Typ       WtAv\$/SQ:     AvRate:       Juris. Factor:	Ind. Val Before Depr: 73.33	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are	1,800 1,620 480 160 32 xa: [5,912	73.330 16.870 13.030 37.660 33.480	131,990 27,322 6,255 6,026 1,071	BMT 90	X · · · ·	
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: NO	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         341027	Rate     Parcel ID     Typ       Image: State of the	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are	1,800 1,620 480 160 32 82 83 83 85 85 87 87 87 87 87 87 87 87 87 87 87 87 87	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         341027           Depreciation:         68205	Rate     Parcel ID     Typ       Image: State of the	Ind. Val Before Depr: 73.33	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are	1,800 1,620 480 160 32 xa: [5,912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
Subfloor:         Bsmnt Gar:         Electric:       3         Insulation:       2         Int vs Ext:       S         Heat Fuel:       2         + Heat Type:       1         FORCED AIR         # Heat Sys:       2         % Heated:       100       % AC:       100         Solar HW:       NO       Central Vac:       NO         % Com Wal       % Sprinkled       Xor	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.0000000           NBHD Mod:         1.00           LUC Factor:         1.00           Adj Totai:         341027           Depreciation:         68205           Depreciated Total:         272822	Rate       Parcel ID       Typ         WtAv\$/SQ:       AvRate:         Juris. Factor:       Special Features: 0         Final Total:       272800	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14	FFL BMT WDK OFP UCN	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Gro	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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: NO         % Com Wal       % Sprinkled         MOBILE HOME       Make:	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         LUC Factor:           LUC Factor:         1.00           Adj Total:         341027           Depreciation:         68205	Rate     Parcel ID     Typ       Image: State of the	Ind.Val Before Depr: 73.33 Val/Su Net: 46.14 Val/Su SzAd 75.36   Year:	FFL BMT WDK OFP UCN Size Ad	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Gro	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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: NO         % Com Wal       % Sprinkled         MOBILE HOME       Make:         SPEC FEATURES/YARD ITEMS	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Rate       Parcel ID       Typ         WtAv\$/SQ:       AvRate:         Juris. Factor:       Juris. Factor:         Special Features:       0         Final Total:       272800         Serial #	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14 Val/Su SzAd 75.36   Year: PARCEL IE	FFL BMT WDK OFP UCN Size Ad Size Ad	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Grc	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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: NO         % Com Wal       % Sprinkled         MOBILE HOME       Make:	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Rate       Parcel ID       Typ         WtAv\$/SQ:       AvRate:         Juris. Factor:       Special Features: 0         Final Total:       272800	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14 Val/Su SzAd 75.36   Year: PARCEL IE	FFL BMT WDK OFP UCN Size Ad Color D 190-029-0	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Gro	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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: NO         % Com Wal       % Sprinkled         MOBILE HOME       Make:         SPEC FEATURES/YARD ITEMS	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Rate       Parcel ID       Typ         WtAv\$/SQ:       AvRate:         Juris. Factor:       Juris. Factor:         Special Features:       0         Final Total:       272800         Serial #	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14 Val/Su SzAd 75.36   Year: PARCEL IE	FFL BMT WDK OFP UCN Size Ad Size Ad	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Grc	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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	Size Adj.:         0.74861878           Const Adj.:         0.97950864           Adj \$ / SQ:         73.328           Other Features:         34905           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:	Rate       Parcel ID       Typ         WtAv\$/SQ:       AvRate:         Juris. Factor:       Juris. Factor:         Special Features:       0         Final Total:       272800         Serial #	Ind. Val Before Depr: 73.33 Val/Su Net: 46.14 Val/Su SzAd 75.36   Year: PARCEL IE	FFL BMT WDK OFP UCN Size Ad Size Ad	FIRST FLOOR BASEMENT WOOD DECK OPEN PCH UNF CANOPY Net Sketched Are 3620 Grc	1,800 1,620 480 160 32 92 93 93 94 95 912 95 912 95 912 95 912	73.330 16.870 13.030 37.660 33.480 Total:	131,990 27,322 6,255 6,026 1,071 306,121 306,121 3620	BMT 90	a O RRM	
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# 14 A Riverside Dr. (Map/Lot 190-029-000)

October 4, 2021

Legend

Pa

Parcels

0

0



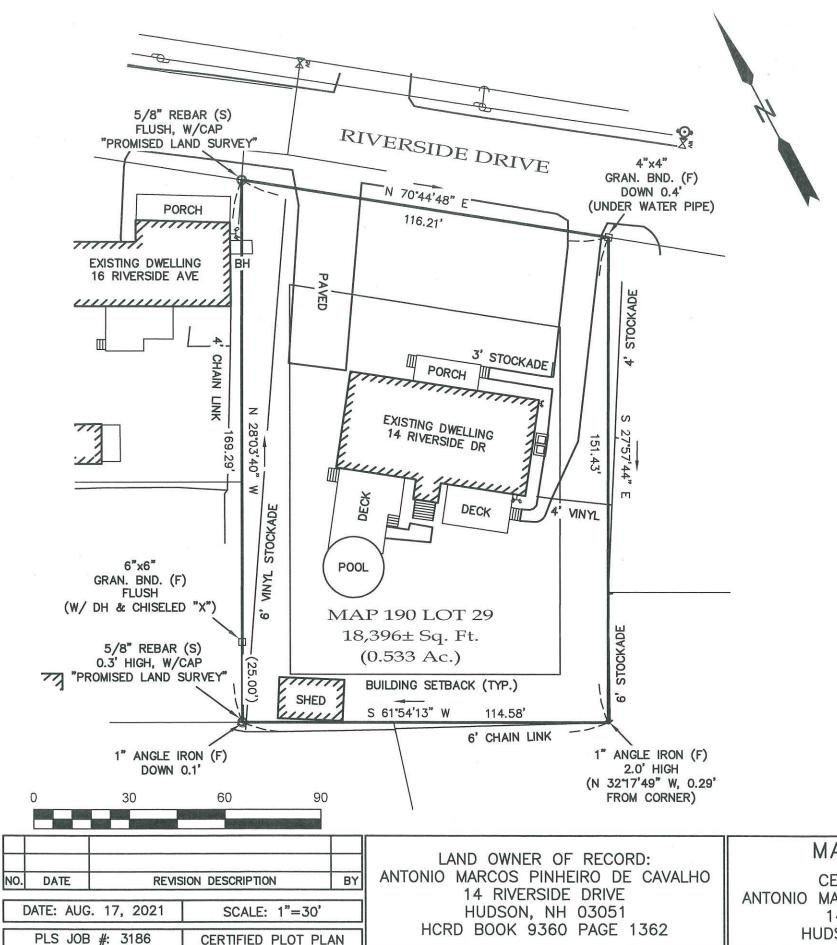
# 14 Riverside Dr. (1998 Aerial View)



October 5, 2021	1:633
Legend	0 0.005 0.01 0.02 mi
Parcels - Aerials	0 0.0075 0.015 0.03 km
Demain	



Parcels



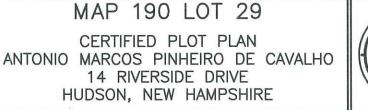
### NOTES

- LOCATED AT 14 RIVERSIDE DRIVE IN HUDSON, NEW HAMPSHIRE.

- 4) THE SUBJECT LOT IS SERVICED BY MUNICIPAL WATER, SEWER, AND GAS UTILITIES. 5) THE BEARING SYSTEM OF THIS PLAN IS BASED ON THE NEW HAMPSHIRE NAD83-2011 STATE PLANE
- COORDINATE SYSTEM.

### PLANS OF REFERENCE

- OCTOBER, 1981; SCALE: 1"=20'. SEE HCRD PLAN No. 14434.
- 1"=20'. SEE HCRD PLAN No. 26261.





1) THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING PLOT PLAN CONDITIONS OF MAP 190 LOT 29,

2) THIS PLAN IS BASED ON FIELD CONDITIONS AND RECORD EVIDENCE LAST OBSERVED IN AUGUST OF 2021. 3) THIS PARCEL OF LAND (MAP 190 LOT 29) DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS INTERPOLATED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS) #33011C0518D, HAVING AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.

6) THIS PLAN IS INTENDED TO BE AT THE DEPICTED SCALE WHEN PLOTTED ON 11x17 (ANSI B) SIZE PAPER. 7) ALL DISTANCES, UNLESS OTHERWISE INDICATED, ARE US SURVEY FEET HORIZONTAL DISTANCES. 8) ALL ZONING INFORMATION SHALL BE VERIFIED PRIOR TO ANY BUILDING OR CONSTRUCTION ACTIVITY. 9) NO WETLANDS WERE OBSERVED OR DELINEATED ON SITE WHILE CONDUCTIONG THIS SURVEY.

1) "PLAN OF RIVERSIDE PINES, HUDSON, NEW HAMPSHIRE"; PREPARED BY: G.P. WINN, CE.; DATED: SEPTEMBER, 1915. SEE HILLSBOROUGH COUNTY REGISTRY OF DEEDS (HCRD) PLAN No. 508. 2) "PLAN OF LAND OF NORMAND G. & RACHEL T. LANDRY, WINN AVE & CROSS ST, HUDSON, N.H."; PREPARED BY: H. SPAULDING; DATED: OCTOBER, 1962; SCALE: 1"=20'. SEE HCRD PLAN No. 2339. 3) "CONSOLIDATION AND SUBDIVISION OF LAND OF CAROL L. & GLORIA J. CHARETTE, LOCATED AT 29 LOWELL & RIVERSIDE AVE, HUDSON, N.H."; PREPARED BY: YOUNG, CAMPBELL, & CATE, INC.; DATED:

4) "BOUNDARY PLAN - LOT 29/TAX MAP 48, 12 RIVERSIDE AVENUE, HUDSON, N.H."; PREPARED FOR PETER & ALLISON LAINE; PREPARED BY: MAYBARD & PAQUETTE, INC; DATED: DECEMBER 31, 1992; SCALE:

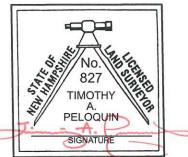
ZONING

TR (TOWN RESIDENTIAL) MINIMUM: AREA: 10,000 Sq. Ft. (W/ WATER & SEWER) WIN OF HUDSOZ FRONTAGE: 90' SETBACKS:

FRONT - 30' SIDE - 15' REAR - 15'

OCT 0 8 2021

Poning Departm



10/08/2021 11:11 AM	Description	Hudson, NH 03051-4249 Current Invoice	Payment
Created		12 School Street	
10/08/2021 11:45AM		Town of Hudson, NH	
Printed		Transaction Receipt	

	Devenpenen					
1.00	Zoning Application-10 14 Riverside Dr Map/Lot 190-029-000	/28/21 ZBA Me	eeting			
	Variance		0.00	230.0800		0.00
	Equitable Waiver		0.00	185.0000	4	0.00
				Total:		415.08
Remitter		Рау Туре	Reference	Tendered	Change	Net Paid
Antonio M	De Carvalho	CHECK	CHECK # 123	415.08	0.00	415.08
				Total Due:		415.08
				Total Tendered:		415.08
				Total Change:		0.00
				Net Paid:		415.08

Receipt# 659,136 tgoodwyn

Balance Due



# **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: October 28, 2021 BB 10-19-21

Case 190-029 (10-28-21): Antonio M Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029, Zoned Business (B) and Town Residence (TR) requests the following:

b) Equitable Waiver of Dimensional Requirement for an existing 12'-6" x 20'-4" (254 sqft) shed which remains within the side and rear setbacks where 15 feet is required for both setbacks. Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.

Address: 14 Riverside Dr Zoning districts: Business (B) and Town Residence (TR)

#### Summary:

Applicant requests an Equitable Waiver of Dimensional Requirement for a recently installed shed (254 sqft) to remain within the rear and side setbacks, leaving 11'-3" of setback on the side, and 3'-0" of setback on the rear, as shown on plot plan dated Aug 17, 2021.

#### **Property description**:

Lot of record: Area = 18,396 sqft where 10,000 sqft required (TR) and/or 30,000 sqft required non-conforming (B). Frontage = 116 ft where 90 ft required (TR) and/or 150 ft required (B).

**CODE ENFORCEMENT HISTORY:** 

8/16/2021 Inspectional Services received complaint

#### LAND USE HISTORY:

Building Permit application #2021-00999 Zoning Determination #21-159 Denial of Building Permit application #2021-00999

ASSESSING HISTORY:

N/A

Town in-house review comments:

Town Engr: No comments requested Town Planner: Fire Dept:

### Attachments:

A: Code Enforcement History
B: 2021-00999 Building Permit application
C: Zoning Determination #21-159: B.P. application denial
D: As built plot plan with measurements (dimensions)

un: 10/14/2	1	Code Enfo	rcement		Page: 1		
10:04AI	M	Violation	Violation Detail				
	1/0004 00050	Town of Hu		Activo	ReportViolationDetail		
Number:	V2021-00059		0	s: Active			
Permit Nu		Business L					
	Reported: 8/16/2021		Resolved:				
Descriptio	n: Anonymous complaint a his property without per	bout owner of 14 Riv mits (extending the d	verside doing exte eck, building a sh	ensive demolition and ed, extending drivewa	building on y .		
- Site Infor	mation:						
Name:	PINHEIRO DE CARVALHO	D, ANTONIO					
	190-029-000						
Street:	14 RIVERSIDE DR		5				
	formation:						
Name:	PINHEIRO DE CARVALH	12 Net 1917	· · · ·				
Street:	0 14 RIVERSIDE D	R.					
	ial Entry of Violation		lotivity				
8/16/202	ered Entered By Type 1 AutoEntry Initial en	ntry Violation - Auto A	ctivity	11	С		
	5 No. 10			8/16/2021	0		
8/16/202	1 dhotham Site vis tails of complaint are confirr			0/10/2021	0		
Co	ncucted drive-by visit to 14	Riverside duplex, view	ved from curb.				
On	the right I Init A observed	fence construction m	aterials in front va	ard, contractors trailer	, dirt in		
exc	cavator in backyard. Drivew ck yard with excavator. She	ay being widened up	to neighbors prop	deck railings . Rear d	eck		
api	pears to have been extende	d up to an above gro	und swimming po	ool.			
Co	nfirmed obvservations wher	n viewing property fro	m the rear (from )	Winn Street) .	0		
8/16/202		anious Information		8/16/2021	С		
Pro	operty changed ownership ir RVALHO. the GIS 2020 in	October 2020. New	owner is ANTO	extended deck			
8/16/202		anious Information		8/16/2021	С		
	to code enforcement folde						
					0050		
	d-munismart01\cedocs\$\Co		rside Drive\14 Riv	verside Drive\V2021-0 8/16/2021	0059 O		
8/16/202	1 dhotham Letter r st Letter of notification maile		to Owner	0/10/2021	0		
		d Letter sent out		10/11/2021	0		
9/13/202 Se	cond notice letter sent certified	친구 맛있고 못했지는 것이 없는 것			5 Tan		
9/21/202				10/19/2021	0		
Pe	rformed a site visit 9-21-202	21 @ 11:00am. I met	with property owr	ner. Verified that a nev	v deck		
10.0	s been built without permits	or increations An at	ove around nool	has been installed and	d		

has been built without permits or inspections, An above ground pool has been installed and operational without permits or inspections, A large shed has been built in the rear building setback without permits or inspections and the driveway has been enlarged in width into the side building setback. I advised the property owner to apply for all permits.

### **Buttrick, Bruce**

From: Sent: To: Cc: Subject: Hotham, David Thursday, September 23, 2021 8:48 AM Hebert, David; Buttrick, Bruce Orendorf, Paula; Goodwyn, Tracy Permit applications to review - 14A Riverside

Hello,

There are three building permit applications for 14A Riverside to be reviewed: (Pool, Deck, Shed) These structures are already constructed and installed, the permits are after the fact.

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David Hotham Inspector Hudson Fire Department Inspectional Services Division 12 School Street Hudson, NH 03051 603-886-6005





TOWN OF HUDSON

FIRE DEPARTMENT - INSPECTIONAL SERVICES DIVISION 12 School Street · Hudson, New Hampshire 03051 · Tel: 603-886-6005 · Fax: 603-594-1142

# **BUILDING PERMIT APPLICATION - PLEASE PRINT**

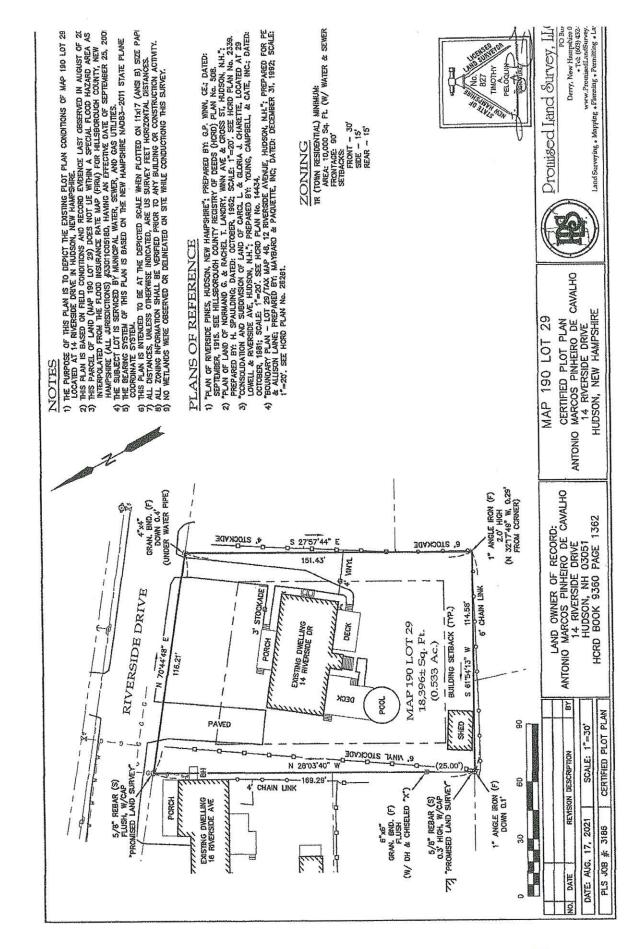
	Riversida Ave		Office use: Map $40$ Lot $29$ Zone $TR$ 2021-00999 Permit #				
		Type of Improvement					
Will the applicant/	lical School arehouse Store Utility /owner manufacture, assemble or produce		r use?				
Yes       (Need IDA Form)       No       (Need IDA Checklist)       *Please consult the Town Engineer at 886-6008 with any que         Total Cost of Project:       General Description of Work and Use Include dimensions of building, room, shed, pool, etc.         \$ 3.800       12.66 × 20 × 4 × 1							
Square Footage Living area	Footprint $\underline{I} \not\subseteq O$ Renovated/a of new home (exclude unfinished areas an		r of stories rea of bldg				
Principal Type of	Frame Masonry (wall bearing)	Wood Frame	Structural steel				
Type of Sewage D	isposal Town or private company						

TORATED 12 Scho	k71_			ource 🕅	<b>O</b>	Other
ype of Water Supply	Town Private	: (well, cistern)	Type of Heat S		Oil	
Name	Stanting of the state of the st	Address	ne an de la companya	City/State/Z	ĩp	Phone
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Email: <u>A - MAR</u>	Cos PINHO	TILD A HO	$\frac{f_{MA}f_{i}f_{i}}{\text{Phone:}} = \frac{f_{MA}f_{i}}{657, 4}$	<u>603 C</u>	<u>} 9 9 1</u> ate <u>9 - J</u>	Date/2 2051 353 J_J_J
Filing fee	\$ <u>30.00</u>			*	1 0 1	
Building permit fee	e \$		eceipt #		ate	
Building permit fee THIS BUILDING PE	e \$	Re		D	ate	ing reason(s)
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Building permit fee THIS BUILDING PE Issued subjec Plans received Comments: Certificate of Occu Comments:	e \$ <b>EXAMIT IS</b> t to the following of t to the following of the following of the following of t to the following of the fol	Re	eceipt #	D	the follow Use grou Constru Live loa	ing reason(s) up: uction type ding
Building permit fee THIS BUILDING PE Issued subjec  [] Plans received Comments: Certificate of Occu	e \$ <b>EXAMIT IS</b> t to the following of t to the following of the following of the following of t to the following of the fol	Re	eceipt #	D	the follow Use grou Constru Live loa	ing reason(s) up: uction type ding

Water, Sewer and Driveway are to be applied for separately, when applicable.

INSP-15 - Rev. 7/2021





By



# **TOWN OF HUDSON**



Land Use Division

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

### Zoning Determination #21-159 Building Permit Applications 2021-00999/2021-01000/2021-01001 DENIED

September 23, 2021

Antonio Marco Pinheiro DeCarvalho 14 Riverside Dr Re: Hudson, NH 03051

<u>14 Riverside Dr Map 190 Lot 029-000</u> Districts: Business (B) and Town Residence (TR)

Dear Mr. DeCarvalho,

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

This structure (house) is existing non-conforming in regards to use as a Two Family (within both zoning districts). Based on your submitted plot plan, I determine that all three permit applications are an increase (expansion) of use, and you would need a Variance to §334-29 Extension or enlargement of non-conforming uses.

If a Variance is granted for the residential shed use, an Equitable Waiver of Dimensional Requirement would also be required for the shed to remain in its location.

Therefore, I deny these Building Permit applications.

Sincerely,

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

cc: Public Folder D. Hebert, Building Official 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.

0, 0 UMAP 190 LOT 29 BUILDING SETBACK (1 LOWN UT HUDS 18,396± Sq. Ft. 2 11)9 Department OCT 1 8 2021 (0.533 Ac.) S 61"54'13" W 2121 しつして in Ĩ UNK ,9 (25.00') 60S ; VGLE IRON (F) JOWN 0.1' AND SURVEY" HISELED "X" REBAR (S) H, W/CAP ND. (F)

### HUDSON ZONING BOARD OF ADJUSTMENT

### EQUITABLE WAIVER DECISION WORKSHEET Option 1- (Per RSA 674:33-a, I)

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 10/28/21, the Hudson Zoning Board of Adjustment heard Case 190-029, being a request by Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH to allow a Waiver from the provisions of HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements. Applicant(s) request an Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks.). [Map 190, Lot 029, Sub lot 000; Split Zoned Business (B) and Town Residence (TR)]

- N **DISCOVERED TOO LATE.** The applicant has demonstrated that the violation was not noticed or discovered by any owner, former owner, owner's agent or representative, or municipal official, until after a structure in violation had been substantially completed, or until after a lot or other division of land in violation had been subdivided by conveyance to a bona fide purchaser for value; and
- N **INNOCENT MISTAKE.** The applicant has successfully demonstrated that the violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or representative, but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent, or by an error in ordinance interpretation or applicability made by a municipal official in the process of issuing a permit over which that official had authority; and

**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

**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.

Y

Y

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Y

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*					
APPLICATION FOR A					
APPLICATION FOR A	N EQUITABLE WAIVER				
5 170	Entries in this has are to be filled out he				
July and the second sec	Entries in this box are to be filled out by Land Use Division personnel				
To: Zonifig Board of Adjustment Oning Town of Hudson	Case No. 190-029 b. (10-28-21)				
,	Date Filed 10/8/21				
Name of Applicant ANTONIO DE CARVI	1633 (Work) Zoning District: TR/B				
Mailing Address A_MARCOSPINH	eiro @ Hotmail, com 14 Riverside DR				
Owner ANTONIO DE CARV	ALHO				
Location of Property 14 Riverside					
(Street Address)	10/04/21				
Signature of Applicant	Date / //				
·	10/05/21				
Signature of Froperty-Owner(s)	Date/				

By filing this application as indicated above, the owner(s) hereby give permission to the Town of Hudson, it's officials, employees, and agents, including the members of the Zoning Board of Adjustment (ZBA), as well as, abutters and other interested members of the public, to enter upon the property which is the subject of this application during any public meeting conducted at the property, or at such reasonable times as may be authorized by the ZBA, for the purpose of such examinations, surveys, tests and inspections as may be deemed appropriate by the ZBA. The owner(s) release(s) any claim to or right he/she (they) may now or hereafter possess against any of the above identified parties or individuals as a result of any such public meeting, examinations, surveys, tests and/or inspections conducted on his/her (their) property in connection with this application.

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/represent on his/ her/ their behalf or that you have permission to seek the described Equitable Waiver.

1

Items in this box are to be filled out by Land Use Division p	1 1 .	
COST: Date receive	ed: <u>10/8/2/</u>	
Application fee (processing, advertising & recording) ( <b>non-refundable</b> ):	\$_185.00	
$\frac{4}{34.64}$	\$ <u>N/A</u>	
Indirect Abutters x First Class postage rate \$ = Total amount due:	\$ <u>N/H</u>	سل دار
Amt. received:	\$_185-	application fee 2
Received by: Receipt No.:	659, 136	ChK# 123
By determination of the Zoning Administrator, the following Departmental	review is required:	
Engineering Fire Dept Health Officer PlannerOt	her	

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# **TOWN OF HUDSON, NH Application Checklist**

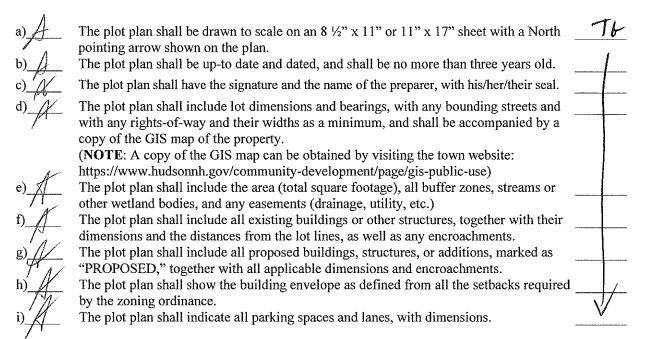
The following requirements/checklist pertain to the Zoning Board of Adjustment applications. Fill in all portions of this Application Form(s) as applicable. This application will not be accepted unless all requirements have been made. Additional information may be supplied on a separate sheet if space provided is inadequate.

Applicant Staff Initials Initials TG-10/8/21 Please review the application with the Zoning Administrator or staff. The applicant must provide the original of the filled-out application form (with wet signatures) together with 10 single-sided copies, together with this checklist and any required attachments listed below. (Paper clips, no staples) 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, 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. 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.) 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 by using the Hudson Geographical Information System (GIS) on the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use (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.) 1 GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use Provide a copy of both single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office) 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. If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or N (circle one). If yes, submit an application to the Planning Board. Rev. July 22, 2021

#### **CERTIFIED PLOT PLAN:**

Requests other than above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful.

(NOTE: it is the responsibility of the applicant to make sure that all of the requirements are satisfied. The application may be deferred if all items are not satisfactorily submitted).



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

Signature of Applicant(s)

104/21 na/21

Signature of Property Owner(s)

#### ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	029	Antonio De Cavalho	14 A Riverside Ave DR. Hudson NH 03051
190	028	Liakas, Nancey	12 Riverside Are. Dr.
190	021	Brooks, Kimberley, TR BROOKS FAMILY Rev TAUST	5 Winn Ave Hudson nh 03051
190	020	Don-Keu properties LLC	195 R Central St., Hudson nh 03651
190	pio	Driscoil, Sean C.	18 cross st. Hudson NH 03051
190	030	Forreira, John L. 111	16 Riverside DR. Ave. DR. Hudson NH 030.57
190	158	Rand - Oljey, Pauline E. Oljey, Richard F. J.F.	2. Oak dr. Ave, Hudson NH 03051
190	157	Chaput, Rudy J. Chapel, Kimberly A.	13 Riverside La Boe, DR. Hudson NH 03051
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Postage Rev. 11/12/20

#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	618	Monto yas Albeiro	21 Cross st. Hudson NH 03051
190	043	Young, Richard U.	1 Andrews Ave. Hudson NH 03051
190	031	Willox, John G. & Joyce A.	15 Cross st. Hudson NH 03051
190	143	Paradis Family Rev Trust Paradis, Richard E, TR. Paradis Kelly A., TR	17 Riverside Ave. DR. Itudson NIt 03051
190	156	Maculillans Lesley	10 cross st. Hudson NH 03051
190	155	Rudolph, Lisa Ann	8 cross st. Hudson NH 03031
190	159	Hall, Susan B.	le Oak Avenue Hudson NH 63051
190	167	Adams, Kenneth G.	9 Riverside AVE. DR. Hudson NH 03051
190	168	Lavoie, Debra L.	7 Riverside Ave DR. Hudson WH NH 03051 03051
190	027	Caron, Renee D.	10 Riverside Ave. Dr. Hudson NH 02051
lda	026	Butler, Francis Lee Batler Africa M.	& Riverside Avefo box 3236 Hashua Nit ozoto 03061
196	012	Winn Avenue Real estate LLC	3 winn Avenue Hudson Nh 03051
190	D13	Zoraky property management UL	8 Winn Avenue Mudson NH 03051
140	612	Pizzamac Aeal estate holdings	7 mammeth rd.

7 mammeth rd. windham Nh. 03087

Postage Rev. 11/12/20

# 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. For indirect abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. 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)

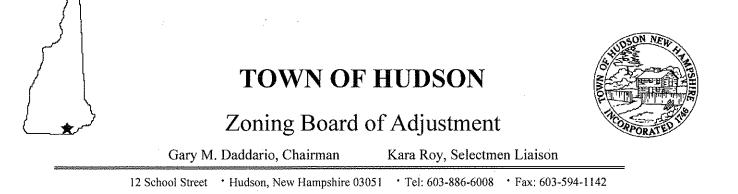
	MAD	TOT		
	MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
	190	160	BEAUCHESNE, Michael D., M	JODAK AVE
	110	100	REAUCHES NE, DENIZE H., TH	HUCSON NH 03051
	190	166	FERUNO, MichAel A,	7 OAK AUC HULSON NH 03051
	190	025	STINSON, GREGORY M.	12 Tessien ST
	190	032	Thomas, Terron D.	Hudson, NH 03051 18 Riverside Dr. Hudson, NH 03051
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SENDE	ER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 190-029 VARIANCE & EQ. WVR.14 Riverside Dr.Map 190/Lot 029-0001 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	<b>10/28/2021 ZBA Meeting</b> APPLICANT NOTICE MAILED
1	2057 03	350 0000 1884 5659	PINHEIRO DE CARVALHO, ANTONIO MARCOS	APPLICANT NOTICE MAILED
			14 RIVERSIDE DR., HUDSON, NH 03051	ADUSTED NOTIOD MAILED
2	7021 03	350 0000 1884 5666	DRISCOLL, SEAN C.	ABUTTER NOTICE MAILED
			18 CROSS STREET, HUDSON, NH 03051	
3	702l 03	350 0000 1884 5673 📃	DON-KEV PROPERTIES LLC	ABUTTER NOTICE MAILED
			195R CENTRAL ST,, HUDSON, NH 03051	
4	2021 O.	350 0000 1884 5680	BROOKS, KIMBERLEY, TR.; BROOKS FAMILY REV TRUST	ABUTTER NOTICE MAILED
			5 WINN AVE.,, HUDSON, NH 03051	
5	7021 O	350 0000 1884 5697	LIAKAS, NANCY N.	ABUTTER NOTICE MAILED
			12 RIVERSIDE DR., HUDSON, NH 03051	
5	7021 03	350 0000 1884 5703 🛛 🕅	FERREIRA, JOHN C. III	ABUTTER NOTICE MAILED
			16 RIVERSIDE DR., HUDSON, NH 03051	
7	7021 O	350 0000 1884 5710	CHAPUT, RUDY J.; CHAPUT, KIMBERLY A.	ABUTTER NOTICE MAILED
	Prote and the second second		13 RIVERSIDE DR., HUDSON, NH 03051	
8	7021 0	350 0000 1884 5727	RAND-OLJEY, PAULINE E.; OLJEY, RICHARD F. JR.	ABUTTER NOTICE MAILED
0			2 OAK AVE., HUDSON, NH 03051	
			2 OAR AVE., HODSON, MI 00001	
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			Direct Certified	Page

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 190-029 VARIANCE & EQ. WVR.           14 Riverside Dr.           Map 190/Lot 029-000         1 of 2
	ARTICLE NUMBER OCT 1 9 2021	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1.42 Jack	Mailed First Class	PIZZAMAC REAL ESTATE HOLDINGS,	ABUTTER NOTICE MAILED
	Manou Thot on on	7 MAMMOTH RD., WINDHAM, NH 03087	
	Mailed First Class	ZORAK, PROPERTY MANAGEMENT LLC	ABUTTER NOTICE MAILED
	Mailed First Class 9 Departmer	8 WINN AVENUE, HUDSON, NH 03051	
	Mailed First Class VS	MONTOYA, ALBEIRO	ABUTTER NOTICE MAILED
1.200	Malled First Class (130)	21 CROSS ST., HUDSON, NH 03051	
		WINN AVENUE REAL ESTATE LLC	ABUTTER NOTICE MAILED
-	Mailed First Class		
		3 WINN AVENUE, HUDSON, NH 03051 STINSON, GREGORY M.	ABUTTER NOTICE MAILED
5	Mailed First Class		
		12 TESSIER ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
<b>;</b>	Mailed First Class	BUTLER, FRANCIS LEE; BUTLER, AFRICA M.	ADDITER NOTICE MIMEDO
		PO BOX 3836, NASHUA, NH 03061	ADUTTED NOTICE MAILED
7	Mailed First Class	CARON, RENEE D.	ABUTTER NOTICE MAILED
		10 RIVERSIDE DR., HUDSON, NH 03051	
3	Mailed First Class	WILCOX, JOHN G.; WILCOX, JOYCE A.	ABUTTER NOTICE MAILED
		15 CROSS STREET, HUDSON, NH 03051	
9	Mailed First Class	THOMAS, TERRON D.	ABUTTER NOTICE MAILED
		18 RIVERSIDE DR., HUDSON, NH 03051	9
10	Mailed First Class	YOUNG, RICHARD M.	ABUTTER NOTICE MAILED
10		1 ANDREWS AVENUE, HUDSON, NH 03051	
		PARADIS, RICHARD E., TR.;	
		PARADIS, KELLY A., TR.;	I DUTTED NOTICE MAILED
11	Mailed First Class	PARADIS FAMILY REV TRUST	ABUTTER NOTICE MAILED
		17 RIVERSIDE DR., HUDSON, NH 03051	
12	Mailed First Class	RUDOLPH, LISA ANN	ABUTTER NOTICE MAILED
		8 CROSS ST., HUDSON, NH 03051	
13	Mailed First Class	MACMILLAN, LESLEY	ABUTTER NOTICE MAILED
		10 CROSS ST., HUDSON, NH 03051	
14	Mailed First Class	HALL, SUSAN B.	ABUTTER NOTICE MAILED
ТТ		6 OAK AVENUE, HUDSON, NH 03051	
	Total Number of pieces listed by sender 14	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - F <mark>IRST CLASS MAIL</mark>	Case# 190-029 VARIANCE & EQ. WVR.           14 Riverside Dr.           Map 190/Lot 029-000         2 of 2		
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting		
1	Mailed First Class	BEAUCHESNE, MICHAEL D., TR.; BEAUCHESNE, DENISE H., TR.; BEAUCHESNE FAMILY REV TRUST	ABUTTER NOTICE MAILED		
2	Mailed First Class	10 OAK AVENUE, HUDSON, NH 03051 FERINO, MICHAEL A.	ABUTTER NOTICE MAILED		
2		7 OAK AVE., HUDSON, NH 03051			
3	Mailed First Class	ADAMS, KENNETH G.	ABUTTER NOTICE MAILED		
		9 RIVERSIDE DR., HUDSON, NH 03051			
4	Mailed First Class	LAVOIE, DEBRA L.	ABUTTER NOTICE MAILED		
	Maneu Frist Class	7 RIVERSIDE DR., HUDSON, NH 03051			
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October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

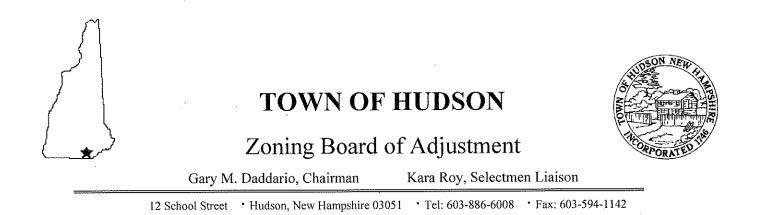
<u>Case 190-029 (10-28-21)</u>: Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029-000, Split Zoned Business (B) and Town Residence (TR) requests the following:

- a) A <u>Use Variance</u> for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of nonconforming uses.
- b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [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



October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

<u>Case 190-029 (10-28-21)</u>: Antonio Marcos Pinheiro De Carvalho, 14A Riverside Dr., Hudson, NH, Map 190, Lot 029-000, Split Zoned Business (B) and Town Residence (TR) requests the following:

- a) A <u>Use Variance</u> for relief from HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses: for newly built deck, pool and shed structures. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-29, Extension or enlargement of nonconforming uses.
- b) An Equitable Waiver of Dimensional Requirement to allow a newly installed 12'-6" x 20'-4" (254 sqft) shed to remain in its current location which encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

Respectfully Bruče Buttrick, Zoning Administrator

#### APPLICATION FOR AN EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENT Select Option 1 or Option 2 only

**Per RSA674:33-a, I**, Equitable Waiver of Dimensional Requirement: **(OPTION 1)** 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

(a) DISCOVERED TOO LATE. Explain how the violation was not noticed or discovered by any owner, former owner, owner's agent or representative, or municipal official, until after a structure in violation had been substantially completed, or until after a lot or other division of land in violation had been subdivided by conveyance to a bona fide purchaser for value; and

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(b) INNOCENT MISTAKE. Explain how the violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or representative, but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent, or by an error in ordinance interpretation or applicability made by a municipal official in the process of issuing a permit over which that official had authority; and

MISTARE which 9 pina enry IWEONVENICACO PREVIOUSLY

(c)

following findings:

The IQUE AERIAL VIEW Shows A Dool & SHEE EXISTED PREVIOUSLY NO NUISANCE. Please explain how 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

うじら

(d) **HIGH CORRECTION COST**. Please explain how 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.

violation to be corrected.

<b>TOWN OF HUDS</b>	NIUR
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### Land Use Division



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

#### Zoning Determination #21-159 Building Permit Applications 2021-00999/2021-01000/2021-01001 DENIED

September 23, 2021

Antonio Marco Pinheiro DeCarvalho 14 Riverside Dr Re: Hudson, NH 03051

14 Riverside Dr Map 190 Lot 029-000 Districts: Business (B) and Town Residence (TR)

Dear Mr. DeCarvalho,

#### Zoning Review / Determination:

This structure (house) is existing non-conforming in regards to use as a Two Family (within both zoning districts). Based on your submitted plot plan, I determine that all three permit applications are an increase (expansion) of use, and you would need a Variance to §334-29 Extension or enlargement of non-conforming uses.

If a Variance is granted for the residential shed use, an Equitable Waiver of Dimensional Requirement would also be required for the shed to remain in its location.

Therefore, I deny these Building Permit applications.

Sincerely,

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

cc: Public Folder D. Hebert, Building Official 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**



CO # 60

## **CERTIFICATE OF OCCUPANCY**

Herbert Foss				
Owner/Builder/Applicant				
14 Riverside Ave.	48	30	0	
Address	Мар	Let	Sublot	
Two family residence	3	06-01		
Construction Type	Buildin	g Permit #		
	17	9-01		43-01
Other	Electric	al Permit /	i	Plumbing Permit #

#### PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING

NOU. 7, 2001

Date Issued Milliam A. Olehsik

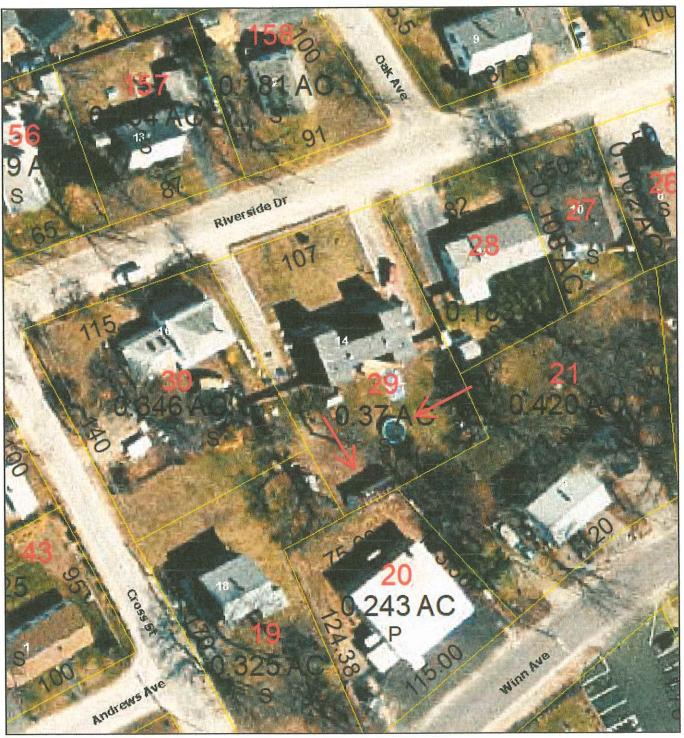
Building Inspector's Approval

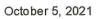
No person shall occupy this building until Inspector's approval

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Grade: C - AVERAGE	Location:	Lower				
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# 14 Riverside Dr. (1998 Aerial View)





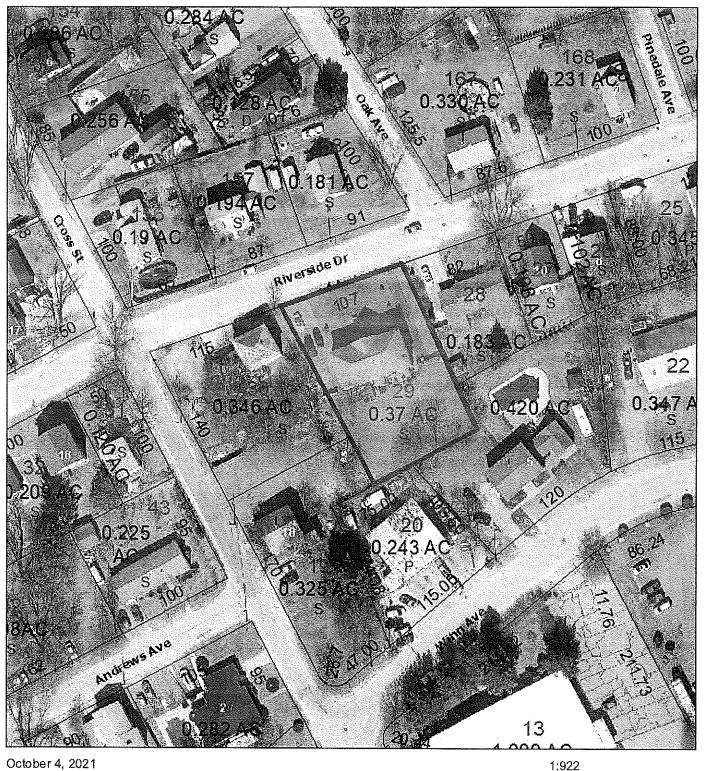
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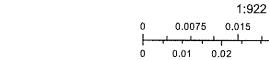


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## 14 A Riverside Dr. (Map/Lot 190-029-000)

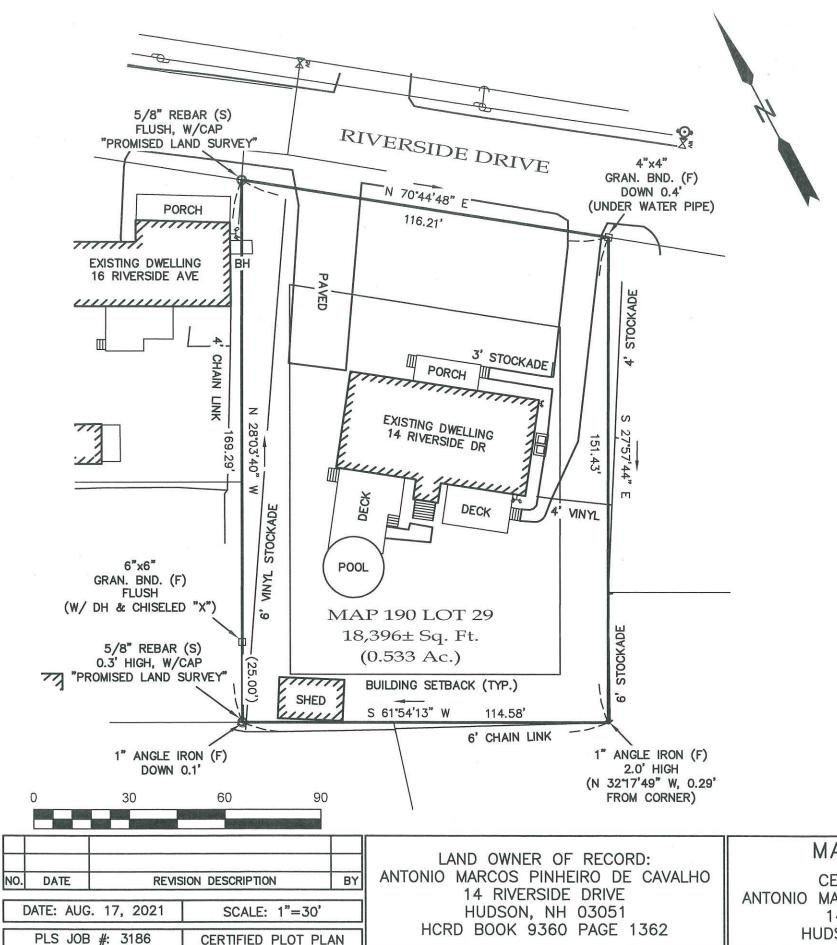






Legend

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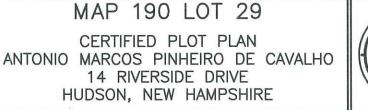
#### NOTES

- LOCATED AT 14 RIVERSIDE DRIVE IN HUDSON, NEW HAMPSHIRE.

- 4) THE SUBJECT LOT IS SERVICED BY MUNICIPAL WATER, SEWER, AND GAS UTILITIES. 5) THE BEARING SYSTEM OF THIS PLAN IS BASED ON THE NEW HAMPSHIRE NAD83-2011 STATE PLANE
- COORDINATE SYSTEM.

#### PLANS OF REFERENCE

- OCTOBER, 1981; SCALE: 1"=20'. SEE HCRD PLAN No. 14434.
- 1"=20'. SEE HCRD PLAN No. 26261.





1) THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING PLOT PLAN CONDITIONS OF MAP 190 LOT 29,

2) THIS PLAN IS BASED ON FIELD CONDITIONS AND RECORD EVIDENCE LAST OBSERVED IN AUGUST OF 2021. 3) THIS PARCEL OF LAND (MAP 190 LOT 29) DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS INTERPOLATED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR HILLSBOROUGH COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS) #33011C0518D, HAVING AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.

6) THIS PLAN IS INTENDED TO BE AT THE DEPICTED SCALE WHEN PLOTTED ON 11x17 (ANSI B) SIZE PAPER. 7) ALL DISTANCES, UNLESS OTHERWISE INDICATED, ARE US SURVEY FEET HORIZONTAL DISTANCES. 8) ALL ZONING INFORMATION SHALL BE VERIFIED PRIOR TO ANY BUILDING OR CONSTRUCTION ACTIVITY. 9) NO WETLANDS WERE OBSERVED OR DELINEATED ON SITE WHILE CONDUCTIONG THIS SURVEY.

1) "PLAN OF RIVERSIDE PINES, HUDSON, NEW HAMPSHIRE"; PREPARED BY: G.P. WINN, CE.; DATED: SEPTEMBER, 1915. SEE HILLSBOROUGH COUNTY REGISTRY OF DEEDS (HCRD) PLAN No. 508. 2) "PLAN OF LAND OF NORMAND G. & RACHEL T. LANDRY, WINN AVE & CROSS ST, HUDSON, N.H."; PREPARED BY: H. SPAULDING; DATED: OCTOBER, 1962; SCALE: 1"=20'. SEE HCRD PLAN No. 2339. 3) "CONSOLIDATION AND SUBDIVISION OF LAND OF CAROL L. & GLORIA J. CHARETTE, LOCATED AT 29 LOWELL & RIVERSIDE AVE, HUDSON, N.H."; PREPARED BY: YOUNG, CAMPBELL, & CATE, INC.; DATED:

4) "BOUNDARY PLAN - LOT 29/TAX MAP 48, 12 RIVERSIDE AVENUE, HUDSON, N.H."; PREPARED FOR PETER & ALLISON LAINE; PREPARED BY: MAYBARD & PAQUETTE, INC; DATED: DECEMBER 31, 1992; SCALE:

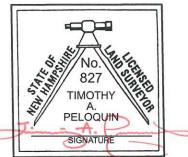
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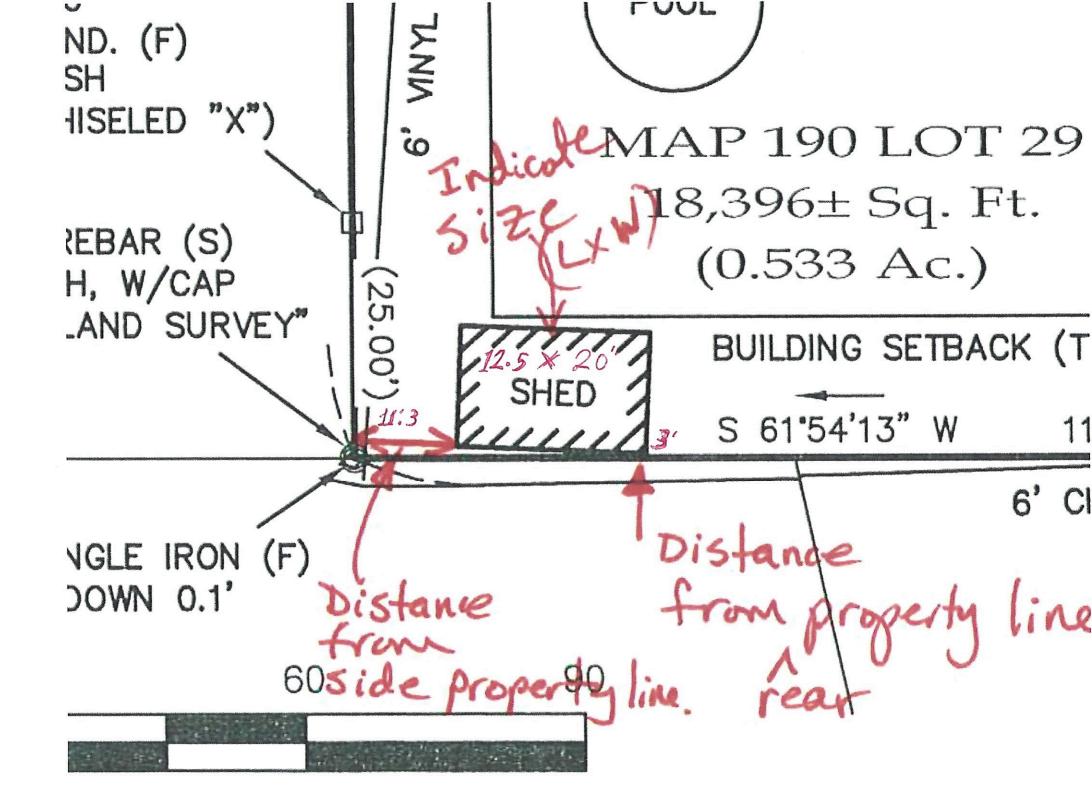
TR (TOWN RESIDENTIAL) MINIMUM: AREA: 10,000 Sq. Ft. (W/ WATER & SEWER) WIN OF HUDSOZ FRONTAGE: 90' SETBACKS:

FRONT - 30' SIDE - 15' REAR - 15'

OCT 0 8 2021

Poning Departm





Printed 10/08/2021

11:45AM Created

10/08/2021 11:11 AM

### Transaction Receipt Town of Hudson, NH

Hudson, NH 03051-4249

	Description		Current Invoice	Payment	Balan	ce Due
1.00	Zoning Application-1 14 Riverside Dr Map/Lot 190-029-000		eeting			
	Variance		0.00	230.0800		0.00
Equitable Waiver			0.00	185.0000		0.00
				Total:		415.08
Remitter		Рау Туре	Reference	Tendered	Change	Net Paic
Antonio M	De Carvalho	CHECK	CHECK # 123	415.08	0.00	415.08
				Total Due:		415.08
				Total Tendered:		415.08
				Total Change:		0.00
				Net Paid:		415.08



# **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: October 28, 2021 By 10-14-21

Case 166-031 (10-28-21): Daniel Flores of SFC Engineering, 183 Rockingham Road Unit 3, East Windham NH 03087 requests the following: A variance to Article VII, Section 334-27.1 D: to allow the creation of a new lot that has insufficient required frontage on a class V or better portion off Grigas St. Map 166, Lot 031, 8 Lindsay St, Zoned Town Residence (TR).

Address: 8 Lindsay St Zoning district: Town Residence (TR)

#### Summary:

Applicant wishes to subdivide the current lot, with a new lot having access from the Grigas St "paper street" leg. The Zoning Ordinance requires frontage to be from a Class V or better [§334-27.1 (D)].

#### **Property description**:

This is a lot of record, with an existing non-conforming use as a two family created with permit #102-82 Sept 24, 1981. The minimum lot requirements were 40,000 sqft (with town water and sewer).

#### Zoning Administrator Comments:

#### **Zoning Ordinance requirements:**

The remaining "parent" lot (off Lindsay St) with the existing structure/(2 family) use needs to be a minimum of 40,000 sqft. As this property is currently "existing non-conforming" as a two family use.

The new lot with proposed frontage off Grigas St "leg" needs to be a minimum of 10,000 sqft and only for a single family use.

#### Zoning Ordinance restrictions:

The proposed lot off the Grigas St "leg" is not a class V or better road, thus a variance would be needed from: §334-27.1 General requirements D. Frontage shall be measured in a continuous line **along the sideline of a Class V or better street** between the points of intersection of the side lot lines with the street. If a lot has frontage on more than one street, the frontage on one street only may be used to satisfy the minimum lot frontage.

**Reference:** §334-6 <u>Definitions</u>: FRONTAGE -*The distance measured along the FRONT LOT LINE between points of intersection with the SIDE LOT LINES. FRONTAGE along cul-de-sac* 

roadways (HIGHWAYS) shall be measured at the appropriate yard building SETBACK depth from the FRONT LOT LINE between the points of intersection with the SIDE LOT LINES. "FRONTAGE" shall be contiguous and measured along the joining boundary of the FRONT LOT LINE and a Class V or better public RIGHT-OF-WAY. Lot lines bordering limited access roads cannot be considered "FRONTAGE." FRONTAGE shall be capable of providing ACCESS.

#### LAND USE HISTORY:

B.P. #102-82 Construct Duplex issued Sept 24, 1982 4/4/1985 ZBA Variance request for additional Duplex - Denied

#### **ASSESSING HISTORY:**

Duplex

#### Town in-house review comments:

Town Engr: no comments Town Planner: Fire Dept:

#### Attachments:

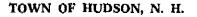
A: Assessing History
B: B.P. #102-82 Construct Duplex issued Sept 24, 1982
C: 4/4/1985 ZBA Variance request for additional Duplex - Denied

**Previous Assessments** 

			Previous As				<u> </u>
Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	104 - TWO FAM	149,500	0	134,100	1.32	0.00	283,600
2021	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2020	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2020	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2019	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2019	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2018	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2018	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2017	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2017	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2017	104 - TWO FAM	149,500	0	123,100	1.32	0.00	272,600
2016	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2016	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2015	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2015	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2014	104 - TWO FAM	102,200	0	107,400	1.32	0.00	209,600
2014	104 - TWO FAM	115,900	0	107,400	1.32	0.00	223,300
2013	104 - TWO FAM	115,900	0	107,400	1.32	0.00	223,300
2013	104 - TWO FAM	115,900	0	107,400	1.32	0.00	223,300
2012	104 - TWO FAM	115,900	0	107,400	1.32	0.00	223,300
2012	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2011	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2011	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2010	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2010	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2009	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2008	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2008	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2007	104 - TWO FAM	159,100	0	142,400	1.32	0.00	301,500
2007	104 - TWO FAM	144,600	0	106,900	1.32	0.00	251,500
2006	104 - TWO FAM	144,600	0	106,900	1.32	0.00	251,500
2006	104 - TWO FAM	144,600	0	106,900	1.32	0.00	251,500
2005	104 - TWO FAM	144,600	0	106,900	1.32	0.00	251,500
2005	104 - TWO FAM	144,600	0	106,900	1.33	0.00	251,500
2004	104 - TWO FAM	144,600	0	106,900	1.33	0.00	251,500
2004	104 - TWO FAM	109,600	0	81,700	1.33	0.00	191,300
2003	104 - TWO FAM	109,600	0	81,700	1.33	0.00	191,300
2003	104 - TWO FAM	109,600	0	81,700	1.33	0.00	191,300
2002	104 - TWO FAM	109,600	0	81,700	1.33	0.00	191,300
2002	104 - TWO FAM	109,600	0	81,700	1.33	0.00	191,300
2001	104 - TWO FAM	67,400	0	56,900		0.00	124,300
2000	104 - TWO FAM	67,400	0	56,900	1.33	0.00	124,300
						A.	

Town of Hudson, N. H. No. 102-82 Office of Town Building Inspector Lept. 24 , 19.8 BUILDING PERMIT Name of Owner This certifies that ..... erect 24 × 68 is granted permission to alter ... Description repair move Water lown a of Building on premises located at and known as to mL-55/60-3 indian A 2184-009 Street or Avenue Number 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. Richard E. Mil Value \$ 49,000. diministrative Officer Fee \$ 98. 4

R,





## **Application for a Permit To Build**

Date Sept. 21, 1981

Residential 🗙	Subdivision	Yes	No	New	X	Permit Number
Commercial	Planning Ed. Approval Sub Div.	Yes	No	Alter		102-82
Industrial	Water Pollution Approval Sub D	iv. No.		Addition		
Garage	Septic Construction Permit No.			Repair		
Breezeway No. of Units 2	Necessary Bonds Posted	Yes	No			
	Bd. of Adj. Variance Granted If	Nec.		1		
Name of General Contractor	NANG LAPLANTE A <u>ST., Hudson, N.H.</u> P Jero Const. N	ddress roperty 1ap an Iame of	Tax No. d Lot N Electrica	$\frac{HUB}{0}, \frac{N}{55/60}$	, H . 3 (2	184-009
Type of Heat Gr			Masonry			
Material of Building			5-12 Pi	TeH Ro		
Size of Garage	Water_	<u> </u>	<u>els</u>	Se	wer	<u> </u>
Foundation Material						
<ul> <li>A by articl</li> </ul>	es Size					
Brief Description of Repair,						
)alue 49,000.00-				enne ,		
	plex					

Jee Juples 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 *Regerd*. *Destersation* 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 Legen Descaration Trees Contractor's Signature Jerre Const. C. J. Address 160 MAYden Rd., GRATAN, MASS.

Rojee DerRoscer Jero Const. E to food 52 Casinai e <u>\*</u>4× &≪ ~~~  $\odot_{\mathcal{E}_{r}}$ m , ree Ge 645 5: 03. 19 رمي م 50 G45 STRE STREEET 「いい」で、「いい」  $\langle \hat{v} \rangle$ 9 0 9 <u>207</u> d) 2184 36,154 5 -07 2104 · 009 at star of she 57 CINKI STORE 57, GLAR, CE JOHL & JANTA NOHN 7798005. 20 5 4 C3 12 E , 10¢C 691 0 7 Burrse 24/-18! E. Much. & てい ų でする。 THE A POP ARY N 54 30 1 /25 - 13 1 20 -LORDER C. T.C. 115000 16 B 1100 0 16 j. 14404 041 う 0 \$ くごう 15 16° CH 15 14 LINDSAY  $\dot{\eta}$ 26 516°0 5 C  $\mathcal{Z}^{\mathcal{O}_{j}}$ 58-5- 81 50 53 6.6 ų dest far so

TOWN OF HUDSON NEW H	IAMP SHIRE
APPLICATION FOR A	PPEAL
pplication for a variance a special exception an appeal from administrative of a rehearing	Case No. $\frac{4.85-55/60/3}{55-60-3}$ Map & Lot No. $\frac{55-60-3}{64.00}$ Date filed $\frac{714/85}{51 \text{ gned}}$
ame of Applicant <u>FRUN &amp; ETEL FICHENWA</u> doress <u>5 AZTEC RD</u> MASHUA	A NH. 03663 TEL. 1 6-63-586-5955
wher of property concerned <u>SAME</u>	663 - 888 - 6480 Tel. /
Exact location & description of property (Include s imensions, adjacent roads and right of way, locati ieparate sheet if necessary). SEE ATTACHED	cale drawing showing plot plan, boundaries, on of buildings, as applicable) (Use
Brief description of request <u>construct</u> A se	COND SUPLEX ON EXISTING LOT.
Regarding Article X Section 3 & of the Hudso Tax # Zone A-1 ABUTTERS - NAME	ADDRESS
AP ILOT I ESTHER WAISMAN - BY POWER OF ATTOWNEY-	
55 GO-L RODGERS ALVIN H & BETTY A.	22 ABBOTT ST. HUDSON N.H. CUEST
55 50 HAEFNER ROBERT H & LYDIA L. 55 49 CAMPBELL JOHN E. & HUITA B.	3 ST. JOHN ST. " V V
55 49 CAMPBELL JOHN E. & HUITH B. 55 48 FRASER, ROBERT A. & HELEN B.	5 ST. JOHN ST. " "
55 44 DUDER, FREDERICK M SELENOR J.	8 ST. JOHN ST. " "
55 47 CLUUTIER RAYMOND & TULIENNE	G GRIGHS ST: " " " " " " " " " " " " " " " " " " "
Gener/Applicant hereby accepts responsibility for all appeals filed after cut off date will be consi regular meeting. (Cut off date is two weeks prior Adjustment BY-LAWS). Signed LTML. Wain	notification of abuttors and understands that dered as being received the day <u>after</u> next. to the regular meeting as noted in Board of
In the event an on-site inspection of the land is Board of Adjustment members on above property? Ye	S V NO
Signed tothe Wayne	p.c.17. Date 4/4/85
NOTICE_OF DEC It is the decision of the Board of Adjustment that <u>Aunual</u> . The Board based its deci	the above application has been is to the following:
<ol> <li>Will/Will not serve the public interest.</li> <li>Will/Will not result in unnecessary hardship.</li> <li>Will/Will not uphold the spirit of the ordinar</li> <li>Will/Will not provide for substantial justice.</li> <li>The following stipulations are hereby attached to</li> </ol>	1 1/beler

Note: Variances on which no substantial action has been taken shall become void six (6) months from date of approval by the Board of Adjustment.

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Jown of Hudson

HUDSON, NEW HAMPSHIRE Zoning Board of Adjustment

NOTICE TO ABUTTERS

Certified Mail No.

₽ 576 689 454

Date:\_\_\_\_\_\_April 17, 1985

TO: Ervin/Etel Eichenwald

5 Aztec Road

Nrshua, N.H. 03063

This notice will serve to inform you that a public hearing concerning:

Case 4/85/55-60-3: Ervin & Etel Eichenwald. 5 Aztec Road. Nashua. request a variance to allow construction of a second duplex on an existing lot at 8 Lindsay Street. [Map 55. Lot 60-3. Zoned A-1 (Residential); Article X, Section 3(e) of the Hudson Zoning Ordinance.]

 Owner:
 Ervin & Etel Eichenwald

 Map No.
 55
 Lot No.
 60-3

 will be held on Thursday, April 25, 1985
 7:30
 PM, at the Town Hall.

Lafee Dennis J Zoning Adminiserator

10

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

On 10/28/21, the Zoning Board of Adjustment heard Case 166-031, being a case brought by Daniel M. Flores, PE of SFC Engineering Partnership, Inc., 183 Rockingham Rd, Unit 3 East, Windham NH 03087 requests a Variance for <u>8 Lindsay St., Hudson, NH</u> for relief from HZO Article VII, Dimensional Requirements; § 334-27.1 D, General Requirements: to allow the creation of a new lot that has insufficient required frontage on a class V or better portion off Grigas St. [Map 166, Lot 031-000; Zoned Town Residence (TR).]

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."

**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.

**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 <u>and</u> <u>also</u> 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.

Y

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Sitting member of the Hudson ZBA

Date

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OF HUDSOZ		
OCT 1 2 2021	APPLICATION	FOR A VARIANCE
ent	oard of Adjustment 1 of Hudson	Entries in this box are to be filled out by Land Use Division personnel Case No. 166-031 (10-28-2
Name of Applicant	Daniel M. Flores c/o SFC Engineering	Date Filed IO 12 21 Map: 166 Lot: 31 Zoning District: TF
Telephone Number	r (Home) 603-361-3294	(Work)603-647-8700 x 313
Mailing Address	183 Rockingham Road	Unit 3 East Windham NH 03087
Owner Amnon	Waisman Rev Trust	52°
Location of Proper	ty 8 Lindsay Street	
Λ -	(Street Address	3)
Vm	6	10/12/2021
Signature of Ap	plicant	Date
1	I	
Signature of Dat	party Owner(a)	Data
Signature of Pro NOTE: Fi application is n	Wacomm ll in all portions of the A	Date lo/7/2l .pplication Form(s) as appropriate. This required statements have been made
NOTE: Fi application is n Additional info inadequate. If documentation owner(s) are all	Waconomy Il in all portions of the A not acceptable unless all r rmation may be supplied you are not the property signed by the property o	lo/7/2l pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have
NOTE: Fi application is n Additional info inadequate. If y documentation owner(s) are all permission to s	Waconomy ll in all portions of the A not acceptable unless all p rmation may be supplied you are not the property signed by the property o lowing you to speak on hi	10/7/21 pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have ce.
NOTE: Fi application is n Additional info inadequate. If y documentation owner(s) are all permission to s Items in this bo COST: Application fee: <u>12</u> Direct A <u>11</u> Indirect	Wachnum II in all portions of the An not acceptable unless all priving the property signed by the property of lowing you to speak on his eek the described variand ware to be filled out by Lat butters x \$4.10 = Abutters x \$0.55 =	10/7/21 pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have ce. <b>nd Use Division personnel</b> 185 Date received: $10/12/2151.30.0051.96$
NOTE: Fi application is n Additional info inadequate. If y documentation owner(s) are all permission to s Items in this bo COST: Application fee: <u>12</u> Direct A <u>11</u> Indirect	Wachnum II in all portions of the An not acceptable unless all priving the property signed by the property of lowing you to speak on his eek the described variand ware to be filled out by Lat butters x \$4.10=	10/7/21 pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have ce.
NOTE: Fi application is n Additional info inadequate. If y documentation owner(s) are all permission to s Items in this bo COST: Application fee: <u>12</u> Direct A <u>11</u> Indirect	Wachnum II in all portions of the An not acceptable unless all priving the property signed by the property of lowing you to speak on his eek the described variand ware to be filled out by Lat butters x \$4.10 = Abutters x \$0.55 =	10/7/21 pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have ce. <b>nd Use Division personnel</b> 185 Date received: $10/12/2151.30.0051.96$
NOTE: Fi application is n Additional info inadequate. If y documentation owner(s) are all permission to s Items in this bo COST: Application fee: Direct Al Indirect	Wachnum II in all portions of the A not acceptable unless all p rmation may be supplied you are not the property o lowing you to speak on hi eek the described variand ware to be filled out by La butters x \$4.10 = Abutters x \$0.55 = Total amount due n of the Zoning Administrator	10/7/21 pplication Form(s) as appropriate. This required statements have been made. on a separate sheet if space provided is owner, you must provide written wner(s) to confirm that the property is/her/their behalf or that you have ce. <b>nd Use Division personnel</b> 185 Date received: $10/12/2151.96$

Postage Rev. 11/12/20

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# 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 DMF	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)	
DMF	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	TG_10/8/21
DMF	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>
DMF	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></u>
DMF	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.)	
DMF	A copy of both sides of the assessor's card shall be provided. ( <b>NOTE</b> : these copies are available from the Assessor's Office)	TG
DMF	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	16
N/A	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	NA

	PLOI PLAN-	T
DMF	Except for requests pertaining to above-ground pools, sheds, decks and use variances,	16
	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) DMF	The plot plan shall be drawn to scale on an 8 <sup>1</sup> / <sub>2</sub> " x 11" or 11" x 17" sheet with a North	TG
	pointing arrow shown on the plan.	
b)DMF	The plot plan shall be up-to date and dated, and shall be no more than three years old.	TG
c) DMF	The plot plan shall have the signature and the name of the preparer, with his/her/their	TC
	seal.	_
d) DMF	The plot plan shall include lot dimensions and bearings, with any bounding streets and	TG
	with any rights-of-way and their widths as a minimum, and shall be accompanied by a	
	copy of the GIS map of the property. (NOTE: copies of the GIS map can be obtained at	
	the Land Use Division.)	
e) DMF	The plot plan shall include the location and dimensions of existing or required services,	TG
	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) DMF	The plot plan shall include all existing buildings or other structures, together with their	TG
	dimensions and the distances from the lot lines, as well as any encroachments.	
g) DMF	The plot plan shall include all proposed buildings, structures, or additions, marked as	TG
	"PROPOSED," together with all applicable dimensions and encroachments.	
h) DMF	The plot plan shall show the building envelope as defined from all the setbacks required	TG
	by the zoning ordinance.	
i) DMF	The plot plan shall indicate all parking spaces and lanes, with dimensions.	TG
The a	pplicant has signed and dated this form to show his/her awareness of these requireme	ents.
//		

Vinto	10/12/2021
Signature of Applicant(s)	Date

TOT DE LA

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

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

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

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

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

3

#### ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS	
166	031	Waisman, Amnon TR. Amnon Waisman Rev Trust	11 Whitman Rd. Nashua, NH 03062	
166	017	St. Casimir Cemetery Bishop of Manchester Roman Catholic	153 Ash Street Manchester, NH 03104	
166	020	Clouter, Andrew P.	6 Grigas Street Hudson, NH 03051	
166	021	Ferentino, Jeffrey T.	5 St John Street Hudson, NH 03051	
166	022 Longley, Brian P. 3 St John Street Hudson, NH 03051		Carron Control Constant Control Co	
166	025	Cataldo, Mark Joseph	8 St John Street Hudson, NH 03051	
166	030	Haefner, Robert H.1 St John StreetHaefner, Lydia L.Hudson, NH 03051		
166	032	32 Gimbert-Emerson Family Rev Tru Gimbert, David K., TR. Emerson, Marcia C., TR.		
166	034	Rodgers, Alvin H., TR. Rodgers, Betty A., TR. Alvin Rodgers Revocable Trust	000 Hunt Community ALLDS 250 Nashua, NH 03060	
		Michaellane		
Developer	1	Michael Lacasse M.R. Lacasse Homes, LLC	9 Scenic Lane Hudson, NH 03051	
Engineer		Daniel M. Flores, PE SFC Engineering Partnership, Inc.	183 Rockingham Rd, Unit 3 East Windham, NH 03087	
Surveyor		Timothy A. Peloquin, LLS Promised Land Survey, LLC	PO Box 447 Derry, NH 03038	

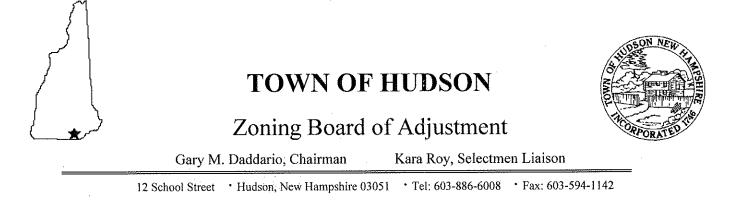
#### ALL INDIRECT ABUTTERS WITHIN 200 FEET

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)

LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
035	Desmarais, Gerald R. Desmarais, Denise J.	3 Lindsay Street Hudson, NH 03051
159-004	Nguyen, Tuyet	10 Nellie Ct. Hudson, NH 03051
026	Spooner, Pamela L. Spooner, Paul S.	23 Ledge Road Hudson, NH 03051
041	Middlemiss, Steven F Middlemiss, Lee Ann	22 Abbott St. Hudson, NH 03051
029	Smith, Karen Smith, Scott A.	4 Lindsay Street Hudson, NH 03051
024	Gregoire, Stephen J. Gregoire, Renee S.	6 St John Street Hudson, NH 03051
159-005	Wilcox, David E. Wilcox, Nancy L.	6 Nellie Ct. Hudson, NH 03051
023	Malley, Timothy J. Malley, Melissa K.	4 St John St. Hudson, NH 03051
048	Brown, Ernest H., TR. Brown, Susan K., TR.	1561 Main St Pittsburg, NH 03592-5511
033	Matthews, Kenneth R. Matthews, Kathleen J.	12 Lindsay Street Hudson, NH 03051
019	Graves, Robert L., TR. Graves, Dorothy J., TR. Graves Family Revocable Trust	4 Grigas Street Hudson, NH 03051
	035         159-004         026         041         029         024         159-005         023         048         033	035Desmarais, Gerald R. Desmarais, Denise J.159-004Nguyen, Tuyet026Spooner, Pamela L. Spooner, Paul S.041Middlemiss, Steven F Middlemiss, Lee Ann029Smith, Karen Smith, Scott A.024Gregoire, Stephen J. Gregoire, Renee S.159-005Wilcox, David E. Wilcox, Nancy L.023Malley, Timothy J. Malley, Melissa K.048Brown, Ernest H., TR. Brown, Susan K., TR.033Matthews, Kenneth R. Matthews, Kathleen J.019Graves, Robert L., TR. Graves, Dorothy J., TR.

SENDER:		TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 166-031 VARIANCE           8 Lindsay Street           Map 166/Lot 031-000         1 of 1
		ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1 70		350 0000 1884 5734	Daniel M. Flores, PE; SFC Engineering Partnership. Inc.	APPLICANT NOTICE MAILED
2 70	057 (	1350 0000 1884 5741	183 Rockingham Rd., Unit 3 East, Windham, NH 03087 WAISMAN, AMNON, TR.; AMNON WAISMAN REV TRUST	OWNER/APPLICANT NOTICE MAILED
3 7C	057 C	1350 0000 1884 5758	11 WHITMAN RD., NASHUA, NH 03062 ST. CASIMIR CEMETERY; Bishop of Manchester Roman Catholic	ABUTTER NOTICE MAILED
<del>1</del> 71	057 0	) ]350 0000 1884 5765	153 Ash Street, MANCHESTER, NH 03104 CLOUTIER, ANDREW P.	ABUTTER NOTICE MAILED
	021	0350 0000 1884 5772	6 GRIGAS STREET, HUDSON, NH 03051 FERENTINO, JEFFREY T.	ABUTTER NOTICE MAILED
	057 (	1 1350 0000 1884 5789	5 ST JOHN STREET, HUDSON, NH 03051 LONGLEY, BRIAN P.	ABUTTER NOTICE MAILED
	150 <sup>,</sup>	0350 0000 1884 5796	3 ST JOHN STREET, HUDSON, NH 03051 CATALDO, MARK JOSEPH	ABUTTER NOTICE MAILED
8 7	,021	0350 0000 1884 5802	8 ST JOHN STREET, HUDSON, NH 03051 HAEFNER, ROBERT H.; HAEFNER, LYDIA L.	ABUTTER NOTICE MAILED
9 7	,05T	0350 0000 1884 5819	1 ST JOHN STREET, HUDSON, NH 03051 GIMBERT-EMERSON FAMILY REV TRU; GIMBERT, DAVID K., TR; EMERSON, MARCIA C., TR	ABUTTER NOTICE MAILED
10	702l	0350 0000 1884 0012	10 LINDSAY STREET, HUDSON, NH 03051 RODGERS, ALVIN H., TR.; RODGERS, BETTY A., TR.; ALVIN RODGERS REVOCABLE TRUST 000 HUNT COMMUNITY ALLDS250, NASHUA, NH 03060	ABUTTER NOTICE MAILED
11	7021	0350 0000 1884 0029	Michael Lacasse; M.R. Lacasse Homes, LLC 9 SCENIC LANE, HUDSON, NH 03051	APPLICANT NOTICE MAILED
12	2021	0350 0000 1884 0036	Timothy A. Peloquin, LLS;	APPLICANT NOTICE MAILED
		Total Number of pieces listed by sender 12	Promised Land Survey, LLC PO BOX 447, DERRY, NH 03038 Total number of pieces rec'vd at Post Office DCT 19 205	Postmaster (receiving Employee)
			Direct Certified	

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET NN OF HUDSON HUDSON, NH 03051 0 Z	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 166-031 VARIANCE 8 Lindsay Street Map 166/Lot 031-000 1 of 1
	ARTICLE NUMBER OCT 1 9 2021	Name of Addressee, Street, and post office address	10/28/2021 ZBA Meeting
1	Mailed First Class	NGUYEN, TUYET	ABUTTER NOTICE MAILED
	rd realized and re	10 NELLIE CT., HUDSON, NH 03051	
2	Mailed First Class <sup>7/n</sup> g Depart	WILCOX, DAVID E.; WILCOX, NANCY L.	ABUTTER NOTICE MAILED
	Mailed	6 NELLIE CT., HUDSON, NH 03051	
3	Mailed First Class	GRAVES, ROBERT L., TR.; GRAVES, DOROTHY J., TR.; GRAVES FAMILY REVOCABLE TRUST	ABUTTER NOTICE MAILED
		4 GRIGAS STREET, HUDSON, NH 03051	
4	Mailed First Class	MALLEY, TIMOTHY J.; MALLEY, MELISSA K.	ABUTTER NOTICE MAILED
		4 ST JOHN ST., HUDSON, NH 03051	
5	Mailed First Class	GREGOIRE, STEPHEN J.; GREGOIRE, RENEE S.	ABUTTER NOTICE MAILED
		6 ST JOHN STREET, HUDSON, NH 03051	
6	Mailed First Class	SPOONER, PAMELA L.; SPOONER, PAUL S.	ABUTTER NOTICE MAILED
		23 LEDGE ROAD, HUDSON, NH 03051	
7	Mailed First Class	SMITH, KAREN; SMITH, SCOTT A.	ABUTTER NOTICE MAILED
		4 LINDSAY STREET, HUDSON, NH 03051	
8	Mailed First Class	MATTHEWS, KENNETH R.; MATTHEWS, KATHLEEN J.	ABUTTER NOTICE MAILED
		12 LINDSAY STREET, HUDSON, NH 03051	
9	Mailed First Class	DESMARAIS, GERALD R.; DESMARAIS, DENISE J.	ABUTTER NOTICE MAILED
		3 LINDSAY STREET, HUDSON, NH 03051	
10	Mailed First Class	MIDDLEMISS, STEVEN F; MIDDLEMISS, LEE ANN	ABUTTER NOTICE MAILED
		22 ABBOTT ST., HUDSON, NH 03051	
11	Mailed First Class	BROWN, ERNEST H., TR.; BROWN, SUSAN K., TR.; BROWN FAMILY REV TRUST	ABUTTER NOTICE MAILED
		1561 MAIN ST., PITTSBURG, NH 03592-5511	
	Total Number of pieces listed by sender 11	Total number of pieces rec'vd at Post Office	Postmaster (receiving Employee)



October 18, 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, **10/28/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

<u>Case 166-031 (10-28-21)</u>: Daniel M. Flores, PE of SFC Engineering Partnership, Inc., 183 Rockingham Rd, Unit 3 East, Windham NH 03087 requests a <u>Variance</u> for <u>8 Lindsay St., Hudson, NH</u> for relief from HZO Article VII, Dimensional Requirements; § 334-27.1 D, General Requirements: to allow the creation of a new lot that has insufficient required frontage on a class V or better portion off Grigas St. [Map 166, Lot 031-000, Zoned Town Residence (TR).]

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

October 18, 2021

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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: <u>www.hudsonnh.gov</u> or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bručě Buttríck Zoning Administrator

#### APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VII of HZO Section(s) <u>334-27.1</u> in order to permit the following change or use:

To allow creation of a new lot that does not have the required frontage on a class V or better road.

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

#### FACTS SUPPORTING THIS REQUEST:

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

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

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction of use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance. New Hampshire case law has established, on the basis of the preceding statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement; do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

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

The proposed lot creation will be similar in size to the existing lots in the neighborhood. The proposed use of the lot is single family residential, in keeping with other properties in the neighborhood.

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

The proposed lot will meet all other requirements of the zoning ordinance. Although the lot does not have the required frontage on a class V or better road, the lot does have required frontage on the Grigas Road right-of-way. However, Grigas Road was never extended within the right-of-way that forms the proposed lot frontage.

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.)

The lot at 8 Lindsay Street was created as an 'L' shape that gives the lot frontage on both Lindsay Street and on an extension of the Grigas Street right-of-way depicted on the record subdivision plan. The Grigas Street extension was never built, such that the proposed lot does not have frontage on class V road, as intended with the lot creation. This variance will allow the owner to fully develop the property as intended.

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

The proposed lot will not diminish property values. The proposed lot size and configuration will be similar to existing properties along Grigas Street, St John Street, Nellie Court, and Ledge Road. 5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary** hardship, because:

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

The lot has a unique configuration, with an 'L' shape and frontage on both Lindsay Street at the west, and a paper street to the north (Grigas Street right-of-way). Reviewing past recorded plans, it is clear that the intent was to extend Grigas Street to create additional lots. The town never constructed the Grigas Street extension, resulting in the planned Grigas Street frontage not existing.

The following record plans are included that illustrate the lot and Grigas Street right-of-way history:

Plan # 1667 recorded at the Hillsborough Registry of Deeds in 1957. This plan shows Grigas Street extending to the south, with a number of lots created along the frontage.

Plan # 2888 recorded at the Hillsborough Registry of Deeds in 1964. This plan shows changes to the lot along Grigas Street, with Grigas Street continuing to the south.

Plan # 13558 recorded at the Hillsborough Registry of Deeds in 1980 and which created the current lot. This plan shows the Grigas Street right-of-way extending to create the current 'L' configuration of the subject lot.

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.

## **ATTACHMENTS**

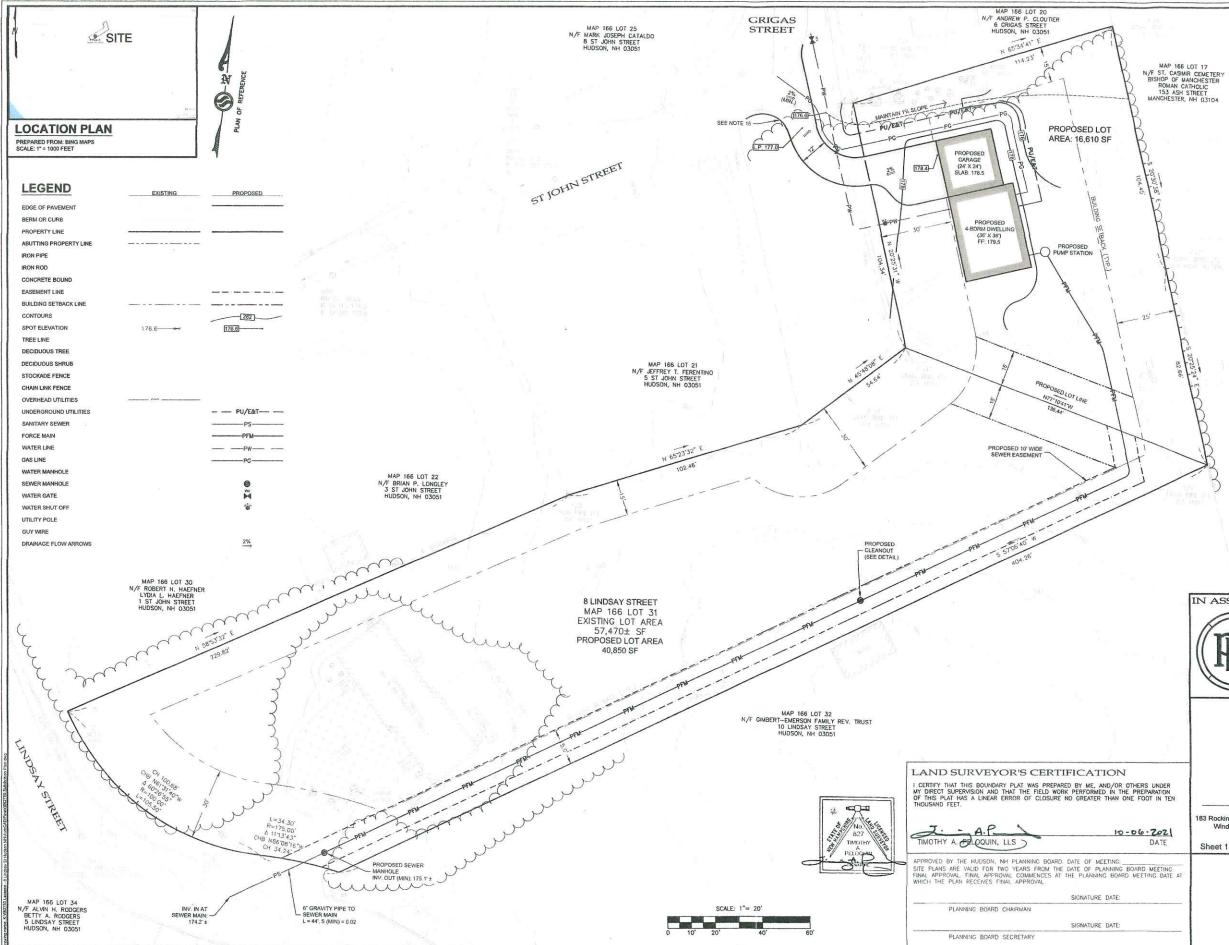
1.	Subdivision Plan & Existing Conditions Plan
2.	Letter of Authorization
3.	Property Card
4.	Zoning Determination
5.	GIS Map
6.	Plan 1667
7.	Plan 2888
8.	Plan 13558

### Subdivision Plan

showing proposed lot

# & Existing Conditions Plan

1



#### PLAN OF REFERENCE

TEXISTING CONDITIONS PLAN MAP 168 LOT 31 AMNON WAISMAN REVOCABLE TRUST-PREPARED FOR: SFC ENGINEERING PARTNERSHIP INC. PREPARED BY: PROMISED LAND SURVEY LLC DATED: SEPTEMBER 9, 2021

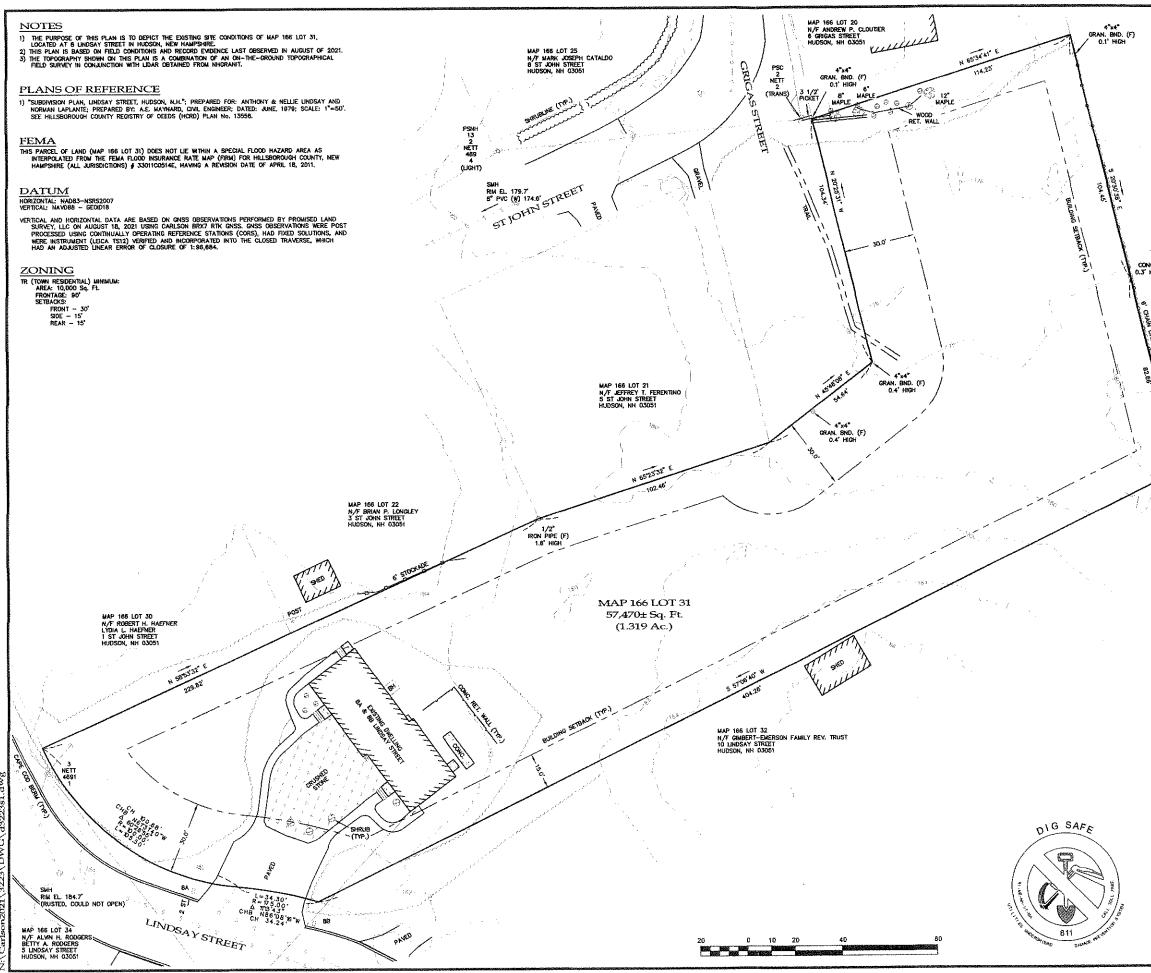
- NOTES
- THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED SUBDIVISION OF 8 LINDSAY STREET, HUDSON PROPERTY MAP 166 LOT 31 CONSISTING OF 1.319 Ac.±
- THIS SUBDIVISION INCLUDES: A. SUBDIVISION OF SUBJECT LOT INTO TWO BUILDABLE LOTS AS SHOWN.
   B. NEW LOT TO BENEFIT FROM A SEWER EASEMENT ACROSS MAP 166 LOT 31 AS SHOWN.
   C. EXTENSION OF MUTURAL GAS SERVICE FROM GRIGAS STREET TO NEW LOT.
   D. EXTENSION OF NATURAL GAS SERVICE FROM GRIGAS STREET TO NEW LOT.
   E. EXTENSION OF NATURAL GAS SERVICE FROM GRIGAS STREET TO NEW LOT.
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   E. EXTENSION OF NATURAL GAS SERVICE FROM CRIGAS STREET TO NEW LOT.
   E. EXTENSION OF NATURAL GAS SERVICE FROM STREAS STREET TO NEW LOT.
- THE OWNER OF RECORD: AMNON WAISMAN REV. TRUST, 11 WHITMAN ROAD, HUDSON, NH 03051, DEED REFERENCE: BOOK 8562 PAGE 0923, HILLSBOROUGH COUNTY REGISTRY OF DEEDS.
- THIS PLAN SHOWS CONDITIONS BY INSTRUMENT FIELD SURVEY BY PROMISED LAND SURVEY (PLS) IN AUGUST 2021.

5.	ZONING DISTRICT: TOWN RES	IDENTIAL (TR)
	MINIMUM LOT AREA:	10,000 SF (WITH WATER & SEWER)
	MINIMUM FRONTAGE:	90'
	FRONT SETBACK:	30'
	SIDE SETBACK:	15'
	REAR SETBACK:	15'
	CEMETERY SETBACK:	25' (REFERENCE RSA 289:3 III)

- THE PROPOSED SINGLE FAMILY DWELLING IS A PERMITTED USE IN THE TOWN RESIDENTIAL ZONING DISTRICT.
- THE EXISTING DWELLING IS A 2-FAMILY DWELLING THAT WAS CREATED WITH PERMIT #102 ON SEPTEMBER 24, 1981 AND WAS CONFORMING AT THAT TIME. A MINIMUM LOT AREA OF 40.000 SF 18 REQUIRED PER ZONING DETERMINATION 21-112R1 DATED OCTOBER 6, 2021.
- 8. THE PROPOSED LOT WILL BE SERVED BY MUNICIPAL WATER AND MUNICIPAL SEWER. THE EXISTING LOT IS SERVED BY MUNICIPAL WATER AND MUNICIPAL SEWER.
- NO PORTION OF THIS PARCEL IS LOCATED WITHIN THE FLOOD HAZARD AREA AS INTERPRETED FROM THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF HUDSON, COMMUNITY-ANEL NUMBER 3331 TOGENEL, EFFECTIVE DATE: APRIL 18, 2011. PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 10. SFC ENGINEERING PARTNERSHIP, INC. DOES NOT WARRANT THE LOCATION OR ELEVATION OF THE EXISTING UTILITIES OR THAT ALL ARE SHOWN. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING DIG SAFE (1:400-394-7233) AT LEAST 72 HOURS PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAW.
- 11. SEWER INVERTS ON LINDSAY STREET ARE PROVIDED BY TOWN ENGINEERING DEPARTMEN
- 12. WATER MAIN AND SERVICE LINE INFORMATION PROVIDED BY TOWN ENGINEERING DEPARTMENT.
- 13. GAS MAIN LOCATION FROM PLAN OF REFERENCE.
- NRCS WEB SOIL SURVEY IDENTIFIES SOILS ON THIS LOT AS WIB WINDSOR LOAMY SAND, 3 TO 8% SLOPE, AN EXCESSIVELY DRAINED SOIL
- 15. ALLOW STORMWATER TO FLOW ACROSS PROPOSED DRIVEWAY

	No.	Revision		Date
		Designed by: DMF	Drawn by: CRN	Checked by:
- 4 	RS	))	Derry Tel: (603) 432-2 www.Pro	PO Box 447 PO Box 447 New Hampshire 03038 New Hampshire 03038 Pomised LandSurvey.com omised LandSurvey.com omised LandSurvey.com
NDER		8 Lin Hu	d Subdivision Plan adsay Street adson, NH rs Map 166 Lot 31	
ATION IN TEN	183 Rockingham Rd, U Windham, NH 03 Sheet 1 of 1	087 ENGI	SFC NEERING	(603) 647-8700 www.sfceng.com Date: 10/4/2021
EETING S DATE AT		Prepared for: M.R. Lacass 9 Scenic Lan Hudson, NH	e Homes, LLC e	
1				

Drawing: 662750 Subdivision Plan Layout: Subdivision Plan - 1



LOCUS MAP 102 000 01 02 02 02 02 02 02 02 02 02 02
5"x7" G. BND. (F) HGH, W/ PK
MAP 166 LOT 17 N/F ST. CASIMAR CEMETERY BISHOP OF MANCHESTER ROMAN CATHOLIC 153 ASH STREET MANCHESTER, NH 03104
3/4" RON PIPE (F) 0.3' HIGH
LAND OWNERS OF RECORD AMNON WAISMAN REV. TRUST 11 WHITMAN ROAD NASHUA, NH 03062 HILLSBOROUGH COUNTY REGISTRY OF DEEDS BOOK 8562 / PAGE 0923
EXISTING CONDITIONS PLAN MAP 166 LOT 31 AMNON WAISMAN REVOCABLE TRUST 8 LINDSAY STREET HUDSON, NEW HAMPSHIRE SEPTEMBER 09, 2021
PREPARED FOR: SFC ENGINEERING PARTNERSHIP INC. 183 ROCKINGHAM RD, UNIT 3 EAST SCALE: 1"=20' WINDHAM, NH 03087 SHEET 1 OF 1
PREPARED BY: Promised Land Survey, LLC PO Box 447 Derry, New Hampshire 03038 Tel: (603) 432-2112 www.PromisedLandSurvey.com Land Surveying • Mapping • Planning • Permitting • Layout
REVISIONS
1 09/15/2021 PER ENGINEER'S REVIEW BJW NO. DATE DESCRIPTION BY

PLS PROJECT #3223

Letter of Authorization

October 13, 2021

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

#### Re: Letter of Authorization - ZBA 8 Lindsay Street

To the Hudson Zoning Board of Adjustment:

I, Amnon Waisman, trustee of the Amnon Waisman Revocable Trust and owner of Hudson Property Map 166 Lot 31 located at 8 Lindsay Street, hereby authorize SFC Engineering Partnership to represent me at the ZBA meeting and apply for the variance on behalf of the property owner with all corresponding signatures.

Sincerely,

A Maism

16/3/28

Amnon Waisman, Trustee Amnon Waisman Revocable Trust 11 Whitman Road Nashua, NH 03062

Property Card

3

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ArtKA IVVE DESURS / INDEX         Logal Ref         Type         Date         Sale Price         Visit         Priod Date         Priod Date           W0 FAM with a DUPLEX Bialing built about 1700, horing tamps voltation         Sale Price         No		INTIAL	······	SALES INFO	ORMATION		TAX DISTRIC	· · · · · · · · · · · · · · · · · · ·				/592	
WO FAM with a DUPLEX blacking built about 1970, having inamy VINYL exterior and 1632 square Feet, with 2 year         Year           THER ASSESSMENTS Code Description         Editation of the square Feet, with 2 year         Editation of the square Feet, with 2 year         Relation of the square Feet, with 2 year         Relation of the square Feet, with 2 year           PROPERTY FACTORS         Editation of the square Feet, with 2 year         Date         Amount         Ciol Last Visit         Feed Code         F. Descrip         Comment         Relation         Built Board Feet, with 2 year           ROPERTY FACTORS         Date         Munteer         Descrip Amount         Ciol Last Visit         Feed Code         F. Descrip         Comment         Date         Rest         Fy         Name           2         TR         Town Name         Descrip Amount         Ciol Last Visit         Feed Code         F. Descrip         Comment         Date         Rest         Fy         Name           2         TR         Town Name         Descrip Amount         Ciol Last Visit         Feed Code         F. Descrip         Comment         Date         Rest         Fy         Name           2         TR         Town RES         Sever 2         Town Name         Sever 2         Town Sever         Sever 2         Town Sever         Sever 2         <	ARRAIIVE DESCR	ACDES of land mainly	classified as	Grant	or Legal Re	ef Type <u>C</u>				Verif	Notes		
nnamity VIIVY Letterior and 1622 Square Feed, with 2 Units, 2 ladis, 0.344 Bath, 0 HalfBath, 9 Rooms, and 5 Bdrms. There AssEssEMENTS Code Description Amount Con. Int BUILDING PERMITS Date Number Descrip Amount C/O Last Visit Fed Code F. Descrip Comment Date Result By Name Date Result By Name PROPERTY FACTORS Date Number Descrip Amount C/O Last Visit Fed Code F. Descrip Comment Date Result By Name 2/57021 Measured 15 APPR TECH 5 5/1/2000 Measured 16 ACRT TECH Total Streed 1 LEVEL Differ Change 1 Consult Construction of the Code I Description N Streed 1 LEVEL Differ Change 1 Consult Code Description 1 Streed Code I Description 2 Streed I Description	NIS parcel contains 1.324	4 ACAES of land mainly Y Ruilding built shout 19	70 having			man a second particular of			- Andreast Artery				{ }
Lefts, 6 3/4 Barh, 0 Halffadh, 9 Rooms, and 5 Bdrms. TTHER ASSESSMENTS Code Description Code Description Code Description Code Description Code Description Second Description Second Description Second Description Second Code Description Second Code Description Code Description Code Description Second Code Description Code Description Second Code Description Code Description Code Description Second Code Description Code Description Second Code Description Code Description Second Second Code Description Second Seco	rimonity VINVI Exterior a	and 1632 Souare Feet w	ith 2 Units, 2	EICHENWALD	, ETE 6203-1787	1/25/	2000 UNCLASS	SIFIED	NO NO				
THER ASSESSMENTS Code       Com. Int       Dimension Comment       Com. Int       Com. Int         Structure       BUILDING PERMITS Date       Amount       Com. Int       Comment       Comment <t< td=""><td>laths 0 3/4 Bath 0 Half</td><td>Rath 9 Rooms, and 5 Bd</td><td>rms.</td><td></td><td></td><td></td><td></td><td>· .</td><td></td><td></td><td></td><td></td><td>A Survey of the second s</td></t<>	laths 0 3/4 Bath 0 Half	Rath 9 Rooms, and 5 Bd	rms.					· .					A Survey of the second s
Code         Descrip/No         Amount         Cont. Int           BUILDING PERMITS         Activity INFORMATION         Date         Numee           PROPERTY FACTORS         Total Scription         % liem         Code         Description         % liem         Code         Scription         % liem         <						1	,						Summer
Item       Anount CO Last Visit Fed Code F. Descrip       Activity INFORMATION         Activity INFORMATION         Date       Number       Descrip       Amount       CO       Last Visit       Fed Code       F. Descrip       Comment       Date       Result       Dy       Name         2       TR       TOWN RES       water 3       TOWN WATE       Sever 12       Child Massured       15       APPR TECH15         3       Sever 12       Town Sever       Exmpt       FECH14       Sizz221 Massured       15       APPR TECH15         1       Electrin       Exmpt       Exmpt       Price 11       Sizz221 Massured       15       APPR TECH15         2       Toyo 1       LEVEL       Exmpt       Price 11       Sizz221 Massured       15       APPR TECH15         1       Streat 2       Exmpt       Exmpt       Price 11       Sizz221 Massured       10       Price 11         2       Topo 1       LEVEL       Exmpt       Fact Nate       0       Price 11       Sizz221 Massured       10       Price 11         2       Steet 1       Gas       Exmpt       Intel 14       Mate 11       Notes       Signt       11       Signt	THER ASSESSMEN	NTS				:							CivilDistrict:
PROPERTY FACTORS         Date         Number         Description           Date         Number         Description         7/16/22 (Other Change         1         CHIEF ASSESS           Z         TR         TOWN RES         water         3         TOWN WATE         5/2022 (Massured         15         APPRTECH4           0         Sever         2         TOWN NESS         Sever         2         TOWN NESS         6/3/2014 Inspected         15         APPRTECH4           0         Electrit         Electrit         5         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           0         Electrit         Exampt         1         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           1         Electrit         Exampt         1         ASMNT TECH1         7/2/2014 Messured         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected	Code Descrip/No	Amount	Com. Int										Ratio:
PROPERTY FACTORS         Date         Number         Description           Date         Number         Description         7/16/22 (Other Change         1         CHIEF ASSESS           Z         TR         TOWN RES         water         3         TOWN WATE         5/2022 (Massured         15         APPRTECH4           0         Sever         2         TOWN NESS         Sever         2         TOWN NESS         6/3/2014 Inspected         15         APPRTECH4           0         Electrit         Electrit         5         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           0         Electrit         Exampt         1         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           1         Electrit         Exampt         1         ASMNT TECH1         7/2/2014 Messured         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected	and the second s												1 un fe
PROPERTY FACTORS         Date         Number         Description           Date         Number         Description         7/16/22 (Other Change         1         CHIEF ASSESS           Z         TR         TOWN RES         water         3         TOWN WATE         5/2022 (Massured         15         APPRTECH4           0         Sever         2         TOWN NESS         Sever         2         TOWN NESS         6/3/2014 Inspected         15         APPRTECH4           0         Electrit         Electrit         5         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           0         Electrit         Exampt         1         APPRTECH4         5/1/2006 Measured         8         ASMNT TECH1           1         Electrit         Exampt         1         ASMNT TECH1         7/2/2014 Messured         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected         0         PATRIOT         4/14/200 Inspected         0         PATRIOT           4/14/200 Inspected											ACTIVITY INFORM		
PROPERTY FACTORS         Date         Number         Description         %         Item         Code         Description         %         Spec         J         J							10 1	Fod Code E I	Decede (	······································			3y Name
Item         Code         Description         %         Item         Code         Description           Z         TR         TOWN RES         water 3         TOWN WATE         TOWN WATE         6         APR TECH 5         6           0         Sewer 2         TOWN SEWE         Factor         Factor         6         APR TECH 5         5/1/2006 Messured         15         APR TECH 5           n         Electri         Town SEWE         Exmpt         Factor         0         PATRIOT           Hood Haz C         Topo 1         LEVEL         Street         0         PATRIOT         4/4/2001 inspected         10         PATRIOT           3/28/2001 Inspected         10         PATRIOT         4/3/2001 inspected         10         PATRIOT           s         Street         Gas:         Street         Street <td< td=""><td></td><td><u></u> ne</td><td></td><td>Date</td><td>Number Descrip</td><td>Amount</td><td>10 Last visit</td><td>rea coue F.I</td><td><u>besuip</u></td><td>Adamacia</td><td></td><td></td><td></td></td<>		<u></u> ne		Date	Number Descrip	Amount	10 Last visit	rea coue F.I	<u>besuip</u>	Adamacia			
Z       TR       TOWN RES       water is       TOWN WATE         0       Severit       Z       TOWN WATE       6/3/2014 Inspected       15       APPR IECH15         0       Electrin       Electrin       Electrin       6/3/2014 Inspected       15       APPR IECH15         0       Electrin       Exmpt       Electrin       Electrin       6/3/2014 Inspected       15       APPR IECH15         1       Census:       Exmpt       Exmpt       6/3/2014 Inspected       0       PATRIOT         2       Topo 1       LEVEL       Exmpt       0       PATRIOT       4/14/2001 Inspected       0       PATRIOT         3/28/2001 Left Notice       0       PATRIOT       3/28/2001 Left Notice       0       PATRIOT         Use       Description       LUC       Depth /       Value       Price       Adj       Neigh       Infi 1       %       Infi 2       %       Infi 3       %       Appraised       Alt       %       Spec       J         Use       Description       LUC       Not Unit Type       Lut       Difficult       Adj       Neigh       Infi 1       %       Infi 2       %       Infi 3       %       Appraised       Alt       %			e Description								2/5/2021 Measured	i internet a second d	the second se
2         1         1         1         APPR TECH 5           0         Sewer 2         TOWN SEWE         5/27/2014 Measured         15         APPR TECH 5           1         Electri         Sewer 2         TOWN SEWE         5/17/2016 Measured         16         APPR TECH 5           1         Census:         Exmpt         Exmpt         6         ASANT TECH 1         7/2/2020 Heasured         0         PATRIOT           1         Gas:         Street         1         Gas:         1         1         Street         0         PATRIOT           1         Gas:         Conduct Street         0         100         Infl %         Infl %         Street         1         121/000           104         TWO FAM         1.1         0.324         ACRES ISTE         0         100         100         11/000         110/00         11/000         11/000				1							6/3/2014 inspected	15	
n       Electri         Census:       Exmpt         Flood Haz (C       Topo 1       LEVEL         S       Street       0       PATRIOT         description       LUC No fUnits       Depth / Unit Type Land Type LT       Base Unit Value       Value       Neigh Infl I       % Infl 2       % Infl 3       % Appraised       Appraised       10       PATRIOT         Use Description       LUC No fUnits       Depth / PriceUnits       Unit Type Land Type Factor       Unit Value       PriceUnits       Of Units       Spec J       LT       Base Unit Value       Neigh Infl I       % Infl 2       % Infl 3       % Appraised       Att % Spec J       J       J       J         104 TWO FAM       1.1       0.11       SITE ACRE (SITE       0/110,000       1.10/RE       121,000       121,000       111,000 <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>5/27/2014 Measured</td><td>the second se</td><td>i i</td></t<>											5/27/2014 Measured	the second se	i i
Census:         Exmpt         Introduction         Introduction <thintroduction< th=""> <thintroduction< th="">         &lt;</thintroduction<></thintroduction<>			1	L									
Flood Haz: C         Topo         1         LEVEL           S         Street         Gas:				j.							service of the second in the second s	· · · · · · · · · · · · · · · · · · ·	
D         Topo         1         LEVEL           S         Street         0         PATRIOT           ADD SECTION (First 7 lines only)         Depth         Unit Type         Land Type         LT         Base         Unit         Neigh Influ				-									
S         Street         Gas:         Street         Image: Street         Stree         Street         Street </td <td>*********</td> <td><b>Top</b>o 1</td> <td>LEVEL</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>	*********	<b>Top</b> o 1	LEVEL	1									
Image: Light indication in the second process of the second proces of the second process of the second proces of the second												<u>v</u>	PAINO
LAND SECTION (First 7 lines only)         Depth / Fact         Unit Type         LT         Base         Unit         Adj         Neigh Infl         Neigh Mod         Infl 1         Infl 2         Infl 3         Appraised Value         Att Code         Spec         J Land         Code         Fact         Use Value         Notes           104         TWO FAM         1.1         1         SITE ACRE SITE         0/110,000         1.10 RE         1.10 RE         121,000         121,000         121,000         121,000         121,000         121,000         110,000         110,000         1.10 RE         111,000				1							Sign:		
Use Code         Description         LUC Fact         No of Units         Depth / PriceUnits         Unit Type         Land Type         LT Factor         Base Value         Origin Influ         Neigh Mod         Neigh Influ         Neigh Mod         Influ         Neigh Influ         Neigh Mod         Neigh Influ         Neigh Mod         Neigh Influ         Neigh Mod         Neigh Influ         Neigh Mod         Neigh Influ         Neigh Mod         Neigh In	LAND SECTION (Fi									Annaissa		1	
Code         Fact         Notice Units         Factor         Value         Price         Initial         Nico         121,000         111,000	Lico UIC	No of Linite Depth /	Linit Type I an	M TVAS		Adj Neich		nfi1 % k	nfi2 % infi3			Code Fact Use Valu	e Notes
104       TWO FAM       1.1       1       SITE ACRESISTE       0       4.750       1.37 'RE         104       TWO FAM       1.1       0.324       ACRES       EXCESS       0       4.750       1.37 'RE       11,000	Gode - raci	FINCOIBLO	••	Facio			IUUN MOO	: 1		······································			00
104       TWO FAM       1.1       0.324       ACRES       Council and addition         104       TWO FAM       1.1       100       FRONTAGEEXCESS       0       100.       1.10 RE       11,000						second and the second s							
104 TWO FAM       1.1       100       IFROM FAGE EXCESS       0       101.       100       100.       100       100.       10		· · · · · · · · · · · · · · · · · · ·											00 potential 4 additi
Total AC/HA: 1.32400 Total SF/SM: 5/6/3 Parcel LUC: 104 TWO FAM - Pinne ND Descrited AVO	104 TWO FAM 1.1		RUNIAGECAU	-00	100.1	1.10 102	· · · ·	· ···· ··· ··· ····· ····	1				
Total AC/HA: 1.32400 Total SF/SM: 5/6/3 Parcel LUC: 104 TWO FAM - Pinne ND Descrited AVO								1					
Total AC/HA: 1.32400 Total SF/SM: 5/6/3 Parcel LUC: 104 TWO FAM - Pinne ND Descrited AVO						1	1 1 1	1					
Total AC/HA: 1.32400 Total SF/SM: 5/6/3 Parcel LUC: 104 TWO FAM - Pinne ND Descrited AVO	ii	,,			· · · · · · · · · · · · · · · · · · ·	i	I I I		i	( l		· · · · · · · · · · · · · · · · · · ·	1
Total AC/HA: 1.32400 Total SF/SM: 5/6/3 Parcel LUC: 104 TWO FAM - Pinne ND Descrited AVO	······································	· · · · · · · · · · · · · · · · · · ·	· ' '		1		1		<u> </u>			J. i. <u>, i</u>	404 400
	Total AC/HA-1 22/00	Total SF/SM	A: 57673	Parcel LU	C: 104 TWO FAM	. Prim	e NB Desc RES	AVG		Total: 1	34,116 Spi Credit	Total:	134,100
					·····		nteed Dat	ahase Asse	essPro - Hudso	חנ	amvm		2022

XI EXICR INFORMATION	BATH FEATURES	CONVENTE	OVETOU		1
Type: 141 - DUPLEX	Fuli Bath 2 Rating: AVERAGE	Comments Duplex. 2-21 JS Windows/Siding=g	SKETCH		
Sty Ht: 1 - ONE STY	A Bath: Rating:	COND=AVG/G FOR AYB.			
(Liv) Units: 2 Total: 2	3/4 Bath: Rating				
Foundation: 1 - CONCRETE	A 3QBth Rating:		-		
Frame: 1 - WOOD	1/2 Bath: Rating:				
Prime Wall: 04 - VINYL	A HBth: Rating:				
	% OthrFix: Rating:	RESIDENTIAL GRID		2	30
Roof Struct 1 - GABLE	OTHER FEATURES	1st Res Grid Desc: CONV #Units 1	3	8	
Roof Cover. 1 - ASPH SHING	Kits: 1 Rating: AVERAGE	Level FY LR DR D K FR RR BR FB HB L O			
Color: GRAY	A Kits: 1 Rating: FAIR	Other			
/iew / Desir:	Frpl: Rating:	Upper			
	WSFlue: Rating:	Lvi 2		FFL	24
SENERAL INFORMATION			24	BMT	
Grade: C - AVERAGE	Location:	Lower		(1832)	
Year Blt: 1970 Eff Yr Blt:	Total Units:	Totals RMs: 9 BRs: 5 Baths: 2 HB			
Alt LUC: Alt %:	Floor				
Jurisdict Fact:	% Own:	REMODELING RES BREAKDOWN			30
Const Mod.	Name:	Exterior: No Unit RMS BRS FL	3	8 2	······································
Lump Sum Adj:	second	Interior: 1 5 3 M Additions: 1 4 2			
<b>ITERIOR INFORMATION</b>	DEPRECIATION	0/			
Avg Ht/FL: STD		Kitchen:			
Prim Int Wal 1 - DRYWALL	Functional:	% Baths:			
Sec Int Wall:	Economic:	<sup>%</sup> Plumbing:			
Partition: T - TYPICAL	<sup>70</sup> Special:	% Electric: Totals			7
Prim Floors: 04 - CARPET	Override:	neading.	I		
Sec Floors:	CALC SUMMARY	4 % General: 2 9 5	SUB AREA		SUB AREA DETAIL
Bsmnt Fir: 12 - CONCRETE	Basic \$ / SQ: 100.00	COMPARABLE SALES		rea - SQ Rate - AV Undepr Value	Sub % Descrip % Qu #Ten
Subfloor:		Rate Parcel ID Typ Date Sale Price	BMT BASEMENT	1,632 20.280 33,095	Alea USUI (ype
Bsmnt Gar:				1,632 103.040 168,168	BMT 100 RRM 20 FR
Bsmnt Gar: Electric: 3 - TYPICAL	Const Adj.: 0.98000002			1,632 103.040 168,168	BMT 100 RRM 20 FR
	Const Adj.: 1.00147032 Adj \$ / SQ: 103.044			1,632 103.040 168,168	BMT 100.RRM 20 FR
Electric: 3 - TYPICAL	Const Adj.: 0.98000002 Adj \$ / SQ: 103.044 Other Features: 13500			1,632 103.040 168,168	BMT 100.RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL	Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00			1,632 103.040 168,168	BMT 100.RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS	Olze Rdj.:         1:00147052           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000			1,632 103.040 168,168	BMT 100.RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW	Olde Rdj.:         1:00147032           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1.00	MtAv\$/SQ: AvRate: Ind.Val	Net Sketched Area: 3,2		BMT 100-RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW # Heat Sys: 2	Olze Rdj.:         1:00147052           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1.00           LUC Factor:         1.00	MtAv\$/SQ: AvRate: Ind.Val	Net Sketched Area: 3,2	 264Total:201,263	BMT 100-RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW # Heat Sys: 2 % Heated: 100 % AC: 0	Otze Rdj.:         1:00147032           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         214763	MtAv\$/SQ: AvRate: Ind.Val Juris. Factor: Before Depr. 103.04	Net Sketched Area: 3,2 Size Ad 1632 Gross Ar	264 Total: 201,263 ea 3264 FinArea 1632	BMT 100-RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW # Heat Sys: 2 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO	Olze Rdj.:         1:00 H7052           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         214763           Depreciation:         65288	MtAv\$/SQ: AvRate: Ind.Val Juris. Factor: Before Depr. 103.04 Special Features: 0 Val/Su Net: 45.80	Net Sketched Area: 3,2 Size Ad 1632 Gross Ar	264 Total: 201,263 ea 3264 FinArea 1632	
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW # Heat Sys: 2 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled	Otze Rdj.:         1.00147032           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         214763           Depreciation:         65288           Depreciated Total:         149475	MtAv\$/SQ: AvRate: Ind.Val Juris. Factor: Before Depr. 103.04 Special Features: 0 Val/Su Net: 45.80 Final Total: 149500 Val/Su SzAd 91.61	Net Sketched Area: 3,2 Size Ad 1632 Gross Area	264 Total: 201,263 ea 3264 FinArea 1632	BMT 100.RRM 20 FR
Electric: 3 - TYPICAL Insulation: 2 - TYPICAL Int vs Ext: S - Heat Fuel: 2 - GAS Heat Type: 3 - FORCED HW # Heat Sys: 2 % Heated: 100 % AC: 0 Solar HW: NO Central Vac: NO % Com Wal % Sprinkled OBILE HOME Make:	Otze Rdj.:         1.00147052           Const Adj.:         0.98000002           Adj \$ / SQ:         103.044           Other Features:         13500           Grade Factor:         1.00           NBHD Inf:         1.00000000           NBHD Mod:         1           LUC Factor:         1.00           Adj Total:         214763           Depreciation:         65288           Depreciated Total:         149475           Model:         1	MtAv\$/SQ: AvRate: Ind.Val Juris. Factor: Before Depr. 103.04 Special Features: 0 Val/Su Net: 45.80 Final Total: 149500 Val/Su SzAd 91.61 Serial # Year:	Net Sketched Area: 3,2 Size Ad 1632 Gross An	264 Total: 201,263 ea 3264 FinArea 1632	
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Zoning Determination

# **TOWN OF HUDSON**



Land Use Division

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

#### Zoning Determination #21-112R1

Oct 5, 2021

Daniel M Flores, PE SFC Engineering 183 Rockingham Rd Unit 3E Windham, NH 03087

#### Re: <u>8 Lindsay St Map 166 Lot 031-000</u> District: Town Residence (TR)

Dear Mr. Flores,

Your request for zoning/subdivision into two lots, based on sheet 1 of 3 dated 10/4/2021 has been reviewed.

#### This is a revised Zoning Review / Determination:

This is a lot of record, with an existing non-conforming use as a two family created with permit #102-82 Sept 24, 1981. The minimum lot requirements was 40,000 sqft (with town water and sewer).

The parent (resultant) lot with the existing structure/(2 family) use needs to be a minimum of 40,000 sqft. The new lot needs to be a minimum of 10,000 sqft and only for a single family use.

The proposed lot off the Grigas St "leg" is not a class V or better road, thus a variance would be needed from: §334-27.1 <u>General requirements</u> D. Frontage shall be measured in a continuous line **along the sideline of a Class V or better street** between the points of intersection of the side lot lines with the street. If a lot has frontage on more than one street, the frontage on one street only may be used to satisfy the minimum lot frontage.

Reference: §334-6 <u>Definitions</u>: FRONTAGE - The distance measured along the FRONT LOT LINE between points of intersection with the SIDE LOT LINES. FRONTAGE along cul-de-sac roadways (HIGHWAYS) shall be measured at the appropriate yard building SETBACK depth from the FRONT LOT LINE between the points of intersection with the SIDE LOT LINES. "FRONTAGE" shall be contiguous and measured along the joining boundary of the FRONT LOT LINE and **a Class V or better public RIGHT-OF-WAY**. Lot lines bordering limited access roads cannot be considered "FRONTAGE." FRONTAGE shall be capable of providing ACCESS.

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

Please be mindful: if wetland and any steep slopes (>25%) exists that would increase the resultant lot size required for buildable area, and other requirements on any proposed lot per § 334-27.2 Lot requirements for subdivision of land.

I note that there is a cemetery adjacent to your proposal, please refer to RSA 289:3 for specific construction restrictions.

Sincerely,

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

cc: Public Folder Owner E. Dhima – Town Engr 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.

GIS Map

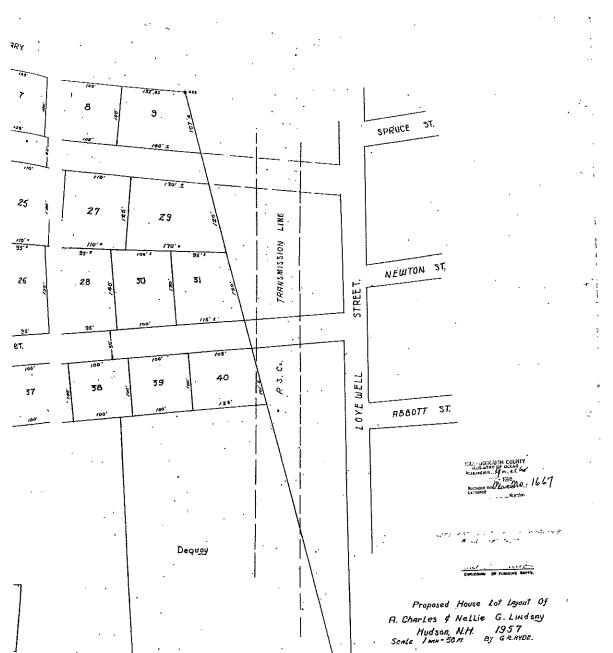


Plan 1667



Derry Road.

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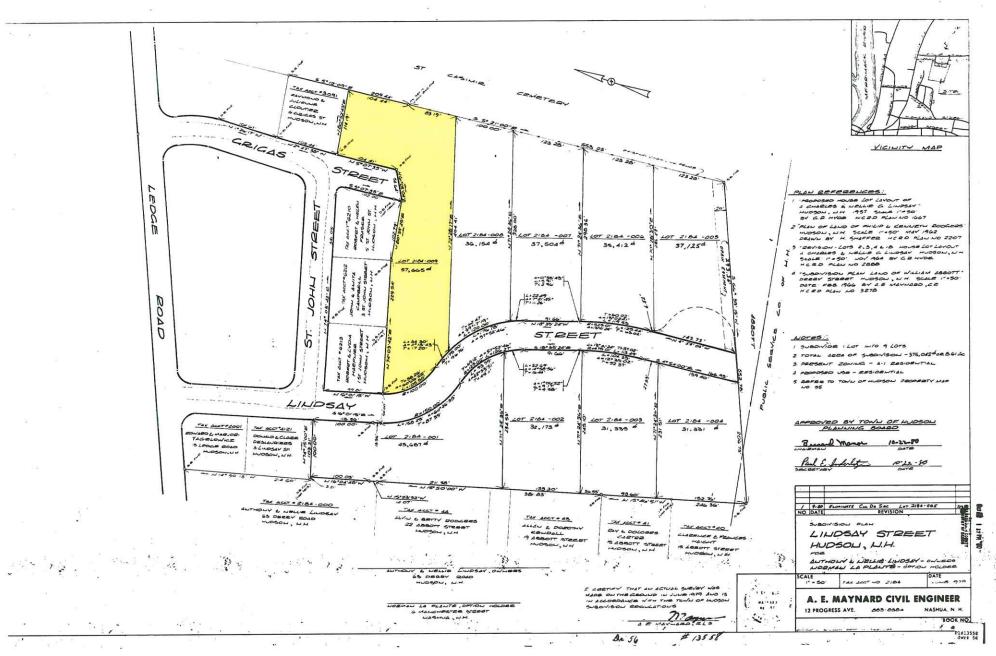
Plan 2888

BEGISTRY COPY. Plan#2885 HILLSBOROUGH COUNTY REGISTRY OF DEEDS Received ath Um211 M Revision - Lots, 2,3,4 # 18 3 House Lot Layout A. Charles & Nellie G. Lindsay + John DEC 7 1964 Recorded Vol. Poor Page 737 Hudson, NH. 19 Scele In = 50, 1Van 1964 A.R. 140 Register. 51 APPROVED BY TOWN PLANNING BOARD 5old Кентерод. Свак. Снаганны -> 100 50 18 10 11575415  $\mathcal{U}$ Ledge 5010 Sal4 ÷. សិ Grigas Street 103 105 94 10 1285.4-5 11 160 ----1199140 4 3 2 s ... / ... 130 105 St. Commer 105 Cemetery

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Plan 13558



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1/	TOWN OF HUDSON
ę	★ Zoning Board of Adjustment
3	Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison
4	12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142
5 6 7 8	MEETING MINUTES – August 26, 2021 – as edited
9 10	The Hudson Zoning Board of Adjustment met Thursday, August 26, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall.
13 <b>I</b> .	
14 <b>II</b> . 15	PLEDGE OF ALLEGIANCE
16 17 18 19 20 21 22 23 <b>III.</b> 24 25 1 26 27 28 29 30 31	
34 35 36 37 38 39 40	Mr. Buttrick read the Case into the record, noted that a Staff Report has been prepared and that he had alerted the Applicant that there would not be a full Board at this meeting and that he received a request to defer and that they are available for a meeting on September 9, 2021. Mr. Buttrick stated that the written request to defer was in the Supplemental Folder along with the comments received from the Town Planner. Mr. Ettienne made the motion to defer the hearing to Thursday, September 9, 2021.
42 43 44	<ul> <li>Mr. Pacocha seconded the motion. Vote was 4:0. Motion passed. Case deferred to 9/9/2021. Mr. Buttrick noted that the meeting would start at 7:00 PM.</li> <li>Mr. Daddario noted that there were individuals present, explained that the Case was deferred and asked if any were present for this Case. Toddm Boyler (?), 2 Merrill Street, stated that he is a direct abutter to 194 Central Street.</li> </ul>

48 Mr. Fauvel questioned the building setback difference between the Industrial Zone and 49 the Business Zone and whether there were specific requirements/setbacks for 50 industrial/commercial Uses abutting residential properties, like two hundred feet 51 (200). Mr. Buttrick stated that there is no such requirement in the Zoning Ordinance 52 but are part of Site Plan Review (SPR) regulations under the purview of the Planning 53 Board and added that this proposal would require SPR approval for the Change of Use 54 as well a the Variance to allow a classified Industrial Use in the Business District. Mr. 55 Daddario noted that the Town Engineer Review Comment also stated that it would 56 require SPR. 57 58 With regard to the adjacent residential lot, Mr. Buttrick posted an aerial view, noted 59 that the lot had a four-unit multifamily grandfathered non-conforming Use on it which 60 has burned down and by right would be allowed to rebuild the non-conforming 61 residential Use and added that it would not be on the exact same footprint as a rebuild 62 would need to comply with the front setback requirement. 63 64 IV. REQUEST FOR REHEARING: 65 66 No requests were presented for Board consideration. 67 68 **V**. **REVIEW OF MINUTES:** 07/22/21 edited Minutes 69 Mr. Etienne made the motion to approve the 7/22/2021 Minutes as edited. Mr. 70 71 Pacocha seconded the motion. Vote was 4:0. 72 73 **VI**. **OTHER:** 74 Registration Now Open: 2021 Municipal Land Use Law Virtual Conference-75 1. 76 Saturday, 9/18/2021 from 9:00 AM- 3:00 PM 77 Mr. Daddario read the item into the record. Mr. Buttrick referenced the information 78 79 included in the Meeting Packet and noted that online access will remain available for 80 six months to everyone who registers 81 82 2. NH Municipal 80th Annual Conference and Exhibition- Wednesday, 11/17/21 83 through Friday, 11/19/21. Registration to open September 13<sup>th</sup>. 84 85 Mr. Buttrick provided an overview of what is generally covered in these sessions. Mr. 86 Pacocha asked if this would also be virtual. Mr. Buttrick responded that it is 87 unknown, that details are not yet available and added that this notice is more of a 88 "save the date" and noted that the dates fall the week before Thanksgiving. 89 90 3. ZBA membership/attendance. 91 92 Mr. Buttrick utilized attendance at this meeting as an example of not having a full 93 Board of five (5) Members present and the importance of a full Board especially since a 94 motion requires three (3) votes to be passed. 95

96 Mr. Fauvel stated that there is a Selectmen Representative on the Planning Board who 97 does get to vote and asked if ZBA's Selectmen Liaison could also be a Voting Member. 98 Mr. Buttrick responded that Sstatutorily the Planning Board has an ex-officio 99 Selectman Representative and that ZBA's Selectmen Representative is a Liaison and 100 does have the right to participate in discussion but does not have Voting rights. Mr. 101 Buttrick stated that ZBA Selectmen Liaison did bring to the Select Board's attention 102 this past Tuesday that ZBA is in need of Alternate Members and cited attendance at 103 this meeting as an example plus situations when a Regular Member has a need to 104 recuse themself and there is no Alternate to create a five (5) voting Member Board.

105

106 Mr. Buttrick read an excerpt from the "What is the Zoning Board of Adjustment (ZBA)" 107 that begins with identifying the ZBA as a quasi judicial body who acts as 108 "constitutional safety valve" for the Zoning Ordinance ... consists of ten (10) Members 109 appointed by the Board of Selectmen to three (3) year terms ... five (5) Members are 110 "regular" Members ... five (5) Members are "alternate" Members

111

112 With regard to time commitment needed to be a ZBA Member, Mr. Buttrick stated that 113 in Hudson, the ZBA meets regularly on the fourth Thursday of every month, from 7:00 114 PM – 11:00 PM with a possibly carry-over meeting on the second Thursday of a month; that meeting/application material are mailed the Members prior to the meeting and 115 116 generally require a half hour of review per Case plus a drive-by prior to the meeting; that occasionally a Site Walk that may be scheduled; plus review of the Minutes. The 117 118 estimated time anticipated for Board Members ranges from eight hours to fifteen hours 119 per month (8-15 hrs/mo).

120

121 Members voiced general consensus regarding the time line presented and offered a 122 couple of suggestions. Mr. Daddario suggested eliminating the third point on the 123 types of applications because it is not needed and could raises too many questions 124 that could prompt dismissal. Mr. Fauvel suggested to add contact information, 125 specifically Mr. Buttrick. General consensus was the Mr. Buttrick's write up, as edited, should be used to help solicit additional Members. 126

127

128 Discussion focused on how to reach out to solicit additional Board Members. 129 Suggestions voiced included the official Town's website, the Town's official Facebook, 130 the two (2) Town's Facebook Groups and HCTV. Mr. Fauvel suggested to have some 131 kind of notice in the Clerk's Office as residents go there at least twice a year to pay 132 property taxes and register vehicles. Mr. Daddario suggested that a plug should be 133 made/considered to every applicant because, from personal experience, that is why he 134 joined the Board.

135

136 Mr. Buttrick stated that the Board's Bylaws, Section 143-6, addresses Board 137 attendance, specifically that three (3) consecutive unexcused absences require action. 138 The concern is with regard to the Board's Alternate Member, Ethan Severance, who 139 has missed the past three (3) meetings with no contact. Question asked if there has 140 been any contact with Mr. Severance. Mr. Buttrick stated that he has sent emails, 141 that the last email included a notice as to whether the email has been read/received 142 and that email has not been received/read by Mr. Severance. Concerns expressed, 143 regarding the well being of Mr. Severance and the apparent discord of the Bylaws 144 requiring termination when the Board is in need of Alternates. Suggestion made to 145 reach out one more time to Mr. Severance, via the telephone.

> Not Official until reviewed, approved and signed. As edited [BB, gd]

- 147
  - 4. Proposed/suggested zoning amendment to submit.

148 149 Mr. Buttrick stated that Hudson had a ZORC (Zoning Ordinance Review Committee)

150 comprised of three (3) Members from the Planning Board and three (3) Members from the Zoning Board, but it has not convened in the past couple of years. Mr. Buttrick 151 reference a list he drafted identifying nine (9) potential Zoning Ordinance amendments 152

- 153 for ZBA to review, agree and prioritize.
- 154
- 155 Board discussed each proposed amendment in detail and Members submitted their
- 156 individual ranking. In brief the following were considered high priority: daycare
- 157 Special Exception Home Occupation separate section; sheds less than one hundred square feet (100 SF) can have a ten foot (10') setback in the TR Zone; and road 158
- 159 Classification/Category. Agreement reached to remove the mention that cell towers
- needing a Special Exception, as a Site Plan from the Planning Board is required. 160
- 161 Consensus reached to continue requiring a Sign Variance for multiple signs for corner
- lots. Suggestion made to change the prohibition for "up-lit" sign lighting from total 162
- 163 prohibition to specifying a limitation in lumens
- 164
- 165
- Motion made by Mr. Etienne, seconded by Mr. Pacocha and unanimously voted to 166
- adjourn the meeting. The 8/27/2021 ZBA meeting adjourned at 8:34 PM 167
- 168
- 169 Respectfully submitted,
- 170
- 171 Louise Knee, Recorder
- 172

1/	TOWN OF HUDSON
	Zoning Board of Adjustment
3	Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison
4	12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142
5	
6	
7 8	<b>MEETING MINUTES – September 9, 2021 – as edited</b>
9	The Hudson Zoning Board of Adjustment met Thursday, September 9, 2021 at 7:00
10	PM in the Community Development Paul Buxton Meeting Room in the lower level of
11 12	Hudson Town Hall.
12	I. CALL TO ORDER
	II. PLEDGE OF ALLEGIANCE
15	
16 17	Chairman Daddario called the meeting to order at 7:02 PM, invited everyone to stand for the Pledge of Allegiance and read the structure of the meeting from the Preamble
18	found in Exhibit A of the Board's Bylaws.
19	
20 21 22 23 24 25	Clerk Etienne took attendance. Members present were Gary Daddario (Regular/Chair), Brian Etienne (Regular/Clerk), Leo Fauvel (Regular) and Jim Pacocha (Regular/Vice Chair). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (remote) and Kara Roy, Selectman Liaison. Absent were Marcus Nicolas (Regular) and Ethan Severance (Alternate).
26 27 28 29	Mr. Daddario stated that there were only four (4) Members present and therefore only four (4) Voting Members and offered to the Applicant the option to defer the hearing to the next meeting in the hopes that there would be five (5) members present.
30 31 32 33 34 35 36	Atty. John Cronin of Cronin, Bisson & Zalinsky, P.C., representing the Applicant, asked and received a moment to consult with his client then responded that they were willing to proceed with just four (4) Voting Members. Mr. Daddario stated that three (3) votes are required to pass a motion and explained that if a vote of 2:2 is cast then the application's motion would fail. Atty. Cronin stated that he would then ask to withdraw the application and re-file
371	III. PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:
38	
<ol> <li>39</li> <li>40</li> <li>41</li> <li>42</li> <li>43</li> <li>44</li> <li>45</li> </ol>	1. <u>Case 176-021/022/023 (09-09-21) (Deferred from 08-26-21)</u> : Bluebird Self Storage, LLC, Attn: Bill Goodison, General Manager, 125 Ocean Rd, Greenland, NH requests a Variance for a proposed 3 lot consolidation of <b>196, 200 &amp; 202 Central St.,</b> <b>Hudson, NH</b> to allow a proposed 3 story, 40,000 sqft footprint building for an indoor self-storage warehouse where the use is not permitted in the Business District. [Map 176, Lots 021-000 & 022-000 & 023-000; Zoned Business (B); HZO Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses].

Mr. Buttrick read the Case into the record, noted that a revised argument was received
from the Applicant's attorney and has been placed in the supplemental folder along
with two (2) letters of support for the application: (1) Stephen Chase, President of
Chase Steel, 8 Christine Drive, Hudson; and (2) Raymond Brayton, President/COO,
Barlo Signs International, Inc.

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Atty. John Cronin stated that his office focuses primarily on land use law, introduced
Tony Basso, LLS (Licensed Land Surveyor) from Keach-Nordstrom Associates, Inc.
seated to his right, and Bill Goodison, principal for the Applicant who was present in
the audience.

57

Atty. Cronin stated that Bluebird Self Storage made an effort to develop property at 58 59 270 Lowell Road approximately four or five years ago but were denied primarily 60 because it bordered on a residential community section of Town and received a lot of 61 opposition. Bluebird went to develop elsewhere and to date they have seven (7) 62 locations in NH - Epping, Hooksett, Manchester, Bedford, Rochester, Londonderry plus one more. Atty. Cronin stated that some have been so successful, that additions 63 have been made to the Rochester and Epping locations and they are currently doing 64 65 an additional building in Hooksett.

66

Atty. Cronin stated that the challenge has been to counter the historical self storage image, the long corrugated steel metal buildings with metal roofs and orange garage doors with a gated entrance allowed only in the off beaten paths, like Industrial Zones, and over time, some self storage facilities began to offer temperature control.

71

Atty. Cronin stated that Bluebird has taken a different track and likes to think of themselves more like a retail operation with a building designed to have curb-appeal and referenced the pictures of one of their facilities noting that it resembles a shopping mall and has great appeal. Visibility is important to Bluebird as well as accessibility. It is virtually a burden free tax generator providing on average a hundred thousand dollars in property taxes and poses no burden on the school systems as no one lives in the facility and there is minimal burden on police and fire.

79

Atty. Cronin stated that after their previous application, the Zoning Ordinance was changed to pull warehousing out of this District and even though this particular District has pulled warehousing, the Use being requested is nor per se warehousing, it does provide for wholesale and most wholesale facilities do have a warehouse component. Atty. Cronin stated that even though a warehouse could enter this District without requiring a Variance relief it would not provide the same curb appeal as Bluebird or the same tax generation or provide the same service to the public.

87

88 Atty. Cronin stated that the definition of the Business District in the Zoning Ordinance 89 is "to provide for the development of general wholesale and retail commercial uses, 90 services, office uses, industry, warehousing, multifamily dwellings and customary accessory uses and structures." [Article IV Section 334-18.D] and it contradicts itself 91 92 in the Tale of Permitted Principal Uses by not permitting wholesale, warehouse or self-93 storage mini-warehouse in the Business District and is therefore "invalid". Attv. 94 Cronin stated that this contradiction presents a/creates the hardship to/for his client and the land within the Business District is "peculiarly" suited for wholesale and 95

96 warehousing uses; referenced the business model; and noted single footprint heat 97 controlled building has elevations, construction finished and details consistent with 98 commercial or retail facilities and the appearance and aesthetics are aligned with a 99 retail furniture store yet the traffic impacts, particularly at peak hours are minimal.

100

With regard to the five (5) Variance criteria, Atty. Cronin stated that the first two (2) criteria (*not contrary to public interest* and *observes the spirit of the Zoning Ordinance*) can be combined, per *Farrar v. City of Keene, 158 NH 684, 691 (2009),* and the granting of the Variance would not alter the essential character of the neighborhood nor threaten public health, safety or welfare as the proposed use will not place children in public schools or place demands on public services as the facility will meet or exceed life safety standard and is subject to twenty-four hour security.

108

109 With regard to the third (3<sup>rd</sup>) Variance criteria (substantial justice to the property 110 owner), Atty. Cronin stared that denial outweighs any gain to the general public and 111 would undermine Bluebird's reasonable investment expectations with respect to the 112 development of its proprietary storage structure. With regard to the fourth (4<sup>th</sup>) 113 Variance criteria (not diminish surrounding property values), Atty. Cronin stated that 114 the surrounding properties are retail, commercial and services businesses that are consistent and compatible with the proposed use and those businesses would be 115 116 enhanced rather than diminished with Bluebird as Bluebird is more akin to a retail 117 business servicing the public at large.

118

With regard to the fifth (5<sup>th</sup>) Variance criteria (*hardship*), Atty. Cronin stated that it is met by the conflict in the Zoning Ordinance with the Definition of the Business District encouraging warehouse uses and the Table of Permitted Uses not permitting warehouse use in the District. Atty. Cronin stated that the proposed use is cutting edge and differs substantially from first and second generation storage facilities and the failure of Hudson to properly classify the proposed use, which is understandable based on its cutting edge design, also results in a hardship.

126

Atty. Cronin concluded his presentation with a dissertation of *Simplex vs Boccia*, noted that unlike their previous application there has been no opposition raised to this location and added that granting the variance would not cause harm to the public and, by contract, denying the variance would result in little, if any, gain to the public.

131

132 Mr. Fauvel questioned the storage of busses and boats and whether there would only 133 be indoor storage with the proposed facility. Atty. Cronin confirmed that there would 134 only be indoor storage and that outdoor storage would not be allowed. In response to 135 Mr. Etienne question regarding the storage facility on the other side of the road, Mr. 136 Basso responded that it was created in 1995 and noted that the site is split zoned 137 located partially in the G (General) District that does allow for storage facilities. Mr. 138 Goodison confirmed that the two (2) existing houses on the site would be demolished 139 when the Variance is granted.

140

Mr. Pacocha questioned the reference made to wholesale and the amendment to the application and asked how the hardship criterion was satisfied. Atty. Cronin stated that the reference to wholesale was a misnomer and he should have said warehouse but both were in reference to the Description of the Business District in the Zoning

145 Ordinance and noted that this is a unique use that wasn't thought of twenty-five (25)

146 years ago when self-storage units consisted of long metal buildings located off beat in 147 industrial areas; that what is being proposed has the aesthetics belonging in the 148 Business Zone with easy access; and that the satisfaction of the hardship criterion can 149 be found on Page 3 of his submission. Mr. Fauvel commented that it is then not a 150 land-based hardship and Atty. Cronin confirmed. Mr. Pacocha stated that the 151 argument presented does not meet *Simplex*, in his opinion,

152

Public testimony opened at 7:42 PM. Todd Boyer, 2 Merrill Street, stated that he is a direct abutter to 194 Central Street and has been in Hudson for forty (40) years, that Bluebird would be a great addition to Hudson at this location with its clean new building, well kept maintenance, manicured landscape and low traffic and asked the Board to look at Bluebird as a business because business is defined as the exchange of money for goods and service and Bluebird would be providing a service. Being no one else to address the Board, public testimony closed at 7:45 PM.

160

Mr. Fauvel asked about the hours of operation, access to the building and staffing. Mr. Goodison stated that the building would be accessible Monday through Friday from 6:00 AM to 8:00 PM, Saturday from 6:00 AM to 6:00 PM and Sunday from 6:00 AM to 4:00 PM and that staff would be on site everyday from 8:00 AM to closing and that the building cannot be accessed outside the posted hours.

166

In light of the new information, Mr. Daddario opened public testimony at 7:46 PM. Noone addressed the Board.

169

Mr. Pacocha stated that, in his opinion, the site of the proposed building is
overwhelming for the neighborhood and added that the existing storage facility across
the street is barely noticeable from the road. Mr. Etienne sated that the size seems
normal to him and agreed that it would change the neighborhood.

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Mr. Daddario suggested that the Board review each criteria by roll call in order to give
the applicant a sense of where the Board is leaning in case they wish to take action
before a motion is made.

- (1) not contrary to public interest or spirit of the Ordinance
- Mr. Daddario: would be an improvement to the site, is 'raising the bar', have received public support and two letters of support with no dissention expressed, would like a condition that there be no other business be allowed to operate within building
  - Mr. Pacocha: subjective does alter the essential character of the neighborhood
  - Mr. Fauvel: attractive building, the residences in the neighborhood do not belong in the Business district and there has been no opposition
  - Mr. Etienne: met
  - (2) will observe spirit of the Ordinance & not alter character of neighborhood
- Mr. Daddario: met observing the spirit of the Ordinance; Ordinance allows wholesale business and normally wholesale businesses have a warehouse component, proposed use is less intrusive than a wholesale business

195	Mr. Pacocha: criteria not met, does not observe the spirit of the Ordinance
196	and does alter the essential character of the neighborhood
197	Mr. Fauvel: met and agree, but with conditions added
198	Mr. Etienne: criteria met for the property owner
199	(3) substantial justice to property owner
200	Mr. Daddario: met – no opposition received, less traffic, no harm to public
201	Mr. Pacocha: this is a "wash"
202	Mr. Fauvel: met
203	Mr. Etienne: met
204	(4) will not diminish values to surrounding property properties
205	Mr. Etienne: met – this will improve surrounding property values
206	Mr. Daddario: met
207	Mr. Pacocha: is no expert but agrees it will not diminish values
208	Mr. Fauvel: met – this is a Business Zone and the proposed building adds
200	character to the neighborhood
210	(5) hardship
210	Mr. Etienne: hardship is based on land variants but there are no wetlands,
211	no land uses but it is a fair and reasonable use, is pleased that there will
212	be no outside storage and will not provide 24 hour/7 day availability so it
213	does not behave like a traditional storage facility and the granting of the
214	Variance can be considered fair and reasonable
215	Mr. Daddario: agreed with Mr. Etienne, this is a hardship of a different type
210	because it has been caused by the Zoning Ordinance with the disparity
218	between the Definition of the District and the Table of Uses and the
218	
	proposed Use should be able to exist in the Business District and added
220	that the Town Engineer confirmed this proposal requires Site Plan
221	Review by the Planning Board and is only before the ZBA for the Use
222	Mr. Pacocha: hardest criteria to meet and the Applicant is citing the
223	Ordinance as the cause for a hardship, which in his opinion does not -
224	not met
225	Mr. Fauvel: it is benefiting the area with a nice building, there is a Use
226	hardship, the six to seven houses in the neighborhood now but could be
227	gone in the future and the granting of this Variance, with conditions,
228	provides a benefit to take care of future hardship
229	
230	Mr. Etienne made the motion to grant the Variance with two (2) stipulations: (1) that
231	there shall be no outside storage on the premise; and (2) that no other business shall operate
232	on/in site while the structure is being used as an indoor storage facility. Mr. Daddario
233	seconded the motion. Vote was 3:1. Mr. Pacocha opposed. Variance granted. Mr.
234	Buttrick noted the 30-day Appeal period. Atty. Cronin thanked the Board
235	
236	
237	Board took a five-minute recess at 8:13 PM. Mr. Daddario called the meeting back to
238	order at 8:19 PM
239	
240	
241 <b>IV</b>	
242	1. <u>Reminder</u> - Registration Now Open: 2021 Municipal Land Use Law Virtual
243	Conference- Saturday, 9/18/2021 from 9:00 AM- 3:00 PM
244	

Mr. Daddario read the item into the record. Mr. Buttrick noted that the virtual information will be available for six (6) months so that, in essence, one can attend every session and added that there is always something to learn. Mr. Buttrick stated that registration is now open on-line and advised everyone who signs up to notify himself or Ms. Goodwyn so that the Town can produce a Purchase Order.

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2. <u>September meeting attendance</u>

Mr. Etienne advised that his plans have changed and that he will now be able to attend the 9/23/2021 meeting. Mr. Pacocha advised that he would not be able to attend September's meeting.

257 3. <u>Alternate Members</u> – still need!

258 259

260 Motion made by Mr. Etienne and seconded by Mr. Daddario and unanimously voted to 261 adjourn the meeting. The 9/9/2021 ZBA meeting adjourned at 8:26 PM

- 262
- 263 Respectfully submitted,
- 264 Louise Knee, Recorder

265

1	TOWN OF HUDSON
£	★ Zoning Board of Adjustment
3	Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison
4 5	12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-594-1142
6 7 8	MEETING MINUTES – September 23, 2021 – as edited
9 10 11 12	The Hudson Zoning Board of Adjustment met on Thursday, September 23, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall.
13 <b>I.</b> 14 <b>II.</b> 15	CALL TO ORDER PLEDGE OF ALLEGIANCE
16 17 18 19	Acting Chairman Brian Etienne called the meeting to order at 7:00 PM, invited everyone to stand for the Pledge of Allegiance and read the procedure for the meeting from the Preamble found in Exhibit A of the Board's Bylaws into the record.
20 21 22 23 24 25	Clerk Etienne Clerk Mr. Etienne took attendance. Members present were Brian Etienne (Regular/Clerk/Acting Chair), Leo Fauvel (Regular) and Marcus Nicolas (Regular). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (remote) and Kara Roy, Selectman Liaison. Excused were Gary Daddario (Regular/Chair) and Jim Pacocha (Regular/Vice Chair).
	PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:
1	<b>Case 126-003 (09-23-21)</b> : Paul & Claudia Decker, <b>59 Robinson Rd., Hudson,</b> <b>NH</b> requests an Equitable Waiver of Dimensional Requirement due to a foundation encroachment of 1.6 ft. into the required side yard setback of 15 ft. leaving 13.4 ft. as shown on the Foundation Certification Plan dated July 02, 2021, Rev. A. [Map 126, Lot 003; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334- 27, Table of Minimum Dimensional Requirements].
35 36 37	Mr. Buttrick read the Case into the record and referenced his Staff Report signed $9/13/2021$
38 39 40 41 42 43 44 45	Paul Decker stated that he seeks an Equitable Waiver of Dimensional Requirement for the monolithic foundation he poured for his 28'x35' workshop that he is building on weekends and evenings that ended up encroaching 1.6 feet into his setback at one corner. Mr. Decker stated that the encroachment was discovered when he had an as- built survey plan created for the Building Permit and was surprised because he took several measurements to try to insure that there was no encroachment. Mr. Decker stated the mistake is his and try as he might he does not where or how he went wrong.

46 Mr. Decker addressed the criteria for the granting of an Equitable Waiver. In brief, the47 information shared included:

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making the foundation - because it is a monolithic foundation, the footings and slab are one continuous piece consisting over 47 yards of concrete

*a) discovered too late* 

b) innocent mistake

intent was to be fully compliant and be out of the setback – largely accomplished but the end corner of the foundation encroached into the setback by eighteen inches (18") – when digging the foundation, he mis-measured from the reference point angle which threw the back corner slightly into the setback

encroachment discovered by the as-built survey - tiny error was made in

c) no nuisance

structure located at the rear of the property away from most public view and the workshop will resemble the house – when the encroachment was discovered he reached out to his four (4) human abutters and they each submitted signed letters stating they have no objection or concern for the slight encroachment

*d*) *high correction cost* 

because it is a monolithic footing and foundation, the only way to correct the mistake is to completely remove the concrete and re-excavate the site – material costs to-date exceeds \$8,000 - for the 47 yards if concrete, rebar, insulation and drainage gravel - plus time and labor

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73 Mr. Decker referenced the pictures submitted with his application, held up a paper 74 cut-out of the triangle portion of the slab that encroaches into the setback (adding 75 that if the angle was turned one-eighth (1/8) of a degree, there would have been no 76 encroachment) and stated that when the error was discovered, he contacted his four 77 human neighbors to let them know and learned that none had a problem with it and 78 submitted letters to that effect from his four (4) human abutters: (1) Alex Kalathakis, 2 79 Kienia Road; (2) Jeff Parker, 60 Robinson Road; (3) Scott and Leeanne Roystan, 61 80 Robinson Road; and (4) Flovd and Antionette Gorveat, 11 Kiena Road. The other two 81 (2) abutters include the State of NH and the Town of Hudson. Mr. Decker concluded 82 his presentation, stating that he does not know how the mistake was made, but he did 83 it, takes responsibility for it and hopes that an Equitable Waiver can be granted. 84

- 85 Public testimony opened at 7:10 PM. The following individuals addressed the Board.
  - (1) Alex Kalathakis, 2 Kienia Road, stated that he is a direct abutter behind Mr. Decker's garage and has no problem with the encroachment and added that he is still on his own land.
  - (2) Claudia Decker, 59 Robinson Road, stated that she is Paul's wife and a language teacher, that he explained his process and the discovery and is present to support her husband.
- 94 Being no one else to speak, public testimony closed at 7:13 PM.

- 95 Board reviewed the criteria for the granting of an Equitable Waiver of Dimensional
- 96 Requirement. Mr. Buttrick explained the process, that a plot plan is required when
- 97 filing for a foundation-only Building Permit (BP) and a certified as-built survey plan by
- 98 a Licensed Land Surveyor (LLS) is required at the completion of the project, and that it
- 99 was the as-built survey that uncovered that the corner of the foundation encroached 100
- the setback by less than two feet. Mr. Buttrick noted that it is a monolithic 101 foundation and cannot be "moved" or "cut to fix" the encroachment as it is a single
- 102 slab with overlap.
- 103

104 Mr. Fauvel complimented the Applicant on the completeness of the application and all

- 105 the accompanying pictures, noted that the entire foundation is about a thousand
- 106 square feet (1,000 SF) and the encroachment is less than 5 square feet (<5 SF), and it 107 is evident that it was not done on purpose to save space and only discovered when
- 108 getting a certified plot plan and was an innocent mistake and none of the abutters
- 109 have any concern and the cost to correct that mistake is significant. Mr. Fauvel stated
- 110 that the circumstances and evidence of this Case does not set a precedent.
- 111
- 112 Mr. Nicolas and Mr. Etienne concurred
- 113
- 114 Motion made by Mr. Fauvel and seconded by Mr. Nicolas to grant the Equitable Waiver
- 115 of Dimensional Requirement as requested. Roll call vote was 3:0. Equitable Waiver
- 116 granted.
- 117
- 118 Mr. Etienne noted the 30-day Appeal period. Mr. Decker inquired if the Building
- Permit for the framing had to wait out the Appeal period. Mr. Buttrick stated that the 119
- 120 Building Permit for the framing could be issued with the caveat that it is subject to an
- 121 Appeal for thirty (30) days from this motion and, in response to Mr. Decker's next
- 122 question, work could begin within the Appeal period but it would be at his risk.
- 123

### 124V. PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:

- 125
- 126 No requests were received for Board consideration.
- 127 128 V. REVIEW OF MINUTES: 08/26/2021 Minutes as edited

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- 130 Mr. Etienne made the motion to table review of the edited Minutes to the 10/28/2021
- 131 meeting for the excused Members to be present. Mr. Nicolas seconded the motion.
- Vote was 3:0. Review deferred. 132
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- 134VI. OTHER
- 135 136
  - 1. <u>Upcoming Conferences</u>
- 137
- 138 Mr. Buttrick referenced the book provided by Tracy Goodwyn on the Municipal Law 139 Association at the Land Use Law conference for Saturday September 18, 2021 and
- 140 noted that it is a good reference and encouraged the reading of it. Mr. Buttrick also
- 141 noted the other material for the upcoming three-day conference and asked those who
- 142 are interested in attending to notify Ms. Goodwyn for the purchase order and noted
- 143 that it is being offered both in-person and remote.
- 144

2. October 28, 2021 Meeting & Need for Alternate Members

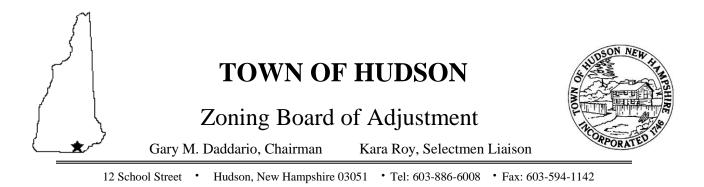
Mr. Etienne noted that he would be traveling and not able to attend. Need for
Alternate Members reiterated. Mr. Fauvel again referenced the possibility of
advertising and cost possibility.

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#### 152 Motion made by Mr. Niocolas, seconded by Mr. Fauvel and unanimously voted to 153 adjourn the meeting. The 9/23/2021 ZBA meeting adjourned at 7:23 PM.

- 155 adjourn the meeting. The 9/25/2021 ZBA meeting adjourned at 7.25154
- 155 Respectfully submitted,
- 156 Louise Knee, Recorder
- 157

Not Official until reviewed, approved and signed. As edited [BB,]



# YEAR 2022 ZBA MEETING SCHEDULE

The Town of Hudson Zoning Board of Adjustment regularly meets on the **fourth Thursday** of every month in the "Buxton Community Development Conference Room". All meetings begin **at 7:00 p.m.** \*\*\*The November and December meetings will be held on an alternate Thursday of the month due to the Thanksgiving and Christmas Holidays. **Final** (<u>complete</u>) Application Submission Deadline are due by 12:00 p.m.

## Year 2022 ZBA Schedule

Application Review for Completeness Deadline	Final Application Submission Deadline (12:00 Noon)	Meeting Date
January 4 <sup>th</sup>	January 11 <sup>th</sup>	January 27 <sup>th</sup>
February 1 <sup>st</sup>	February 8 <sup>th</sup>	February 24 <sup>th</sup>
March 1 <sup>st</sup>	March 8 <sup>th</sup>	March 24 <sup>th</sup>
April 5 <sup>th</sup>	April 12 <sup>th</sup>	April 28 <sup>th</sup>
May 3 <sup>rd</sup>	May 10 <sup>th</sup>	May 26 <sup>th</sup>
May 31 <sup>st</sup>	June 7 <sup>th</sup>	June 23 <sup>rd</sup>
July 5 <sup>th</sup>	July 12 <sup>th</sup>	July 28 <sup>th</sup>
August 2 <sup>nd</sup>	August 9 <sup>th</sup>	August 25 <sup>th</sup>
August 30 <sup>th</sup>	September 6 <sup>th</sup>	September 22 <sup>nd</sup>
October 4 <sup>th</sup>	October 11 <sup>th</sup>	October 27 <sup>th</sup>
October 25 <sup>th</sup>	November 1 <sup>st</sup>	***November 17 <sup>th</sup>
November 15 <sup>th</sup>	November 22 <sup>nd</sup>	***December 8 <sup>th</sup>