

# 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 – November 18, 2021

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, **November 18, 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. **Case 177-017 (11-18-21)**: Glenn Michael Lemieux, 2 Bush Hill Rd., Hudson, NH requests a Variance to build a 7 ft. x 21.6 ft. farmers porch which encroaches 3.7 feet into the front yard setback leaving 46.3 feet where 50 feet is required. [Map 177, Lot 017-000; Zoned General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
2. **Case 159-027 (11-18-21)**: Denissa F. Grace, Tr., 15 Barretts Hill Rd., Hudson, NH requests a Variance to allow a lot (after subdivision) with 112.26 ft. of frontage where 200 ft. is required. [Map 159, Lot 027-000; Split Zoned General-One (G-1) and General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
3. **Case 253-017 (11-18-21)**: Phillip C. Nichols, Tr., 23 Schaefer Circle, Hudson, NH requests a Variance to convert a 640 sqft office area above a detached garage into a single bedroom in-law apartment (ADU) where an ADU is not allowed as a freestanding detached structure or as part of any structure which is detached from the principal dwelling. [Map 253, Lot 017-000; Zoned Residential-One (R-1); HZO Article XIII A, Accessory Dwelling Units; §334-73.3.B, Provisions.]

#### IV. REQUEST FOR REHEARING: None

#### V. REVIEW OF MINUTES:

10/28/21 edited Minutes

#### IV. OTHER:

Bruce Buttrick  
Zoning Administrator





# TOWN OF HUDSON

## Land Use Division



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

### Zoning Administrator Staff Report

Meeting Date: November 18, 2021 *8/11-9-21*

**Case 177-017 (11-18-21):** Glenn Michael Lemieux, 2 Bush Hill Rd., Hudson, NH requests a Variance to build a 7 ft. x 21.6 ft. farmers porch which encroaches 3.7 feet into the front yard setback leaving 46.3 feet where 50 feet is required.

**Address:** 2 Bush Hill Rd

**Zoning district:** General (G)

#### Summary:

Applicant requests a Variance to build a 7 ft. x 21.6 ft. farmers porch which encroaches 3.7 feet into the front yard setback leaving 46.3 feet where 50 feet is required.

Variance from §334-27 Table of Minimum Dimensional Requirements is requested.

#### Property description:

Lot of record.

Non-conforming area of 0.689 Acre where 1.0 Acre required.

Non-conforming frontage with 120 ft where 150 ft required.

#### LAND USE HISTORY:

Building Permit # 200-99 and C.O.

#### ASSESSING HISTORY:

Single Family

#### Town in-house review comments:

**Town Engr:** yes comments received

**Town Planner:** non received

**Fire Dept:** no comments

**Attachments:**

A: Assessing history

B: Building Permit # 200-99 and C.O.

C: Town Engineer comments

**Previous Assessments**

<b>Year</b>	<b>Code</b>	<b>Building</b>	<b>Yard Items</b>	<b>Land Value</b>	<b>Acres</b>	<b>Special Land</b>	<b>Total</b>
2021	101 - ONE FAMILY	224,000	0	103,400	0.69	0.00	327,400
2021	101 - ONE FAMILY	224,000	0	103,400	0.69	0.00	327,400
2020	101 - ONE FAMILY	182,400	0	103,400	0.69	0.00	285,800
2020	101 - ONE FAMILY	182,400	0	103,400	0.69	0.00	285,800
2019	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2019	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2018	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2018	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2017	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2017	101 - ONE FAMILY	170,600	0	99,100	0.69	0.00	269,700
2017	101 - ONE FAMILY	186,100	0	103,400	0.69	0.00	289,500
2016	101 - ONE FAMILY	170,600	0	99,100	0.69	0.00	269,700
2016	101 - ONE FAMILY	170,600	0	99,100	0.69	0.00	269,700
2015	101 - ONE FAMILY	170,600	0	99,100	0.69	0.00	269,700
2015	101 - ONE FAMILY	170,600	0	99,100	0.69	0.00	269,700
2014	101 - ONE FAMILY	162,900	0	99,100	0.69	0.00	262,000
2014	101 - ONE FAMILY	162,900	0	99,100	0.69	0.00	262,000
2013	101 - ONE FAMILY	161,100	0	99,100	0.69	0.00	260,200
2013	101 - ONE FAMILY	161,100	0	99,100	0.69	0.00	260,200
2012	101 - ONE FAMILY	161,100	0	99,100	0.69	0.00	260,200
2012	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2011	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2011	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2010	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2010	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2009	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2008	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2008	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2007	101 - ONE FAMILY	181,000	0	126,600	0.69	0.00	307,600
2007	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2006	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2006	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2005	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2005	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2004	101 - ONE FAMILY	185,500	0	99,100	0.69	0.00	284,600
2004	101 - ONE FAMILY	158,700	0	68,900	0.69	0.00	227,600
2003	101 - ONE FAMILY	158,700	0	68,900	0.69	0.00	227,600
2003	101 - ONE FAMILY	158,700	0	68,900	0.69	0.00	227,600
2002	101 - ONE FAMILY	158,700	0	68,900	0.69	0.00	227,600
2002	101 - ONE FAMILY	158,700	0	68,900	0.69	0.00	227,600
2001	101 - ONE FAMILY	108,700	0	55,000		0.00	163,700
2000	101 - ONE FAMILY	107,700	1,000	55,000	0.69	0.00	163,700

A

A CERTIFICATE OF OCCUPANCY IS REQUIRED. PLEASE APPLY FOR C.O. A MINIMUM OF THREE WEEKS PRIOR TO DATE YOU REQUIRE IT TO BE ISSUED. REFERENCE ATTACHED RADON-RESISTANT CONSTRUCTION GUIDE, PER 1996 CABO 1&2 FAMILY BUILDING CODE. REFERENCE ATTACHED NFPA LIFE SAFETY CODE, 1994 EDITION, MEANS OF EGRESS.

# BUILDING PERMIT

DEPT. FILE COPY  
AMOUNT PAID  
MAP 21 LOT 3-1  
VALIDATION

DATE OCTOBER 16, 1998 PERMIT NO. 200-99  
APPLICANT ROBERT PACE / ONE LINE REALTY ADDRESS 20 TRAFALGAR SQUARE NASHUA NH  
CONSTRUCT SINGLE- (NO.) (STREET) (CONTR'S LICENSE)  
PERMIT TO FAMILY DWELLING (2) STORY RESIDENTIAL NUMBER OF DWELLING UNITS ONE  
(TYPE OF IMPROVEMENT) NO. (PROPOSED USE)

AT (LOCATION) 2 BUSH HILL ROAD ZONING DISTRICT \_\_\_\_\_  
(NO.) (STREET)  
BETWEEN \_\_\_\_\_ AND \_\_\_\_\_  
(CROSS STREET) (CROSS STREET)

SUBDIVISION THURSTON'S LANDING SUBDIVISION - EAST LOT 3-1 BLOCK 21 LOT SIZE 30,000 SQUARE FEET  
REFERENCE ATTACHED 'FIRE DEPARTMENT REQUIREMENTS' ELECTRICAL/PLUMBING PERMITS REQUIRED.

BUILDING IS TO BE \_\_\_\_\_ FT. WIDE BY \_\_\_\_\_ FT. LONG BY \_\_\_\_\_ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION PER ENGINEERING REVIEW: NEED SILT FENCE ALONG WETLAND SETBACK ON RIGHT OF LOT DURING HOUSE CONSTRUCTION.

TO TYPE \_\_\_\_\_ USE GROUP \_\_\_\_\_ BASEMENT WALLS OR FOUNDATION \_\_\_\_\_  
CONSTRUCT SINGLE FAMILY HOUSE, WOOD FRAME, GAS HEAT (UNDERGROUND TANK), 10'X10' DECK, ONE-CAR GARAGE  
REMARKS: UNDER, UNFINISHED BASEMENT, 3 FINISHED BEDROOMS, 2 1/2 BATHROOMS.

CERTIFIED PLOT PLAN REQUIRED FROM LICENSED LAND SURVEYOR AT TIME OF FOUNDATION PLACEMENT PRIOR TO FRAMING TO INCLUDE DISTANCES TO PROPERTY LINES AND ANY WETLANDS ON THE LOT. CERTIFICATION FROM LLS THAT STONE BOUNDS/IRON PINS ARE SET AND INDICATED ON CPP DUE AT C.O. APPLICATION.

AREA OR VOLUME 2,692 SQUARE FEET ESTIMATED COST \$ 65,000.00 PERMIT FEE \$ 216.00  
(CUBIC/SQUARE FEET)

OWNER ONE LINE REALTY BUILDING DEPT. BY Edmund P Madigan  
ADDRESS NASHUA NH

(Affidavit on reverse side of application to be completed by authorized agent of owner)

B1

FORM NO. BOCA - BP 1994

# TOWN OF HUDSON

3742



## CERTIFICATE OF OCCUPANCY

ONE LINE REALTY

OWNER / BUILDER / APPLICANT

2 BUSH HILL ROAD

21

3-1

ADDRESS OF BUILDING

SINGLE FAMILY DWELLING

MAP

LOT

200-99

TYPE OF CONSTRUCTION

THURSTON'S LANDING SUBDIVISION - EAST

BUILDING PERMIT #

OTHER

PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING

DECEMBER 3, 1998

DATE ISSUED

BUILDING INSPECTOR'S APPROVAL

*Edna P. Madigan*

No person shall occupy this building until Inspector's approval.

B<sub>2</sub>

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

REQUEST FOR REVIEW/COMMENTS:

Case: 177-017 (Variance)

Property Location: 2 Bush Hill Rd

*For Town Use*

Plan Routing Date: 11/04/2021 Reply requested by: 11/08/2021 ZBA Hearing Date: 11/18/2021

I have no comments  I have comments (see below)

EZD \_\_\_\_\_ Name: Elvis Dhima, P.E. Date: 11/05/2021  
(Initials)

DEPT.  
 Town Engineer  Fire/Health Department  Town Planner

Our records show that the sewer service is located in front of the building.  
The applicant is a Town water user but we have no record of the service line.

Applicant shall be aware that once the front porch is constructed they will not be able  
to access the sewer service and possible the water service, if located on the front

My recommendation to the applicant is to take in consideration relocating the water  
and sewer service before the proposed structure is installed.

The service relocation is not a requirement, but simply a recommendation.

C1





C<sub>2</sub>

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

On **11/18/21**, the Zoning Board of Adjustment heard Case **177-017**, being a case brought by **Glenn Michael Lemieux, 2 Bush Hill Rd., Hudson, NH** for a Variance **to build a 7 ft. x 21.6 ft. farmers porch, which encroaches 3.7 feet into the front yard setback leaving 46.3 feet where 50 feet is required.** [Map 177, Lot 017-000; Zoned General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

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**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.”

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

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

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

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

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

Sitting member of the Hudson ZBA

Date

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

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OCT 28 2021

APPLICATION FOR A VARIANCE

Zoning Department

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 177-017 (11-18-21)

Date Filed 10/28/21

Name of Applicant Glenn Lemieux Map: 177 Lot 017 Zoning District: G

Telephone Number (Home) 928-580-5274 (Work) \_\_\_\_\_

Mailing Address 2 Bush Hill Rd Hudson, NH

Owner Glenn Lemieux

Location of Property 2 Bush Hill Rd Hudson, NH  
(Street Address)

Signature of Applicant \_\_\_\_\_ Date Oct. 11, 2021

Signature of Property-Owner(s) \_\_\_\_\_ Date Oct 11, 2021

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

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

COST:

Application fee: .33  
6 Direct Abutters x \$4.10 = 24.60  
3 Indirect Abutters x \$0.58 = 1.74  
Total amount due: 26.67

185 Date received: 212.72  
\$130.00  
25.98  
1.74  
Amt. received: \$212.72

Receipt No.: 661,065

chk #  
1013

Received by: TSG

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

Engineering  Fire Department  Health Officer  Planner

11/4/21

# TOWN OF HUDSON, NH NOTICE TO APPLICANTS

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

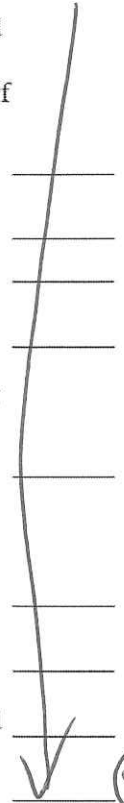
Applicant Initials		Staff Initials
_____	The applicant must provide <sup>10</sup> <del>13</del> copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	TG.
<u>  </u>	Before making the <sup>10</sup> <del>13</del> copies, please review the application with the Zoning Administrator or staff.	<u>TG 10-12-21</u>
<u>  </u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG.</u>
<u>  </u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG.</u>
<u>  </u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG.</u>
<u>  </u>	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	<u>TG ✓</u>
<u>  </u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>  </u>	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	<u>N/A</u>

**PLOT PLAN-**

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

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

TG



✓ (TD) 10-12-21

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

Signature of Applicant(s)

Date: Oct 11, 2021

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

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

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

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

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

**ALL DIRECT ABUTTERS**

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

\* Added  
 (16)

*MAP	*LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
177	016	Vien Bkhone LOUXAY Thiphasone LOUXAY	31 Kimball Hill Rd Hudson, NH 03051
177	017	Kemieux, Glenn Michael Liston, Cassie	2 Bush Hill Rd Hudson, NH 03051
177	018	Cote, Robert V, JR Cote, Mackinnon L	2 Thurston Dr Hudson, NH 03051
177	019	Spinney, James M Spinney, Karen Ann	4 Thurston Dr Hudson, NH 03051
177	020	Clement, John E Clement, Susan J	6 Thurston Dr Hudson, NH 03051
177	021	GenDreau, Michael J GenDreau, Tracy	8 Thurston Dr Hudson, NH 03051
185	040-000	Hudson, Town of	12 School St 27 Kimball Hill Rd Hudson, NH 03051
185	040-001	Hudson, Town of	12 School St 19 Kimball Hill Rd Hudson, MA 03051

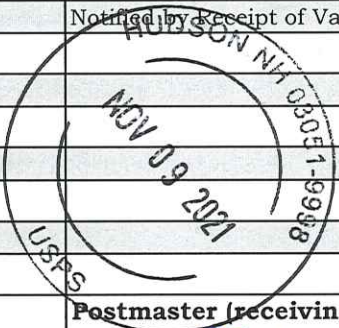
**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

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

*MAP	*LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
177	005	Shepherds Hill Homeowners Assoc c/o North point management	1630 military cutoff Rd suite 210 Wilmington, NC 28403
177	022	Fontaine, Joseph	10 Thurston Drive Hudson, NH 03051
177	023	O'Leary, Robert C Flickinger - O'Leary, Susan B	12 Thurston Dr Hudson, NH 03051

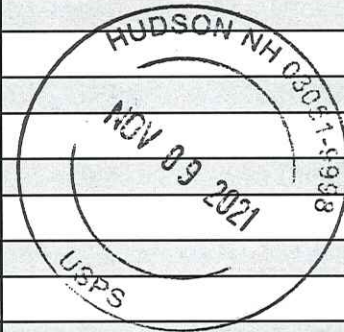
\* Added  
 (16)

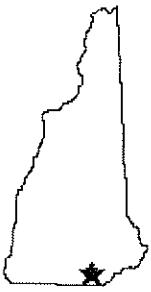
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 177-017 2 Bush Hill Rd Map 177/Lot 017-000	VARIANCE 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting		
1	7021 0350 0000 1884 0111 LEMIEUX, GLENN MICHAEL; LEMIEUX (LISTON), CASSIE 2 BUSH HILL RD., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED		
2	7021 0350 0000 1884 0128 LOUXAY, THIPHASONE M.; LOUXAY, VIENGHKHONE 31 KIMBALL HILL ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
3	7021 0350 0000 1884 0135 COTE, ROBERT V., JR.; COTE, MACKINNON L. 2 THURSTONS DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
4	7021 0350 0000 1884 0142 SPINNEY, JAMES M.; SPINNEY, KAREN ANN 4 THURSTONS DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
5	7021 0350 0000 1884 0159 CLEMENT, JOHN E.; CLEMENT, SUSAN J. 6 THURSTONS DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
6	7021 0350 0000 1884 0166 GENDREAU, MICHAEL J.; GENDREAU, TRACY A. 8 THURSTONS DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
7	TOWN OF HUDSON 12 SCHOOL ST., HUDSON, NH 03051	Notified by Receipt of Variance Application		
8				
9				
10				
	Total Number of pieces listed by sender 6	Total number of pieces rec'vd at Post Office 6	Postmaster (receiving Employee) PEA	





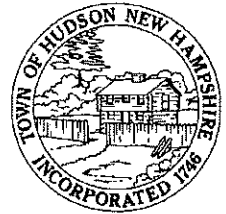
SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 177-017 2 Bush Hill Rd Map 177/Lot 017-000 VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting
1	Mailed First Class	SHEPHERDS HILL HOMEOWNERS ASSOC; C/O NORTH POINT MANAGEMENT	ABUTTER NOTICE MAILED
		1630 MILITARY CUTOFF RD. ST 210, WILMINGTON, NC 28403	
2	Mailed First Class	SHEPHERDS HILL HOMEOWNERS ASSOC; C/O NORTH POINT MANAGEMENT	ABUTTER NOTICE MAILED
		55 LAKE ST., 4TH FL., STE 5, NASHUA, NH 03060	
3	Mailed First Class	FONTAINE, JOSEPH	ABUTTER NOTICE MAILED
		10 THURSTONS DRIVE, HUDSON, NH 03051	
4	Mailed First Class	O'LEARY, ROBERT C.; FLICKINGER-O'LEARY, SUSAN B.	ABUTTER NOTICE MAILED
		12 THURSTONS DRIVE, HUDSON, NH 03051	
5			
6			
7			
8			
9			
10			
11			
	Total Number of pieces listed by sender 4	Total number of pieces rec'vd at Post Office 4	Postmaster (receiving Employee) PEA





# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

November 8, 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, **11/18/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

**Case 177-017 (11-18-21): Glenn Michael Lemieux, 2 Bush Hill Rd., Hudson, NH requests a Variance to build a 7 ft. x 21.6 ft. farmers porch which encroaches 3.7 feet into the front yard setback leaving 46.3 feet where 50 feet is required. [Map 177, Lot 017-000; Zoned General (G); 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 an authorized 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

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

November 8, 2021

### ABUTTER NOTIFICATION

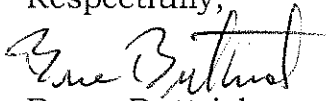
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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this application is available for your review on the Hudson Town Hall website: [www.hudsonnh.gov](http://www.hudsonnh.gov) or in the Land Use Department located at Hudson Town Hall.

Respectfully,

  
Bruce Buttrick  
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VIII, VII of HZO Section(s) 334-31, A and 334-21 in order to permit the following change or use:

Requesting to Build Farmers Bld 7 X 21'-7"  
Build Farmers porch  
Extends 3.7 feet into front setback  
Leaving 46.3 feet where 50 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.

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

*See attached*

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

*See attached*

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

*See attached*

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

*See attached*

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

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

*See attached*

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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.

1) It will not be contrary to the public interest because adding a farmer's porch to the house will only bring up the value of our home, in turn raising the property value of surrounding homes and bringing more curb appeal to the neighborhood.

2) I feel this will be true because it will make the house look nicer. This will not compromise the safety of the individuals (myself & my wife) living on the property nor will it hinder the flow of traffic in the surrounding area. If anything, it will allow us the opportunity to further connect with the community that we are blessed to be a part of. People like the option of sitting out on the front porch and having coffee in the morning or afternoon so with the addition of this, it should add property value to our home and in turn bringing the surrounding property values up as well

3) It will raise the value of our property and the house will also become more visually appealing. It will give us the opportunity to utilize more of the property without altering the character of our neighborhood. If anything, it will bring more character to the neighborhood.

4) This will not diminish values of surrounding properties because it will increase the value of my home. So if we were to ever sell the home, the price of our home will be higher with the porch than without the porch and in turn increasing surrounding property values. Being able to utilize more of the property is a positive and this porch will give us the ability to do just that without compromising the surrounding public and/or individuals.

5) The enforcement of this ordinance is unnecessary because we are still well far enough off the road where this will not compromise the safety of the individuals (myself & my wife) living on the property. The original setbacks of the front of this property was 30 feet, and at some point was increased to 50 feet resulting in a hardship for us in building this addition to our property. The addition of this porch will not encroach on the original setback of 30 feet. The addition of the porch will only be beneficial to the neighborhood with increasing property values and curb appeal. I don't see any scenario in which the enforcement of this ordinance would be fair and/or reasonable. The addition of this porch to the property is a good thing and granting the variance would be a positive.

Thanks,  
Glenn Lemieux



# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #21-151

September 14, 2021

Glenn Lemieux  
2 Bush Hill Rd  
Hudson, NH 03051

Re: 2 Bush Hill Rd Map 177 Lot 017-000  
District: General (G)

Dear Mr. Lemieux,

#### Zoning Review / Determination:

This structure (house) is an existing non-conforming in regards to front setback requirements per Table of Minimum Dimensional Requirements §334-27, at 45 ft where 50 ft is required. Based on your submitted plot plan, I determine that an increase (expansion) of footprint of the proposed front porch would need to conform to §334-31.A Alteration and expansion of nonconforming structures: *"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](mailto:bbuttrick@hudsonnh.gov)

cc: Public Folder  
B. Groth, Town Planner  
File

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



177 017 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRAISED: 327,400/ 327,400  
USE VALUE: 327,400/ 327,400  
ASSESSED: 327,400/ 327,400



**PROPERTY LOCATION**

No	Alt No	Direction/Street/City
2		BUSH HILL RD, HUDSON

**OWNERSHIP**

Owner 1:	LEMIEUX, GLENN MICHAEL
Owner 2:	LISTON, CASSIE
Owner 3:	
Street 1:	2 BUSH HILL RD.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

**PREVIOUS OWNER**

Owner 1:	COYLE, CHARLES B., TR. -
Owner 2:	COYLE, DARLENE T., TR. -
Street 1:	2 BUSH HILL ROAD
Twn/City:	HUDSON
St/Prov:	NH Cntry
Postal:	03051

**NARRATIVE DESCRIPTION**

This parcel contains .689 ACRES of land mainly classified as ONE FAMILY with a COLONIAL Building built about 1998, having primarily VINYL Exterior and 1632 Square Feet, with 1 Unit, 1 Bath, 1 3/4 Bath, 1 HalfBath, 6 Rooms, and 3 Bdrms.

**OTHER ASSESSMENTS**

Code	Descrip/No	Amount	Com. Int

**PROPERTY FACTORS**

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

**LAND SECTION (First 7 lines only)**

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infru	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.689		SITE ACRE SITE			0	120,000	1.25	RF						103,364					103,400	

**IN PROCESS APPRAISAL SUMMARY**

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.689	224,000		103,400	327,400
<b>Total Card</b>	0.689	224,000		103,400	327,400
<b>Total Parcel</b>	0.689	224,000		103,400	327,400
Source: Market Adj Cost		Total Value per SQ unit /Card: 200.61		/Parcel: 200.61	

**PREVIOUS ASSESSMENT**

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	101	FV	224,000	0	.689	103,400	327,400		Year End Roll	9/27/2021
2021	101	JB	224,000	0	.689	103,400	327,400	327,400	Year End Roll	5/12/2021
2020	101	FV	182,400	0	.689	103,400	285,800	285,800	Year End Roll	8/27/2020
2020	101	JB	182,400	0	.689	103,400	285,800	285,800	Year End Roll	5/6/2020
2019	101	FV	186,100	0	.689	103,400	289,500	289,500	Year End Roll	9/16/2019
2019	101	JB	186,100	0	.689	103,400	289,500	289,500	Year End Roll	5/8/2019
2018	101	FV	186,100	0	.689	103,400	289,500	289,500	Year End Roll	8/27/2018
2018	101	JB	186,100	0	.689	103,400	289,500	289,500	Year End Roll	5/9/2018

**SALES INFORMATION**

Grantor	Legal Ref	Type	Date	Safe Code	Sale Price	V	Tst	Verif	Notes
COYLE, CHARLES	9357-57	1	9/30/2020		410,000	No	No		
COYLE, CHARLES	8936-2319	1	1/13/2017	NON-MARKET		No	No		
MORIN, MICHAEL	6688-1503	1	8/14/2002		249,900	No	No		
ONE LINE REALTY	6036-0673		12/9/1998		170,600	No	No		
	3489-0516		3/28/1986	FAMILY TRANS		Yes	No		

**BUILDING PERMITS**

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
9/9/2014	2014-00097	ELECTRIC	450	C				ELEC FOR DECK
2/27/2014	2014-00097	AB-GRND	4,500	C				21' AGP, ADD DECKS

**ACTIVITY INFORMATION**

Date	Result	By	Name
6/3/2021	Info By Phon	21	DEP ASR
6/2/2021	Sale Data V	21	DEP ASR
2/13/2020	Measured	18	KRT1
10/28/2014	Permit Visit	15	APPR TECH 5
10/9/2013	Measured	15	APPR TECH 5
6/20/2001	Inspected	0	PATRIOT
6/12/2001	Measured	0	PATRIOT
4/8/1999	Inspected	2	AVITAR
6/20/1997	Inspected	2	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.68900 Total SF/SM: 30013 Parcel LUC: 101 ONE FAMILY Prime NB Desc: RES GD Total: 103,364 Spl Credit: Total: 103,400

**EXTERIOR INFORMATION**

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

**GENERAL INFORMATION**

Grade:	B - GOOD
Year Blt:	1998
Eff Yr Blt:	
Alt LUC:	Alt %:
Jurisdct:	Fact:
Const Mod:	
Lump Sum Adj:	

**INTERIOR INFORMATION**

Avg Ht/FL:	STD
Prim Int Wall:	1 - DRYWALL
Sec Int Wall:	%
Partition:	T - TYPICAL
Prim Floors:	04 - CARPET
Sec Floors:	03 - HARDWOOD 50%
Bsmnt Flr:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	1
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S
Heat Fuel:	4 - PROPANE
Heat Type:	1 - FORCED AIR
# Heat Sys:	1
% Heated:	100 % AC: 100
Solar HW:	NO Central Vac: NO
% Com Wal:	% Sprinkled

<b>MOBILE HOME</b>	Make:	Model:	Serial #:	Year:	Color:
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**SPEC FEATURES/YARD ITEMS**

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
7	POOL-AG-CIR	D	Y	1	21	VG	AV	2014	0.00	T	10	101						

More:	N	Total Yard Items:		Total Special Features:		Total:	
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**BATH FEATURES**

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

**OTHER FEATURES**

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

**CONDO INFORMATION**

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

**DEPRECIATION**

Phys Cond:	EX - Excellent	11.0%
Functional:		%
Economic:	L - LOCATION	5.0%
Special:		%
Override:		%
Total:		16.31%

**CALC SUMMARY**

Basic \$ / SQ:	94.00
Size Adj:	1.05147052
Const Adj:	0.98980004
Adj \$ / SQ:	97.830
Other Features:	23783
Grade Factor:	1.25
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	267616
Depreciation:	43648
Depreciated Total:	223968

**COMMENTS**

THURSTONS LANDING EAST - PLAN #28067.  
2/20 CHG EFP TO SCREEN PORCH N/C TO  
COND. 21-open concept/cust  
kit/island/tiled/granite/irrigation/salt water  
pool//many updates.

**RESIDENTIAL GRID**

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

**REMODELING**

Exterior:	2010
Interior:	2014
Additions:	
Kitchen:	2018
Baths:	
Plumbing:	2012
Electric:	
Heating:	2012
General:	

**RES BREAKDOWN**

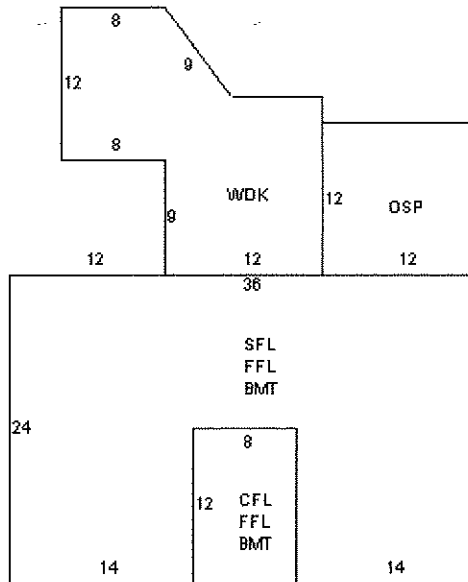
No Unit	RMS	BRS	FL
1	6	3	M
Totals			
1	6	3	

**COMPARABLE SALES**

Rate	Parcel ID	Typ	Date	Sale Price

WtAv\$/SQ:	AvRate:	Ind.Val:
Juris. Factor:	Before Depr:	122.29
Special Features: 0	Val/Su Net:	74.22
Final Total: 224000	Val/Su SzAd:	137.25

**SKETCH**



**SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value	
BMT	BASEMENT	864	22.960	19,834	
FFL	FIRST FLOOR	864	97.830	84,525	
SFL	SECOND FLR	768	97.830	75,134	
WDK	WOOD DECK	282	14.610	4,120	
OSP	SCREEN PCH	144	39.990	5,759	
CFL	CATHEDR AREA	96	9.780	939	
Net Sketched Area:		3,018	Total:	190,311	
Size Ad	1632	Gross Area	3018	FinArea	1632

**SUB AREA DETAIL**

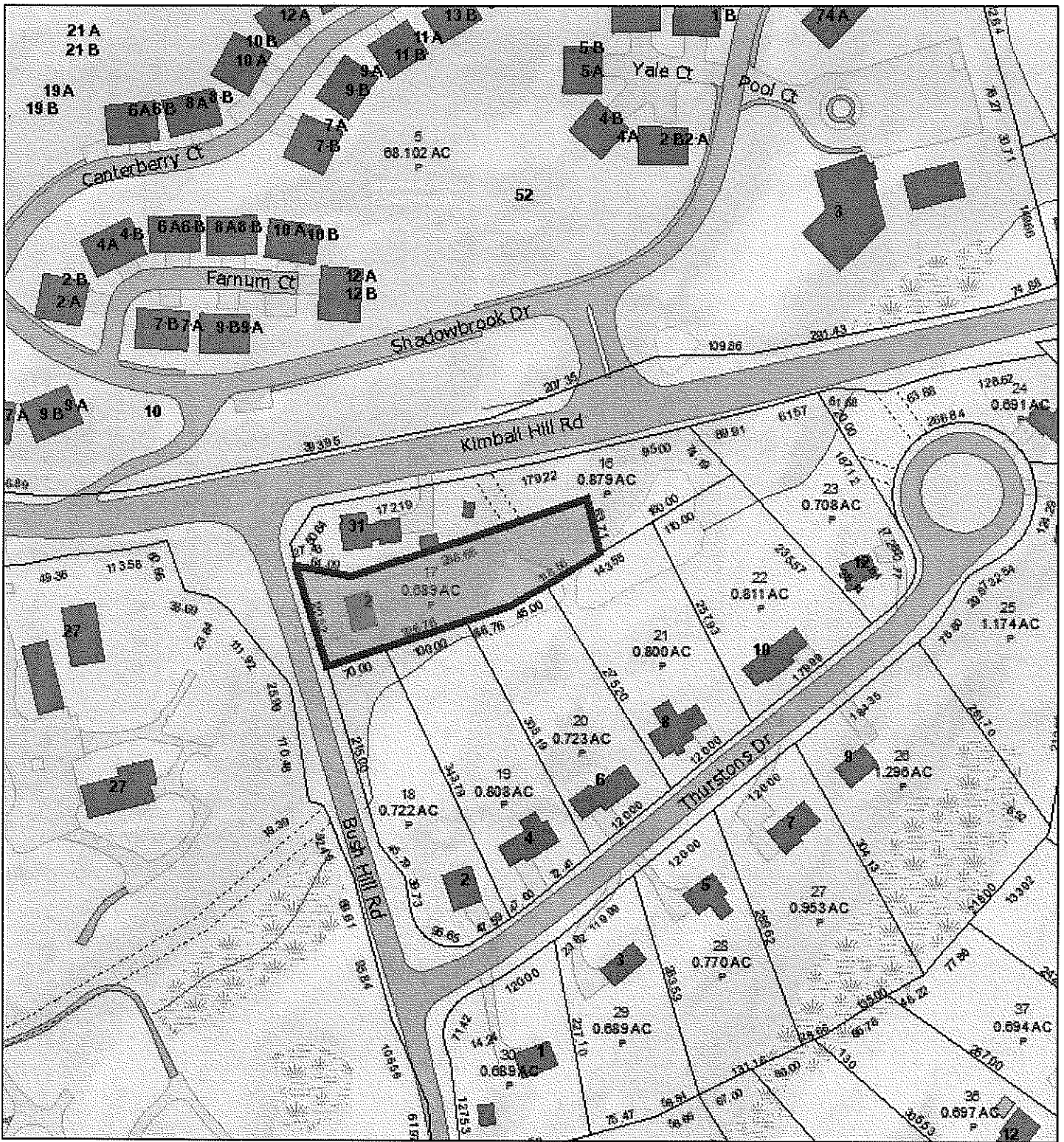
Sub Area	% Usbl	Descrip	% Type	Qu	# Ten
BMT	100	RRM	35	VG	

**IMAGE**

*AssessPro*. Patriot Properties, Inc



# 2 Bush Hill Rd (Map/Lot 177-017-000)



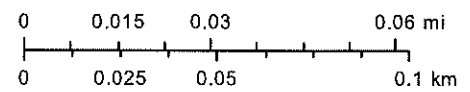
October 12, 2021

1:1,960

Legend

----- Easement\_Lines

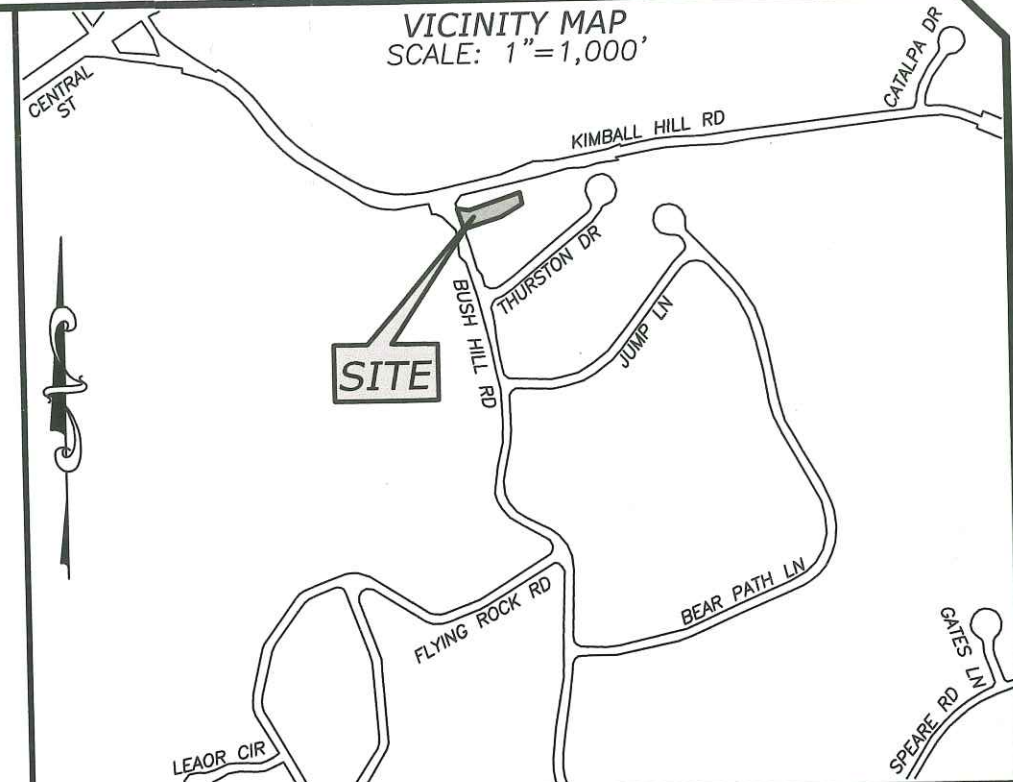
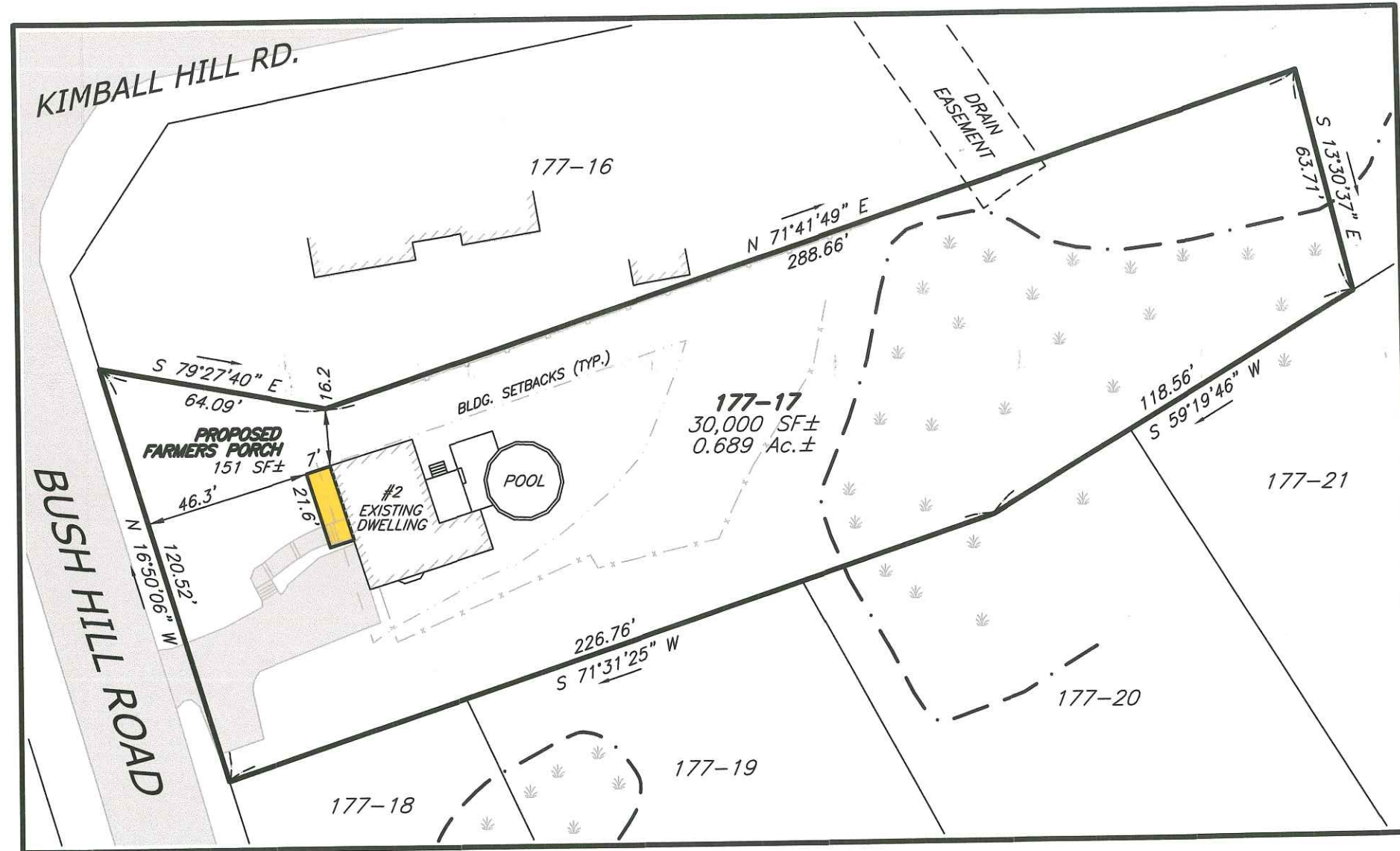
▭ Parcels



**PLAN NOTES:**

- 1.) PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF A PROPOSED FARMERS PORCH AT HUDSON LOT 177-17.

**PLAN OF LAND  
2 BUSH HILL RD  
HUDSON, NH  
MAP 177 LOT 17  
AS PREPARED FOR  
GLENN LEMIEUX, APPLICANT**



REV. 2	BY:
REV. 1	BY:

ZONING DISTRICT: G  
REQUIRED SETBACKS:  
FRONT - 50 FEET  
SIDE - 15 FEET  
REAR - 15 FEET

DEED REF: BK. 9357 PG. 57  
PLAN REF.: HCRD PL. 28067  
PLAN SCALE: 1"=40'  
DATE: OCT. 2021  
JOB REF.: 021-123-LEMI

TOWN OF HUDSON  
OCT 28 2021  
Zoning Department



I HEREBY CERTIFY:  
THAT THIS PLAN IS THE RESULT OF AN INSTRUMENT SURVEY AND THAT ALL MEASUREMENTS HEREON ARE TO BE CONSIDERED TRUE AND ACCURATE.

**JEFFREY LAND SURVEY LLC**

1 BURGESS DRIVE, LITCHFIELD, NH 03052  
(603) 424-4089



Printed  
10/28/2021  
3:54PM  
Created  
10/28/2021  
3:49 PM

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

Receipt# 661,065  
tgoodwyn

Description	Current Invoice	Payment	Balance Due
1.00 Zoning Application-11/18/21 ZBA Mtg 2 Bush Hill Rd Map/Lot 177-017-000 Variance Application	0.00	212.7200	0.00
		Total:	212.72

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Glenn D Lemieux	CHECK	CHECK # 1013	212.72	0.00	212.72
			Total Due:		212.72
			Total Tendered:		212.72
			Total Change:		0.00
			Net Paid:		212.72



# 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: November 18, 2021 BB

11-9-21

**Case 159-027 (11-18-21):** Denissa F. Grace, Tr., 15 Barretts Hill Rd., Hudson, NH requests a Variance to allow a lot (after subdivision) with 112.26 ft. of frontage where 200 ft. is required. [Map 159, Lot 027-000; Split Zoned General-One (G-1) and General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

**Address:** 15 Barretts Hill Rd

**Zoning districts:** General One (G-1) & General (G)

#### **Summary:**

Applicant requests a Variance to subdivide into two lots with the remaining (parent) lot resulting with insufficient frontage of 112.26 where 200 ft is required.

Variance from §334-27 Table of Minimum Dimensional Requirements (frontage) is requested.

#### **Property description:**

Existing lot is a lot of record:

Area of 15.8 Acres

Frontage of 335.30 ft

#### **LAND USE HISTORY:**

No records

#### **ASSESSING HISTORY:**

Single Family

#### **Town in-house review comments:**

**Town Engr:** no comment

**Town Planner:** non received

**Fire Dept:** no comments

#### **Attachments:**

A: Assessing history

**Previous Assessments**

<b>Year</b>	<b>Code</b>	<b>Building</b>	<b>Yard Items</b>	<b>Land Value</b>	<b>Acres</b>	<b>Special Land</b>	<b>Total</b>
2021	101 - ONE FAMILY	193,000	40,200	141,700	15.84	0.00	374,900
2021	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2020	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2020	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2019	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2019	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2018	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2018	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2017	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2017	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2017	101 - ONE FAMILY	233,500	49,700	141,700	15.84	0.00	424,900
2016	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2016	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2015	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2015	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2014	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2014	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2013	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2013	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2012	101 - ONE FAMILY	207,800	42,100	145,100	15.84	0.00	395,000
2012	101 - ONE FAMILY	228,300	31,600	180,100	15.84	0.00	440,000
2011	101 - ONE FAMILY	228,300	31,600	180,100	15.84	0.00	440,000
2011	101 - ONE FAMILY	228,300	31,600	180,100	15.84	0.00	440,000
2010	101 - ONE FAMILY	228,300	31,600	180,100	15.84	0.00	440,000
2010	101 - ONE FAMILY	228,300	31,600	180,100	15.84	0.00	440,000
2009	101 - ONE FAMILY	229,000	31,600	180,100	15.84	0.00	440,700
2008	101 - ONE FAMILY	229,000	31,600	180,100	15.84	0.00	440,700
2008	101 - ONE FAMILY	229,000	31,600	180,100	15.84	0.00	440,700
2007	101 - ONE FAMILY	229,000	31,600	180,100	15.84	0.00	440,700
2007	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2006	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2006	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2005	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2005	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2004	101 - ONE FAMILY	237,700	26,800	135,700	15.84	0.00	400,200
2004	101 - ONE FAMILY	217,600	25,100	108,000	15.84	0.00	350,700
2003	101 - ONE FAMILY	217,600	25,100	108,000	15.84	0.00	350,700
2003	101 - ONE FAMILY	217,600	25,100	108,000	15.84	0.00	350,700
2002	101 - ONE FAMILY	217,600	25,100	108,000	15.84	0.00	350,700
2002	101 - ONE FAMILY	217,600	25,100	108,000	15.84	0.00	350,700
2001	101 - ONE FAMILY	151,200	0	99,700		0.00	250,900
2000	101 - ONE FAMILY	129,700	21,500	99,700	15.84	0.00	250,900

**REFERENCE PLANS:**

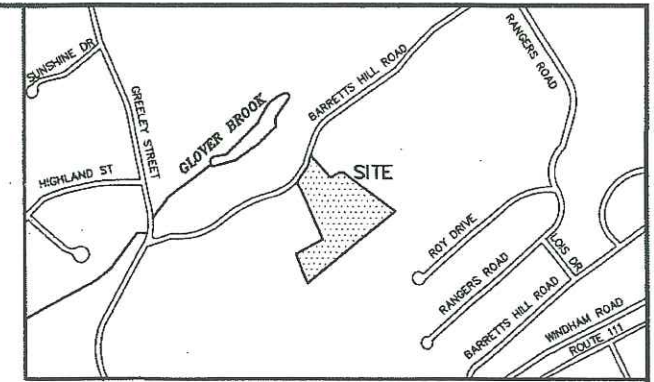
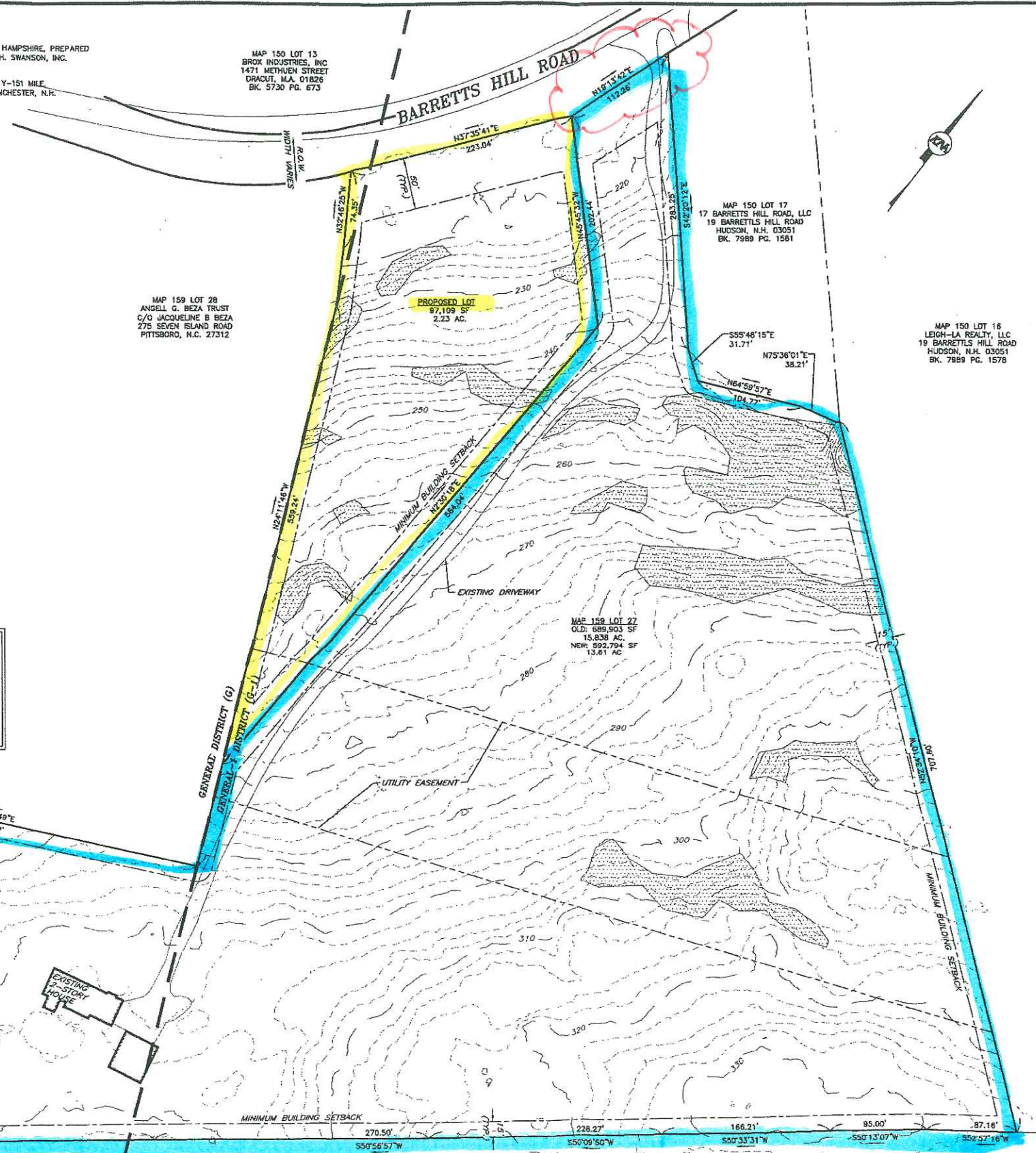
- "SUBDIVISION PLAN - LOT 489 / MAP 1, BARRETT'S HILL ROAD, HUDSON, NEW HAMPSHIRE, PREPARED FOR JOHN D. GRACE SCALE: 1" = 100', JULY 3, 1978, PREPARED BY ALLAN H. SWANSON, INC. RECORDED AT THE HCRD AS PLAN #12706.
- "PUBLIC SERVICE CO. OF NH PLAN, NASHUA - N.E. POWER TIE, 115 KV. LINE Y-151 MILE. SCALE: HOR. 1" = 200' DATED APRIL 2, 1945, ENGINEERING DEPARTMENT MANCHESTER, N.H.

**LEGEND**

- OB-F GRANITE BOUND FOUND
- IPP-F IRON PIPE FOUND
- DH-F DRILL HOLE FOUND
- U UTILITY POLE
- W WATER VALVE
- H HYDRANT
- AB BUTTER LINE
- PL PROPERTY LINE
- T TREELINE
- EOP EDGE OF PAVEMENT
- OHU OVERHEAD UTILITIES
- W WATER LINE
- DL DRAINAGE LINE
- BS BUILDING SETBACK
- WB WETLAND BUFFER
- WBS WETLAND BUILDING SETBACK
- WETLAND
- ST STONEWALL
- PP PROPOSED PROPERTY LINE
- ZL ZONE LINE
- SS STEEP SLOPES

**UTILITY NOTE**

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



**VICINITY MAP**  
SCALE: 1" = 1,000'

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO DEPICT A PROPOSED SUBDIVISION OF MAP 159 LOTS 27 FOR THE ZONING BOARD OF ADJUSTMENT AND NO OTHER PURPOSE.
  - EXISTING LOT AREA: MAP 159 LOT 27 = 689,903 S.F., OR 15.838 ACRES
  - OWNERS OF RECORD: MELANIE DEWITT, 14 SOUSA BOULEVARD, HUDSON, NH 03051  
THE DENISSA F. GRACE REV. TRUST OF 2009, DENISS F. GRACE, TRUSTEE, 58 CENTURY LANE, LITCHFIELD, NH 03052
  - THE SUBJECT PARCEL IS LOCATED WITHIN THE GENERAL 1 AND GENERAL ZONING DISTRICTS (G-1 & C). DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS FOR LOTS SERVICED WITH MUNICIPAL SEWER AND WATER:
 

	G-1	G
- MINIMUM LOT AREA	87,120 SF	43,580 SF
- MINIMUM LOT FRONTAGE	200 FT	150 FT
- MINIMUM BUILDING SETBACKS:		
- FRONT	50	50
- SIDE	15	15
- REAR	15	15
  - WETLAND MAPPING WAS PERFORMED BY CHRIS DANFORTH OF KEACH NORDSTROM ASSOCIATES IN SEPTEMBER, 2021.
  - SITE IS SERVICED BY MUNICIPAL WATER AND SEWER.
  - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF THE UTILITIES SHOWN. UTILITIES SHOWN HEREON ARE ONLY THOSE FOUND WITHIN THE AREA OF KNA FIELD SURVEY AND ARE SOLELY BASED UPON VISIBLE SURFACE EVIDENCE. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 811.
  - EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON MAP NUMBER 33011C0517D, EFFECTIVE DATE: SEPTEMBER 25, 2009 INDICATES THAT NO PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
  - A VARIANCE FROM ARTICLE VII, SECTION 334-27 OF THE HUDSON ZONING ORDINANCE IS REQUESTED TO ALLOW A LOT WITH LESS THAN THE REQUIRED ROAD FRONTAGE.

TOWN OF HUDSON  
NOV 01 2021  
Zoning Department

**DIG SAFE**  
811 CALL BEFORE YOU DIG

GRAPHIC SCALE  
1 inch = 60 ft

**ZONING BOARD OF ADJUSTMENT PLAN**  
**BARRETT'S HILL ROAD**  
MAP 159 LOT 27  
15 BARRETT'S HILL ROAD  
HUDSON, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

**OWNER & APPLICANT OF RECORD:**  
DENISSA F. GRACE, TRUSTEE  
THE DENISSA F. GRACE REVOCABLE TRUST OF 2009  
58 CENTURY LANE  
LITCHFIELD, NH 03052  
H.C.R.D. BK. 9530 PG. 2816

**OWNER OF RECORD:**  
MELANIE DEWITT  
14 SOUSA BOULEVARD  
HUDSON, NH 03051  
H.C.R.D. BK. 9520 PG. 1207

**KMA**  
KEACH-NORDSTROM ASSOCIATES, INC.  
Civil Engineering Land Surveying Landscape Architecture  
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2881

**LOT AREA TABLE**

LOT #	TOTAL LOT AREA (SF)	WETLAND AREA (SF)	STEEP SLOPES (SF)	FRONTAGE (FT)	B.L.A. (SF)
EXISTING LOT 27	97,109	0	7,910	223.04	89,199
PROPOSED LOT 27-1	592,794	1,638	34,621	112.26	556,535

**CERTIFICATION:**  
BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM HCRD PLAN #12076, DESCRIBED AS REFERENCE PLAN #1 ON THIS SHEET. TOPOGRAPHIC DATA SHOWN IS FROM LIDAR AND DIGITIZED CS AND AERIAL IMAGERY. THIS PLAN WAS PREPARED UNDER MY SUPERVISION.

*[Signature]*  
10/20/21  
LICENSED LAND SURVEYOR

**REVISIONS**

No.	DATE	DESCRIPTION	BY

DATE: OCTOBER 6, 2021  
PROJECT NO: 21-0421-2  
SCALE: 1" = 60'  
SHEET 1 OF 1

P 12706 B B519 P 2445



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

On **11/18/21**, the Zoning Board of Adjustment heard Case **159-027**, being a case brought by **Denissa F. Grace, Tr., 15 Barretts Hill Rd., Hudson, NH** for a Variance **to allow a lot (after subdivision) with 112.26 ft. of frontage where 200 ft. is required.** [Map 159, Lot 027-000; Split Zoned General-One (G-1) and General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_

Date

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

\_\_\_\_\_

TOWN OF HUDSON  
 NOV 01 2021  
 Zoning Department

APPLICATION FOR A VARIANCE

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

Case No. 159-027 (11-18-21)

Date Filed 11/1/21

Name of Applicant Denissa F. Grace, Trustee Map: 159 Lot: 27 Zoning District: G/G-1

Telephone Number (Home) 603-765-8470 (Work) \_\_\_\_\_

Mailing Address 58 Century Lane, Litchfield, NH 03052

Owner Denissa Grace, Trustee of The Denissa F. Grace Revocable Trust of 2009 & Melanie DeWitt

Location of Property 15 Barretts Hill Road, Hudson, NH 03051  
 (Street Address)

Denissa Grace  
 Signature of Applicant

10/27/21  
 Date

Melanie DeWitt  
 Signature of Property-Owner(s)

10/27/21  
 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 Variance.

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

Date received: 11/1/21

**COST:**

Application fee (processing, advertising & recording) (non-refundable): \$ 185.00

Abutter Notice:

6 Direct Abutters x Certified postage rate \$ 4.33 = \$ 25.98

2 Indirect Abutters x First Class postage rate \$ 0.58 = \$ 1.16

**Total amount due:** \$ 212.14

Amt. received: \$ 212.14

Receipt No.: 661,407

Received by: TSG

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

Engineering  Fire Dept.  Health Officer \_\_\_\_\_ Planner  Other \_\_\_\_\_

11/4/21

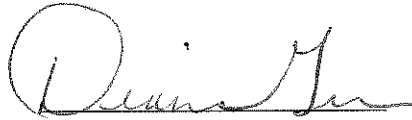
## Owner/Applicant Affidavit

---

I, Denissa F. Grace, authorized trustee of the Denissa F. Grace Revocable Trust of 2009 and co-owner of the property referenced on Tax Map 159 as Lot 27, located at 15 Barretts Hill Road, Hudson, New Hampshire, hereby verify that I have authorized Keach-Nordstrom Associates, Inc. to submit on my behalf, any and all applicable State and local permit applications as they pertain to improvements on said property.

Additionally, I authorize Keach-Nordstrom Associates, Inc. to aid in the representation of these applications throughout the approval process.

Signature of Owner:



Printed Name of Owner:

Denissa Grace

Address of Owner:

58 Century Lane

Litchfield, NH 03052

Date:

10/19/21

## Owner/Applicant Affidavit

---

I, Melanie DeWitt, co-owner of the property referenced on Tax Map 159 as Lot 27, located at 15 Barretts Hill Road, Hudson, New Hampshire, hereby verify that I have authorized Keach-Nordstrom Associates, Inc. & Denissa F. Grace, Trustee of the Denissa F. Grace Revocable Trust of 2009, to submit on my behalf, any and all applicable State and local permit applications as they pertain to improvements on said property.

Additionally, I authorize Keach-Nordstrom Associates, Inc. & Denissa F. Grace to aid in the representation of these applications throughout the approval process.

Signature of Owner: Melanie DeWitt

Printed Name of Owner: Melanie DeWitt

Address of Owner: 14 Sousa Boulevard  
Hudson, NH 03051

Date: 10/19/21

# TOWN OF HUDSON, NH

## Variance 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.

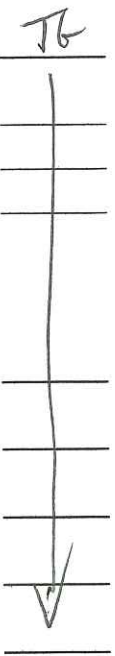
Applicant Initials		Staff Initials
<u>  R  </u>	Please review the application with the Zoning Administrator or staff.	<u>  TG  </u>
<u>  R  </u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with <b>10 (ten) single-sided</b> copies of the assembled application packet. (Paper clips, no staples)	<u>  TG  10/22/21  </u>
<u>  R  </u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>  TG  </u>
<u>  R  </u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>  N/A  </u>
<u>  R  </u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a> (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>  TG  </u>
<u>  R  </u>	<b>GIS LOCATION PLAN:</b> 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: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a>	<u>  TG  </u>
<u>  R  </u>	Provide a copy of all <b>single sided pages</b> of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>  TG  </u>
<u>  R  </u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>  TG  </u>
<u>  N/A  </u>	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.	<u>  N/A  </u>

**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).

- a) M The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) M The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) M The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) M The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property.  
(NOTE: A copy of the GIS map can be obtained by visiting the town website: <https://www.hudsonnh.gov/community-development/page/gis-public-use>)
- e) M The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.)
- f) M 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) M The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) M The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) M 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.**

*Quinn Allen*  
Signature of Applicant(s)

10/27/21  
Date

*Melanie DeBelt*  
Signature of Property Owner(s)

10/27/21  
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
		*Include Applicant & Owner(s)	
		See Attached	

**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
		<i>See Attached</i>	

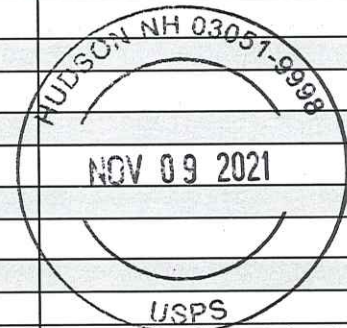


**Abutter's List**  
**15 Barretts Hill Road, Hudson, NH**  
**KNA #21-0421-2**  
 Prepared: 10-25-2021

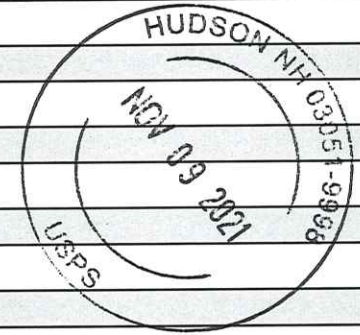
<b>Tax Map</b>	<b>Lot</b>	<b>Owner/Applicant</b>
159	27	Denissa F. Grace, Trustee Denissa F Grace, Rev. Trust of 2009 58 Century Lane Litchfield, NH 03052
159	27	Melanie Dewitt 14 Sousa Boulevard Hudson, NH 03051
<b>Tax Map</b>	<b>Lot</b>	<b>Direct Abutter</b>
150	17	17 Barretts Hill Road, LLC 19 Barretts Hill Road Hudson, NH 03051
150	16	Leigh-La Realty, LLC 19 Barretts Hill Road Hudson, NH 03051
160	48	Town of Hudson
169	3	12 School Street Hudson, NH 03051
159	28	Jacqueline B Beza, Trustee Angell G Beza Trust 275 Seven Island Road Pittsboro, NC 27312-8698
150	13	Brox Industries, Inc. 1471 Methuen Street Dracut, MA 01826
<b>Tax Map</b>	<b>Lot</b>	<b>Indirect Abutter</b>
151	10	David S & Judith Silva, Trustees David S & Judith Silva Trust 70 Barretts Hill Road Hudson, NH 03051

Professionals to be notified:  
Engineer/Surveyor  
 Keach-Nordstrom Associates Inc.  
 10 Commerce Park North, Suite 3B  
 Bedford, NH 03110

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 159-027 15 Barretts Hill Rd Map 159/Lot 027-000 VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting
1	7021 0350 0000 1884 0050	Denissa F. Grace, Trustee; Denissa F. Grace, Rev. Trust of 2009	APPLICANT/OWNER NOTICE MAILED
2	7021 0350 0000 1884 0067	58 Century Lane, Litchfield, NH 03052 Melanie Dewitt	APPLICANT/OWNER NOTICE MAILED
3	7021 0350 0000 1884 0074	14 Sousa Boulevard, Hudson, NH 03051 17 Barretts Hill Road, LLC	ABUTTER NOTICE MAILED
4	7021 0350 0000 1884 0081	19 Barretts Hill Road, Hudson, NH Leigh-La Realty, LLC	ABUTTER NOTICE MAILED
5	7021 0350 0000 1884 0098	19 Barretts Hill Road, Hudson, NH Jacqueline B Beza, Trustee; Angell G Beza Trust	ABUTTER NOTICE MAILED
6	7021 0350 0000 1884 0104	275 Seven Island Road, Pittsboro, NC 27312-8698 Brox Industries, Inc.	ABUTTER NOTICE MAILED
7		1471 Methuen Street, Dracut, MA 01826 Town of Hudson	Notified by Receipt of Variance Application
8		12 School Street, Hudson, NH 03051	
9			
10			
11			
12			
	Total Number of pieces listed by sender 6	Total number of pieces rec'vd at Post Office 6	Postmaster (receiving Employee) PEA



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 159-027 VARIANCE 15 Barretts Hill Rd Map 159/Lot 027-000 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting	
1	Mailed First Class	David S & Judith Silva, Trustees; David S & Judith Silva Trust	ABUTTER NOTICE MAILED
		70 Barretts Hill Road, Hudson, NH 03051	
2	Mailed First Class	Keach-Nordstrom Associates Inc.	APPLICANT NOTICE MAILED
		10 Commerce Park North, Suite 3B, Bedford, NH 03110	
3			
4			
5			
6			
7			
8			
9			
10			
11			
	<b>Total Number of pieces listed by sender 2</b>	<b>Total number of pieces rec'vd at Post Office</b>	<b>Postmaster (receiving Employee)</b>
		2	PSIA





# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

November 8, 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, **11/18/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

**Case 159-027 (11-18-21): Denissa F. Grace, Tr., 15 Barretts Hill Rd., Hudson, NH requests a Variance to allow a lot (after subdivision) with 112.26 ft. of frontage where 200 ft. is required. [Map 159, Lot 027-000; Split Zoned General-One (G-1) and General (G); 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 an authorized 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

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

November 8, 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: [www.hudsonnh.gov](http://www.hudsonnh.gov) or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bruce Buttrick

Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VII of HZO Section(s) 334-27 in order to permit the following:

To allow a lot with 112.26-ft of frontage where 200-ft is required.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FACTS SUPPORTING THIS REQUEST:**

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

- I.(a) "The Zoning Board of Adjustment shall have the power to: ....**
  - (2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:**
    - (A) The variance will not be contrary to the public interest;**
    - (B) The spirit of the ordinance is observed;**
    - (C) Substantial justice is done;**
    - (D) The values of surrounding properties are not diminished; and**
    - (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**
  - (b)(1) For purposes of this subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:**
    - (A) 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**
    - (B) The proposed use is a reasonable one.**
  - (2) If the criteria in subparagraph (1) 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.**
  - (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.**

**FACTS SUPPORTING THIS REQUEST:**

The power to grant variances from the local zoning ordinances is established in NH RSA 674:33 I (a). New Hampshire case law has established on the basis of this statute and/or its precedent versions, that all of the following requirements must be satisfied in order for a Zoning Board of Adjustment to grant a variance. You must demonstrate by your answers in the following blanks that you do or will meet each and every requirement. Do not presume or say that a requirement does not apply, or your request will be disqualified. Note that your answers here can be summary in nature, and you can provide additional testimony at the time of your hearing.

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

See Exhibit A

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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.”)

See Exhibit A

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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.)

See Exhibit A

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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.)

See Exhibit A

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**FACTS SUPPORTING THIS REQUEST: (Continued)**

5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because: (Answer either A(1 and 2) or B according to which applies to your situation)

A. Explain why you believe this to be true—keeping in mind that you must establish that:

1) Because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a “fair and reasonable” way and

See Exhibit A

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2) Explain how the special conditions of the property cause the proposed use to be reasonable.

See Exhibit A

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B. 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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## Exhibit A - Criteria for Granting a Variance

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

Granting the frontage variance will not be contrary to the public interest. More specifically, the requested variance will not unduly conflict with the basic purposes of the relevant zoning provisions as it will neither alter the essential character of the area nor threaten public health, safety, or welfare.

The existing neighborhood will remain largely unaffected by the subdivision of this property and subsequent construction of a new single-family home on the new, compliant parcel. Further, the existing driveway is situated on one end of the parcel since its construction in 1980 (per Town records) and has proven it can exist without incident. Therefore, providing one more compliant curb cut and reducing the frontage where a driveway already exists will not have an adverse impact to the area.

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

The spirit of this ordinance is to prevent overcrowding of buildings and any risk to public safety and welfare. Allowing this variance does not put any of those categories in jeopardy since the driveway has existed safely for over 40 years. Further, the new driveway will have access on compliant frontage and therefore observes the spirit of the ordinance.

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

The New Hampshire Supreme Court has said that substantial justice is done if the general public realizes no appreciable gain from denying the variance. In this case, the general public realizes no appreciable gain if the variance is denied since the driveway has existed for several decades, without an adverse impact on the general public. Therefore, if the variance is denied the general public realizes no appreciable gain.

4. **The values of surrounding properties will not be diminished, because:**

Granting of the requested dimensional variance and allowing the subsequent subdivision will not negatively affect surrounding property values. New homes and new construction tend to improve surrounding home values.

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

RSA 674:33, I(b)(5)(A) provides that “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (A) Because of the special conditions of the property, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a 'fair and reasonable' way; and
- (B) Explain how the special conditions of the property cause the proposed use to be reasonable.

There is no fair and substantial relationship between the general public purposes of the frontage requirement and its application to the subject property. The new residential lot will be completely compliant with current zoning regulations. The existing lot is relatively large compared to the minimum lot size and, when reduced, will still be more than six times larger than the minimum lot size required. Although the frontage will also be reduced, this reduction will not alter the form or function of the existing driveway which services the existing single-family home.

The proposed use is a reasonable use given that this property has been utilized as a residential property since the original house construction and it is allowed by right, according to the current zoning ordinance. Further, the existing driveway location is situated in a manner that does not require the total requisite 200-ft of frontage to be safe and reasonable.



# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #21-163

October 12, 2021

Mike Grace  
58 Century Lane  
Litchfield, NH 03052

RE: 15 Barretts Hill Rd Map 159 Lot 027-000  
Districts: General (G) and General One (G1)

Dear Mr. Grace,

Your request for a two lot subdivision of referenced lot above, has been reviewed.

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

Based on submitted plan dated Oct 6, 2021.

The parent lot (027) has a resultant 13.61 Acres and 112.26 ft of frontage, requires 200 ft frontage and **would need a variance** from §334-27 Table of Minimum Dimensional Requirements.

The new lot has 2.23 Acres and 223 ft of frontage, and satisfies the resultant required buildable area on the proposed lot per § 334-27.2 Lot requirements for subdivision of land and conforms with §334-27 Table of Minimum Dimensional Requirements.

Sincerely,

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

cc: Public Folder  
B. Groth – Town Planner  
file

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



TOWN OF HUDSON  
 Zoning Department  
 OCT 07 2021

LAND USE DEPARTMENT

12 School Street  
 Hudson, NH 03051  
 (603) 886-6008  
[www.hudsonnh.gov](http://www.hudsonnh.gov)

#21-163



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 10/07/2021

Property Location 15 Barretts Hill Road

Map 159 Lot 027 Sublot 000

Zoning District if known General and General 1

Type of Request

- Zoning District Determination
- Use Determination
- Set-Back Requirements
- Process for Subdivision/ Site Plan if required
- Other

Description of request / determination: (Please attach all relevant documentation)

Please confirm a frontage variance, and any other relief, is required to subdivide the property into two lots as shown on the plan.

Applicant Contact Information:

Name: Mike Grace  
 Address: 58 Century Lane, Litchfield, NH 03052  
 Phone Number: 603-765-8470  
 Email: mgrace1385@comcast.net

*unofficial*

For Office use

ATTACHMENTS: TAX CARD  GIS

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

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

159 027 000  
MAP LOT SUB

1 of 1 RESIDENTIAL  
CARD

Hudson

APPRAISED: 374,900/  
USE VALUE: 374,900/  
ASSESSED: 374,900/  
Total Card / Total Parcel 374,900 / 374,900

PROPERTY LOCATION

No	Alt No	Direction/Street/City
15		BARRETTS HILL RD, HUDSON

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	15.838	193,000	40,200	141,700	374,900
<b>Total Card</b>	15.838	193,000	40,200	141,700	374,900
<b>Total Parcel</b>	15.838	193,000	40,200	141,700	374,900
Source: Market Adj Cost		Total Value per SQ unit /Card:		178.35	/Parcel: 178.35

Legal Description	User Acct
Entered Lot Size	1336
Total Land: 15.838	GIS Ref
Land Unit Type: AC	GIS Ref
	Insp Date
	06/11/09

OWNERSHIP

Owner 1: GRACE, DENISSA F., TR.
Owner 2: GRACE REVOCABLE TRUST 2009
Owner 3:
Street 1: 58 CENTURY LANE
Street 2:
Twn/City: LITCHFIELD
St/Prov: NH Cntry
Postal: 03052

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	101	FV	193,000	40,200	15.838	141,700	374,900		Year End Roll	9/27/2021
2021	101	JB	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	5/12/2021
2020	101	FV	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	8/27/2020
2020	101	JB	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	5/6/2020
2019	101	FV	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	9/16/2019
2019	101	JB	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	5/8/2019
2018	101	FV	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	8/27/2018
2018	101	JB	233,500	49,700	15.838	141,700	424,900	424,900	Year End Roll	5/9/2018

PREVIOUS OWNER

Owner 1: GRACE, DENISSA F. -
Owner 2: -
Street 1: 58 CENTURY LANE
Twn/City: LITCHFIELD
St/Prov: NH Cntry
Postal: 03052

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
GRACE, DENISSA	9530-2816	2	8/27/2021	NON-MARKET		No	No		
GRACE, MICHAEL	9520-1210	2	8/27/2021	FAMILY TRANS		No	No		
GRACE, JOHN D.	9520-1207	3	8/21/2021	ESTATE SALE		No	No		
GRACE, JOHN D.	8519-2445	1	2/3/2012	NON-MARKET		No	No		
	2449-0322		4/17/1976			No	No		

NARRATIVE DESCRIPTION

This parcel contains 15.838 ACRES of land mainly classified as ONE FAMILY with a CONTEMPORARY Building built about 1980, having primarily WOOD Exterior and 2102 Square Feet, with 1 Unit, 2 Baths, 0 3/4 Bath, 1 HalfBath, 6 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	G1	GENERAL		water	9	PRIV WATER
o				Sewer	0	SEPTIC
n				Electri		Exmpt
Census:						
Flood Haz: C						
D				Topo	4	ROLLING
s				Street		
t				Gas:		

BUILDING PERMITS

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

ACTIVITY INFORMATION

Date	Result	By	Name
6/15/2021	Measured	19	KRT2
6/11/2009	Meas/Inspect	10	APPRAISER II
7/15/2005	New Maps	1	CHIEF ASSESS
5/8/2001	Meas. Denied	0	PATRIOT
12/5/1990	Inspected	2	AVITAR

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		1		SITE ACRE	SITE		0.110,000.	1.00	RE				EASEME	0		Y151	0	110,000				110,000	
101	ONE FAMILY		14.838		ACRES	EXCESS		0.4750.	0.45	RE				EASEME	-50		Y151	0	31,716				31,700	TOPO/PWR LN

Total AC/HA: 15.83800 Total SF/SM: 689903 Parcel LUC: 101 ONE FAMILY Prime NB Desc RES-AVG Total: 141,716 Spl Credit Total: 141,700

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro - HudsonNH mrotast 2022



Patriot Properties Inc.

USER DEFINED

Prior Id # 1: 0030
Prior Id # 2: 0012
Prior Id # 3: 0001
Prior Id # 1:
Prior Id # 2: CH
Prior Id # 3:
Prior Id # 1:
Prior Id # 2:
Prior Id # 3:
ASR Map:
Fact Dist:
Reval Dist:
Year:
Land Reason:
Bld Reason:
Civil District:
Ratio:

PRINT  
Date Time  
10/12/21 08:05:55  
LAST REV  
Date Time  
09/30/21 15:04:53  
amym

PAT ACCT. 4203

14203!  
14203!

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

**EXTERIOR INFORMATION**

Type:	09 - CONTEMPORARY
Sty Ht:	2 - TWO STY
(Liv) Units:	1 Total: 1
Foundation:	1 - CONCRETE
Frame:	1 - WOOD
Prime Wall:	26 - WOOD
Sec Wall:	18 - CORR STE 10%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	NATURAL
View / Desir:	

**GENERAL INFORMATION**

Grade:	B - GOOD
Year Blt:	1980
Alt LUC:	
Jurisdct:	
Const Mod:	
Lump Sum Adj:	

**INTERIOR INFORMATION**

Avg HVFL:	STD
Prim Int Wall:	1 - DRYWALL
Sec Int Wall:	4 - SOLID WOO 50%
Partition:	1 - TYPICAL
Prim Floors:	06 - CERAMIC TILE
Sec Floors:	02 - SOFTWOO 50%
Bsmnt Fir:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S -
Heat Fuel:	1 - OIL
Heat Type:	1 - FORCED AIR
# Heat Sys:	1
% Heated:	100 % AC: 100
Solar HW:	NO Central Vac: NO
% Corn Wal:	% Sprinkled

**BATH FEATURES**

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

**OTHER FEATURES**

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

**CONDO INFORMATION**

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

**DEPRECIATION**

Phys Cond:	FR - Fair	39%
Functional:	D - DESIGN	5.0%
Economic:		%
Special:		%
Override:		%
<b>Total:</b>		<b>42.05%</b>

**CALC SUMMARY**

Basic \$ / SQ:	105.00
Size Adj.:	0.92816365
Const Adj.:	0.98977518
Adj \$ / SQ:	96.461
Other Features:	14226
Grade Factor:	1.25
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	333131
Depreciation:	140081
Depreciated Total:	193049

**COMMENTS**

NAT, WELL & SEPTIC, PRIVATE PAVED  
DRIVWY FLDSTN FPL, BEAMED  
CEILING-CUSTOM WD, EXC KIT & BATH, CC IN  
LIV RM & ATTCH GAR QUALITY CONSTR,  
POWER LINE EASEMENT. BEWARE OF DOG  
SIGNS. 6/21 EXT FAIR ROOF NEEDS REPAIR+S

**RESIDENTIAL GRID**

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

**REMODELING**

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

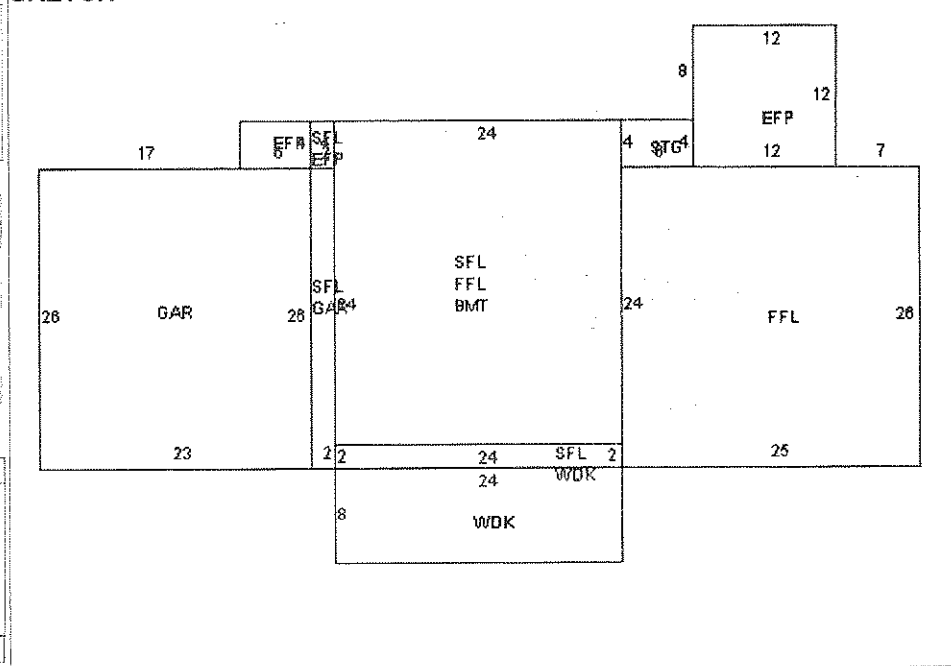
**RES BREAKDOWN**

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

**COMPARABLE SALES**

Rate	Parcel ID	Typ	Date	Sale Price

**SKETCH**



**SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	1,322	96.460	127,521	
SFL	SECOND FLR	780	96.460	75,239	
BMT	BASEMENT	672	19.290	12,964	
GAR	GARAGE	650	33.050	21,484	
WDK	WOOD DECK	240	15.280	3,667	
EFP	ENC PORCH	176	60.850	10,709	
STG	STORAGE	24	28.940	695	
Net Sketched Area:		3,864	Total:	252,279	
Size Ad:	2102	Gross Area:	3864	FinArea:	2102

**SUB AREA DETAIL**

Sub Area	% Usbl	Descrip	% Type	Qu	# Ten

**MOBILE HOME**

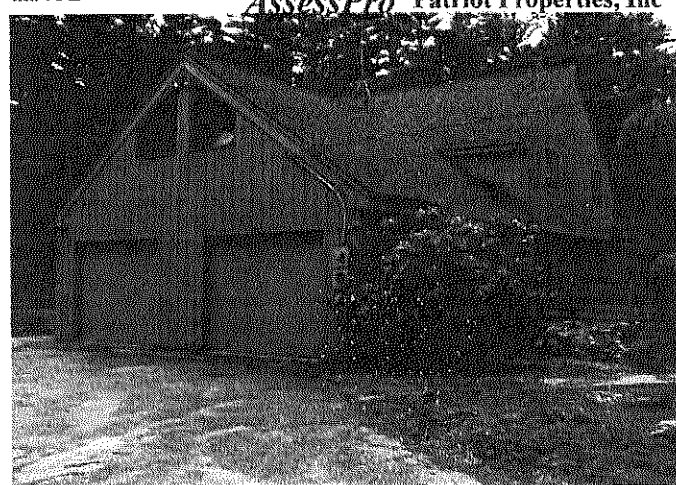
Make:		Model:		Serial #:		Year:		Color:	
-------	--	--------	--	-----------	--	-------	--	--------	--

**SPEC FEATURES/YARD ITEMS**

Code	Description	A Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
4	GAR/LOFT	D	Y	1 36X40	GD	AV	1980	44.36	T	37	101			40,200			40,200

**PARCEL ID** 159-027-000

**IMAGE**





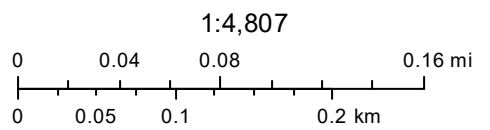
# 15 Barretts Hill Rd (Map/Lot 159-027-000)



November 4, 2021

Legend

-  Parcels - Aerials
-  Parcels




# 15 Barretts Hill Rd (Map/Lot 159-027-000)



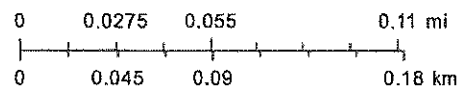
October 13, 2021

Legend

Parcels - Aerials

 Parcels

1:3,503





**REFERENCE PLANS:**

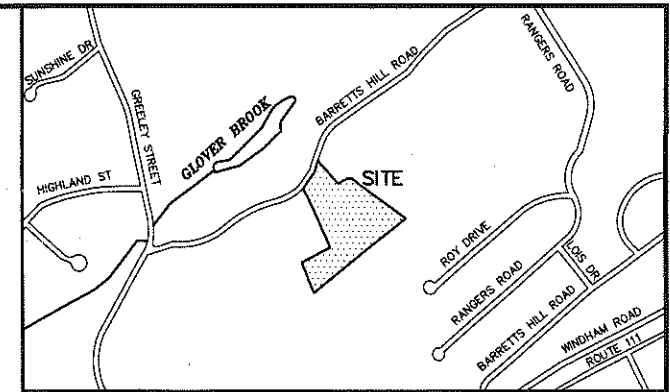
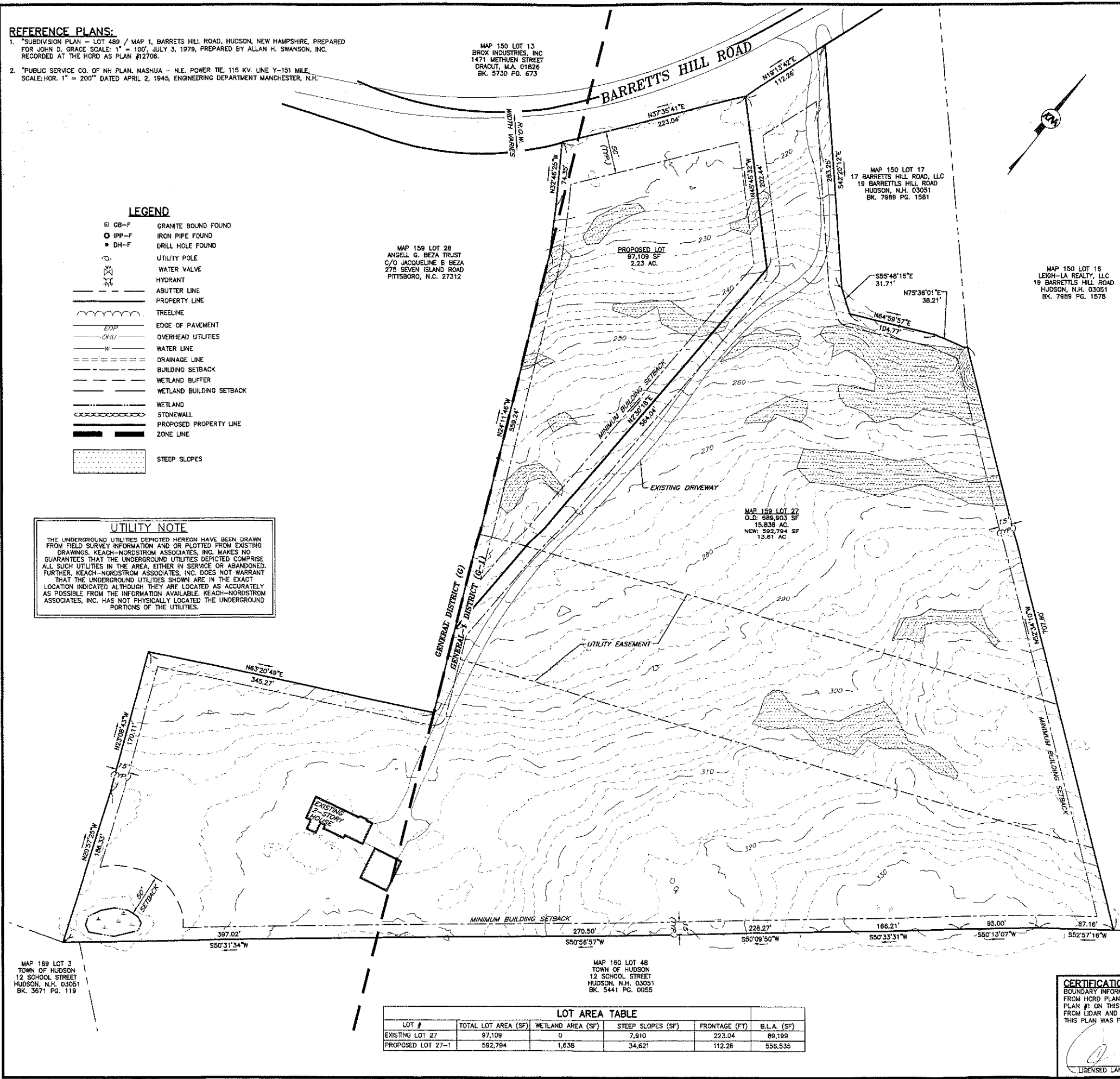
- "SUBDIVISION PLAN - LOT 489 / MAP 1, BARRETT'S HILL ROAD, HUDSON, NEW HAMPSHIRE, PREPARED FOR JOHN D. GRACE SCALE: 1" = 100', JULY 3, 1979, PREPARED BY ALLAN H. SWANSON, INC. RECORDED AT THE HORD AS PLAN #12706.
- "PUBLIC SERVICE CO. OF NH PLAN, NASHUA - N.E. POWER TIE, 115 KV. LINE Y-151 MILE. SCALE: HOR. 1" = 200' DATED APRIL 2, 1945, ENGINEERING DEPARTMENT MANCHESTER, N.H.

**LEGEND**

- GB-F GRANITE BOUND FOUND
- IPP-F IRON PIPE FOUND
- DH-F DRILL HOLE FOUND
- ⊕ UTILITY POLE
- ⊕ WATER VALVE
- ⊕ HYDRANT
- ABUTTER LINE
- PROPERTY LINE
- TREELINE
- EOP EDGE OF PAVEMENT
- OHL OVERHEAD UTILITIES
- W WATER LINE
- DRAINAGE LINE
- BUILDING SETBACK
- WETLAND BUFFER
- WETLAND BUILDING SETBACK
- WETLAND
- STONEWALL
- PROPOSED PROPERTY LINE
- ZONE LINE
- STEEP SLOPES

**UTILITY NOTE**

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



**VICINITY MAP**  
SCALE: 1" = 1,000'

**NOTES:**

- THE PURPOSE OF THIS PLAN IS TO DEPICT A PROPOSED SUBDIVISION OF MAP 159 LOTS 27 FOR THE ZONING BOARD OF ADJUSTMENT AND NO OTHER PURPOSE.
- EXISTING LOT AREA: MAP 159 LOT 27 = 689,903 S.F., OR 15,838 ACRES
- OWNERS OF RECORD:  
MELANIE DEWITT  
14 SOUSA BOULEVARD  
HUDSON, NH 03051  
THE DENISSA F. GRACE REV. TRUST OF 2009  
DENISSA F. GRACE, TRUSTEE  
58 CENTURY LANE  
LITCHFIELD, NH 03052
- THE SUBJECT PARCEL IS LOCATED WITHIN THE GENERAL 1 AND GENERAL ZONING DISTRICTS (G-1 & G). DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS FOR LOTS SERVICED WITH MUNICIPAL SEWER AND WATER:
 

	G-1	G
- MINIMUM LOT AREA	87,120 SF	43,560 SF
- MINIMUM LOT FRONTAGE	200 FT	150 FT
- MINIMUM BUILDING SETBACKS:		
- FRONT	50	50
- SIDE	15	15
- REAR	15	15
- WETLAND MAPPING WAS PERFORMED BY CHRIS DANFORTH OF KEACH-NORDSTROM ASSOCIATES IN SEPTEMBER, 2021.
- SITE IS SERVICED BY MUNICIPAL WATER AND SEWER.
- THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF THE UTILITIES SHOWN. UTILITIES SHOWN HEREON ARE ONLY THOSE FOUND WITHIN THE AREA OF KNA FIELD SURVEY AND ARE SOLELY BASED UPON VISIBLE SURFACE EVIDENCE. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG-SAFE AT 811.
- EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON MAP NUMBER 33011C0517D, EFFECTIVE DATE: SEPTEMBER 25, 2009 INDICATES THAT NO PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
- A VARIANCE FROM ARTICLE VI, SECTION 334-27 OF THE HUDSON ZONING ORDINANCE IS REQUESTED TO ALLOW A LOT WITH LESS THAN THE REQUIRED ROAD FRONTAGE.

TOWN OF HUDSON  
NOV 01 2021  
Zoning Department

DIG SAFE  
UTILITIES INFORMATION 811 CALL OR VISIT  
GRAPHIC SCALE  
( IN FEET )  
1 inch = 60 ft.

**ZONING BOARD OF ADJUSTMENT PLAN**  
**BARRETT'S HILL ROAD**  
MAP 159 LOT 27  
15 BARRETT'S HILL ROAD  
HUDSON, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

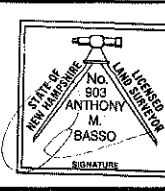
**OWNER & APPLICANT OF RECORD:**  
DENISSA F. GRACE, TRUSTEE  
THE DENISSA F. GRACE REVOCABLE TRUST OF 2009  
58 CENTURY LANE  
LITCHFIELD, NH 03052  
H.C.R.D. BK. 9530 PG. 2816

**OWNER OF RECORD:**  
MELANIE DEWITT  
14 SOUSA BOULEVARD  
HUDSON, NH 03051  
H.C.R.D. BK. 9520 PG. 1207

**KMA** KEACH-NORDSTROM ASSOCIATES, INC.  
Civil Engineering Land Surveying Landscape Architecture  
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 827-2881

**CERTIFICATION:**  
BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM HORD PLAN #12076, DESCRIBED AS REFERENCE PLAN #1 ON THIS SHEET. TOPOGRAPHIC DATA SHOWN IS FROM LIDAR AND DIGITIZED GIS AND AERIAL IMAGERY. THIS PLAN WAS PREPARED UNDER MY SUPERVISION.

*[Signature]*  
LICENSED LAND SURVEYOR  
DATE: 10/06/21



REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: OCTOBER 6, 2021  
PROJECT NO: 21-0421-2  
SCALE: 1" = 60'  
SHEET 1 OF 1

**LOT AREA TABLE**

LOT #	TOTAL LOT AREA (SF)	WETLAND AREA (SF)	STEEP SLOPES (SF)	FRONTAGE (FT)	B.L.A. (SF)
EXISTING LOT 27	97,109	0	7,910	223.04	89,199
PROPOSED LOT 27-1	592,794	1,638	34,621	112.26	556,535

K:\Projects\2021\2021-0421-2\_Zoning Board of Adjustment\2021-0421-2\_Zoning Board of Adjustment.dwg, 11/01/2021 10:43:05 AM, cadburton, KIP-6601023, APP E: 2/24/21, 1:11:00 PM

Printed  
 11/01/2021  
 4:21PM  
 Created  
 11/01/2021  
 4:11 PM

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

Receipt# 661,407  
 tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-11/18/21 ZBA Meeting 15 Barretts Hill Rd Map/Lot 159-027-000 Variance Application	0.00	212.1400	0.00
			Total:	212.14

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Keach Nordstrom Assoc	CHECK	CHECK #32470	212.14	0.00	212.14
			Total Due:		212.14
			Total Tendered:		212.14
			Total Change:		0.00
			Net Paid:		212.14

KEACH-NORDSTROM ASSOCIATES, INC.

Town of Hudson

ZBA Application- Town of Hudson

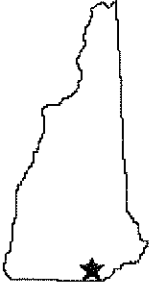
10/29/2021

32470

212.14

Citizens Checking - P ZBA Application- Town of Hudson

212.14



# 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: November 18, 2021

BA 11-9-21

**Case 253-017 (11-18-21):** Phillip C. Nichols, Tr., 23 Schaefer Circle, Hudson, NH requests a Variance to convert a 640 sqft office area above a detached garage into a single bedroom in-law apartment (ADU) where an ADU is not allowed as a freestanding detached structure or as part of any structure which is detached from the principal dwelling. [Map 253, Lot 017-000; Zoned Residential-One (R-1); HZO Article XIII A, Accessory Dwelling Units; §334-73.3.B, Provisions.]

**Address:** 23 Schaefer Cir

**Zoning districts:** Residential One (R-1)

#### **Summary:**

Applicant requests a Variance to allow an ADU in a detached garage.

Requests a Variance from §334-73.3.B. Accessory Dwelling Units, Provisions (ADU in detached structure prohibited).

#### **Property description:**

Existing lot is a conforming lot of record:

Area of 1.156 Acres, 1.00 Acre required.

Frontage of 222.89 ft, 120 ft required.

#### **LAND USE HISTORY:**

B.P. #2020-01271 for the detached garage.

12-12-2020 Septic plan

#### **ASSESSING HISTORY:**

Single Family

#### **Town in-house review comments:**

**Town Engr:** yes comments received

**Town Planner:** non received

**Fire Dept:** yes comments received

**Attachments:**

**A:** Assessing history

**B:** Building Permit # 2020-01271

**C:** Septic plan dated 12-12-2020

**D:** Town Engr comments

**E:** Fire Dept comments

**Previous Assessments**

<b>Year</b>	<b>Code</b>	<b>Building</b>	<b>Yard Items</b>	<b>Land Value</b>	<b>Acres</b>	<b>Special Land</b>	<b>Total</b>
2021	101 - ONE FAMILY	242,400	12,300	121,000	1.16	0.00	375,700
2021	101 - ONE FAMILY	231,200	12,300	121,000	1.16	0.00	364,500
2020	101 - ONE FAMILY	194,200	12,300	121,100	1.16	0.00	327,600
2020	101 - ONE FAMILY	194,200	12,300	121,100	1.16	0.00	327,600
2019	101 - ONE FAMILY	194,200	12,300	121,100	1.16	0.00	327,600
2019	101 - ONE FAMILY	194,200	12,300	121,100	1.16	0.00	327,600
2018	101 - ONE FAMILY	194,200	12,300	121,100	1.16	0.00	327,600
2018	101 - ONE FAMILY	196,300	12,300	121,100	1.16	0.00	329,700
2017	101 - ONE FAMILY	196,300	12,300	121,100	1.16	0.00	329,700
2017	101 - ONE FAMILY	170,200	9,300	116,300	1.16	0.00	295,800
2017	101 - ONE FAMILY	196,300	12,300	121,100	1.16	0.00	329,700
2016	101 - ONE FAMILY	170,200	9,300	116,300	1.16	0.00	295,800
2016	101 - ONE FAMILY	170,200	9,300	116,300	1.16	0.00	295,800
2015	101 - ONE FAMILY	170,200	9,300	116,300	1.16	0.00	295,800
2015	101 - ONE FAMILY	170,200	9,300	116,300	1.16	0.00	295,800
2014	101 - ONE FAMILY	170,200	6,800	116,300	1.16	0.00	293,300
2014	101 - ONE FAMILY	170,200	6,800	116,300	1.16	0.00	293,300
2013	101 - ONE FAMILY	170,200	6,800	116,300	1.16	0.00	293,300
2013	101 - ONE FAMILY	170,200	6,800	116,300	1.16	0.00	293,300
2012	101 - ONE FAMILY	170,200	6,800	116,300	1.16	0.00	293,300
2012	101 - ONE FAMILY	187,100	8,100	148,300	1.16	0.00	343,500
2011	101 - ONE FAMILY	187,100	8,100	148,300	1.16	0.00	343,500
2011	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2010	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2010	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2009	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2008	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2008	101 - ONE FAMILY	171,400	8,100	148,300	1.16	0.00	327,800
2007	101 - ONE FAMILY	171,400	0	148,300	1.16	0.00	319,700
2007	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2006	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2006	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2005	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2005	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2004	101 - ONE FAMILY	202,300	0	116,000	1.16	0.00	318,300
2004	101 - ONE FAMILY	165,600	0	90,900	1.16	0.00	256,500
2003	101 - ONE FAMILY	165,600	0	90,900	1.16	0.00	256,500
2003	101 - ONE FAMILY	165,600	0	90,900	1.16	0.00	256,500
2002	101 - ONE FAMILY	165,600	0	90,900	1.16	0.00	256,500
2002	101 - ONE FAMILY	165,600	0	90,900	1.16	0.00	256,500
2001	101 - ONE FAMILY	95,300	0	55,800		0.00	151,100
2000	101 - ONE FAMILY	93,800	1,500	55,800	1.16	0.00	151,100

A



Town of Hudson, NH
Building Permit

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

Permit Number
2020-01271
Date of Issue
2/03/2021
Expiration Date
8/02/2021

Owner: NICHOLS, PHILLIP C., TR. NICHOLS, KATHLEEN M., TR.

Applicant:

Location of Work: 23 SCHAEFFER CIR
(No. and Street) (Unit or Building)

Description of Work: Detached garage for RV - 34 wide by 44 deep.

ZONING DATA: District: R-1 Map\Lot: 253-017-000

CONTRACTOR: Dick's Carpentry 603-345-1110

REMARKS:

A FINAL INSPECTION IS REQUIRED BY THE INSPECTIONAL SERVICES DEPARTMENT PRIOR TO OCCUPANCY

Building Permit Issuance Conditions are as follows:

- THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY.
THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION AND OR SITE PLAN APPROVAL REQUIREMENTS.
APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE.
NO BUILDING SHALL BE OCCUPIED OR USED UNTIL A FINAL INSPECTION IS PERFORMED.
WHEN APPLICABLE, SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, AND MECHANICAL INSTALLATIONS.
WORK MUST BE STARTED WITHIN 6 MONTHS FROM THE DATE OF PERMIT ISSUANCE AND PERMIT WILL EXPIRE IF WORK IS ABANDONED OR SUSPENDED.
ALL CONSTRUCTION MUST CONFORM TO ALL APPLICABLE STATE OF NEW HAMPSHIRE AND HUDSON TOWN CODES.

INSPECTION APPROVALS

Building / / Date
Plumbing / / Date
Electrical / / Date
Fire Sprinklers (rough) (final)
Other / / Date

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

Constr Cost: \$140,000 Permit Fee: \$572.80 Check No.: Cash: \$0.00

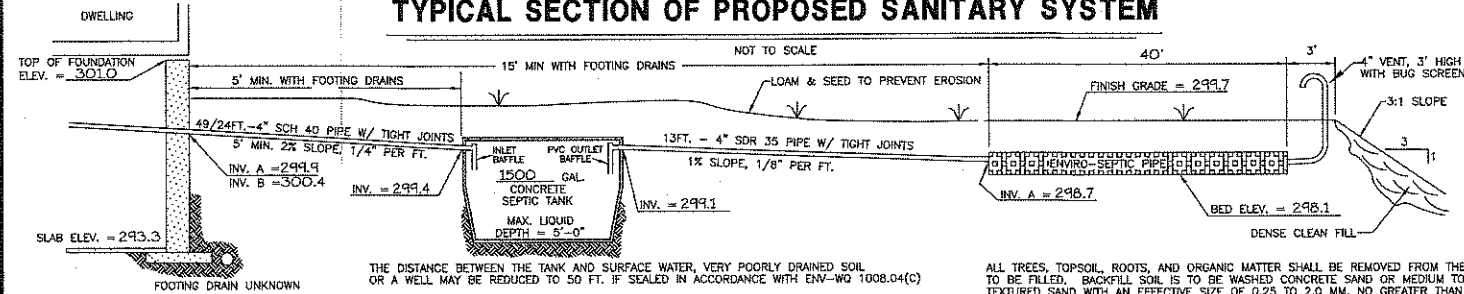
The Permit Card Shall be Posted and Visible From the Street During Construction

THIS BUILDING PERMIT AUTHORIZES ALL CODE OFFICIALS, BUILDING INSPECTOR AND ASSESSOR OR THEIR AGENTS TO CONDUCT INSPECTIONS FROM TIME TO TIME DURING AND UPON COMPLETION OF THE WORK FOR WHICH THIS PERMIT IS ISSUED.

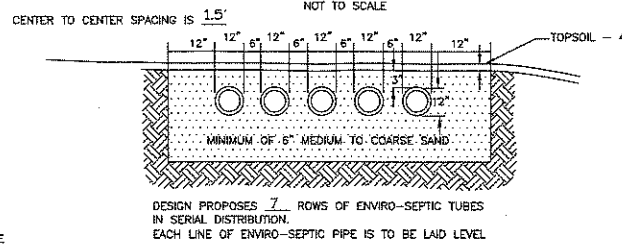
Code Official Permit Holder Date 2/03/2021

B

**TYPICAL SECTION OF PROPOSED SANITARY SYSTEM**



**TYPICAL CROSS SECTION**



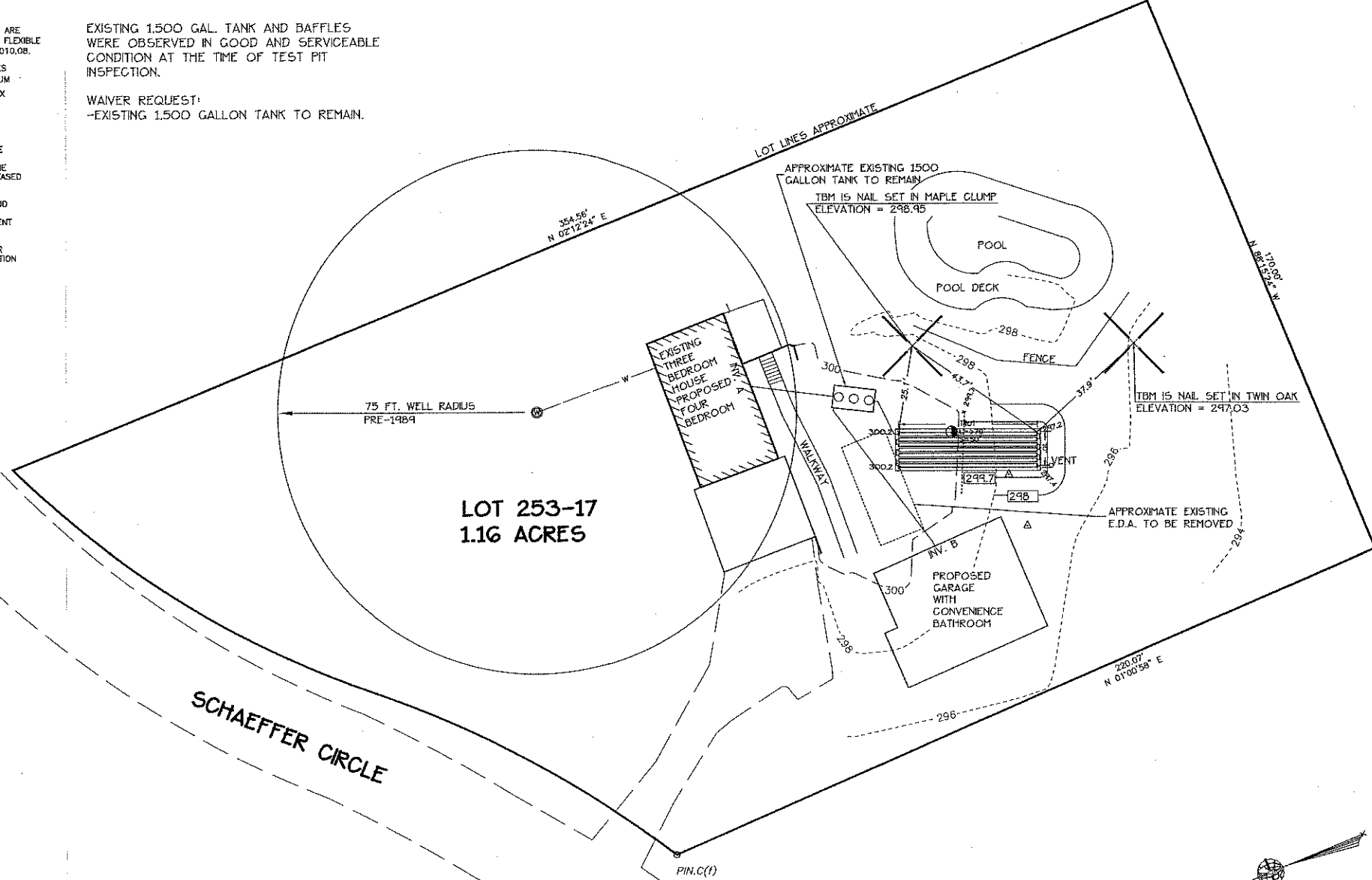
**TEST PIT DATA**

TP 1	11/18/20	NOT TO SCALE
10TR 3/3 DARK BROWN LOAM	2'	
2.5Y 6/3 LIGHT YELLOWISH BROWN SAND SINGLE GRAIN LOOS	38'	
10TR 5/6 YELLOWISH BROWN VERY FINE SAND SINGLE GRAIN LOOS	50'	
2.5T 5/3 LIGHT OLIVE BROWN LOAM GRANULAR FRIABLE	70'	
ROOTS	52'	
LEDGE	>70'	
WATER	NONE	
S.H.W.T.	50'	PERC. TEST _____ MIN./IN. AT _____"
HARDPAN	NONE	DATE 11/18/20

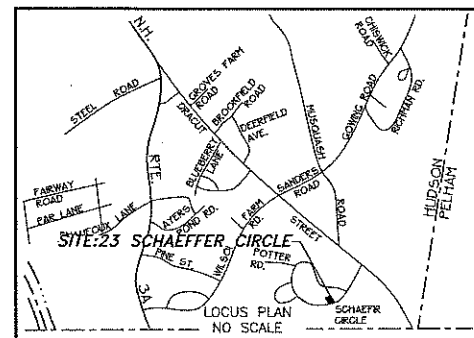
- NOTES:
1. INLET AND OUTLET TO SEPTIC TANK ARE TO BE SEALED WITH A WATER-TIGHT, FLEXIBLE JOINT CONNECTOR PER. ENV-WQ 1010.08.
  2. ALL INVERT ELEVATIONS AND GRADES ARE FROM T.B.M. - ASSUMED DATUM
  3. SEPTIC TANK AND DISTRIBUTION BOX ARE TO BE SUPPLIED BY LAMARRE CONCRETE CORP., GREENVILLE NH OR EQUAL.
  4. SEPTIC TANK SIZE DOES NOT ANTICIPATE THE USE OF A GARBAGE GRINDER IN THE SYSTEM. IF A GARBAGE GRINDER IS INSTALLED THE SEPTIC TANK SIZE SHALL BE INCREASED BY 50%.
  5. SEPTIC TANK IS TO BE PUMPED AND CLEANED A MINIMUM OF EVERY THREE YEARS OR AT MORE FREQUENT INTERVALS IF NEEDED.
  6. THIS SYSTEM IS NOT DESIGNED FOR DISCHARGES FROM WATER PURIFICATION SYSTEMS OR FLOOR DRAINS.
  7. THERE ARE NO KNOWN BURIAL OR CEMETERY SITES ON OR WITHIN 100' OF THE SUBJECT PROPERTY.

EXISTING 1500 GAL. TANK AND BAFFLES WERE OBSERVED IN GOOD AND SERVICEABLE CONDITION AT THE TIME OF TEST PIT INSPECTION.

WAIVER REQUEST:  
-EXISTING 1500 GALLON TANK TO REMAIN.



SOIL DATA: CmC, CANTON FINE SANDY LOAM, 8-15% SLOPES, VERY STONY  
 DESIGN DATA: 4 BEDROOMS AT 10 MIN. IN. REQUIRES 280 LIN FT.  
 PROPOSED ARE 7 ROWS OF 40 LIN. FT. EACH OR 280 LIN FT. TOTAL  
 DESIGN INTENT: DUE TO SHWT AT 50" THE BOTTOM OF THE EFFLUENT DISPOSAL SYSTEM (EDS) SHALL BE CONSTRUCTED AT 298.1 ELEVATION. THIS IS APPROXIMATELY 2.1' ABOVE-BELOW ORIGINAL GROUND ON THE HIGH CONTOUR OF THE EFFLUENT DISPOSAL SYSTEM (EDS).  
 LEACHFIELD IS TO BE REBUILT IN PLACE IF REPLACEMENT BECOMES NECESSARY.  
 SUBDIVISION APPROVAL NO. 12312  
 PREVIOUS CONST. APPROVAL NO. UNKNOWN



**LOT 253-17  
HUDSON, NEW HAMPSHIRE**

SCALE: 1"=20' DECEMBER 12, 2020  
 OWNER: PHILIP NICHOLS C/O VEARY SEPTIC + SITE  
 347 WALLACE ROAD, GOFFSTOWN, NH 03045

- TEST PIT
- PERC TEST
- SEPTIC TANK
- DISTRIBUTION BOX
- WELL
- UTILITY POLE
- EXISTING ELEVATION
- PROPOSED GRADE
- APPROXIMATE PROPERTY LINE
- BUILDING SETBACKS
- WATER LINE
- DRAINAGE LINE
- EDGE OF PAVEMENT
- EDGE OF WETLAND
- BROOK OR RUNOFF
- FENCE LINE
- STONE WALL
- PERFORATED PIPE
- SOLID PIPE
- EXISTING CONTOUR
- 122 CONTOUR

NOTE:  
BOUNDARY INFORMATION IS APPROXIMATE. THIS IS NOT THE RESULT OF A PRECISE SURVEY BY THIS OFFICE. BOUNDARY LINES TO BE VERIFIED BY A LICENSED LAND SURVEYOR PRIOR TO CONSTRUCTION.

NOTE:  
CONTRACTOR IS TO VERIFY BUILDING SETBACKS WITH THE TOWN PRIOR TO COMMENCING CONSTRUCTION. THE HOUSE AS SHOWN MAY OR MAY NOT CONFORM TO THE BUILDING SETBACK DIMENSIONAL REQUIREMENTS OF THE TOWN ZONING ORDINANCE.

A WETLANDS INVESTIGATION WAS PERFORMED IN ACCORDANCE WITH ENV-WQ 1014.06 BY JASON C. BOLDUC NO WETLANDS WERE FOUND.

50% OR MORE OF THE LEACHFIELD IS BEYOND ELEV. 299.7 AND WILL MAINTAIN 2.5 FT. OR GREATER TO THE SEASONAL HIGH WATER TABLE.

THERE ARE NO WETLANDS WITHIN 75 FT. OF THE LEACHFIELD.

ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEMS ARE APPROVED BY NHDES AS ITA IN ACCORDANCE WITH PART ENV-Wq 1024. THE SYSTEM IS DESIGNED IN ACCORDANCE WITH THE ENVIRO-SEPTIC AND SIMPLE SEPTIC LEACHING SYSTEM DESIGN AND INSTALLATION MANUAL AND THE ENVIRO-SEPTIC WASTEWATER TREATMENT SYSTEM DESIGN AND INSTALLATION MANUAL NEW HAMPSHIRE STATE ATTACHMENT.

REVIEWED AND APPROVED IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES WATER DIVISION

Date: 12/29/2020  
#CA2020122911

REV. DATE	DESCRIPTION	INIT.

DESIGNER'S STAMP: JASON C. BOLDUC, No. 1895

LAND SERVICES, INC. ENGINEERING | SURVEYING | PERMITTING SOIL & WETLAND MAPPING | SEPTIC DESIGN

31 OLD HARRIS ROAD, AMHERST, NH 03051 TEL: 603-672-1441 FAX: 603-672-1594

FILE: 11434\_253-17.dwg PARCEL: 253-17 FIELD BOOK: FILE PROJECT: 11434-00

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

REQUEST FOR REVIEW/COMMENTS:

Case: 253-017 (Variance)

Property Location: 23 Schaefer Circle

*For Town Use*

Plan Routing Date: 11/04/2021 Reply requested by: 11/08/2021 ZBA Hearing Date: 11/18/2021

I have no comments     I have comments (see below)

\_\_\_\_\_  
(Initials)      Name: \_\_\_\_\_      Date: \_\_\_\_\_

DEPT.  Town Engineer     Fire/Health Department     Town Planner

Applicant shall provide an approved septic system design that can accommodate the additional proposed bedroom

D



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

REQUEST FOR REVIEW/COMMENTS:


Case: 253-017 (Variance)

Property Location: 23 Schaefer Circle

*For Town Use*

Plan Routing Date: 11/04/2021 Reply requested by: 11/08/2021 ZBA Hearing Date: 11/18/2021

I have no comments     I have comments (see below)

  
(Initials)

Name: Robert M. Buxton Date: 11/08/2021

DEPT.  
 Town Engineer     Fire/Health Department     Town Planner

Property owner will have to work with the Fire Department to address ADU. This location will need to have significant marking for fire responders in the case of an emergency.

All construction requirements will be reviewed during building permit review.



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

On **11/18/21**, the Zoning Board of Adjustment heard Case **253-017**, being a case brought by **Phillip C. Nichols, Tr., 23 Schaefer Circle, Hudson, NH** for a Variance to convert a **640 sqft office area above a detached garage into a single bedroom in-law apartment (ADU) where an ADU is not allowed as a freestanding detached structure or as part of any structure which is detached from the principal dwelling.** [Map 253, Lot 017-000; Zoned Residential-One (R-1); HZO Article XIII A, Accessory Dwelling Units; §334-73.3.B, Provisions.]

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.”

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**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.”

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

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

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

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

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

TOWN OF HUDSON  
 NOV 01 2021  
 Zoning Department

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment  
 Town of Hudson

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

Case No. 253-017 (11-18-21)

Date Filed 11/1/21

Name of Applicant Phillip Nichols Map: 253 Lot: 17 Zoning District: R-1

Telephone Number (Home) (603) 620-0263 (Work) \_\_\_\_\_

Mailing Address 23 Schaefer Circle Hudson, NH 03051

Owner \_\_\_\_\_

Location of Property 23 Schaefer Circle Hudson, NH 03051  
 (Street Address)

Phillip C Nichols  
 Signature of Applicant Nov 1, 2021  
 Date

Phillip C Nichols  
 Signature of Property-Owner(s) Nov 1, 2021  
 Date

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

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

<b>COST:</b>		<u>185</u>	Date received: <u>11/1/21</u>
Application fee:	<u>.33</u>	<u>\$130.00</u>	
<u>8</u> Direct Abutters x \$4.10 =	<u>.15</u>	<u>34.64</u>	
<u>5</u> Indirect Abutters x \$0.55 =	<u>0.58</u>	<u>2.90</u>	
<b>Total amount due:</b>		<u>\$222.54</u>	Amt. received: <u>\$222.54</u> check # <u>9146</u>

Receipt No.: 661,412

Received by: TSG

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

11/1/21  Engineering  Fire Department  Health Officer  Planner

# TOWN OF HUDSON, NH NOTICE TO APPLICANTS

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

Applicant Initials		Staff Initials
	The applicant must provide <sup>10</sup> <del>3</del> copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	TG
BW	Before making the <sup>10</sup> <del>3</del> copies, please review the application with the Zoning Administrator or staff.	TG 8-23-21
BW	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Wetland Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	TG.
PW	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	N/A.
PW	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained from the assessor's office. (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	TG Reviewed w/Assessing 10/1/21 (TG)
PW	A copy of both sides of the assessor's card shall be provided. (NOTE: these copies are available from the Assessor's Office)	TG.
PW	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	TG.
PW	For a Wetland Special Exception, a letter or a copy of the relevant decision from the Hudson Conservation Commission shall be attached to the application for existing single-family and duplex residential uses. All other Wetland Special Exceptions (multifamily, commercial, or industrial uses) must have letters both from the Conservation Commission and from the Planning Board.	N/A.

**PLOT PLAN-**

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

TG -  
see  
Foundation  
As Built  
dated  
2/2/2021

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

Floor  
Plan

TG

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

Paul J. Thibault  
Signature of Applicant(s)

Nov 1, 2021  
Date

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

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

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

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

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

**ALL DIRECT ABUTTERS**

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
253	017	Nichols, Phillip C., TR.; Nichols, Kathleen M., TR; Nichols Living Trust	23 Schaeffer Circle Hudson, NH 03051
253	011	Turnquist, Eric L.; Turnquist, Kathie L.	20 Schaeffer Circle Hudson, NH 03051
253	018	Westhoff, Richard; Westhoff, Cynthia	17 Schaeffer Circle Hudson, NH 03051
253	019	Denommee, Kerri R.; Denommee, John	77 Schaeffer Circle Hudson, NH 03051
253	020	Caron, Todd J.; Caron, Jennifer L.	75 Schaefer Circle Hudson, NH 03051
253	021	Coates, Merton; Coates, Brenda	73 Schaeffer Circle Hudson, NH 03051
258	012	Belanger, Susan E.	24 Schaeffer Circle Hudson, NH 03051
258	014	Polak, Thomas	25 Schaeffer Circle Hudson, NH 03051

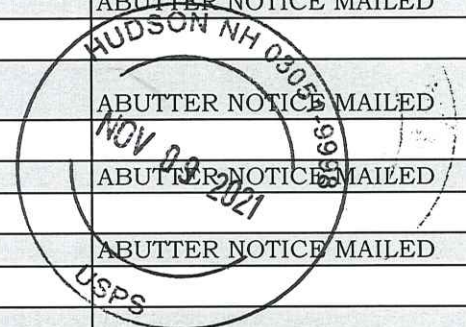
**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

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

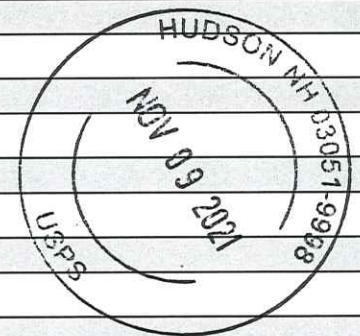
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
253	010	Gahlawat, Jagdeep S., TR.; Gahlawat, Agnes B., TR.; Gahlawat Family Rev Trust	18 Schaeffer Circle Hudson, NH 03051
253	016	Sullivan, Gary; Sullivan, Stacey	29 Schaeffer Circle Hudson, NH 03051
253	022	Bryant, Erich J.; Bryant, Jamie R.	71 Schaeffer Circle Hudson, NH 03051
258	011	Donlan, Joseph A. Jr.	26 Schaeffer Circle Hudson, NH 03051
258	013	Peaslee, David G.; Peaslee, Kerrie Ann	27 Schaeffer Circle Hudson, NH 03051

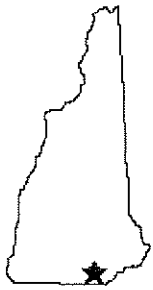


SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 253-017 23 Schaefer Circle Map 253/Lot 017-000 VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting
1	7021 0350 0000 1884 0173	NICHOLS, PHILLIP C., TR.; NICHOLS, KATHLEEN M., TR.; NICHOLS LIVING TRUST	APPLICANT/OWNER NOTICE MAILED
2	7021 0350 0000 1884 0180	23 SCHAEFER CIRCLE, HUDSON, NH 03051 TURNQUIST, ERIC L.; TURNQUIST, KATHIE L.	ABUTTER NOTICE MAILED
3	7021 0350 0000 1884 0197	20 SCHAEFER CIRCLE, HUDSON, NH 03051 WESTHOFF, RICHARD; WESTHOFF, CYNTHIA	ABUTTER NOTICE MAILED
4	7021 0350 0000 1884 0203	17 SCHAEFFER CIR., HUDSON, NH 03051 DENOMMEE, KERRI R.; DENOMMEE, JOHN	ABUTTER NOTICE MAILED
5	7021 0350 0000 1884 0210	77 SCHAEFER CIRCLE, HUDSON, NH 03051 CARON, TODD J.; CARON, JENNIFER L.	ABUTTER NOTICE MAILED
6	7021 0350 0000 1884 0227	75 SCHAEFER CIRCLE, HUDSON, NH 03051 COATES, MERTON; COATES, BRENDA	ABUTTER NOTICE MAILED
7	7021 0350 0000 1884 0234	73 SCHAEFER CIRCLE, HUDSON, NH 03051 BELANGER, SUSAN E.	ABUTTER NOTICE MAILED
8	7021 0350 0000 1884 0241	24 SCHAEFER CIRCLE, HUDSON, NH 03051 POLAK, THOMAS	ABUTTER NOTICE MAILED
9		25 SCHAEFER CIRCLE, HUDSON, NH 03051	
10			
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee) PEA



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 253-017 VARIANCE 23 Schaefer Circle Map 253/Lot 017-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/18/2021 ZBA Meeting
1	Mailed First Class	JAGDEEP S. & AGNES B. GAHLAWAT, TRUSTEES; GAHLAWAT FAMILY REV TRUST	ABUTTER NOTICE MAILED
		18 SCHAEFER CIRCLE, HUDSON, NH 03051	
2	Mailed First Class	SULLIVAN, GARY; SULLIVAN, STACEY	ABUTTER NOTICE MAILED
		29 SCHAEFER CIRCLE, HUDSON, NH 03051	
3	Mailed First Class	BRYANT, ERICH J. ; BRYANT, JAMIE R.	ABUTTER NOTICE MAILED
		71 SCHAEFFER CIR., HUDSON, NH 03051	
4	Mailed First Class	DOLAN, JOSEPH A. JR.	ABUTTER NOTICE MAILED
		26 SCHAEFER CIRCLE, HUDSON, NH 03051	
5	Mailed First Class	PEASLEE, DAVIDG. ; PEASLEE, KERRIE ANN	ABUTTER NOTICE MAILED
		27 SCHAEFER CIRCLE, HUDSON, NH 03051	
6			
7			
8			
9			
10			
11			
	Total Number of pieces listed by sender 5	Total number of pieces rec'vd at Post Office 5	Postmaster (receiving Employee) PJA





# 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

November 8, 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, **11/18/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

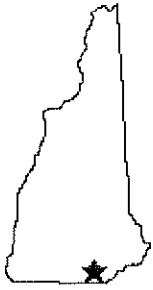
**Case 253-017 (11-18-21): Phillip C. Nichols, Tr., 23 Schaefer Circle, Hudson, NH requests a Variance to convert a 640 sqft office area above a detached garage into a single bedroom in-law apartment (ADU) where an ADU is not allowed as a freestanding detached structure or as part of any structure which is detached from the principal dwelling. [Map 253, Lot 017-000; Zoned Residential-One (R-1); HZO Article XIII A, Accessory Dwelling Units; §334-73.3.B, Provisions.]**

Please be advised, the above notice is being sent to all abutters listed on the application. You, or an authorized 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

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

November 8, 2021

### ABUTTER NOTIFICATION

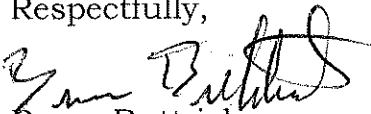
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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal.

A full copy of this application is available for your review on the Hudson Town Hall website: [www.hudsonnh.gov](http://www.hudsonnh.gov) or in the Land Use Department located at Hudson Town Hall.

Respectfully,

  
Bruce Buttrick  
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article XIIIA of HZO Section(s) 334-73.3B in order to permit the following change or use:

Convert the 704 square foot office area above a detached garage into a single bedroom in-law apartment.

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

**FACTS SUPPORTING THIS REQUEST:**

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

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

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

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

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

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

This request is to provide affordable housing for my mother, without the need to add more infrastructure, without further land development while at the same time maintaining the aesthetics with homes in the neighborhood. In no way shape or form will it violate the public health, safety or welfare, or injure “public rights.” Other residents in the neighborhood have been granted similar requests and they have not done so either.

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.”)

Our “detached structure” was originally erected to house a Recreational Vehicle (RV), while not in use and negate the need to park it openly on the property. It was erected to protect the aesthetics of the neighborhood as well. This “detached structure” is designed to be aesthetically pleasing to the primary residence on the property and provide a private, personal office. After construction began, my mother’s situation, in Ohio, has changed resulting in this request to alter the original plans from personal office space to a one bedroom apartment.

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.)

Anticipating the needs of my mother, while helping her maintain her independency and privacy, by granting this variance, we will be able to provide her this opportunity, while maintaining the spirit of the ordinance. Many of my other neighbors have been previously granted the same consideration, including 75, 30, 72 and 26 Schaefer Circle; 9 and 12 Potter Road; 1, 9, 12 and 20 Williams Drive.

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 “detached structure” fits into the neighborhood, as demonstrated by the fact that several neighbors have similar “detached structures” on their properties. For example: 8, 12, 26, 29, 33, 60, 61, 71, 73 and 77 Schaefer Circle. This and these structures, in fact, enhance property values. No additional vehicle would be introduced to the area, so there would be no increased traffic by granting this variance.

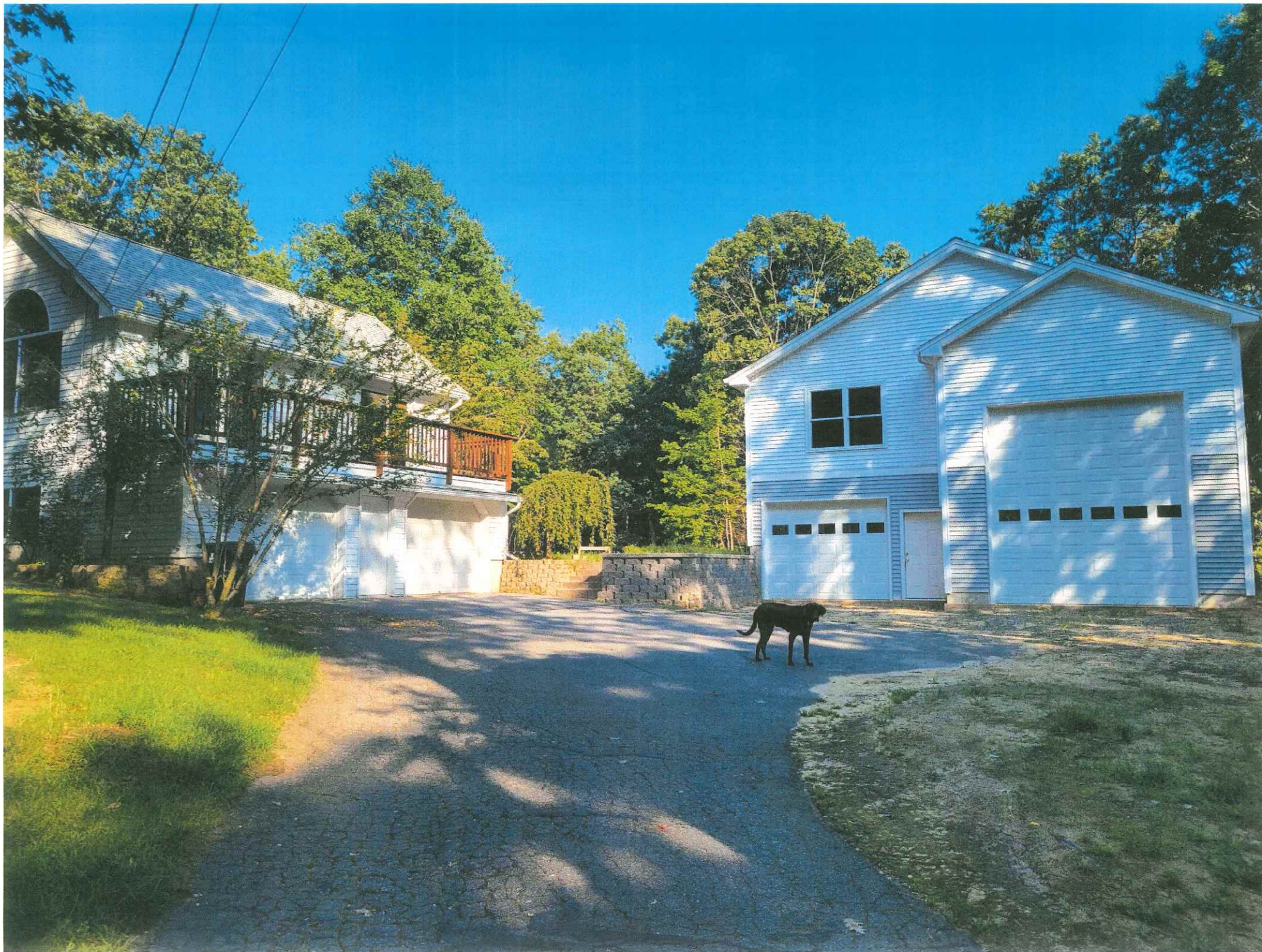
5. Special conditions exist such that literal enforcement of the ordinance results in **unnecessary hardship**, because:

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

Given the physical location of the septic system and well on the property, the existence of ledge on the property, along with the physical size of the structure (to house an RV) attempting to attach the garage to the current residence was not possible. While the structure is detached from the primary residence it was placed there to be part of the primary residence. This fact will not change.

After construction began my mother’s situation in Ohio changed was the reason this conversion was considered. Because of these special conditions and circumstances, I am requesting this variance.

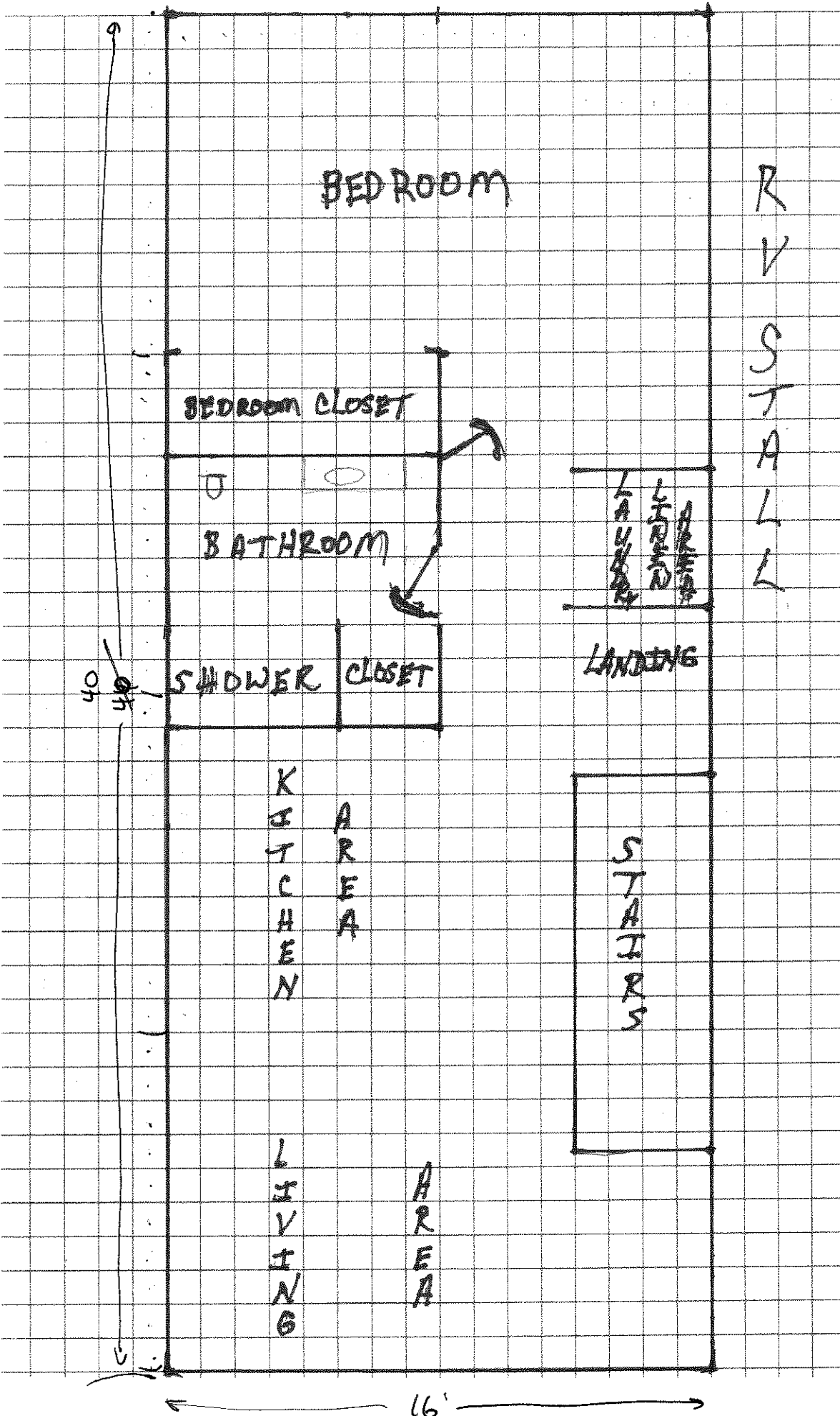
Requests before the Zoning Board of Adjustment may require connection to the municipal sewer system. Please contact the Town Engineer’s Office prior to submittal of this application to determine if connection is required or will be allowed, together with the procedure for such application.





Garage Drawing


~~④~~  
~~⑤~~  
 $\frac{1}{4}'' = 1 \text{ ft}$

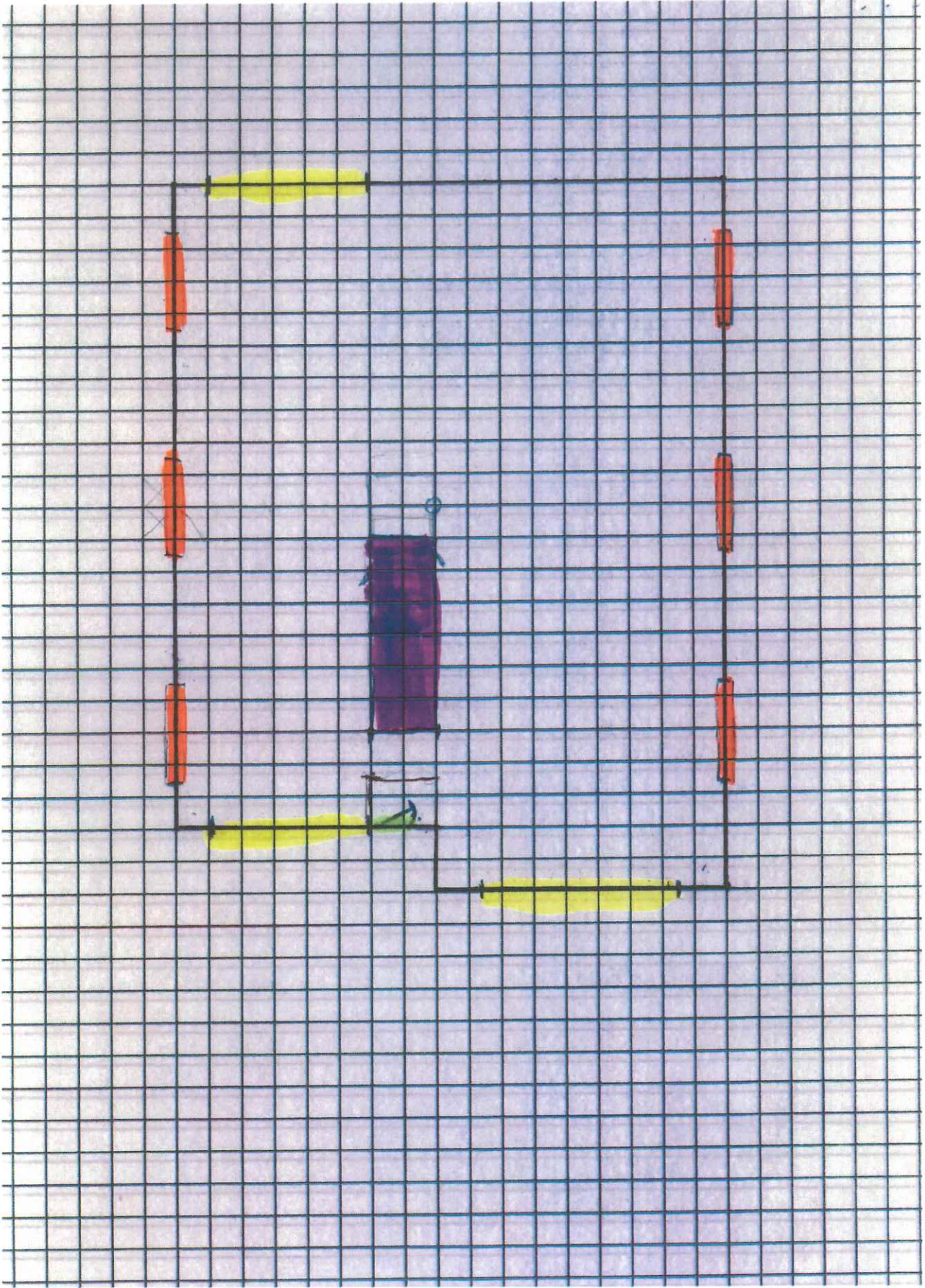


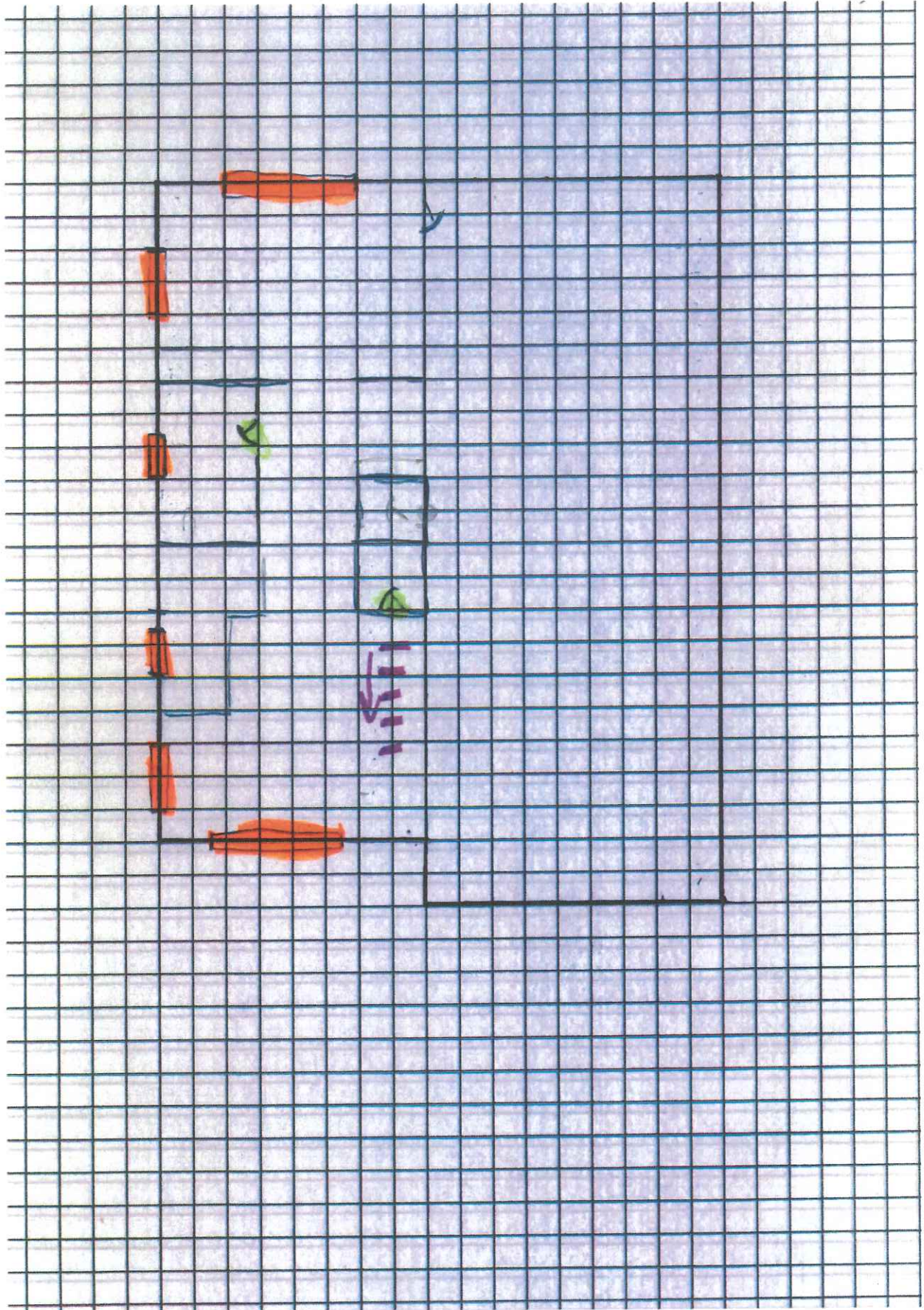
Walk Door

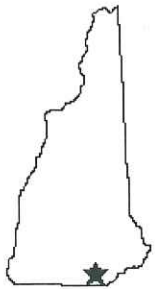
 = Window

 = Garage Door

 = Stairs







# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #21-118

July 19, 2021

Phillip Nichols  
23 Schaefer Cir  
Hudson, NH 03051

Re: **23 Schaefer Cir** **Map 253 Lot 017-000**  
**District: Residential One (R-1)**

Dear Mr. Nichols,

Your request: Can you have an ADU above a detached Garage?

**Zoning Review / Determination:**

Not without a variance from the Zoning Board of Adjustment.

You would need a variance from section §334-73.3B, as ADU's are not allowed as a freestanding detached structure from the principal dwelling. **Please check all the requirements from** Article XIII A Accessory Dwelling Units.

Sincerely,

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

encl: Accessory Dwelling Unit Checklist  
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.*

253 017 000  
MAP LOT SUB

1 of 2 RESIDENTIAL  
CARD Hudson

Total Card / Total Parcel  
APPRaised: 327,900/ 364,500  
USE VALUE: 327,900/ 364,500  
ASSESSed: 327,900/ 364,500

PROPERTY LOCATION

No	Alt No	Direction/Street/City
23		SCHAEFFER CIR, HUDSON

OWNERSHIP

Owner 1:	NICHOLS, PHILLIP C., TR.	AV
Owner 2:	NICHOLS, KATHLEEN M., TR.	
Owner 3:	NICHOLS LIVING TRUST	
Street 1:	23 SCHAEFER CIRCLE	
Street 2:		
Twn/City:	HUDSON	
St/Prov:	NH	Chtry
Postal:	03051	Type:

PREVIOUS OWNER

Owner 1:	NICHOLS, PHILLIP C -	
Owner 2:	NICHOLS, KATHLEEN M. -	
Street 1:	23 SCHAEFER CIRCLE	
Twn/City:	HUDSON	
St/Prov:	NH	Chtry
Postal:	03051	

NARRATIVE DESCRIPTION

This parcel contains 1.157 ACRES of land mainly classified as ONE FAMILY with a SPLIT LEVEL Building built about 1983, having primarily VINYL Exterior and 1664 Square Feet, with 1 Unit, 1 Bath, 2 3/4 Baths, 0 HalfBath, 5 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	R1	RESD ONE		water	9	PRIV WATER
o				Sewer	0	SEPTIC
n				Electri		
Census:				Exmpt	V1	VET CREDIT
Flood Haz:				C		
D				Topo	4	ROLLING
s				Street		
t				Gas		

LAND SECTION (First 7 lines only)

Use	Description	LUC	No of Units	Depth / Price/Units	Unit Type	Land Type	LT	Base Value	Unit Price	Adj	Neigh	Neigh	Neigh	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		1		SITE ACRE SITE			0	120,000.	1.00	RF									120,000						120,000	
101	ONE FAMILY		0.157		ACRES EXCESS			0	5,250.	1.25	RF									1,030						1,000	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	1.157	194,600	12,300	121,000	327,900
Total Card	1.157	194,600	12,300	121,000	327,900
Total Parcel	1.157	231,200	12,300	121,000	364,500
Source:	Market Adj Cost	Total Value per SQ unit /Card:		197.06	/Parcel: 219.05

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2020	101	FV	194,200	12300	1.16	121,100	327,600	327,600	Year End Roll	8/27/2020
2020	101	JB	194,200	12300	1.16	121,100	327,600	327,600	Year End Roll	5/6/2020
2019	101	FV	194,200	12300	1.16	121,100	327,600	327,600	Year End Roll	9/16/2019
2019	101	JB	194,200	12300	1.16	121,100	327,600	327,600	Year End Roll	5/8/2019
2018	101	FV	194,200	12300	1.16	121,100	327,600	327,600	Year End Roll	8/27/2018
2018	101	JB	196,300	12300	1.16	121,100	329,700	329,700	Year End Roll	5/9/2018
2017	101	FV	196,300	12300	1.16	121,100	329,700	329,700	Year End Roll	10/26/2017
2017	101	PV	196,300	12300	1.16	121,100	329,700	329,700	Year End Roll	8/28/2017

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
NICHOLS, PHILLI	8821-0967	2	12/17/2015	NON-MARKET		No	No		
PEREIRA, LOUIS	5343-0512		6/1/1992		122,470	No	No		
	4053-0082		4/3/1987			No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
2/3/2021	2020-01271	GARAGE	140,000	C				
1/11/2021	2020-01271	FOUNDATI	140,000	C				
12/31/2020	2020-01271	DRIVEWAY		C				
12/29/2020	2020-01149	SEPTIC		C				
5/7/2010	2010-202-1E	MECHANIC	4,175	C			10KW Generator/Gas	
9/24/2007	2007-467	IN-GRND	25,000	C			21X36 POOL	

ACTIVITY INFORMATION

Date	Result	By	Name
4/28/2021	Permit Visit	21	DEP ASR
11/3/2020	Other Change	1	CHIEF ASSESS
7/27/2018	Meas. Denied	19	KRT2
7/27/2018	Entry Denied	19	KRT2
7/29/2011	Inspected	14	APPR TECH 4
7/8/2011	Measured	14	APPR TECH 4
3/31/2011	Permit Rev	14	APPR TECH 4
2/15/2008	Permit Visit	10	APPRaiser II
5/12/2007	Measured	6	RB

Sign: VERIFICATION OF VISIT ACT DATA



USER DEFINED

Prior Id # 1:	0003
Prior Id # 2:	0003
Prior Id # 3:	0047
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
LandReason:	
BidReason:	
CivilDistrict:	
Ratio:	

Total AC/HA:	1.15700	Total SF/SM:	50399	Parcel LUC:	101 ONE FAMILY	Prime NB Desc:	RES GD	Total:	121,030	Spl Credit:		Total:	121,000
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EXTERIOR INFORMATION

Table with exterior details: Type: 18 - SPLIT LEVEL, Sty Ht: 1 - ONE STY, (Liv) Units: 1 Total: 2, Foundation: 1 - CONCRETE, Frame: 1 - WOOD, Prime Wall: 04 - VINYL, Sec Wall: 07 - BRICK 5%, Roof Struct: 1 - GABLE, Roof Cover: 1 - ASPH SHING, Color: WHITE, View / Desir:

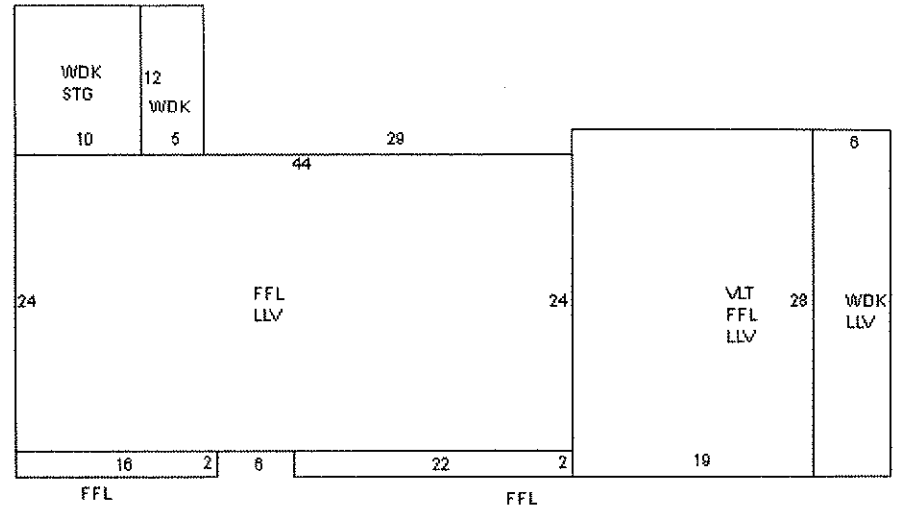
BATH FEATURES

Table with bath details: Full Bath: 1 Rating: GOOD, A Bath: Rating:, 3/4 Bath: 2 Rating: GOOD, A 3QBth: Rating:, 1/2 Bath: Rating:, A HBth: Rating:, Othr Fix: 1 Rating: GOOD

COMMENTS

7-29-11 KITCHEN HAS GRANITE COUNTERTOPS, OAK CABINETS, AND CERAMIC TILE. TWO SINKS IN MAIN BATH. CERAMIC TILE IN BATHS. BRICK FIREPLACE.. 7/18- est all data , loose dog/ Plan 40612, voided, deed transfer of land did not take place..

SKETCH



GENERAL INFORMATION

Table with general info: Grade: C - AVERAGE, Year Blt: 1983, Eff Yr Blt:, Alt LUC:, Alt %:, Jurisdict:, Const Mod:, Lump Sum Adj:

OTHER FEATURES

Table with other features: Kits: 1 Rating: VERY GOOD, A Kits: Rating:, Frpl: 1 Rating: GOOD, WSFtue: Rating:

RESIDENTIAL GRID

Table with residential grid: 1st Res Grid: CONV, # Units: 1, Level: FY LR DR D K FR RR BR FB HB L O, Other: Upper, Lvl 2, Lvl 1, Lower, Totals: RMs: 5 BRs: 3 Baths: 1 HB:

CONDO INFORMATION

Table with condo info: Location:, Total Units:, Floor:, % Own:, Name:

REMODELING

Table with remodeling: Exterior:, Interior:, Additions:, Kitchen:, Baths:, Plumbing:, Electric:, Heating:, General:

RES BREAKDOWN

Table with res breakdown: No Unit RMS BRS FL, 1 5 3 M, Totals: 1 5 3

INTERIOR INFORMATION

Table with interior info: Avg HVFL: STD, Prim Int Wal: 1 - DRYWALL, Sec Int Wall: %%, Partition: T - TYPICAL, Prim Floors: 03 - HARDWOOD, Sec Floors: 06 - CERAMIC T | 20%, Bsmnt Flr: 12 - CONCRETE, Subfloor:, Bsmnt Gar: 2, Electric: 3 - TYPICAL, Insulation: 2 - TYPICAL, Int vs Ext: S, Heat Fuel: 1 - OIL, Heat Type: 3 - FORCED HW, # Heat Sys: 1, % Heated: 100 % AC: 25, Solar HW: NO Central Vac: NO, % Com Wal % Sprinkled

DEPRECIATION

Table with depreciation: Phys Cond: AG - Avg-Good 30.%, Functional: %%, Economic: %%, Special: %%, Override: %%, Total: 30.4%

CALC SUMMARY

Table with calc summary: Basic \$ / SQ: 107.00, Size Adj: 1.04086542, Const Adj: 1.00059950, Adj \$ / SQ: 111.439, Other Features: 24654, Grade Factor: 1.00, NBHD Inf: 1.00000000, NBHD Mod:, LUC Factor: 1.00, Adj Total: 279625, Depreciation: 85006, Depreciated Total: 194619

COMPARABLE SALES

Table with comparable sales: Rate Parcel ID Typ Date Sale Price, WAv\$/SQ: AvRate: Ind.Val, Juris. Factor: Before Depr: 111.44, Special Features: 0 Val/Su Net: 44.03, Final Total: 194600 Val/Su SzAd: 116.95

SUB AREA

Table with sub area: Code Description Area - SQ Rate - AV Undepr Value, LLV LOWER LEVEL 1,756 32.870 57,728, FFL FIRST FLOOR 1,664 111.440 185,435, VLT VAULTED CEIL 532 5.570 2,964, WDK WOOD DECK 348 13.880 4,832, STG STORAGE 120 33.430 4,012, Net Sketched Area: 4,420 Total: 254,971, Size Ad 1664 Gross Area 4420 FinArea 1664

SUB AREA DETAIL

Table with sub area detail: Sub Area % Usbl Descrp % Type Qu # Ten, LLV 100 FLA 60 AV

MOBILE HOME

Table with mobile home: Make: Model: Serial #: Year: Color:

SPEC FEATURES/YARD ITEMS

Table with spec features: Code Description A Y/S Qty Size/Dim Qual Con Year Unit Price D/S Dep LUC Fact NB Fa Appr Value JCoJFact Juris. Value, 12 POOL-GUNITE D Y 1 21X36 AV AV 2007 58.31 T 80 101 8,800, GEN GENERATOR-R D Y 1 10 AV GD 2010 380.00 T 8.4 101 3,500

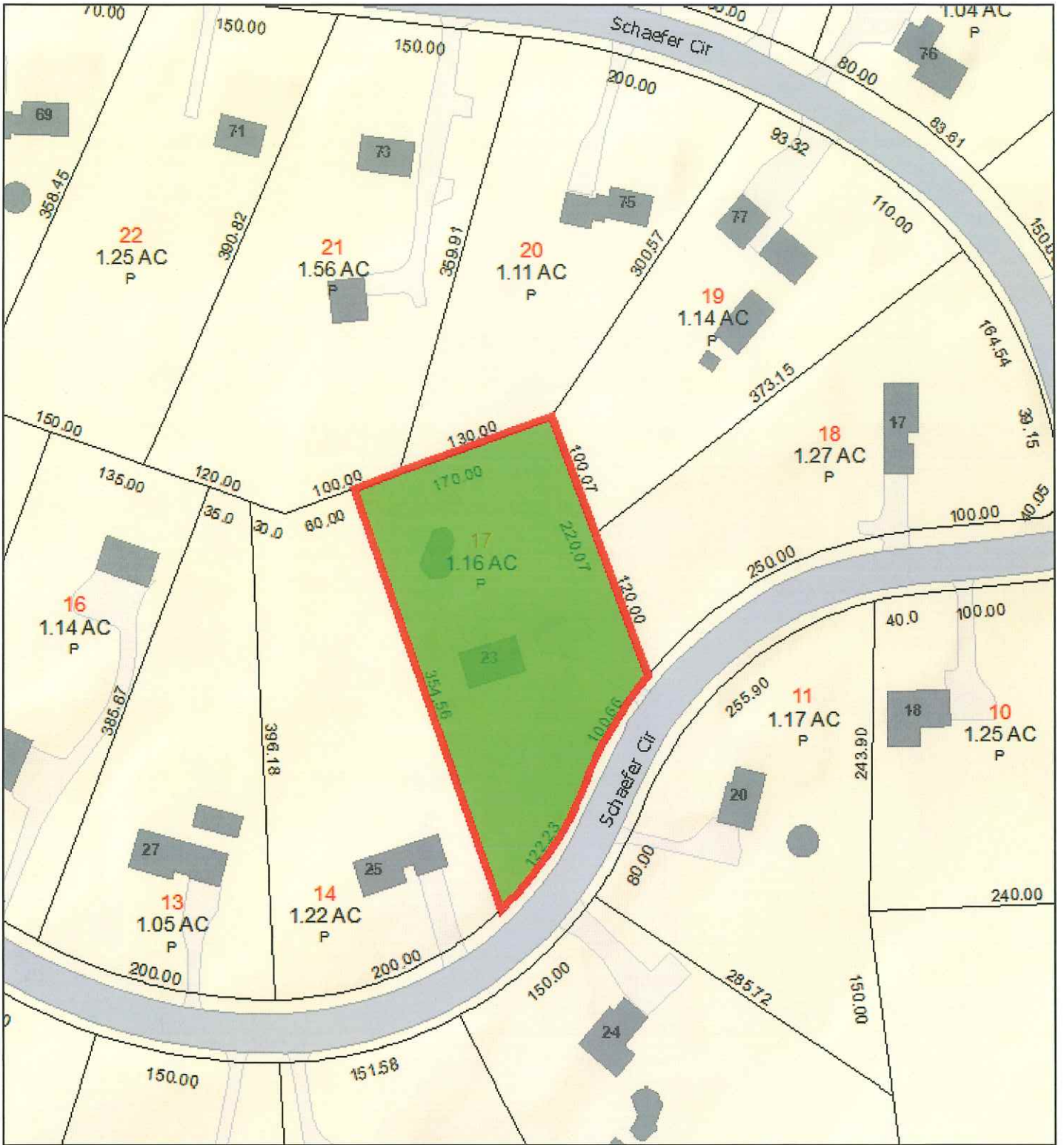
PARCEL ID 253-017-000

IMAGE



AssessPro Patriot Properties, Inc

# 23 Schaeffer Circle (Map/Lot 253-017-000)

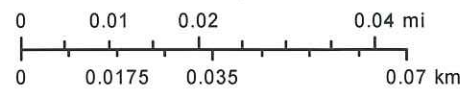


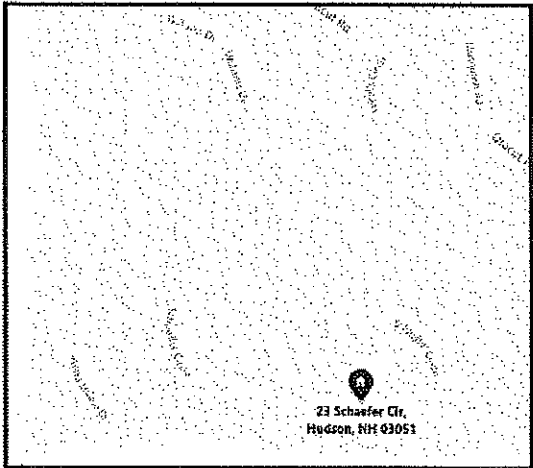
August 23, 2021

Legend

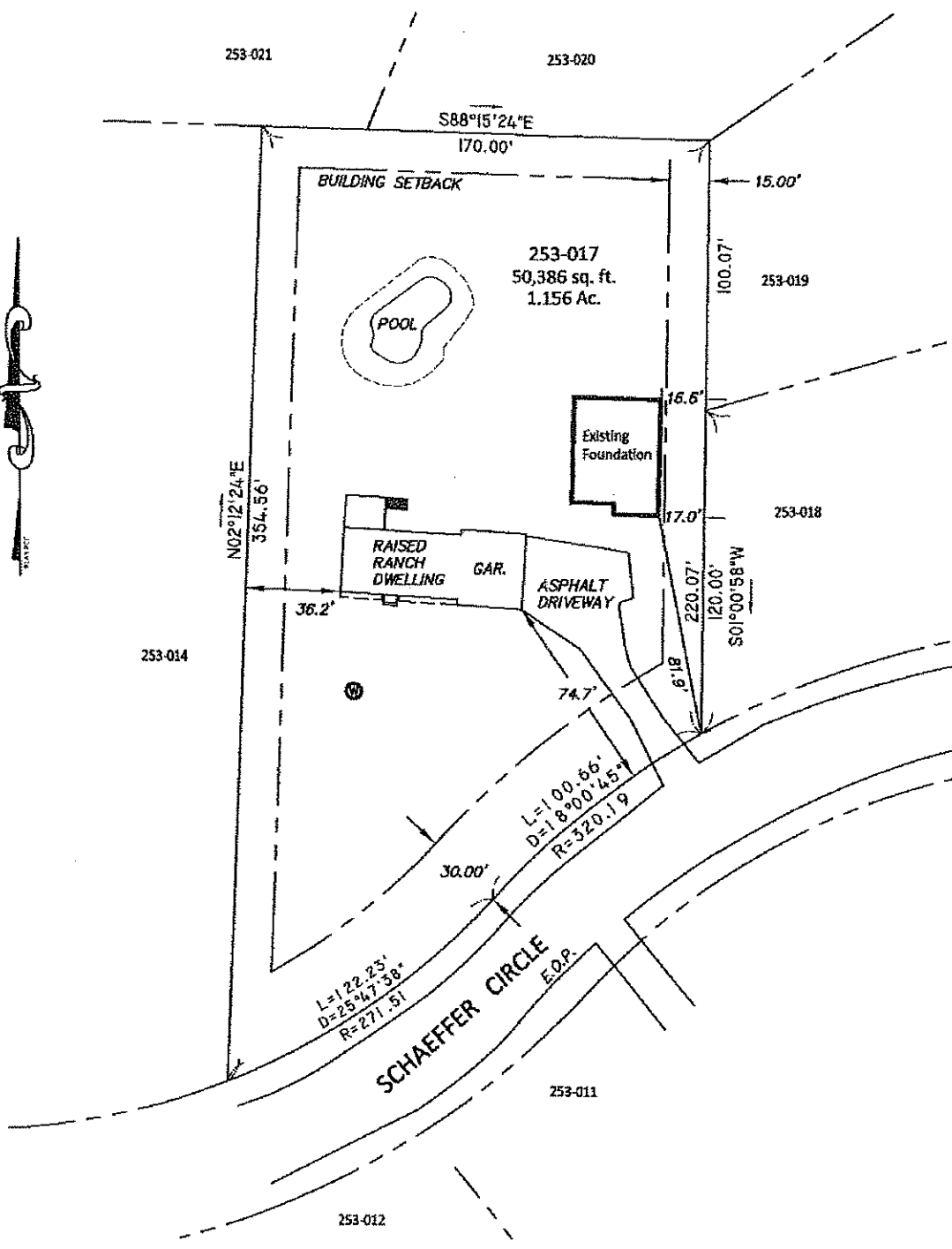
 Parcels

1:1,358





VICINITY MAP



NOTES:

1. SUBJECT LOT:  
HUDSON TAX MAP 253 LOT 17  
SCHAEFFER CIRCLE, HUDSON, NH
2. RECORD OWNER:  
PHILLIP AND KATHLEEN NICHOLS, TRUSTEES  
PHILLIP AND KATHLEEN NICHOLS LIVING TRUST  
23 SCHAEFFER CIRCLE  
HUDSON, NH 03051  
H.C.R.D. BK. 8871 PG. 936
3. ZONING: R1  
MIN LOT AREA: 43,560 S.F.  
MIN LOT FRONTAGE:  
BUILDING SETBACKS: FRONT 30' / SIDE AND REAR 15'
4. THE PURPOSE OF THIS PLAN IS TO DEPICT THE ASBUILT LOCATION OF THE FOUNDATION SHOWN.
5. THE SUBJECT PARCEL DOES NOT LIE WITHIN A FLOOD HAZARD AREA ACCORDING TO THE FEMA "FIRM" - FLOOD INSURANCE RATE MAP, TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY MAP NO. 33011.C0559D, EFFECTIVE DATE SEPTEMBER 25, 2009.

PLAN REFERENCE:

PLAN OF LAND ENTITLED "MAEWOOD", DATED AUGUST, 1977 AND RECORDED IN THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS AS PLAN NO. 11606

RECEIVED

FEB 02 2021

HUDSON FIRE DEPARTMENT  
INSPECTIONAL SERVICES DIVISION

Foundation Asbuilt Plan

Tax Map 253 Lot 17

Schaeffer Circle

Hudson, NH,

prepared for

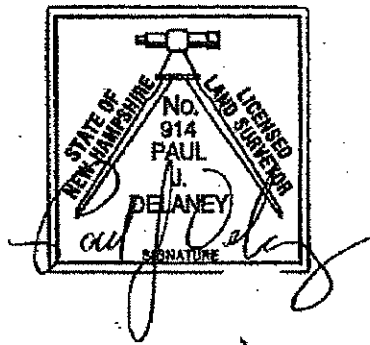
Phillip Nichols  
23 Schaeffer Circle  
Hudson, NH 03051



CERTIFICATION:

I CERTIFY THAT THIS PLAN DEPICTS A GROUND SURVEY CONDUCTED BY THIS OFFICE DURING FEBRUARY, 2021 AND THE FOUNDATION IS LOCATED AS SHOWN.

DATE: FEBRUARY 2, 2021





Printed  
 11/01/2021  
 4:25PM  
 Created  
 11/01/2021  
 4:21 PM

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

Receipt# 661,412  
 tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application-11/18/21 ZBA Mtg. 23 Schaefer Circle Map/Lot 253-017-000 Variance Application	0.00	222.5400	0.00
			Total:	222.54

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Phillip C & Kathleen M Nichols	CHECK	CHECK #9146	222.54	0.00	222.54
			Total Due:		222.54
			Total Tendered:		222.54
			Total Change:		0.00
			Net Paid:		222.54