

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 – December 9, 2021 (Amended 11/30/21)

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, **December 9, 2021 at 7:00 PM** in the Community Development Paul Buxton Meeting Room in the basement of Hudson Town Hall, 12 School St., Hudson, NH (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 234-048 (12-09-21):** Lori McGibbon, 7 Stuart St., Hudson, NH [Map 234, Lot 048-000; Zoned General-One (G-1)] requests the following:
 - a. A Variance to change a current dual use of an existing building used as a business into a residential use in the G-1 Zone where multiple principal uses are only allowed within the Business or Industrial Zones within lots that meet area requirements. [HZO Article III, General Regulations; §334-10.A, Mixed or dual use on a lot.]
 - b. A Special Exception to allow 2 (two) single family structures on a lot where multiple or mixed uses on a single lot which includes a residential use, shall only be allowed by Special Exception with the general requirements listed in Article VI, § 334-23. [HZO Article III, General Regulations; §334-10.D, Mixed or dual use on a lot.]
2. **Case 234-016 (12-09-21):** Peter & Joyce Drown, 7 Bruce St., Hudson, NH requests a Variance to build a 16 ft. x 24 ft. addition, which encroaches a front yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to a corner lot with 3 (three) front yard setbacks. [Map 234, Lot 016-000; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
3. **Case 168-020 (12-09-21):** Paul & Sandra O’Sullivan, 8 Washington Drive, Hudson, NH [Map 168, Lot 020-000; Zoned Residential-Two (R-2)] requests the following:
 - a. A Variance to build a 9 ft. x 20 ft. covered porch on the front of an existing non-conforming structure (house), which encroaches the front yard setback an additional 9.3 feet, leaving 14.8 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31.A, Alteration and expansion of nonconforming structures.]
 - b. An Equitable Waiver of Dimensional Requirement for an existing 19’3” x 12’3” (235.8 sqft) shed which encroaches ~9 feet into the side yard setback leaving ~6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

Zoning Board of Adjustment
MEETING AGENDA – December 9, 2021 (CONTINUED)

IV. REQUEST FOR REHEARING: None


V. REVIEW OF MINUTES:

10/28/21 edited Minutes

11/18/21 edited Minutes

VI. OTHER:

- Proposed Bylaws revision: alternate status, recusals and Clerk position/duties.
- Jan 20, 2022 meeting availability 6:30 start (non-public).
- Final request for written comments for Town Counsel regarding case #166-031 8 Lindsay St. for Jan 27, 2022 deferred mtg.
- ZBA badges



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: December 9, 2021

3/4
12-1-21

1. **Case 234-048 (12-09-21):** Lori McGibbon, 7 Stuart St., Hudson, NH [Map 234, Lot 048-000; Zoned General-One (G-1)] requests the following:

a. A Variance to change to a dual use by converting an existing building used as a business into a residential use in the G-1 Zone where multiple principal uses are allowed within the Business or Industrial Zones within lots that meet area requirements. [HZO Article III, General Regulations; §334-10.A, Mixed or dual use on a lot]

Address: 7 Stuart St

Zoning district: General One (G-1)

Summary:

Applicant requests a variance to allow a dual (residential) use in two existing detached structures on a lot not in the Industrial or Business district, and does not have required lot area and frontage. This property currently has a mixed use by variance.

Property description:

Lot of record.

This property contains two detached structures with a mixed use consisting of: a single family residential and a dog training use on an existing non-conforming corner lot of record with .60 Acres, where 2 Acres are required, 172 ft of frontage on River Rd and 161 ft of frontage on Stuart St, where 200 ft is required.

Both existing buildings are non conforming in regards to setback from River Rd.

LAND USE HISTORY:

Variance granted 10/23/08: to allow mixed use (single family residential and dog training).
Site plan approval 11/12/08 by Planning Board.

ASSESSING HISTORY:

Card 1: Property card indicates the existing house built ~ 1900 as Single Family
Card 2: Property card indicates structure built 1999 as Store

Town in-house review comments:

Town Engr: comments attached

Town Planner: none received

Fire Dept: no comments

Attachments:

A: Assessing history

B: Variance granted 10/23/08: to allow mixed use (single family residential and dog training).

C: Site plan approval 11/12/08 by Planning Board.

D: Town Engr's comments.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2021	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2021	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2021	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2020	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2020	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2020	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2020	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2019	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2019	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2019	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2019	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2018	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2018	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2018	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2018	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2017	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2017	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2017	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2017	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2017	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2017	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2016	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2016	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2016	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2016	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2015	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2015	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2015	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2015	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2014	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2014	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2014	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2014	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2013	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2013	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2013	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2013	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2012	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2012	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2012	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2012	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445

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Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2011	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2011	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2011	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2011	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2010	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2010	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2010	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2010	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2009	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2009	325 - STORE	72,500	5,500	52,045	0.21	0.00	130,045
2008	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2008	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2008	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2008	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2007	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2007	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2007	101 - ONE FAMILY	100,700	0	71,630	0.39	0.00	172,330
2007	325 - STORE	70,900	4,900	38,570	0.21	0.00	114,370
2006	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2006	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2006	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2006	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2005	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2005	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2005	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2005	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2004	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2004	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2004	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2004	325 - STORE	67,700	2,800	28,910	0.21	0.00	99,410
2003	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2003	325 - STORE	67,700	2,800	28,910	0.21	0.00	99,410
2003	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2003	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2002	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2002	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2002	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2002	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2001	101 - ONE FAMILY	74,900	0	50,300		0.00	125,200
2000	MXU - N/A	36,600	0	50,300	0.60	0.00	86,900
1999	MXU - N/A	35,200	4,200	48,600	0.60	0.00	88,000

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Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Doc # 8056746 Nov 12, 2008 2:00 PM
Book 8033 Page 0923 Page 1 of 2
Registrar of Deeds, Hillsborough County
Judith A. MacDonald

FEES:	14.42
SURCHARGE	2.00
CASH	0

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Use Variance

On **10/23/08**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 234-48**, concerning a request by **Lori McGibbon, 7 Stuart Street, Hudson**, for a Use Variance to allow the property to be used as a dual use of a dog training facility and kennel/residential. [Map 234, Lot 48, Zoned G-1; HZO Article III, Section 334-10, Mixed or dual use on a lot.]

Following review of the testimony and deliberation, the members of this Zoning Board voted 5-0 that the variance should be granted.

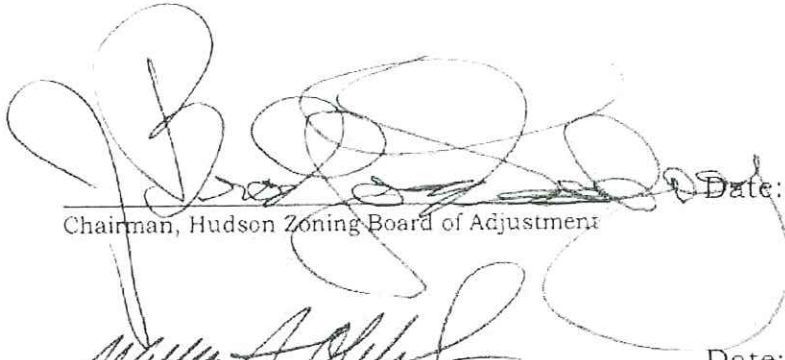
For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.

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

B,

Signed:

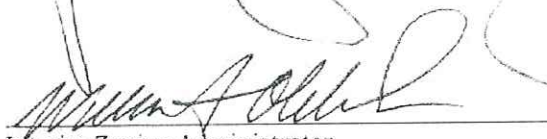


Chairman, Hudson Zoning Board of Adjustment

Date:

10-30-08

Signed:



Interim Zoning Administrator

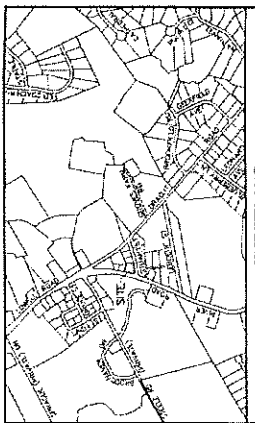
Date:

10/31/08

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UTILITY NOTE
THE ZONING BOARD'S STRENGTH OF OPINION IS BASED ON THE LATEST AVAILABLE UTILITY MAPS AS PREPARED BY THE NEW HAMPSHIRE DEPARTMENT OF REVENUE AND TAX ADMINISTRATION. THE BOARD HAS REVIEWED THESE MAPS AND BELIEVES THEM TO BE ACCURATE. HOWEVER, THE BOARD DOES NOT GUARANTEE THE ACCURACY OF THESE MAPS. THE PROPERTY OWNER IS ADVISED TO OBTAIN A CURRENT UTILITY MAP PRIOR TO CONSTRUCTION OF ANY STRUCTURE OR IMPROVEMENTS ON THE PROPERTY.

ZONING NOTE
THE BOARD HAS REVIEWED THE PROPOSED ZONING ADJUSTMENT AND HAS DETERMINED THAT THE PROPOSED ADJUSTMENT IS IN THE PUBLIC INTEREST AND IS CONSISTENT WITH THE ZONING REGULATIONS OF THE TOWN OF HILLSBOROUGH, NEW HAMPSHIRE. THE BOARD HAS CONSIDERED THE PROPOSED ADJUSTMENT IN LIGHT OF THE ZONING REGULATIONS AND HAS CONCLUDED THAT THE ADJUSTMENT IS NECESSARY TO ACCOMMODATE THE PROPOSED DEVELOPMENT AND TO PROMOTE THE ECONOMIC DEVELOPMENT OF THE TOWN.



PLAN REFERENCES

- 1. MAP 234, LOT 6 - REAR YARD AND TRUNK STREET, HILLBOROUGH, NH, PLAN SCALE 1"=20'
- 2. MAP 234, LOT 42 - FRONT YARD AND TRUNK STREET, HILLBOROUGH, NH, PLAN SCALE 1"=20'
- 3. MAP 234, LOT 48 - FRONT YARD AND TRUNK STREET, HILLBOROUGH, NH, PLAN SCALE 1"=20'
- 4. MAP 234, LOT 16 - FRONT YARD AND TRUNK STREET, HILLBOROUGH, NH, PLAN SCALE 1"=20'

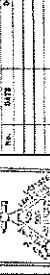
NOTES

- 1. THE LOCATION OF THE PROPOSED ZONING ADJUSTMENT IS SHOWN ON THE VICINITY MAP.
- 2. THE PROPOSED ZONING ADJUSTMENT IS SHOWN ON THE SUBJECT LOT MAP.
- 3. THE PROPOSED ZONING ADJUSTMENT IS SHOWN ON THE SUBJECT LOT MAP.
- 4. THE PROPOSED ZONING ADJUSTMENT IS SHOWN ON THE SUBJECT LOT MAP.

LEGEND

- EXISTING CONCRETE DRIVE
- EXISTING UTILITY POLE
- EXISTING STREET LIGHT
- EXISTING DRIVE
- EXISTING WALK
- EXISTING SIDE WALK
- EXISTING SIDE DRIVE
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GRAPHIC SCALE



ZONING BOARD OF ADJUSTMENT PLAN
MCGIBBON PROPERTY
MAP 234, LOT 48
STUART STREET / RIVER ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

APPLICANT:	LEON MCGIBBON 7 STUART STREET HUDSON, NH 03059
PREPARED BY:	KMA 18 Oxbow Park, North, Suite 208, Andover, NH 03016 Phone (603) 927-0581

MAD 035



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#546
Town of Hudson

FEES:	14.77
SURCHARGE:	2.00
CASH:	0

NOTICE OF APPROVAL

November 17, 2008

Owner or Applicant: Lori McGibbon
7 Stuart Street
Hudson, NH 03051

On Wednesday, November 12, 2008, the Hudson Planning Board heard subject case
SP# 16-08 "McGibbon Site Plan"

SUBJECT: Purpose of plan: To show a proposed change of use from coffee shop to
dog training/grooming facility. Application Acceptance & Hearing.

LOCATION: Stuart Street/River Road - Map 234/Lot 48

You are hereby notified of the subject plat presented before the Planning Board and the
following action:

The Planning Board voted to accept the Site Plan application for the proposed dual use
Site Plan at Stuart Street/River Road - Map 234/Lot 48.

The Planning Board voted to approve the following waivers:

1. HTC 275-6 - Development Agreement
2. HTC 275-9B - Traffic Study
3. HTC 275-9C - Noise Study
4. HTC 275-9D - Fiscal Impact Study
5. HTC 275-9A - Drainage Study
6. HTC 275-9H - High Intensity Soil Survey (HISS)

The Planning Board voted to approve the Site Plan entitled: Amended Site Plan
McGibbon Property, Map 234/Lot 048, Stuart Street/River Road, Hudson, New
Hampshire, prepared by Keach-Nordstrom Associates, Inc., dated: October 24, 2008 (no
revision date), consisting of Sheet 1 of 1 and Notes 1 - 15, in accordance with the
following terms and conditions:

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- 1) All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the HCRD, together with the Site Plan-of-Record.
- 2) This approval is exclusive to the change of commercial use from the former coffee shop (f/k/a "The Daily Grind") to a dog grooming/training facility, with the existing dwelling use to remain the same, i.e., as a single-family dwelling.
- 3) All improvements shown on the Site Plan-of-Record, including Notes 1-15 shall be completed in their entirety and at the expense of the Applicant or her assigns.
- 4) Prior to the issuance of a final certificate of occupancy, a L.L.S. certified "As Built" site plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms to the Planning Board approved site plan.
- 5) This plan shall be subject to final engineering review and approval.
- 6) Existing fence to be shown on site plan.
- 7) Trees suitable to screen shed to be placed outside of fence.
- 8) Parking spaces to be shown head-in along north edge of parking lot.
- 9) No overnight nor daytime boarding of dogs shall be allowed.

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

Signed: _____

John M. Cashell
Town Planner

Date: _____

2-19-09

Cc: Keach-Nordstrom Assoc. Inc.

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

REQUEST FOR REVIEW/COMMENTS:

Case: 234-048 (Spcl. Excpt.

Property Location: 7 Stuart Street

For Town Use

Plan Routing Date: 11/23/2021 Reply requested by: 11/29/2021 ZBA Hearing Date: 12/09/2021

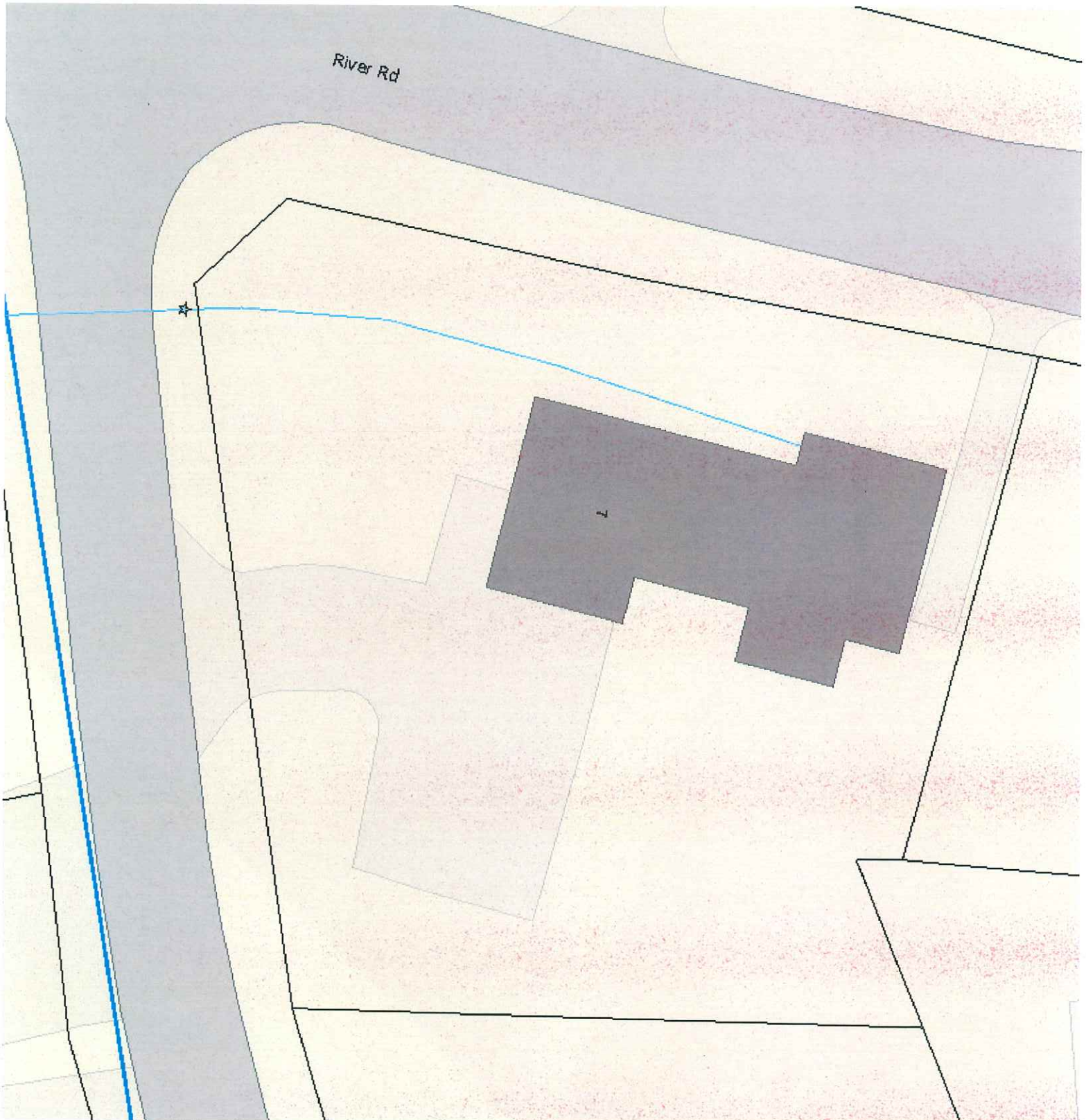
I have no comments I have comments (see below)

EZD Name: Elvis Dhima, PE Date: 11/23/2021
(Initials)

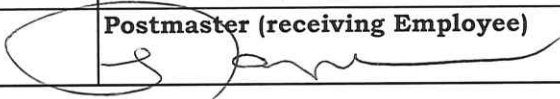
DEPT: Town Engineer Fire/Health Department Town Planner

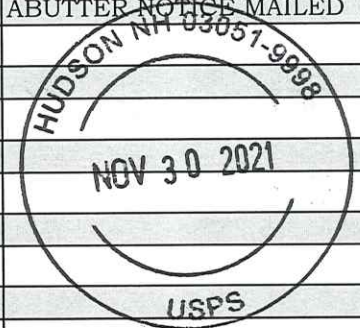
1. Applicant shall provide information about the existing septic system and future septic system to accommodate the two single family residence.
2. Currently there is one water service connection providing water for the existing building, see attachment. Applicant shall provide information regarding how the water billing will be handled, typically is one water meter per unit.

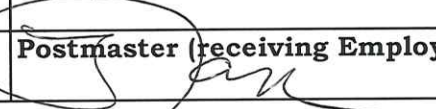
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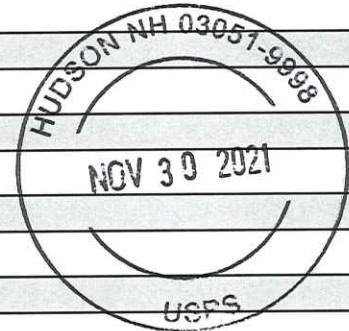


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SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 234-048 VARIANCE & SPECIAL EXCEPT. 7 Stuart Street Map 234/Lot 048-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting
1	7021 0350 0000 1884 0302	MCGIBBON, LORI 7 STUART ST., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	7021 0350 0000 1884 0319	STEELE FARM LLC 2 FRIEL GOLF ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	7021 0350 0000 1884 0326	DION, GERARD T. 8 RIVER ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	7021 0350 0000 1884 4324	TATE, RICHARD W.; TATE, JOAN C. 104 PELHAM RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	7021 0350 0000 1884 4331	MASON, KEVIN C. 9 DRACUT ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	7021 0350 0000 1884 4348	ANAYA'S AND SONS LLC 24 BROAD ST., NASHUA, NH 03064	ABUTTER NOTICE MAILED
7	7021 0350 0000 1884 4355	TIRONE, CARL; TIRONE, SUSAN O. 6 STUART ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	7021 0350 0000 1884 0258	DION, DAVID L. 7923 SE Highpoint Way, Hobe Sound, FL 33455	ABUTTER NOTICE MAILED
9			
10			
11			
12			
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee) 



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 234-048 VARIANCE & SPECIAL EXCEPT. 7 Stuart Street Map 234/Lot 048-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting
1	Mailed First Class	HOWARD, RALPH M.	ABUTTER NOTICE MAILED
		6 RIVER ROAD, HUDSON, NH 03051	
2	Mailed First Class	BARCLAY, WARREN R. & SUZANNE, TRUSTEES BARCLAY REVOCABLE TRUST	ABUTTER NOTICE MAILED
		24 CHALIFOUX ROAD, HUDSON, NH 03051	
3	Mailed First Class	BEARD, JACK B.	ABUTTER NOTICE MAILED
		4 STUART STREET, HUDSON, NH 03051	
4	Mailed First Class	SHEA, KIMBERLY D.	ABUTTER NOTICE MAILED
		16 B RIVER RD., HUDSON, NH 03051	
5	Mailed First Class	Keach-Nordstrom Associates Inc.	APPLICANT/NOTICE MAILED
		10 Commerce Park North, Suite 3B, Bedford, NH 03110	
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) 





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 29, 2021

APPLICANT NOTIFICATION

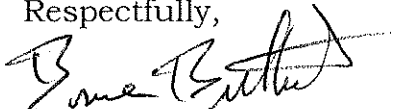
You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **12/09/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

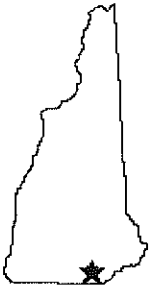
Case 234-048 (12-09-21): Lori McGibbon, 7 Stuart St., Hudson, NH [Map 234, Lot 048-000; Zoned General-One (G-1)] requests the following:

- a. **A Variance to change a current dual use of an existing building used as a business into a residential use in the G-1 Zone where multiple principal uses are only allowed within the Business or Industrial Zones within lots that meet area requirements. [HZO Article III, General Regulations; §334-10.A, Mixed or dual use on a lot.]**
- b. **A Special Exception to allow 2 (two) single family structures on a lot where multiple or mixed uses on a single lot which includes a residential use, shall only be allowed by Special Exception with the general requirements listed in Article VI, § 334-23. [HZO Article III, General Regulations; §334-10.D, Mixed or dual use on a lot.]**

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

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

November 29, 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 or in the Land Use Department located at Hudson Town Hall.

Respectfully,

Bruce Buttrick

Zoning Administrator

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

On **12/09/21**, the Zoning Board of Adjustment heard Case **234-048**, being a case brought by **Lori McGibbon, 7 Stuart St., Hudson, NH** for a Variance **to change a current dual use of an existing building used as a business into a residential use in the G-1 Zone where multiple principal uses are only allowed within the Business or Industrial Zones within lots that meet area requirements.** [Map 234, Lot 048-000; Zoned General-One (G-1); HZO Article III, General Regulations; §334-10.A, Mixed or dual use on a lot.]

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 12 2021
 Zoning Department

APPLICATION FOR A VARIANCE

RECEIVED

NOV 12 2021

HUDSON FIRE DEPARTMENT
 INSPECTORIAL SERVICES DIVISION

Entries in this box are to be filled out by
 Land Use Division personnel
 Case No. 234-048 (12-9-21)
 Date Filed 11-12-21

To: Zoning Board of Adjustment
 Town of Hudson

Name of Applicant Lori McGibbon Map: 234 Lot: 48 Zoning District: G-1

Telephone Number (Home) 603-809-1697 (Work) _____

Mailing Address 7 Stuart Street, Hudson NH 03051

Owner Lori McGibbon

Location of Property 7 Stuart Street, Hudson NH 03051
 (Street Address)

Lori McGibbon
 Signature of Applicant Date 11/11/21

Lori McGibbon
 Signature of Property-Owner(s) Date 11/11/21

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: 11-18-21

COST:

Application fee (processing, advertising & recording) (non-refundable):	\$	<u>185.00</u>
<u>8</u> Abutter Notice:		
<u>8</u> Direct Abutters x Certified postage rate	\$ <u>4.33</u> =	\$ <u>34.64</u>
<u>5</u> Indirect Abutters x First Class postage rate	\$ <u>0.58</u> =	\$ <u>2.90</u>
Total amount due:		\$ <u>222.54</u>

Amt. received: \$ 222.54 check # 9048

Receipt No.: 662,941

Received by: (TSB)

By determination of the Zoning Administrator, the following Departmental review is required:
 Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

Owner Affidavit

I, Lori McGibbon, owner of the property referenced on Tax Map 234 as Lot 48, located at 7 Stuart Street, 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:

Lori McGibbon

Printed Name of Owner:

Lori McGibbon

Address of Owner:

7 Stuart Street

Hudson, NH 03051

Date:

11/11/21

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>LM</u>	Please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>LM</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 10 (ten) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>LM</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 + Special Exception</u>
<u>LM</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>LM</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: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>LM</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>TG</u>
<u>LM</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>CM</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>LM</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) LM 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. TG
- b) LM The plot plan shall be up-to date and dated, and shall be no more than three years old. TG
- c) LM The plot plan shall have the signature and the name of the preparer, with his/her/their seal. TG
- d) LM 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. TG
(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) LM The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.) TG
- f) LM 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. TG
- g) LM The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. TG
- h) LM The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. TG
- i) LM The plot plan shall indicate all parking spaces and lanes, with dimensions. TG

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

Seri McArthur
Signature of Applicant(s)

11/10/21
Date

Seri McArthur
Signature of Property Owner(s)

11/11/21
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
234	48	*Include Applicant & Owner(s) Lori McGibbon	7 Stuart Street, Hudson NH 03051
234	1	Steele Farm, LLC	2 Friel Golf Rd, Hudson NH 03051
234	47	Gerard T. Dion	8 River Road, Hudson NH 03051
235	5	Richard W. Tate & John C. Tate	104 Pelham Road, Hudson NH 03051
235	6	Kevin C. Mason	9 Dracut Road, Hudson NH 03051
240	16	Anaya's and Sons, LLC	24 Broad Street, Hudson NH 03051
241	36	Carl Tirone & Susan O. Tirone	6 Stuart Street, Hudson NH 03051
234	47	David L. Dion	7923 SE Highpoint Way, Hobe Sound, FL 33455

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
234	46	Ralph M. Howard	6 River Road, Hudson NH 03051
234	45	Warren R. & Suzanne Barclay, Trustees Barclay Revocable Trust	24 Chalifoux Rd, Hudson NH 03051
235	002	Jack B. Beard	4 Stuart St, Hudson NH 03051
240	17	Kimberly D. Shea	16 B River Rd, Hudson NH 03051
		Keach-Nordstrom Associates, Inc.	10 Commerce Park N, Suite 3B, Bedford NH 03110

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article 334 of HZO Section(s) 10A in order to permit the following:

Two Single family residences on one existing lot within the G-1 zoning district.

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 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

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 Attached

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

See Attached

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.

EXHIBIT TO THE APPLICATION FOR A VARIANCE (7 Stuart Street)

This Exhibit is appended to the Application for a Variance and sets forth the summary rationale for each of the five points of law required to be addressed for the granting of a variance.

Project Background

Lori McGibbon, the owner of the property located at 7 Stuart Street, is proposing to change an existing building that is being used as a business into a residential use. The existing lot is non-conforming and contains one single family home and one detached building being used as a dog training facility. The subject parcel of land is 0.604 acres in size and bounded to the west by River Road and Stuart Street on the southern side. Surrounding properties are mixed use properties containing both residential and business uses.

Zoning Ordinance Provisions

This case involves section 334-10A of the Hudson Zoning Ordinance. Section 334-10A established the regulations for mixed or dual use on a lot in the town of Hudson. This parcel of land lies within the General-1 zone, and the proposed use is dual single family. The aforementioned section establishes that multiple principal uses are allowed within the Business or Industrial Zones within lots that meet area requirements.

The proposed change to dual use, would require a variance from this section. This is due to the lot not only existing as a current non-conforming lot, but the property in question is also not located within either the Business or Industrial Zones.

Five Criteria for Granting a Variance

1. Granting of the requested variance will not be Contrary to the Public Interest.

As discussed above (Project Background), the applicant is proposing to maintain both existing structures on the lot, while changing the use to a dual use lot. The requested variance would allow for the applicant's ailing family member to live adjacent to immediate care.

The current property as described previously, is surrounded by mixed use lots containing both businesses and residential homes. Allowing a second residential use on this lot would not impact any adjacent landowners or the Town of Hudson. The building is currently being used as a dog training facility and if the change of use was allowed there would be less traffic entering and leaving the property, and therefore this would not have an adverse impact on traffic or nearby neighbors.

This project does not propose to construct any new buildings, nor does it propose a use that would go against the surrounding uses of the neighborhood. Allowing this variance does not contrast current goals for the town or abutting properties.

2. The proposed use will observe the Spirit of the Ordinance.

The General-1 Zoning District was established to provide a wide diversity of land uses at an appropriate density. As previously discussed, the project does not propose to construct any new buildings and therefore will not result in overcrowding or any impact to neighboring properties. The spirit of this ordinance is to prevent overcrowding of buildings and any risk to public safety and welfare

while providing a variety of uses. Allowing this variance does not put any of those categories in jeopardy, and therefore observes the spirit of the ordinance. Multi-family use is also allowed in this zone, so a dual residential use is not contrary to the allowed uses in the G-1 Zone.

3. Substantial Justice would be done to the property owner by granting the Variance.

By definition, “variances are included in a Zoning Ordinance to prevent the ordinance from becoming confiscatory or unduly oppressive as applied to individual properties uniquely situated.” Opportunity lost by the applicant, should the Zoning Board of Adjustment decide not to grant the requested variance, far outweighs any gain that could possibly be realized by the public as a result of the same decision. The dual use proposed is not incongruous with the neighborhood, as stated previously. There will also be no negative impact to existing residential properties along River Road or Stuart street as there are currently residential properties located along both roads that contain multiple uses. Substantial justice is achieved through granting the requested variance in that such approval would afford the applicant the opportunity to provide care and treatment for an ailing family member.

4. The proposed use will not Diminish the Values of Surrounding Properties.

The parcel in question is located within the General-1 zone as mentioned in previous sections. The proposed use will be two residential homes, and residential uses are allowed within the G-1 Zone. As discussed in “Project Background” and previous sections, surrounding properties contain mixed uses. The dual residential uses are in keeping with the existing buildings and the uses surrounding it, it is very clear that the granting of the requested variance, to allow the applicant’s proposed dual residential use, will not affect surrounding property values. This is also true because multi-family is an allowed use, as mentioned previously, and therefore was determined to not diminish surrounding property values in this zone. The Zoning Board’s knowledge of the area and surrounding properties will confirm this claim.

5. Special Conditions exist such that Literal Enforcement of the Ordinance results in Unnecessary Hardship.

Special conditions on the subject property do exist. The proposed parcel exists as a non-conforming lot today. The two buildings as they exist do not meet the current front building setback nor does the lot meet the minimum lot size. Because of this and the fact that no buildings are being proposed it would be impossible to meet the setback requirements without moving the buildings themselves. While being located in the G-1 Zone, this property is also extremely close to a business zone where a dual use would be allowed. Furthermore, because these two buildings already exist as separate structures it would cause unnecessary construction to combine the two buildings to create a multi-family structure that is allowed in this zone. Literal enforcement of this ordinance would result in the applicant not being able to care for their family member, and that hardship would be unimaginable.

Conclusion

For the reasons cited in this application and the accompanying documents, the applicant respectfully requests that the Application for a Variance be granted.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-167

October 20, 2021

Anthony Basso
KNA
Suite 3B
10 Commerce Park N
Bedford, NH 03110

RE: **7 Stuart St Map 234 Lot 048-000**
District: General One (G-1)

Dear Mr. Basso,

History:

This property contains a mixed use consisting of: a single family residential and a dog grooming/training use on an existing non-conforming corner lot of record with .60 Acres with 172 ft of frontage on River Rd and 161 ft of frontage on Stuart St.

Your Request:

To convert the business use/structure to another single family dwelling residence.

Zoning Review / Determination:

This proposal **would need a Variance** from §334-10A: *Multiple Principal Uses on a lot in the Industrial or Business Zones are permitted provided that the lot meets the area and frontage requirements for the principal use for the district in which it is located and each use is in conformity with all other requirements set forth in this chapter and the Hudson Land Use Regulations pertaining to that use.* As the multiple (dual) uses (two detached Residential) are not in a Business or Industrial zone.

And if successful with a variance, **a Special Exception would be required** per 334-10D: *Multiple or mixed uses on a single lot, which includes a residential use, shall only be allowed by Special Exception in accordance with the general*

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

requirements listed in Article VI, § 334-23. In addition to the general requirements for special exception listed in Article VI, § 334-23, the mixed or dual uses shall be compatible.

If successful with the ZBA approvals, a site plan would be required for approval from the Planning Board per 334-16 C(2) (e): "No more than one single-family home or duplex shall be constructed on one lot without Planning Board site plan approval."

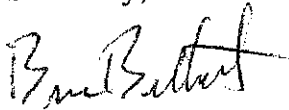
Links to the ZBA applications are found online:

<https://www.hudsonnh.gov/zoning/page/variance>

and

<https://www.hudsonnh.gov/zoning/page/special-exception-application>

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder

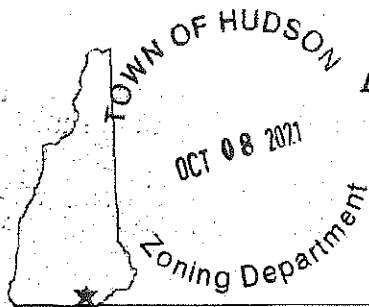
Owner

B. Groth – Town Planner

file

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

#21-167



LAND USE DEPARTMENT
12 School Street
Hudson, NH 03051
(603) 886-6008
www.hudsonnh.gov



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 10/8/21

Property Location 7 STUART ST.
Map 234 Lot 04B Sublot 000

Zoning District if known G-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)

REQUEST TO CONVERT BUILDING CURRENTLY USED
FOR CANINE TRAINING TO A RESIDENCE THERE WOULD
THEN BE TWO DETACHED DWELLING UNITS ON ONE
SITE.

Applicant Contact Information:

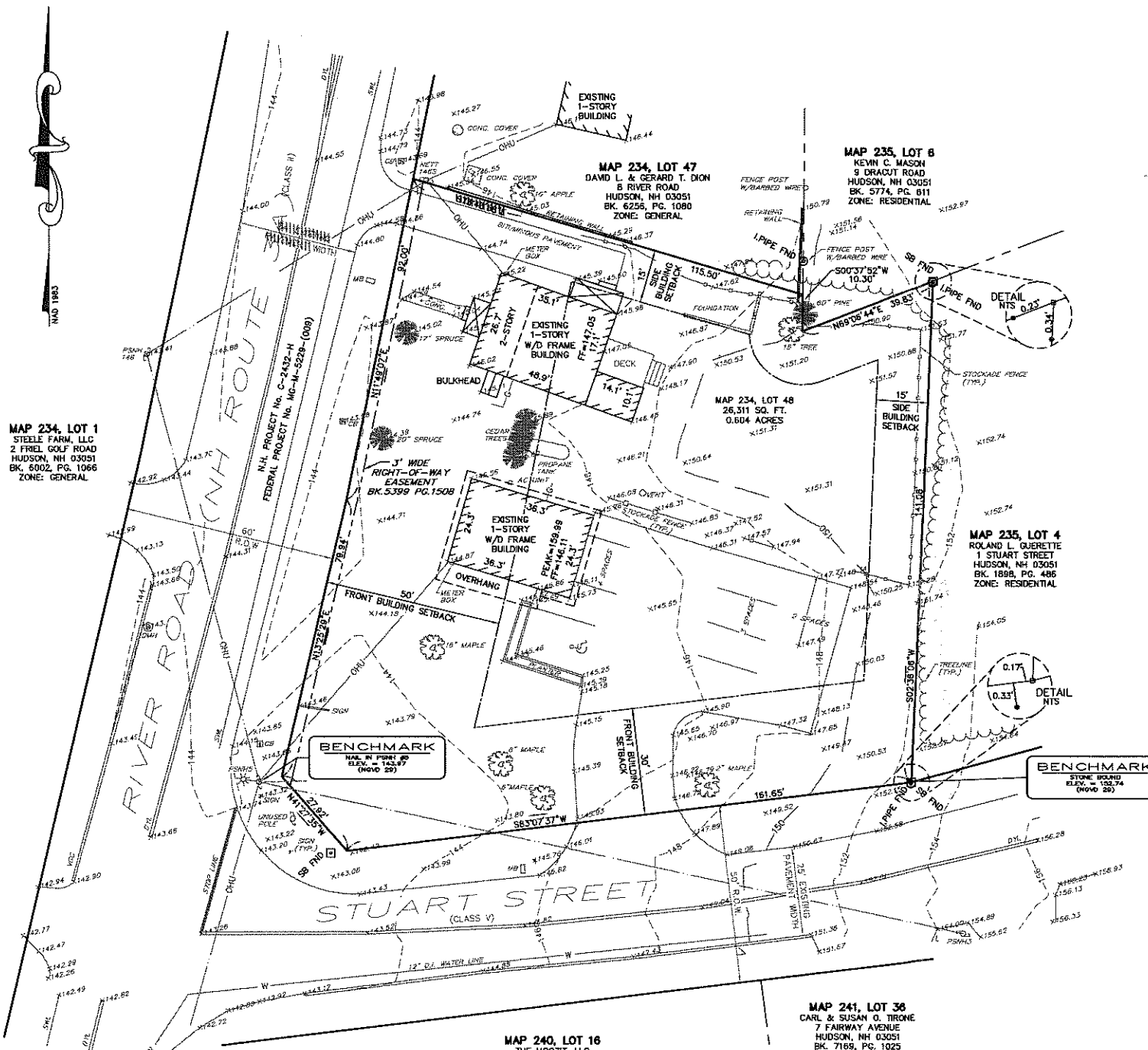
Name: Anthony - Basso - KEACH-NORDSTROM ASSOC.
 Address: 10 COMMERCIAL PARK N SUITE 3 B BEDFORD, NH 03110
 Phone Number: 603-627-2881
 Email: ABASSO@KEACHNORDSTROM.COM

For Office use

ATTACHMENTS: TAX CARD _____ GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____



MAP 234, LOT 1
STEELE FARM, LLC
2 FRIEL GOLF ROAD
HUDSON, NH 03051
BK. 6002, PG. 1066
ZONE: GENERAL

MAP 234, LOT 47
DAVID L. & GERARD T. DION
8 RIVER ROAD
HUDSON, NH 03051
BK. 6256, PG. 1080
ZONE: GENERAL

MAP 235, LOT 6
KEVIN C. MASON
9 DRACUT ROAD
HUDSON, NH 03051
BK. 5774, PG. 611
ZONE: RESIDENTIAL

MAP 234, LOT 48
26,311 SQ. FT.
0.604 ACRES

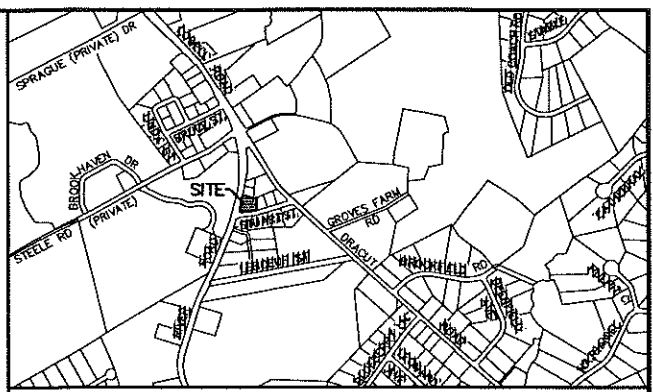
MAP 235, LOT 4
RODAN L. GIERETTE
1 STUART STREET
HUDSON, NH 03051
BK. 1888, PG. 486
ZONE: RESIDENTIAL

MAP 240, LOT 16
THE MOOZIT, LLC
c/o ANTHONY KARISTANOS
14 RIVER ROAD
HUDSON, NH 03051
BK. 6829, PG. 1061
ZONE: GENERAL

MAP 241, LOT 36
CARL & SUSAN G. THORNE
7 FAIRWAY AVENUE
HUDSON, NH 03051
BK. 7169, PG. 1025
ZONE: GENERAL

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

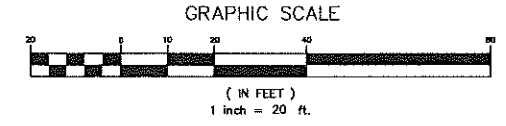
ZONING NOTE
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND PLOTTED FROM EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



VICINITY MAP
SCALE: 1"=1000'

- PLAN REFERENCES**
- THE DAILY GRIND STORE SITE PLAN, RIVER ROAD & STUART STREET, HUDSON, NH, FOR GREGG C. & EILEEN F. MERRILL, BY MAYNARD & PAQUETTE, INC., DATED AUGUST 03, 1993 SCALE: 1"=20', RECORDED: H.C.R.D. PLAN No. 26143.
 - STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY, FEDERAL AID URBAN SYSTEM PROJECT, MG-N-5229-(009), NH PROJECT No. C-2432-H, RECORDED: H.C.R.D. PLAN No. 22240.
 - PLAN OF LAND OF E. STUART GROVES, BETWEEN RIVER ROAD & DRACUT ROAD, HUDSON, NH, BY NED SPAULDING, DATED APRIL 1955 SCALE: 1"=50', RECORDED: H.C.R.D. PLAN No. 1215.

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS OF MAP 234, LOT 48 IN THE TOWN OF HUDSON, NH.
 - TOTAL SITE AREA:
TOTAL AREA OF LOT = 26,311 SQ. FT., 0.604 ACRES
 - PRESENT ZONING: GENERAL (G-1)
MINIMUM LOT REQUIREMENTS:
- LOT AREA 87,120 SQ. FT.
- LOT FRONTAGE 200 FT.
MINIMUM BUILDING SETBACKS:
- FRONT 50 FT.
- SIDE 15 FT.
- REAR 15 FT.
 - MAP 234 LOT 48 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBER.
 - EXAMINATION OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 330092 0010 B PANEL NUMBER 10 OF 10, EFFECTIVE DATE: JANUARY 3, 1979 INDICATES THAT THE SUBJECT LOT IS NOT LOCATED WITHIN A FLOOD HAZARD AREA.
 - BENCHMARKS SET AS NOTED, BASED ON NGVD 1929.
 - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-888-344-7233.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE IN SEPTEMBER 2008. HORIZONTAL DATUM IS NAD 83.
 - SOIL IS W6B, WINDSOR LOAMY SAND, 3 TO 8 PERCENT SLOPE.
 - PRESENT OWNER OF RECORD:
LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051
BK. 7966, PG. 1719
 - EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES WOULD DETERMINE.



- LEGEND**
- EXISTING CONCRETE BOUND
 - EXISTING IRON PIN
 - EXISTING UTILITY POLE
 - EXISTING STREET LIGHT
 - EXISTING SIGN
 - EXISTING CATCH BASIN
 - EXISTING WATER VALVE
 - EXISTING FIRE HYDRANT
 - EXISTING DRAINAGE MANHOLE
 - EXISTING DECIDUOUS TREE
 - EXISTING CONIFER TREE
 - EXISTING CONCRETE
 - EXISTING STOCKADE FENCE
 - EXISTING TREELINE
 - EXISTING EDGE OF PAVEMENT
 - EXISTING OVERHEAD UTILITY LINE
 - EXISTING GAS PIPE
 - EXISTING WATER LINE
 - EXISTING EASEMENT
 - EXISTING BUILDING SETBACK
 - 10' CONTOUR
 - 2' CONTOUR

THIS PLAN AND THE SURVEY UPON WHICH IT IS BASED WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION IN SEPTEMBER 2008 IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF NEW HAMPSHIRE AND THE TOWN OF HUDSON, NH WITH A TRAVERSE ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000. THE SURVEY PERFORMED IS CLASSIFIED AS AN URBAN STANDARD SURVEY, (CATEGORY 1, CONDITION 1) AS CODIFIED IN THE STATE OF NEW HAMPSHIRE ADMINISTRATIVE RULES.

DATE: _____

EXISTING CONDITIONS PLAN
McGIBBON PROPERTY
MAP 234; LOT 48
STUART STREET / RIVER ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051 H.C.R.D. BK. 7966; PG. 1719	APPLICANT: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051
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KA KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 827-2961

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: SEPTEMBER 26, 2008 SCALE: 1"=20'
PROJECT NO: 08-0918-1 SHEET 1 OF 1



234 048 000
MAP LOT SUB

1 of 2 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPAISED: 208,400/ 288,800
USE VALUE: 208,400/ 288,800
ASSESSED: 208,400/ 288,800



PROPERTY LOCATION

No	All No	Direction/Street/City
7		STUART ST, HUDSON

OWNERSHIP

Owner 1	Owner 2	Owner 3
MCGIBBON, LORI		
Street 1: 7 STUART ST.		
City: HUDSON		
State: NH	Country:	Own Occ:
Postal: 03051	Type:	

PREVIOUS OWNER

Owner 1	Owner 2
SURPRENANT, JOHN A.	SURPRENANT, BETTY L.
Street 1: 961 PLEASANT POND RD.	
City: FRANCETOWN	
State: NH	Country:
Postal: 03043-3112	Type:

NARRATIVE DESCRIPTION
this parcel contains .604 ACRES of land mainly classified as RES-COMM with a NEW ENGLANDR Building built about 900, having primarily VINYL Exterior and 1053 Square Feet, with 1 Unit, 1 Bath, 0 3/4 Bath, 0 HalfBath, 5 Rooms, and 2 dms

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	G1	GENERAL		Water	9	PRIV WATER
O	R2	RESD TWO		Sewer	0	SEPTIC
E				Electri		
Census:				Exmpt		
Flood Haz:	C					
D				Topo	1	LEVEL
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 Inlu	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	% Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.604		SITE ACRE	SITE		0	95,000		1.82	RD		COMM U	25		104,642	325	35			104,600	USE

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
101	0.393	101,000	2,800	67,990	171,790		4655
325	0.211			36,610	36,610		GIS Ref
	0.604	101,000	2,800	104,600	208,400	Entered Lot Size	GIS Ref
	0.604	175,600	8,600	104,600	288,800	Total Land: 0.604	Insp Date
Source: Market Adj Cost		Total Value per SQ unit /Card:		197.91	/Parcel:	150.65	05/04/07
						Land Unit Type: AC	1881!

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	013	FV	175,600	8600	.604	104,600	288,800		Year End Roll	9/27/2021
2021	013	JB	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	5/12/2021
2020	013	FV	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	8/27/2020
2020	013	JB	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	5/6/2020
2019	013	FV	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	9/16/2019
2019	013	JB	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	5/8/2019
2018	013	FV	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	8/27/2018
2018	013	JB	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	5/9/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
SURPRENANT, JOH	7966-1719	1	3/28/2008		350,000	No	No		
TEN RIVER ROAD,	7086-1428	2	9/30/2003	BUSINESS		No	No		
MERRILL, GREGG	6491-2444		9/17/2001		200,000	No	No		
MERRILL, GREGG	6415-1317		4/11/2001	COURT SALE		No	No		
	5234-1385		1/18/1991		80,000	No	No		
	5234-1385		1/1/1991		80,000	No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
10/29/2008	2008-563	SHED	5,000	C				
3/9/2007	2006-898	FIRE DAM	15,000	C				
7/30/1999	042-00	ADDITION	17,000	C				

ACTIVITY INFORMATION

Date	Result	By	Name
4/18/2019	Measured	18	KRT1
6/21/2017	Field Review	9	PVA
5/18/2012	Field Review	9	PVA
2/6/2009	Permit Visit	10	APPRAISER II
5/4/2007	Meas/Inspect	9	PVA
8/1/2002	Hearing - NC	0	PATRIOT
3/4/2002	I&E Mailed	0	PATRIOT
11/8/2001	Permit Visit	0	PATRIOT
8/30/2001	Meas/Inspect	0	PATRIOT

Sign: VERIFICATION OF VISIT NOT DATA

INTERIOR INFORMATION

Type:	15 - NEW ENGLANDR
Sty Ht:	1 - ONE STY
(Liv) Units:	1 Total: 2
Foundation:	1 - CONCRETE
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	TAN
Low / Desir:	

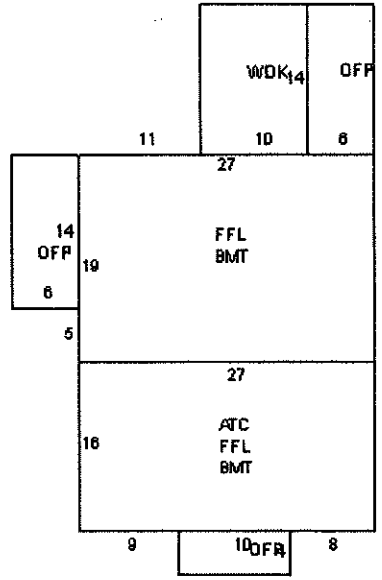
BATH FEATURES

Full Bath:	1	Rating:	GOOD
A Bath:		Rating:	
3/4 Bath:		Rating:	
A 3QBth:		Rating:	
1/2 Bath:		Rating:	
A HSth:		Rating:	
Other Fix:	1	Rating:	AVERAGE

COMMENTS

YLW,1997 ADD PORCH AND VINYL SIDING REV FOR ADDITIONS FOR YR2001/ADD C/A, OF = EXTRA SINK/. 4/19 BUILDING 2=DOG GROOMER. ROOF REPLACED. SIDING/ WINDOWS=AVG.

SKETCH



GENERAL INFORMATION

Grade:	C - AVG/FAIR
Year Bilt:	1900
Alt LUC:	
Jurisdic:	
Const Mod:	
Lump Sum Adj:	

CONDO INFORMATION

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

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:	5	BRS:	2	Baths:	1	HB:					

DEPRECIATION

Phys Cond:	AV - Average	32	%
Functional:			%
Economic:	L - LOCATION	10	%
Special:			%
Override:			%
Total:		38.8	%

REMODELING

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

RES BREAKDOWN

No Unit:	RMS	BRS	FL
1	5	2	M
Totals			
1	5	2	

INTERIOR INFORMATION

Avg HWL:	STD
Trim Int Wall:	2 - PLASTER
Sec Int Wall:	%
Partion:	T - TYPICAL
Prim Floors:	04 - CARPET
Sec Floors:	%
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:	0
Solar HW:	NO
Central Vac:	NO
% Con. Wal:	
% Sprinkled:	

CALC SUMMARY

Basic \$ / SQ:	98.00
Size Adj:	1.35470080
Const Adj:	0.98000002
Adj \$ / SQ:	130.105
Other Features:	6500
Grade Factor:	0.93
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	165084
Depreciation:	64052
Depreciated Total:	101031

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
BMT	BASEMENT	945	26.020	24,590
FFL	FIRST FLOOR	945	130.110	122,950
OFF	OPEN PCH	208	32.840	6,830
WDK	WOOD DECK	140	18.490	2,588
ATC	ATTIC	108	130.110	14,051
Net Sketched Area:		2,346		171,009
Size Ad	1053	Gross Area	2670	FinArea 1053

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	Type	%	Qu #	Ten

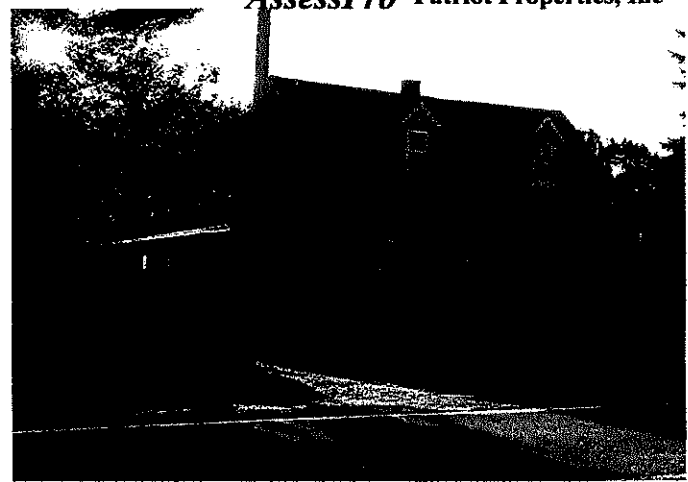
MOBILE HOME	Make:	Model:	Serial #:	Year:	Color:
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PEC FEATURES/YARD ITEMS **PARCEL ID** 234-048-000

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	Fact	Juris Value
	SHED-WOOD	D	Y		112X20	AV	AV	2008	23.26	T	50	101			2,800			2,800

Total	Total	2,800	Total	Total	2,800
-------	-------	-------	-------	-------	-------

IMAGE



AssessPro Patriot Properties, Inc

234 048 000
MAP LOT SUB

2 of 2 COMMERCIAL
CARD

Hudson

APPAISED: 80,400/ 288,800
USE VALUE: 80,400/ 288,800
ASSESSED: 80,400/ 288,800

Total Card / Total Parcel

PROPERTY LOCATION

No	Alt No	Direction/Street/City
7		STUART ST, HUDSON
OWNERSHIP		
Owner 1:	MCGIBBON, LORI	
Owner 2:		
Owner 3:		
Street 1:	7 STUART ST.	
Street 2:		
Town/City:	HUDSON	
St/Prov:	NH	Cntry
Postal:	03051	Type:

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Legal Description	User Acct
325	0.000	74,600	5,800		80,400		4655
							GIS Ref
							GIS Ref
	0.000	74,600	5,800		80,400	Entered Lot Size	
	0.604	175,600	8,600	104,600	288,800	Total Land: 0.604	
Source: Market Adj Cost		Total Value per SQ unit /Card:		93.06	/Parcel: 150.65	Land Unit Type: AC	Insp Date
							04/18/19



Patriot Properties Inc.

PREVIOUS ASSESSMENT

Tax Yr	Use	Cal	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date

Parcel ID 234-048-000
1881!
PRINT
Date: 10/12/21 Time: 08:05:38
LAST REV
Date: 06/03/19 Time: 10:47:13
krt
881

USER DEFINED
Prior Id #1: 0008
Prior Id #2: 0056
Prior Id #3: 0000
Prior Id #1: GM
Prior Id #2:
Prior Id #3:
Prior Id #1:
Prior Id #2:
Prior Id #3:
ASR Map:
Fact Dist:
Reval Dist:
Year:
Land Reason:
Bld Reason:
Civil District:
Ratio:

PREVIOUS OWNER

Owner 1:	
Owner 2:	
Street 1:	
Town/City:	
St/Prov:	Cntry
Postal:	

NARRATIVE DESCRIPTION

This parcel contains .604 ACRES of land mainly classified as ES-COMM with a STORE Building built about 1999, having primarily COMP CLAPBD Exterior and 864 Square Feet, with 1 nit, 0 Bath, 0 3/4 Bath, 1 HalfBath, 0 Rooms, and 0 Bdrm.

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com: Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	G1	GENERAL		water		
o	R2	RES2 TWO		Sewer		
n				Electri		
Census:				Exmpt		
Flood Haz:						
D				Topo		
s				Street		
t				Gas		

BUILDING PERMITS

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

ACTIVITY INFORMATION

Date	Result	By	Name
4/18/2019	Meas/Inspect	18	KRT1
6/21/2017	Field Review	9	PVA
5/18/2012	Field Review	9	PVA
3/25/2010	Inspected	12	TECH ASMNT
4/15/2009	Inspected	10	APPRAISER II
5/4/2007	Meas/Inspect	9	PVA
8/30/2001	Meas/Inspect	0	PATRIOT
6/20/2000	Inspected	2	AVITAR
9/21/1990	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 Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	Spec Land	J Code	Fact	Use Value	Notes
325	STORE		0		SITE ACRE	SITE		0	0	0.00	RD											

EXTERIOR INFORMATION

Type: 78 - STORE
 Sty Ht: 1 - ONE STY
 (Liv) Units: 1 Total: 2
 Foundation: 6 - SLAB
 Frame: 1 - WOOD
 Prime Wall: 20 - COMP CLAPBD
 Sec Wall: %
 Roof Struct: 1 - GABLE
 Roof Cover: 1 - ASPH SHING
 Color: RED
 Slew / Desir:

DATA FEATURES

Full Bath: Rating:
 A Bath: Rating:
 3/4 Bath: Rating:
 A 3/4 Bath: Rating:
 1/2 Bath: 1 Rating: AVERAGE
 A HBth: Rating:
 Other Fx: 1 Rating: AVERAGE

COMMENTS

IFUNC=LIMITED VISIBILITY FROM RIVER RD/
 2000 CHANGE = REMOVE OLD BLDG/ADD
 NEW/FIRE DAMAGE REPAIRED AS OF 4-107
 (NEW ROOF ETC)/ 2009, new use, Hudson K9
 Training Center= "store" use code, ZBA approval
 #234-48, Bk #8033, Pg#923.

GENERAL INFORMATION

Grade: D - FAIR
 Year Bilt: 1999 Eff Yr Bilt:
 Alt LUC: Alt %:
 Jurisdct: Fact:
 Const Mod:
 Lump Sum Adj:

OTHER FEATURES

Kits: Rating:
 A Kits: Rating:
 Frpl: Rating:
 WSPflue: Rating:

CONDO INFORMATION

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

RESIDENTIAL GRID

1st Res Grid Desc: # Units
 Level FY LR DR D K FR RR BR FB HB L 0
 Other:
 Upper:
 Lvl 2:
 Lvl 1:
 Lower:
 Totals RMs: BRs: Baths: HB1:

REMODELING

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

RES BREAKDOWN

No Unit	RMS	BRS	FL
Totals			

EXTERIOR INFORMATION

Avg Ht/FL: 8
 Trim Int Wall: 1 - DRYWALL
 Ec Int Wall: %
 Partition: T - TYPICAL
 Trim Floors: 12 - CONCRETE
 Sec Floors: 05 - LINO/VINYL 40%

DEPRECIATION

Phys Cond	AV - Average	18.0%
Functional:		
Economic: L - LOCATION		10.0%
Special:		
Override:		
Total:		26.2%

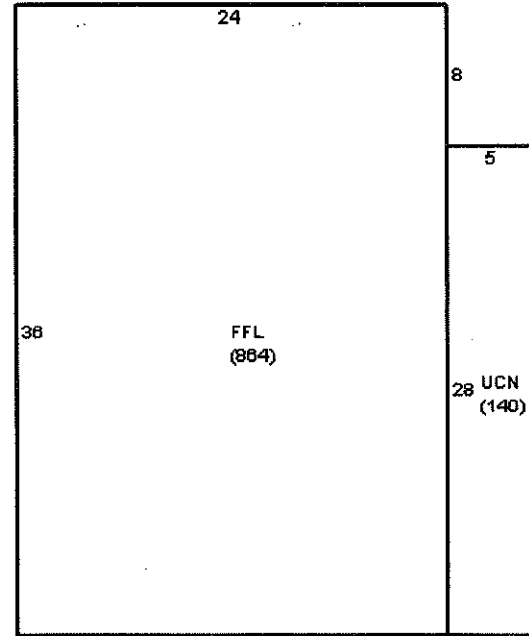
CALC SUMMARY

Basic \$ / SQ:	96.00
Size Adj:	1.50000000
Const Adj:	0.93139195
Adj \$ / SQ:	134.120
Other Features:	7064
Grade Factor:	0.80
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	101087
Depreciation:	26485
Depreciated Total:	74602

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WAV\$/SQ: AvRate: Ind.Val				
Juns. Factor:		Before Dep: 107.30		
Special Features: 0		Val/Su Net: 74.30		
Final Total: 74600		Val/Su SzAd 86.34		

SKETCH



MOBILE HOME

Make: Model: Serial # Year: Color:

PEC 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	UCodJFact	Juris Value					
	PAVING-ASPH	D	Y	12000		AV	AV	1999	4.00	T	27	325		5,800		5,800					
PARCEL ID 234-048-000																					
<table border="1" style="width: 100%;"> <tr> <td>NO. N</td> <td>1000/20 Items</td> <td>5,800</td> <td>0.00</td> <td>5,800</td> </tr> </table>																	NO. N	1000/20 Items	5,800	0.00	5,800
NO. N	1000/20 Items	5,800	0.00	5,800																	

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	864	134.120	115,880	
UCN	UNF CANOPY	140	24.390	3,415	
Net Sketched Area:		1,004	Total:	119,295	
Size Ad	864	Gross Area	1004	Fin Area	864

SUB AREA DETAIL

Sub Area	% Usbl	Descr	% Type	Qu	# Ten

IMAGE



AssessPro Patriot Properties, Inc

7 Stuart St (Map/Lot (234-048-000)

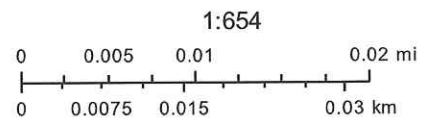


October 25, 2021

Legend

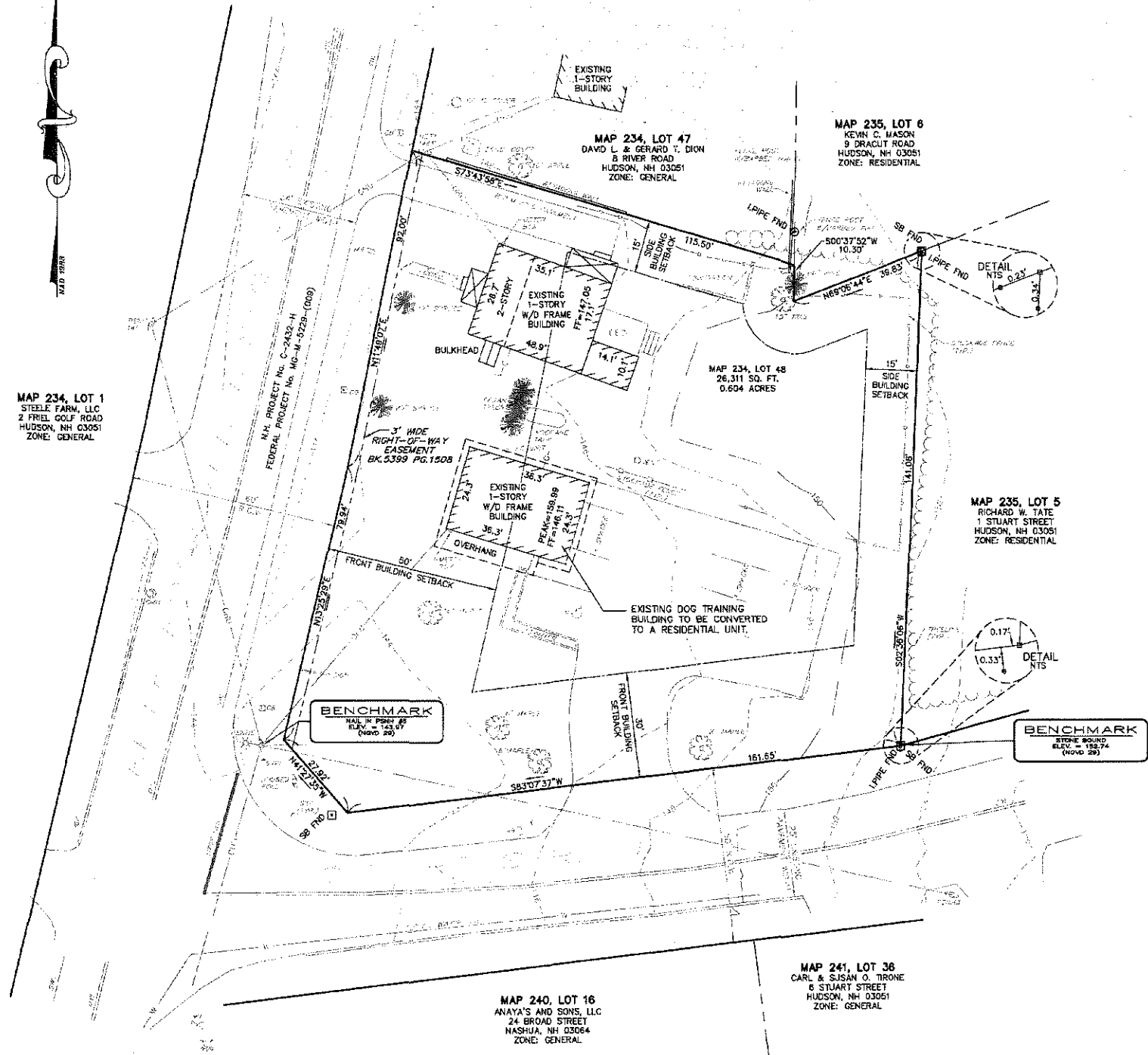
 Parcels - Aerials

 Parcels



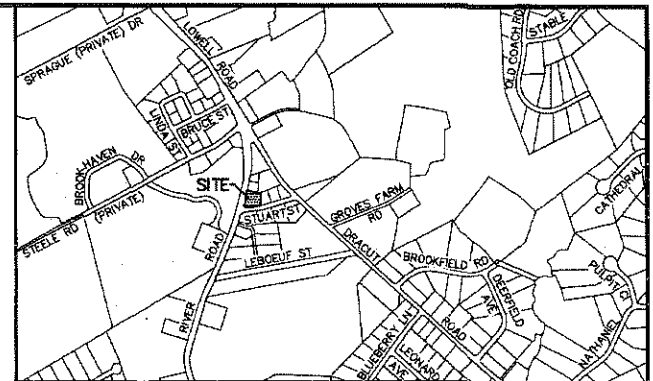


MAP 234, LOT 1
STEELE FARM, LLC
2 FREL COLP ROAD
HUDSON, NH 03051
ZONE: GENERAL



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

ZONING NOTE
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND PLOTTED FROM EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



VICINITY MAP

SCALE: 1"=1000'

PLAN REFERENCES

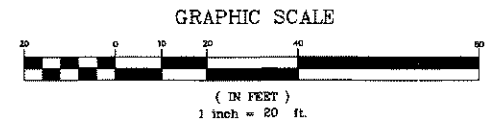
1. THE DAILY GRIND STORE SITE PLAN, RIVER ROAD & STUART STREET, HUDSON, NH, FOR GREGG C. & EILEEN F. MERRILL, BY MAYNARD & PAQUETTE, INC., DATED AUGUST 03, 1993 SCALE: 1"=20', RECORDED: H.C.R.D. PLAN No. 26143.
2. STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY, FEDERAL AID URBAN SYSTEM PROJECT, MG-M-5229-(009), NH PROJECT No. C-2432-H, RECORDED: H.C.R.D. PLAN No. 22240.
3. PLAN OF LAND OF E. STUART GROVES, BETWEEN RIVER ROAD & DRACUT ROAD, HUDSON, NH, BY NED SPAULDING, DATED APRIL 1955 SCALE: 1"=50', RECORDED: H.C.R.D. PLAN No. 1215.

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE CHANGE OF USE OF THE SOUTHERLY BUILDING FROM DOG TRAINING FACILITY TO SPECIAL EXCEPTION APPLICATION.
2. TOTAL SITE AREA:
TOTAL AREA OF LOT = 26,311 SQ. FT., 0.604 ACRES
3. PRESENT ZONING: GENERAL (G-1)

MINIMUM LOT REQUIREMENTS:
- LOT AREA 87,120 SQ. FT.
- LOT FRONTAGE 200 FT.
MINIMUM BUILDING SETBACKS:
- FRONT 50 FT.
- SIDE 15 FT.
- REAR 15 FT.
4. MAP 234 LOT 48 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBER.
5. EXAMINATION OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 330092 0010 B PANEL NUMBER 10 OF 10, EFFECTIVE DATE: JANUARY 3, 1979 INDICATES THAT THE SUBJECT LOT IS NOT LOCATED WITHIN A FLOOD HAZARD AREA.
6. BENCHMARKS SET AS NOTED, BASED ON NGVD 1929.
7. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-888-344-7233.
8. BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE IN SEPTEMBER 2008. HORIZONTAL DATUM IS NAD 83.
9. SOIL IS WBS, WINDSOR LOAMY SAND, 3 TO 8 PERCENT SLOPE.
10. PRESENT OWNER OF RECORD:

LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051
BK. 7966, PG. 1719
11. EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES WOULD DETERMINE.
12. A VARIANCE HAS BEEN REQUESTED FROM SECTION 334-10A OF THE HUDSON ZONING ORDINANCE FOR THIS PROJECT.



LEGEND

- EXISTING CONCRETE BOUND
- EXISTING IRON PIN
- EXISTING UTILITY POLE
- EXISTING STREET LIGHT
- EXISTING SIGN
- EXISTING CATCH BASIN
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING DRAINAGE MANHOLE
- EXISTING DECIDUOUS TREE
- EXISTING CONIFER TREE
- EXISTING CONCRETE
- EXISTING STOCKADE FENCE
- EXISTING TREELINE
- EXISTING EDGE OF PAYMENT
- EXISTING OVERHEAD UTILITY LINE
- EXISTING GAS PIPE
- EXISTING WATER LINE
- EXISTING EASEMENT
- EXISTING BUILDING SETBACK
- 10' CONTOUR
- 2' CONTOUR

ZONING BOARD OF ADJUSTMENT PLAN

McGIBBON PROPERTY
MAP 234; LOT 48
STUART STREET / RIVER ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD:
LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051
H.C.R.D. BK. 7966; PG. 1719

APPLICANT:
LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051

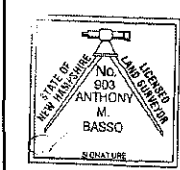
KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-2861



OWNER OF MAP 234; LOT 48
SIGNATURE: *Lori McGibbon*
DATE: *10/1/21*

CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING SEPTEMBER OF 2008. SAID SURVEY HAS AN ERROR OF CLOSURE BETTER THAN ONE PART IN TEN THOUSAND (1:10,000).

[Signature] / *[Signature]*
LICENSED LAND SURVEYOR / DATE



REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: OCTOBER 10, 2021 SCALE: 1"=20'
PROJECT NO: 08-0918-1 SHEET 1 OF 1

Printed
 11/18/2021
 4:09PM
 Created
 11/18/2021
 4:05 PM

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

Receipt# 662,941
 tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	ZBA Application- 12-9-21 ZBA Mtg. 7 Stuart Street Map/Lot 234-048-000 Variance Application	0.00	222.5400	0.00
	Special Except. Appl	0.00	185.0000	0.00
			Total:	407.54

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Keach-Nordstrom	CHECK	CHECK #9048	222.54	0.00	222.54
Keach-Nordstrom Associates, Inc.	CHECK	CHECK# 32516	185.00	0.00	185.00
			Total Due:		407.54
			Total Tendered:		407.54
			Total Change:		0.00
			Net Paid:		407.54

KEACH-NORDSTROM ASSOCIATES, INC.

32516

Town of Hudson

11/11/2021

Town of Hudson Fees

185.00

Citizens Checking - P

185.00



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: December 9, 2021

Bb
12-1-21

Case 234-048 (12-09-21): Lori McGibbon, 7 Stuart St., Hudson, NH [Map 234, Lot 048-000; Zoned General-One (G-1)] requests the following:

b. A Special Exception to allow 2 (two) single family homes on a lot where multiple or mixed uses on a single lot which includes a residential use, shall only be allowed by Special Exception with the general requirements listed in Article VI, § 334-23. [HZO Article III, General Regulations; §334-10.D, Mixed or dual use on a lot.]

Address: 7 Stuart St

Zoning district: General One (G-1)

Summary:

Applicant requests a Special Exception to allow a dual (residential) use in two existing detached structures on a lot as required by §334-10D: a residential use shall be by Special Exception. This property currently has a mixed use by variance.

Property description:

Lot of record.

This property contains two detached structures with a mixed use consisting of: a single family residential and a dog training use on an existing non-conforming corner lot of record with .60 Acres, where 2 Acres are required, 172 ft of frontage on River Rd and 161 ft of frontage on Stuart St, where 200 ft is required.

Both existing buildings are non conforming in regards to setback from River Rd.

LAND USE HISTORY:

Variance granted 10/23/08: to allow mixed use (single family residential and dog training).
Site plan approval 11/12/08 by Planning Board.

ASSESSING HISTORY:

Card 1: Property card indicates the existing house built ~ 1900 as Single Family
Card 2: Property card indicates structure built 1999 as Store

Town in-house review comments:

Town Engr: comments attached

Town Planner: none received

Fire Dept: no comments

Attachments:

A: Assessing history

B: Variance granted 10/23/08: to allow mixed use (single family residential and dog training).

C: Site plan approval 11/12/08 by Planning Board.

D: Town Engr's comments.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2021	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2021	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2021	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2020	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2020	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2020	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2020	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2019	101 - ONE FAMILY	101,000	2,800	67,990	0.39	0.00	171,790
2019	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2019	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2019	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2018	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2018	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2018	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2018	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2017	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2017	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2017	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2017	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2017	101 - ONE FAMILY	100,900	2,800	67,990	0.39	0.00	171,690
2017	325 - STORE	74,600	5,800	36,610	0.21	0.00	117,010
2016	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2016	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2016	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2016	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2015	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2015	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2015	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2015	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2014	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2014	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2014	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2014	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2013	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2013	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2013	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2013	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2012	101 - ONE FAMILY	92,800	2,600	67,990	0.39	0.00	163,390
2012	325 - STORE	69,800	5,800	36,610	0.21	0.00	112,210
2012	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2012	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445

A1

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2011	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2011	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2011	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2011	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2010	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2010	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2010	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2010	325 - STORE	71,900	5,500	52,045	0.21	0.00	129,445
2009	101 - ONE FAMILY	102,100	2,100	96,655	0.39	0.00	200,855
2009	325 - STORE	72,500	5,500	52,045	0.21	0.00	130,045
2008	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2008	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2008	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2008	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2007	101 - ONE FAMILY	102,100	0	96,655	0.39	0.00	198,755
2007	325 - STORE	76,600	5,500	52,045	0.21	0.00	134,145
2007	101 - ONE FAMILY	100,700	0	71,630	0.39	0.00	172,330
2007	325 - STORE	70,900	4,900	38,570	0.21	0.00	114,370
2006	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2006	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2006	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2006	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2005	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2005	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2005	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2005	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2004	101 - ONE FAMILY	111,900	0	71,630	0.39	0.00	183,530
2004	325 - STORE	73,400	4,900	38,570	0.21	0.00	116,870
2004	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2004	325 - STORE	67,700	2,800	28,910	0.21	0.00	99,410
2003	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2003	325 - STORE	67,700	2,800	28,910	0.21	0.00	99,410
2003	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2003	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2002	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2002	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2002	101 - ONE FAMILY	83,100	0	53,690	0.39	0.00	136,790
2002	325 - STORE	67,700	0	28,910	0.21	0.00	96,610
2001	101 - ONE FAMILY	74,900	0	50,300		0.00	125,200
2000	MXU - N/A	36,600	0	50,300	0.60	0.00	86,900
1999	MXU - N/A	35,200	4,200	48,600	0.60	0.00	88,000

A₂

A43

Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

Doc # 8056746 Nov 12, 2008 2:00 PM
Book 8033 Page 0923 Page 1 of 2
Registrar of Deeds, Hillsborough County
Judith A. MacDonald

FEES:	14.42
SURCHARGE	2.00
CASH	0

Town of Hudson
Zoning Board of Adjustment

Decision to Grant a Use Variance

On **10/23/08**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 234-48**, concerning a request by **Lori McGibbon, 7 Stuart Street, Hudson**, for a Use Variance to allow the property to be used as a dual use of a dog training facility and kennel/residential. [Map 234, Lot 48, Zoned G-1; HZO Article III, Section 334-10, Mixed or dual use on a lot.]

Following review of the testimony and deliberation, the members of this Zoning Board voted 5-0 that the variance should be granted.

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

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.

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

B,

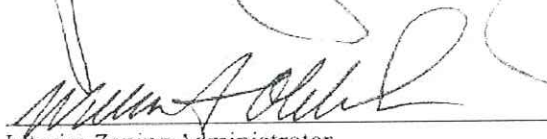
Signed:



Chairman, Hudson Zoning Board of Adjustment

Date: 10-30-08

Signed:



Interim Zoning Administrator

Date: 10/31/08

B₂

#546
Town of Hudson

FEES:	14.77
SURCHARGE:	2.00
CASH:	0

NOTICE OF APPROVAL

November 17, 2008

Owner or Applicant: Lori McGibbon
7 Stuart Street
Hudson, NH 03051

On Wednesday, November 12, 2008, the Hudson Planning Board heard subject case SP# 16-08 "McGibbon Site Plan".

SUBJECT: Purpose of plan: To show a proposed change of use from coffee shop to dog training/grooming facility. Application Acceptance & Hearing.

LOCATION: Stuart Street/River Road – Map 234/Lot 48

You are hereby notified of the subject plat presented before the Planning Board and the following action:

The Planning Board voted to accept the Site Plan application for the proposed dual use Site Plan at Stuart Street/River Road – Map 234/Lot 48.

The Planning Board voted to approve the following waivers:

1. HTC 275-6 - Development Agreement
2. HTC 275-9B - Traffic Study
3. HTC 275-9C - Noise Study
4. HTC 275-9D - Fiscal Impact Study
5. HTC 275-9A - Drainage Study
6. HTC 275-9H - High Intensity Soil Survey (HISS)

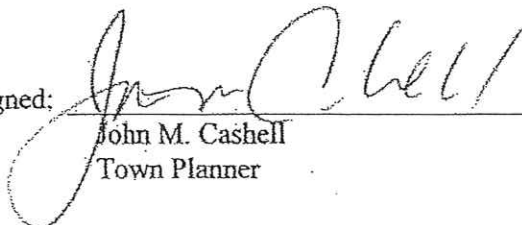
The Planning Board voted to approve the Site Plan entitled: Amended Site Plan McGibbon Property, Map 234/Lot 048, Stuart Street/River Road, Hudson, New Hampshire, prepared by Keach-Nordstrom Associates, Inc., dated: October 24, 2008 (no revision date), consisting of Sheet 1 of 1 and Notes 1 – 15, in accordance with the following terms and conditions:

C1

- 1) All stipulations of approval shall be incorporated into the Decision of Approval, which shall be recorded at the HCRD, together with the Site Plan-of-Record.
- 2) This approval is exclusive to the change of commercial use from the former coffee shop (f/k/a "The Daily Grind") to a dog grooming/training facility, with the existing dwelling use to remain the same, i.e., as a single-family dwelling.
- 3) All improvements shown on the Site Plan-of-Record, including Notes 1-15 shall be completed in their entirety and at the expense of the Applicant or her assigns.
- 4) Prior to the issuance of a final certificate of occupancy, a L.L.S. certified "As Built" site plan shall be provided to the Town of Hudson Community Development Department, confirming that the site conforms to the Planning Board approved site plan.
- 5) This plan shall be subject to final engineering review and approval.
- 6) Existing fence to be shown on site plan.
- 7) Trees suitable to screen shed to be placed outside of fence.
- 8) Parking spaces to be shown head-in along north edge of parking lot.
- 9) No overnight nor daytime boarding of dogs shall be allowed.

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

Signed:


John M. Cashell
Town Planner

Date:

2-19-09

Cc: Keach-Nordstrom Assoc. Inc.

C2

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

REQUEST FOR REVIEW/COMMENTS:

Case: 234-048 (Spcl. Excpt.

Property Location: 7 Stuart Street

For Town Use

Plan Routing Date: 11/23/2021 Reply requested by: 11/29/2021 ZBA Hearing Date: 12/09/2021

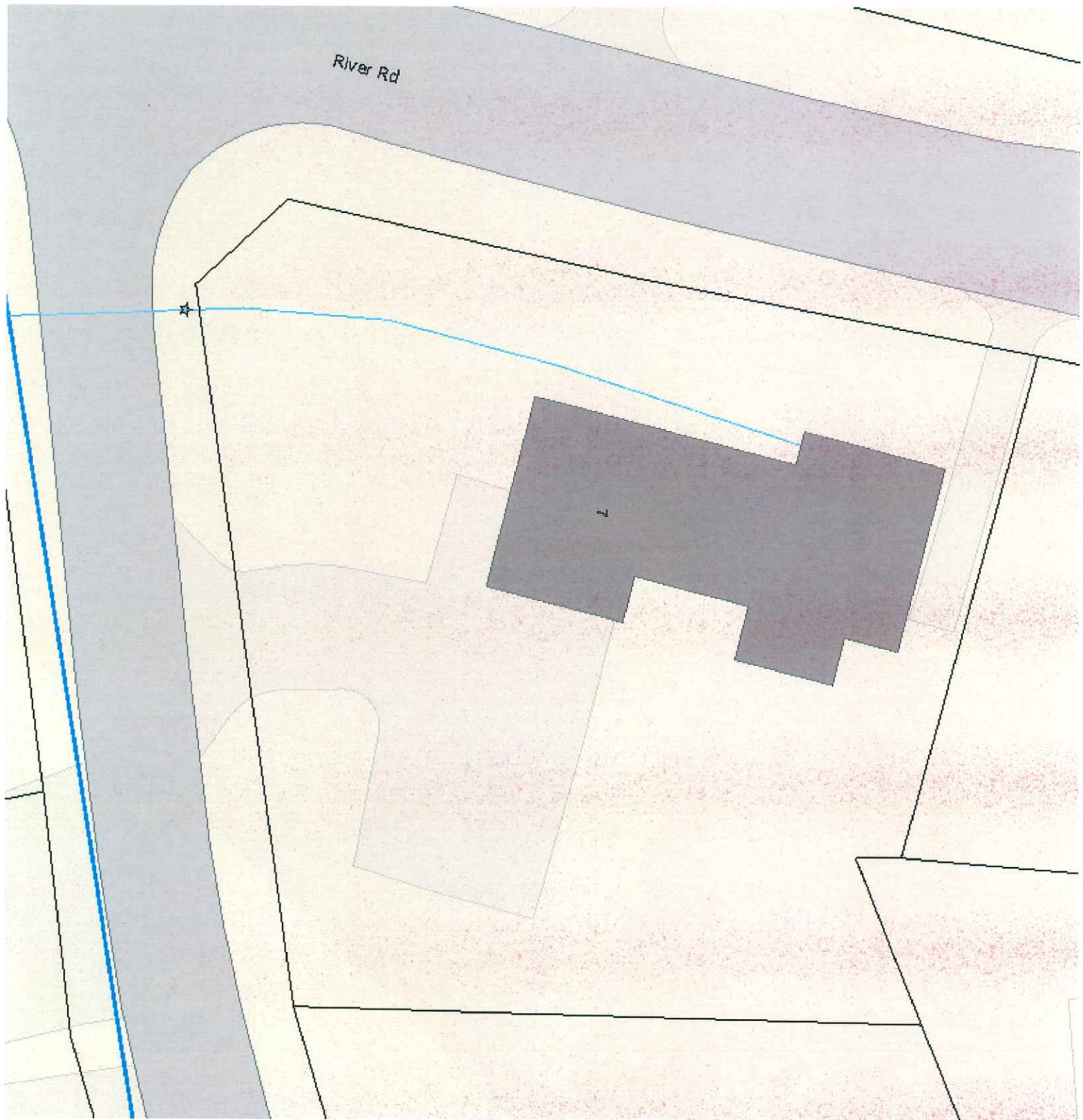
I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, PE Date: 11/23/2021
(Initials)

DEPT. Town Engineer Fire/Health Department Town Planner

1. Applicant shall provide information about the existing septic system and future septic system to accommodate the two single family residence.
2. Currently there is one water service connection providing water for the existing building, see attachment. Applicant shall provide information regarding how the water billing will be handled, typically is one water meter per unit.

D,



D₂

HUDSON ZONING BOARD OF ADJUSTMENT

Use Special Exception Decision Work Sheet

On **12/09/21**, the Zoning Board of Adjustment heard Case# **234-048**, being a case brought by **Lori McGibbon, 7 Stuart St., Hudson, NH** for a Use Special Exception **to allow 2 (two) single family structures on a lot where multiple or mixed uses on a single lot which includes a residential use, shall only be allowed by Special Exception with the general requirements listed in Article VI, § 334-23.** [Map 234, Lot 048-000; Zoned General-One (G-1); HZO Article III, General Regulations; §334-10.D, Mixed or dual use on a lot.]

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

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

Signed: _____
Sitting member of the Hudson ZBA

Date

TOWN OF HUDSON

NOV 12 2021

Zoning Department

APPLICATION FOR A SPECIAL EXCEPTION

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 234-048(12-9-21)

Date Filed 11/12/21

Name of Applicant Lori McGibbon Map: 234 Lot: 48 Zoning District: G-1

Telephone Number (Home) 603-809-1697 (Work) _____

Mailing Address 7 Stuart Street, Hudson NH 03051

Owner Lori McGibbon

Location of Property 7 Stuart Street, Hudson NH 03051
(Street Address)

Lori McGibbon
Signature of Applicant _____ Date 11/11/21

Lori McGibbon
Signature of Property-Owner(s) _____ Date 11/11/21

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 Special Exception.

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

Date received: 11/12/21

COST:

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

N/A Abutter Notice:

N/A Direct Abutters x Certified postage rate \$ _____ = \$ _____

N/A Indirect Abutters x First Class postage rate \$ _____ = \$ _____

Total amount due: \$ _____

Amt. received: \$ 185

Receipt No.: 662,941

Received by: TSG

By determination of the Zoning Administrator, the following Departmental review is required:
Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

check # 32516

Owner Affidavit

I, Lori McGibbon, owner of the property referenced on Tax Map 234 as Lot 48, located at 7 Stuart Street, 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: Lori McGibbon

Address of Owner: 7 Stuart Street

Hudson, NH 03051

Date: 11/11/21

TOWN OF HUDSON, NH

Application Checklist

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

Applicant Initials		Staff Initials
<u>LM</u>	Please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>LM</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 10 (ten) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>LM</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>LM</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>LM</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: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>LM</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>TG</u>
<u>LM</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>LM</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>LM</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) <u>LM</u> | 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. | <u>TG</u> |
| b) <u>LM</u> | The plot plan shall be up-to date and dated, and shall be no more than three years old. | <u>TG</u> |
| c) <u>LM</u> | The plot plan shall have the signature and the name of the preparer, with his/her/their seal. | <u>TG</u> |
| d) <u>LM</u> | 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) | <u>TG</u> |
| e) <u>LM</u> | The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.) | <u>TG</u> |
| f) <u>LM</u> | The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. | <u>TG</u> |
| g) <u>LM</u> | The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. | <u>TG</u> |
| h) <u>LM</u> | The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. | <u>TG</u> |
| i) <u>LM</u> | The plot plan shall indicate all parking spaces and lanes, with dimensions. | <u>TG</u> |

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

Lori M'Callery
Signature of Applicant(s)

11/11/21
Date

Lori M'Callery
Signature of Property Owner(s)

11/11/21
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
234	48	*Include Applicant & Owner(s) Lori McGibbon	7 Stuart Street, Hudson NH 03051
234	1	Steele Farm, LLC	2 Friel Golf Rd, Hudson NH 03051
234	47	Gerard T. Dion	8 River Road, Hudson NH 03051
235	5	Richard W. Tate & John C. Tate	104 Pelham Road, Hudson NH 03051
235	6	Kevin C. Mason	9 Dracut Road, Hudson NH 03051
240	16	Anaya's and Sons, LLC	24 Broad Street, Hudson NH 03051
241	36	Carl Tirone & Susan O. Tirone	6 Stuart Street, Hudson NH 03051
234	47	David L. Dion	7923 SE Highpoint Way, Hobe Sound, FL 33455

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
234	46	Ralph M. Howard	6 River Road, Hudson NH 03051
234	45	Warren R. & Suzanne Barclay, Trustees Barclay Revocable Trust	24 Chalifoux Rd, Hudson NH 03051
235	002	Jack B. Beard	4 Stuart St, Hudson NH 03051
240	17	Kimberly D. Shea	16 B River Rd, Hudson NH 03051
		Keach-Nordstrom Associates, Inc.	10 Commerce Park N, Suite 3B, Bedford NH 03110

APPLICATION FOR A SPECIAL EXCEPTION

Per Hudson Zoning Ordinance, Article VI, Special Exceptions; §334-23, General Requirements: Unless otherwise specified, the Zoning Board of Adjustment shall permit a use by special exception, subject to the following conditions:

1. Describe the proposed use showing justification for a Special Exception, as specified in the Hudson Zoning Ordinance (HZO) , § 334-21, *Table of Permitted Principal Uses*, or § 334-22, *Table of Permitted Accessory Uses*.

ARTICLE: _____ SECTION(S): _____

See Attached

2. Describe how the proposed use meets all the applicable requirements established in this chapter.
See Attached

3. Describe how the proposed use is consistent with the purpose and intent of the district in which it is proposed to be located. *Descriptions of the districts can be found in HZO, Article IV, Establishment of Districts; § 334-18, Districts described.*

See Attached

APPLICATION FOR A SPECIAL EXCEPTION
(CONTINUED)

4. Describe how the proposed use is compatible with the character of the surrounding neighborhood.

See Attached

5. Describe how the nonresidential principal uses proposed to be located in residential districts must take primary access from arterial or collector roads.

See Attached

General Requirements for Special Exceptions

- A. The requested use is listed as permitted by special exception in the Table of Permitted or Accessory uses for the relevant zoning district.**

The property is zoned General-1 and the use is allowed by Special Exception. See section 334-10D mix use.

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

The use is residential and allowed. The building to be used for the residential purpose exists today, and no addition or expansion is proposed for the building.

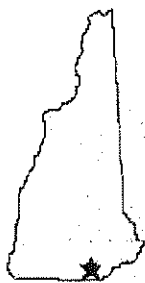
- C. The proposed use is consistent with the purpose and intent of the district in which it is proposed to be located.**

The district allows residential use and duplex (two-family) by right. The property will have only two residences and therefore is consistent with the purpose and intent of the district.

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

The proposed use is residential and the neighborhood is a mixture of residential and business uses.

- E. Not applicable.**



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-167

October 20, 2021

Anthony Basso
KNA
Suite 3B
10 Commerce Park N
Bedford, NH 03110

RE: **7 Stuart St Map 234 Lot 048-000**
District: General One (G-1)

Dear Mr. Basso,

History:

This property contains a mixed use consisting of: a single family residential and a dog grooming/training use on an existing non-conforming corner lot of record with .60 Acres with 172 ft of frontage on River Rd and 161 ft of frontage on Stuart St.

Your Request:

To convert the business use/structure to another single family dwelling residence.

Zoning Review / Determination:

This proposal **would need a Variance** from §334-10A: *Multiple Principal Uses on a lot in the Industrial or Business Zones are permitted provided that the lot meets the area and frontage requirements for the principal use for the district in which it is located and each use is in conformity with all other requirements set forth in this chapter and the Hudson Land Use Regulations pertaining to that use.* As the multiple (dual) uses (two detached Residential) are not in a Business or Industrial zone.

And if successful with a variance, **a Special Exception would be required** per 334-10D: *Multiple or mixed uses on a single lot, which includes a residential use, shall only be allowed by Special Exception in accordance with the general*

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

requirements listed in Article VI, § 334-23. In addition to the general requirements for special exception listed in Article VI, § 334-23, the mixed or dual uses shall be compatible.

If successful with the ZBA approvals, a site plan would be required for approval from the Planning Board per 334-16 C(2) (e): "No more than one single-family home or duplex shall be constructed on one lot without Planning Board site plan approval."

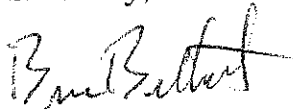
Links to the ZBA applications are found online:

<https://www.hudsonnh.gov/zoning/page/variance>

and

<https://www.hudsonnh.gov/zoning/page/special-exception-application>

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder

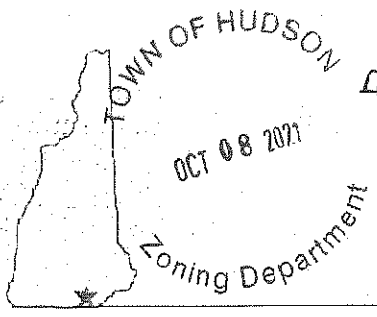
Owner

B. Groth – Town Planner

file

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

21-167



LAND USE DEPARTMENT
12 School Street
Hudson, NH 03051
(603) 886-6008
www.hudsonnh.gov



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 10/8/21

Property Location 7 STUART ST.
Map 234 Lot 048 Sublot 000

Zoning District if known G-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)

REQUEST TO CONVERT BUILDING CURRENTLY USED
FOR CANINE TRAINING TO A RESIDENCE THERE WOULD
THEN BE TWO DETACHED DWELLING UNITS ON ONE
SITE.

Applicant Contact Information:

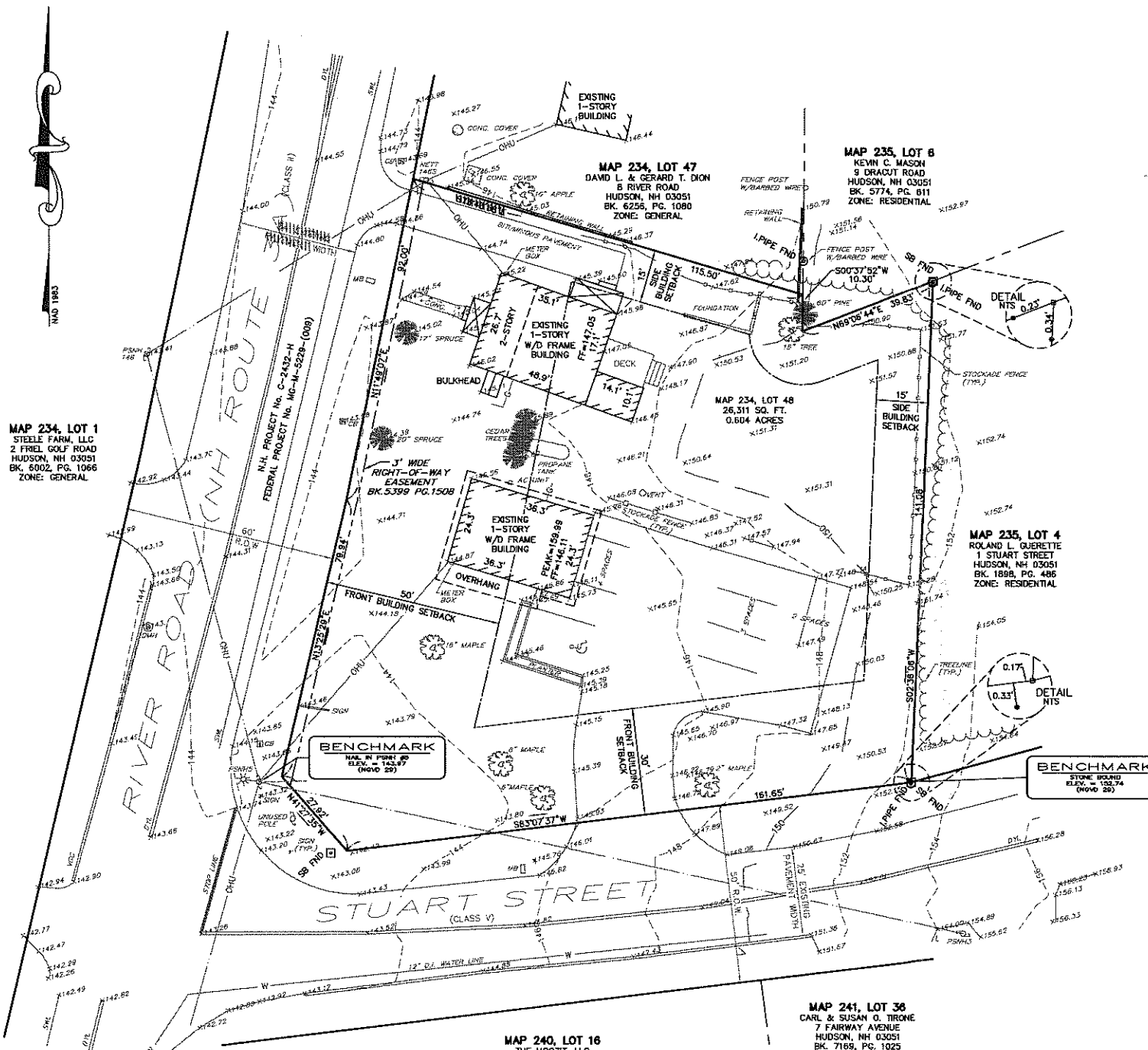
Name: Anthony - Basso - KEACH-NORDSTROM ASSOC.
Address: 10 Commercial Park N Suite 3B BEDFORD, NH 03110
Phone Number: 603-627-2281
Email: ABASSO@KEACHNORDSTROM.COM

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____



MAP 234, LOT 1
STEELE FARM, LLC
2 FRIEL GOLF ROAD
HUDSON, NH 03051
BK. 6002, PG. 1066
ZONE: GENERAL

MAP 234, LOT 47
DAVID L. & GERARD T. DION
8 RIVER ROAD
HUDSON, NH 03051
BK. 6256, PG. 1080
ZONE: GENERAL

MAP 235, LOT 6
KEVIN C. MASON
9 DRACUT ROAD
HUDSON, NH 03051
BK. 5774, PG. 611
ZONE: RESIDENTIAL

MAP 234, LOT 48
26,311 SQ. FT.
0.604 ACRES

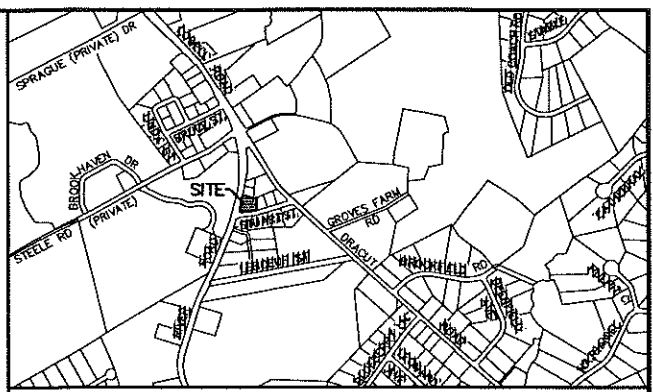
MAP 235, LOT 4
RODAN L. GIERETTE
1 STUART STREET
HUDSON, NH 03051
BK. 1888, PG. 486
ZONE: RESIDENTIAL

MAP 240, LOT 16
THE MOOZIT, LLC
c/o ANTHONY KARISTANOS
14 RIVER ROAD
HUDSON, NH 03051
BK. 6829, PG. 1061
ZONE: GENERAL

MAP 241, LOT 36
CARL & SUSAN G. THORNE
7 FAIRWAY AVENUE
HUDSON, NH 03051
BK. 7169, PG. 1025
ZONE: GENERAL

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

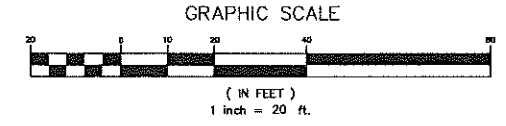
ZONING NOTE
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND PLOTTED FROM EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



VICINITY MAP
SCALE: 1"=1000'

- PLAN REFERENCES**
- THE DAILY GRIND STORE SITE PLAN, RIVER ROAD & STUART STREET, HUDSON, NH, FOR GREGG C. & EILEEN F. MERRILL, BY MAYNARD & PAQUETTE, INC., DATED AUGUST 03, 1993 SCALE: 1"=20', RECORDED: H.C.R.D. PLAN No. 26143.
 - STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY, FEDERAL AID URBAN SYSTEM PROJECT, MG-N-5229-(009), NH PROJECT No. C-2432-H, RECORDED: H.C.R.D. PLAN No. 22240.
 - PLAN OF LAND OF E. STUART GROVES, BETWEEN RIVER ROAD & DRACUT ROAD, HUDSON, NH, BY NED SPAULDING, DATED APRIL 1955 SCALE: 1"=50', RECORDED: H.C.R.D. PLAN No. 1215.

- NOTES:**
- THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS OF MAP 234, LOT 48 IN THE TOWN OF HUDSON, NH.
 - TOTAL SITE AREA:
TOTAL AREA OF LOT = 26,311 SQ. FT., 0.604 ACRES
 - PRESENT ZONING: GENERAL (G-1)
MINIMUM LOT REQUIREMENTS:
- LOT AREA 87,120 SQ. FT.
- LOT FRONTAGE 200 FT.
MINIMUM BUILDING SETBACKS:
- FRONT 50 FT.
- SIDE 15 FT.
- REAR 15 FT.
 - MAP 234 LOT 48 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBER.
 - EXAMINATION OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 330092 0010 B PANEL NUMBER 10 OF 10, EFFECTIVE DATE: JANUARY 3, 1979 INDICATES THAT THE SUBJECT LOT IS NOT LOCATED WITHIN A FLOOD HAZARD AREA.
 - BENCHMARKS SET AS NOTED, BASED ON NGVD 1929.
 - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-888-344-7233.
 - BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE IN SEPTEMBER 2008. HORIZONTAL DATUM IS NAD 83.
 - SOIL IS W6B, WINDSOR LOAMY SAND, 3 TO 8 PERCENT SLOPE.
 - PRESENT OWNER OF RECORD:
LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051
BK. 7966, PG. 1719
 - EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES WOULD DETERMINE.



- LEGEND**
- EXISTING CONCRETE BOUND
 - EXISTING IRON PIN
 - EXISTING UTILITY POLE
 - EXISTING STREET LIGHT
 - EXISTING SIGN
 - EXISTING CATCH BASIN
 - EXISTING WATER VALVE
 - EXISTING FIRE HYDRANT
 - EXISTING DRAINAGE MANHOLE
 - EXISTING DECIDUOUS TREE
 - EXISTING CONIFER TREE
 - EXISTING CONCRETE
 - EXISTING STOCKADE FENCE
 - EXISTING TREELINE
 - EXISTING EDGE OF PAVEMENT
 - EXISTING OVERHEAD UTILITY LINE
 - EXISTING GAS PIPE
 - EXISTING WATER LINE
 - EXISTING EASEMENT
 - EXISTING BUILDING SETBACK
 - 10' CONTOUR
 - 2' CONTOUR

THIS PLAN AND THE SURVEY UPON WHICH IT IS BASED WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION IN SEPTEMBER 2008 IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF NEW HAMPSHIRE AND THE TOWN OF HUDSON, NH WITH A TRAVERSE ERROR OF CLOSURE BETTER THAN 1 PART IN 10,000. THE SURVEY PERFORMED IS CLASSIFIED AS AN URBAN STANDARD SURVEY, (CATEGORY 1, CONDITION 1) AS CODIFIED IN THE STATE OF NEW HAMPSHIRE ADMINISTRATIVE RULES.

DATE: _____

EXISTING CONDITIONS PLAN
McGIBBON PROPERTY
MAP 234; LOT 48
STUART STREET / RIVER ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051 H.C.R.D. BK. 7966; PG. 1719	APPLICANT: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051
--	---

KA KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 827-2961

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: SEPTEMBER 26, 2008 SCALE: 1"=20'
PROJECT NO: 08-0918-1 SHEET 1 OF 1



234 048 000
MAP LOT SUB

1 of 2 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPAISED: 208,400/ 288,800
USE VALUE: 208,400/ 288,800
ASSESSED: 208,400/ 288,800



PROPERTY LOCATION

No	Alt No	Direction/Street/City
7		STUART ST, HUDSON

OWNERSHIP

Owner 1:	MCGIBBON, LORI
Owner 2:	
Owner 3:	
Street 1:	7 STUART ST.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	SURPRENANT, JOHN A. -
Owner 2:	SURPRENANT, BETTY L. -
Street 1:	961 PLEASANT POND RD.
Twn/City:	FRANCESTOWN
St/Prov:	NH
Postal:	03043-3112

NARRATIVE DESCRIPTION

This parcel contains .604 ACRES of land mainly classified as RES-COMM with a NEW ENGLANDR Building built about 1900, having primarily VINYL Exterior and 1053 Square Feet, with 1 Unit, 1 Bath, 0 3/4 Bath, 0 HalfBath, 5 Rooms, and 2 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	R2	RES2 TWO		Sewer	0	SEPTIC
n				Electri		
Census:				Exmpt		
Flood Haz:	C					
D				Topo	1	LEVEL
s				Street		
l				Gas:		

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.393	101,000	2,800	67,990	171,790
325	0.211			36,610	36,610
Total Card	0.604	101,000	2,800	104,600	208,400
Total Parcel	0.604	175,600	8,600	104,600	288,800
Source: Market Adj Cost		Total Value per SQ unit /Card:		197.91	/Parcel: 150.65

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	013	FV	175,600	8600	.604	104,600	288,800		Year End Roll	9/27/2021
2021	013	JB	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	5/12/2021
2020	013	FV	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	8/27/2020
2020	013	JB	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	5/6/2020
2019	013	FV	175,600	8600	.604	104,600	288,800	288,800	Year End Roll	9/16/2019
2019	013	JB	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	5/8/2019
2018	013	FV	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	8/27/2018
2018	013	JB	175,500	8600	.604	104,600	288,700	288,700	Year End Roll	5/9/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif
SURPRENANT, JOH	7966-1719	1	3/28/2008		350,000	No	No	
TEN RIVER ROAD,	7086-1428	2	9/30/2003	BUSINESS		No	No	
MERRILL, GREGG	6491-2444		9/17/2001		200,000	No	No	
MERRILL, GREGG	6415-1317		4/11/2001	COURT SALE		No	No	
	5234-1385		1/18/1991		80,000	No	No	
	5234-1385		1/1/1991		80,000	No	No	

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descr	Comment
10/29/2008	2008-563	SHED	5,000	C				
3/9/2007	2006-898	FIRE DAM	15,000	C				
7/30/1999	042-00	ADDITION	17,000	C				

ACTIVITY INFORMATION

Date	Result	By	Name
4/18/2019	Measured	18	KRT1
6/21/2017	Field Review	9	PVA
5/18/2012	Field Review	9	PVA
2/6/2009	Permit Visit	10	APPRAISER II
5/4/2007	Meas/Inspect	9	PVA
8/1/2002	Hearing - NC	0	PATRIOT
3/4/2002	I&E Mailed	0	PATRIOT
11/8/2001	Permit Visit	0	PATRIOT
8/30/2001	Meas/Inspect	0	PATRIOT

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 Infu	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	Spec Land %	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.604		SITE ACRE	SITE		0	95,000.	1.82	RD			COMM U	25		104,642	325	35			104,600	USE

Total AC/HA: 0.60400 Total SF/SM: 26310 Parcel LUC: 013 RES-COMM Prime NB Desc RES AV/FR Total: 104,642 Spl Credit Total: 104,600

Disclaimer: This information is believed to be correct as of the date of this report.

EXTERIOR INFORMATION

Type: 15 - NEW ENGLANDR
 Sty Ht: 1 - ONE STY
 (Liv) Units: 1 Total: 2
 Foundation: 1 - CONCRETE
 Frame: 1 - WOOD
 Prime Wall: 04 - VINYL
 Sec Wall: %
 Roof Struct: 1 - GABLE
 Roof Cover: 1 - ASPH SHING
 Color: TAN
 View / Desir:

GENERAL INFORMATION

Grade: C- - AVG/FAIR
 Year Bilt: 1900 Eff Yr Bilt:
 Alt LUC: Alt %:
 Jurisdict: Fact:
 Const Mod:
 Lump Sum Adj:

INTERIOR INFORMATION

Avg Ht/Ft: STD
 Prim Int Wall: 2 - PLASTER
 Sec Int Wall: %
 Partition: T - TYPICAL
 Prim Floors: 04 - CARPET
 Sec Floors: %
 Bsmnt Flr: 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: 0
 Solar HW: NO Central Vac: NO
 % Com Wal % Sprinkled

BATH FEATURES

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

OTHER FEATURES

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

CONDO INFORMATION

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

DEPRECIATION

Phys Cond: AV - Average 32.0%
 Functional: %
 Economic: L - LOCATION 10.0%
 Special: %
 Override: %
 Total: 38.8%

CALC SUMMARY

Basic \$ / SQ: 98.00
 Size Adj: 1.35470080
 Const Adj: 0.98000002
 Adj \$ / SQ: 130.105
 Other Features: 6500
 Grade Factor: 0.93
 NBHD Inf: 1.00000000
 NBHD Mod:
 LUC Factor: 1.00
 Adj Total: 165084
 Depreciation: 64052
 Depreciated Total: 101031

COMMENTS

YLW, 1997 ADD PORCH AND VINYL SIDING REV FOR ADDITIONS FOR YR2001/ADD C/A, OF = EXTRA SINK/ 4/19 BUILDING 2=DOG GROOMER. ROOF REPLACED. SIDING/ WINDOWS=AVG.

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: 5 BRs: 2 Baths: 1 HB

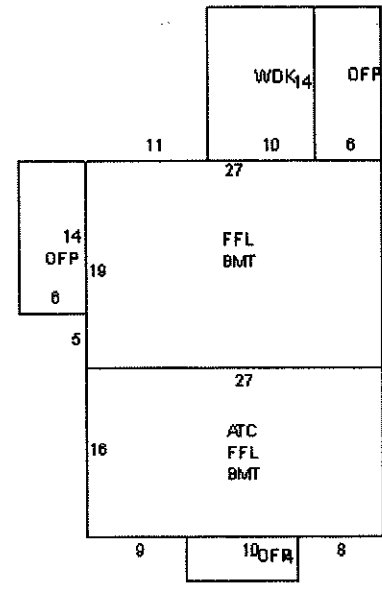
REMODELING

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

RES BREAKDOWN

No Unit	RMS	BRS	FL
1	5	2	M
Totals			
1	5	2	

SKETCH



MOBILE HOME

Make: Model: Serial #: Year: Color:

SPEC FEATURES/YARD ITEMS

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris Value
2	SHED-WOOD	D	Y		112X20	AV	AV	2008	23.26	T	50	101			2,800			2,800

PARCEL ID 234-048-000

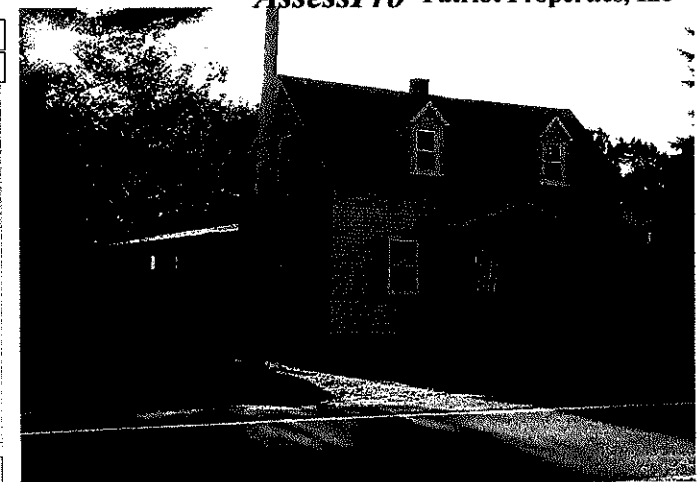
SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
BMT	BASEMENT	945	26.020	24,590	
FFL	FIRST FLOOR	945	130.110	122,950	
OFF	OPEN PCH	208	32.840	6,830	
WDK	WOOD DECK	140	18.490	2,588	
ATC	ATTIC	108	130.110	14,051	
Net Sketched Area:		2,346	Total:	171,009	
Size Ad	1053	Gross Area	2670	FinArea	1053

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu	# Ten

IMAGE



AssessPro Patriot Properties, Inc

More: N Total Yard Items: 2,800 Total Special Features: Total: 2,800

234 048 000
MAP LOT SUB

2 of 2 COMMERCIAL
CARD Hudson

Total Card / Total Parcel
APPRAISED: 80,400/ 288,800
USE VALUE: 80,400/ 288,800
ASSESSED: 80,400/ 288,800



Patriot
Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
7		STUART ST, HUDSON

OWNERSHIP

Owner 1:	MCGIBBON, LORI
Owner 2:	
Owner 3:	
Street 1:	7 STUART ST.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

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

NARRATIVE DESCRIPTION
This parcel contains .604 ACRES of land mainly classified as RES-COMM with a STORE Building built about 1999, having primarily COMP CLAPBD Exterior and 864 Square Feet, with 1 Jnit, 0 Bath, 0 3/4 Bath, 1 HalfBath, 0 Rooms, and 0 Bdrm.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com: Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	G1	GENERAL		water		
o	R2	RESD TWO		Sewer		
n				Electri		
Census:				Exmpt		
Flood Haz:						
D				Topo		
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	% Land	Spec Code	J Code	Fact	Use Value	Notes
325	STORE		0		SITE ACRE	SITE		0.	0.	0.00	RD													

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
325	0.000	74,600	5,800		80,400
Total Card	0.000	74,600	5,800		80,400
Total Parcel	0.604	175,600	8,600	104,600	288,800
Source:	Market Adj Cost	Total Value per SQ unit /Card:		93.06	/Parcel: 150.65

PREVIOUS ASSESSMENT

Tax Yr	Use	Cal	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes

BUILDING PERMITS

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

ACTIVITY INFORMATION

Date	Result	By	Name
4/18/2019	Meas/Inspect	18	KRT1
6/21/2017	Field Review	9	PVA
5/18/2012	Field Review	9	PVA
3/25/2010	Inspected	12	TECH ASMINT
4/15/2009	Inspected	10	APPRAISER II
5/4/2007	Meas/Inspect	9	PVA
8/30/2001	Meas/Inspect	0	PATRIOT
6/20/2000	Inspected	2	AVITAR
9/21/1990	Inspected	2	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA

USER DEFINED

Prior Id # 1:	0008
Prior Id # 2:	0056
Prior Id # 3:	0000
Prior Id # 1:	GM
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Bld Reason:	
Civil District:	
Ratio:	

PRINT

Date	Time
10/12/21	08:05:38

LAST REV

Date	Time
06/03/19	10:47:13
krt	
881	

Parcel ID 234-048-000

INTERIOR INFORMATION

Type: 78 - STORE
 Sty Ht: 1 - ONE STY
 (Liv) Units: 1 Total: 2
 Foundation: 6 - SLAB
 Frame: 1 - WOOD
 Prime Wall: 20 - COMP CLAPBD
 Sec Wall: %
 Roof Struct: 1 - GABLE
 Roof Cover: 1 - ASPH SHING
 Color: RED
 View / Desir:

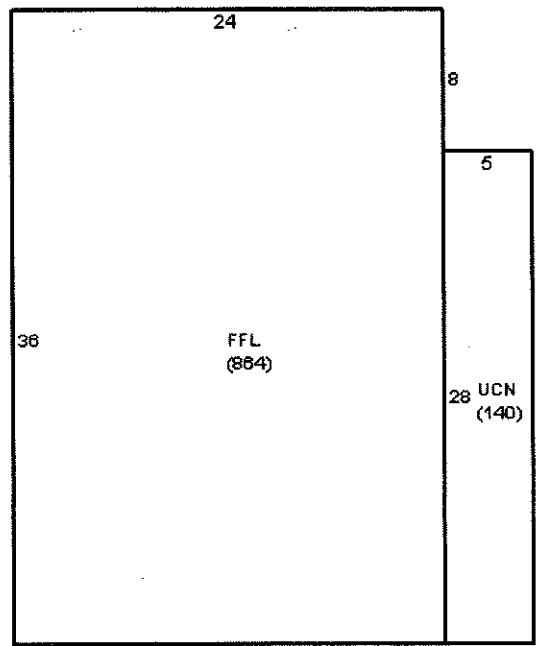
BATH FEATURES

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

COMMENTS

IFUNC=LIMITED VISIBILITY FROM RIVER RD/
 2000 CHANGE = REMOVE OLD BLDG/ADD
 NEW/FIRE DAMAGE REPAIRED AS OF 4-107
 (NEW ROOF ETC)/ 2009, new use, Hudson K9
 Training Center= "store" use code, ZBA approval
 #234-48, Bk #8033, Pg#923.

SKETCH



GENERAL INFORMATION

Grade: D - FAIR
 Year Blt: 1999 Eff Yr Blt:
 Alt LUC: Alt %:
 Jurisdct: Fact:
 Const Mod:
 Lump Sum Adj:

OTHER FEATURES

Kits: Rating:
 A Kits: Rating:
 Frpl: Rating:
 WSFloe: Rating:

RESIDENTIAL GRID

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

CONDO INFORMATION

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

REMODELING

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

RES BREAKDOWN

No Unit	RMS	BRS	FL
Totals			

EXTERIOR INFORMATION

Avg Ht/FL: 8
 Prim Int Wall: 1 - DRYWALL
 Sec Int Wall: %
 Partition: 12 - TYPICAL
 Prim Floors: T - CONCRETE
 Sec Floors: 05 - LINO/VINYL 40%

DEPRECIATION

Phys Cond	AV - Average	18.0%
Functional:		
Economic:	L - LOCATION	10.0%
Special:		
Override:		
Total:		26.2%

CALC SUMMARY

Basic \$ / SQ:	96.00
Size Adj.:	1.50000000
Const Adj.:	0.93139195
Adj \$ / SQ:	134.120
Other Features:	7064
Grade Factor:	0.80
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	101087
Depreciation:	26485
Depreciated Total:	74602

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price						
<table border="1"> <thead> <tr> <th>WtAv/SQ:</th> <th>AvRate:</th> <th>Ind.Val:</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>					WtAv/SQ:	AvRate:	Ind.Val:			
WtAv/SQ:	AvRate:	Ind.Val:								
Juris. Factor:		Before Depr: 107.30								
Special Features: 0		Val/Su Net: 74.30								
Final Total: 74600		Val/Su SzAd: 86.34								

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	864	134.120	115,880	
UCN	UNF CANOPY	140	24.390	3,415	
Net Sketched Area:		1,004	Total:	119,295	
Size Ad	864	Gross Area	1004	FinArea	864

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu # Ten

MOBILE HOME

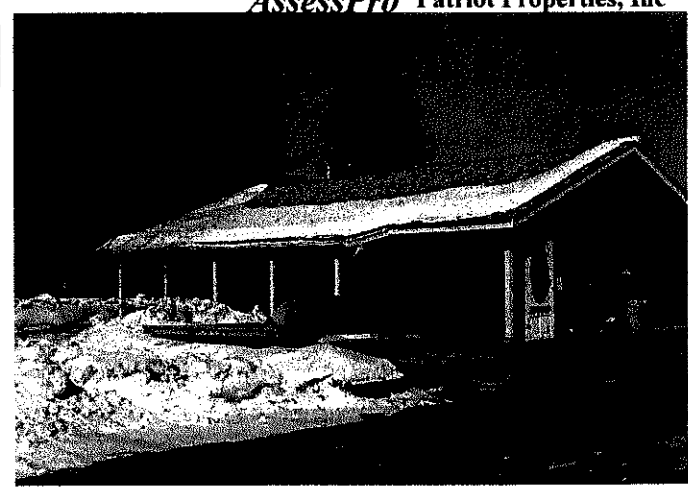
Make: Model: Serial # Year: Color:

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	UCodJFact	Juris. Value
5	PAVING-ASPH	D	Y	1.2000		AV	AV	1999	4.00	T	27	325		5,800		5,800

PARCEL ID 234-048-000

IMAGE



AssessPro Patriot Properties, Inc

More: N	Total Yard Items: 5,800	Total Special Features:	Total: 5,800
---------	-------------------------	-------------------------	--------------

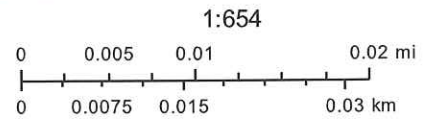
7 Stuart St (Map/Lot (234-048-000)

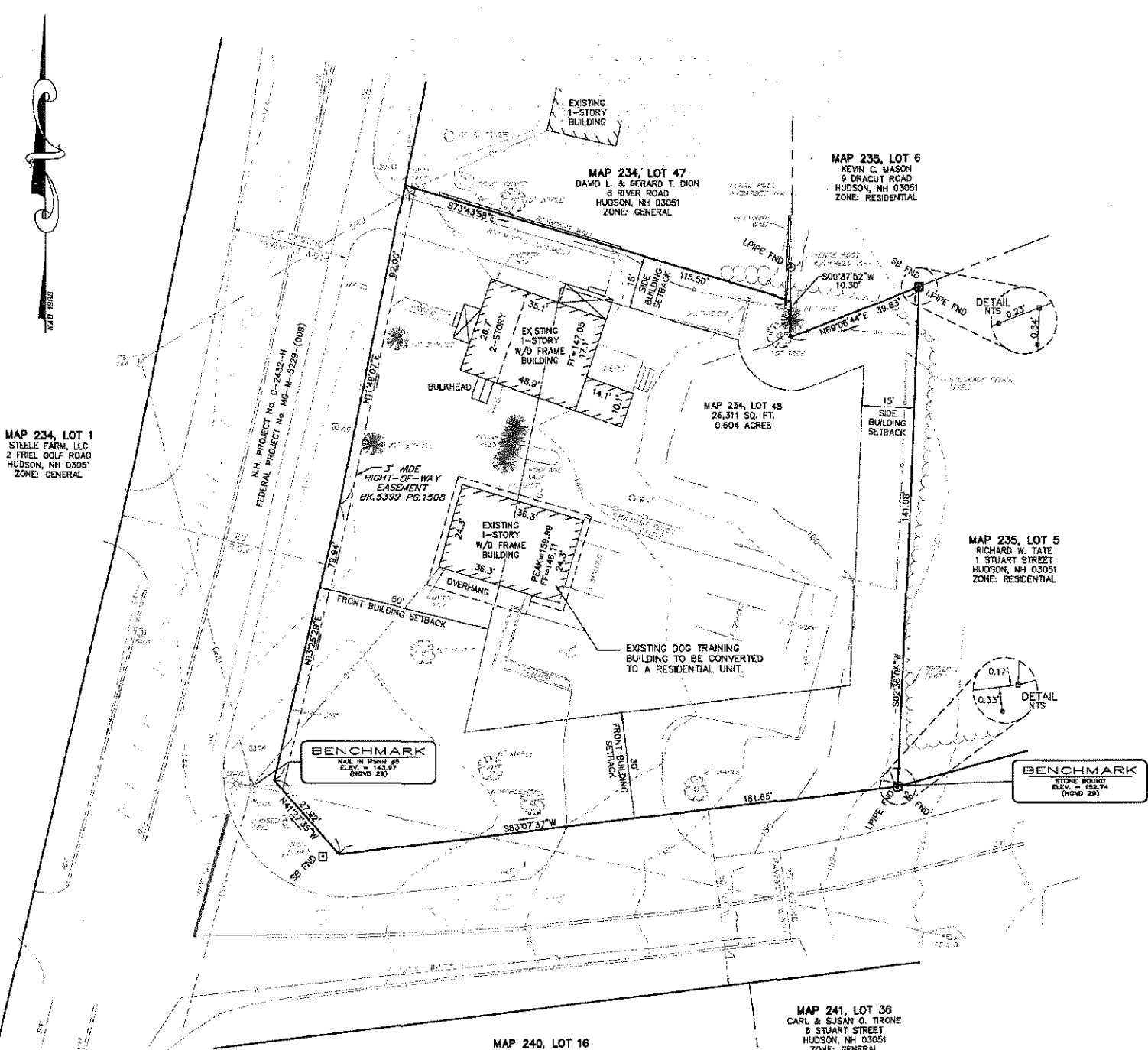


October 25, 2021

Legend

- Parcels - Aerials
- Parcels





MAP 234, LOT 1
STEELE FARM, LLC
2 FRIEL GOLF ROAD
HUDSON, NH 03051
ZONE: GENERAL

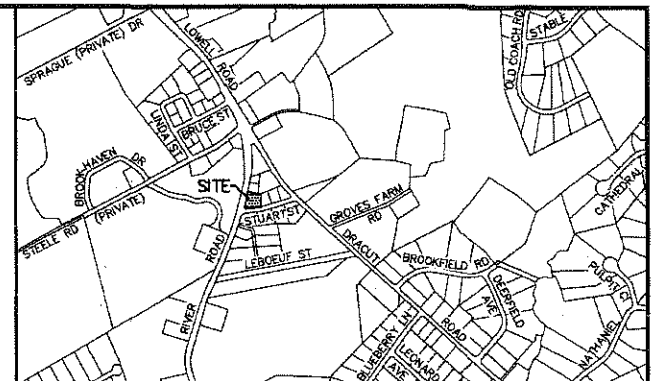
N.H. PROJECT No. C-2432-H
FEDERAL PROJECT No. HG-M-5229-(009)

BENCHMARK
NAIL IN IRON #8
ELEV. = 143.97
(Word 29)

BENCHMARK
STONE BOUND
ELEV. = 152.74
(Word 29)

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

ZONING NOTE
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND PLOTTED FROM EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER 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. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



VICINITY MAP
SCALE: 1"=1000'

PLAN REFERENCES

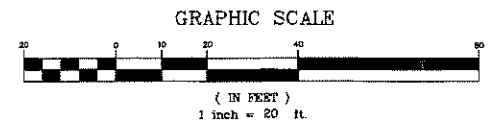
1. THE DAILY GRIND STORE SITE PLAN, RIVER ROAD & STUART STREET, HUDSON, NH, FOR GREGG C. & EILEEN F. MERRILL, BY MAYNARD & PAQUETTE, INC., DATED AUGUST 03, 1993 SCALE: 1"=20', RECORDED: H.C.R.D. PLAN No. 26143.
2. STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, RIGHT OF WAY, FEDERAL AID URBAN SYSTEM PROJECT, MG-M-5229-(009), NH PROJECT No. C-2432-H, RECORDED: H.C.R.D. PLAN No. 22240.
3. PLAN OF LAND OF E. STUART GROVES, BETWEEN RIVER ROAD & DRACUT ROAD, HUDSON, NH, BY NED SPAULDING, DATED APRIL 1955 SCALE: 1"=50', RECORDED: H.C.R.D. PLAN No. 1215.

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE CHANGE OF USE OF THE SOUTHERLY BUILDING FROM DOG TRAINING FACILITY TO SPECIAL EXCEPTION APPLICATION.
2. TOTAL SITE AREA:
TOTAL AREA OF LOT = 26,311 SQ. FT. 0.604 ACRES
3. PRESENT ZONING: GENERAL (G-1)

MINIMUM LOT REQUIREMENTS:
- LOT AREA 87,120 SQ. FT.
- LOT FRONTAGE 200 FT.
MINIMUM BUILDING SETBACKS:
- FRONT 50 FT.
- SIDE 15 FT.
- REAR 15 FT.
4. MAP 234 LOT 48 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBER.
5. EXAMINATION OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 330092 0010 B PANEL NUMBER 10 OF 10; EFFECTIVE DATE: JANUARY 3, 1979 INDICATES THAT THE SUBJECT LOT IS NOT LOCATED WITHIN A FLOOD HAZARD AREA.
6. BENCHMARKS SET AS NOTED, BASED ON NGVD 1929.
7. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 1-888-344-7233.
8. BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE IN SEPTEMBER 2008. HORIZONTAL DATUM IS NAD 83.
9. SOIL IS WBS, WINDSOR LOAMY SAND, 3 TO 8 PERCENT SLOPE.
10. PRESENT OWNER OF RECORD:

LORI MCGIBBON
7 STUART STREET
HUDSON, NH 03051
BK. 7966, PG. 1719
11. EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REISTRY OF DEEDS, OTHER EASEMENTS, RIGHTS, AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES WOULD DETERMINE.
12. A VARIANCE HAS BEEN REQUESTED FROM SECTION 334-10A OF THE HUDSON ZONING ORDINANCE FOR THIS PROJECT.



LEGEND

- EXISTING CONCRETE BOUND
- EXISTING IRON PIN
- EXISTING UTILITY POLE
- EXISTING STREET LIGHT
- EXISTING SIGN
- EXISTING CATCH BASIN
- EXISTING WATER VALVE
- EXISTING FIRE HYDRANT
- EXISTING DRAINAGE MANHOLE
- EXISTING DECIDUOUS TREE
- EXISTING CONIFER TREE
- EXISTING CONCRETE
- EXISTING STOCKADE FENCE
- EXISTING TREETRUNK
- EXISTING EDGE OF PAVEMENT
- EXISTING OVERHEAD UTILITY LINE
- EXISTING GAS PIPE
- EXISTING WATER LINE
- EXISTING EASEMENT
- EXISTING BUILDING SETBACK
- 10' CONTOUR
- 2' CONTOUR

OWNER OF MAP 234; LOT 48
SIGNATURE: *Lori McGibbon*
DATE: 11/1/21

CERTIFICATION:
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING SEPTEMBER OF 2008. SAID SURVEY HAS AN ERROR OF CLOSURE BETTER THAN ONE PART IN TEN THOUSAND (1:10,000).

Lori McGibbon
LICENSED LAND SURVEYOR

ZONING BOARD OF ADJUSTMENT PLAN

McGIBBON PROPERTY
MAP 234; LOT 48
STUART STREET / RIVER ROAD
HUDSON, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER OF RECORD: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051 H.C.R.D. BK. 7966; PG. 1719	APPLICANT: LORI MCGIBBON 7 STUART STREET HUDSON, NH 03051
--	---

KMA KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 5B, Bedford, NH 03110 Phone (603) 627-2861

REVISIONS			
No.	DATE	DESCRIPTION	BY

DATE: OCTOBER 10, 2021 SCALE: 1"=20'
PROJECT NO: 08-0916-1 SHEET 1 OF 1



Printed
 11/18/2021
 4:09PM
 Created
 11/18/2021
 4:05 PM

Transaction Receipt

Receipt# 662,941
 tgoodwyn

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

	Description	Current Invoice	Payment	Balance Due
1.00	ZBA Application- 12-9-21 ZBA Mtg. 7 Stuart Street Map/Lot 234-048-000 Variance Application	0.00	222.5400	0.00
	Special Except. Appl	0.00	185.0000	0.00
			Total:	407.54

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Keach-Nordstrom	CHECK	CHECK #9048	222.54	0.00	222.54
Keach-Nordstrom Associates, Inc.	CHECK	CHECK# 32516	185.00	0.00	185.00
			Total Due:		407.54
			Total Tendered:		407.54
			Total Change:		0.00
			Net Paid:		407.54

KEACH-NORDSTROM ASSOCIATES, INC.

Town of Hudson

Town of Hudson Fees

11/11/2021

32516

185.00

Citizens Checking - P

185.00



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: December 9, 2021 *BB*

12-1-21

1. **Case 234-016 (12-09-21):** Peter & Joyce Drown, 7 Bruce St., Hudson, NH requests a Variance to build a 16 ft. x 24 ft. addition which encroaches the side yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to a corner lot with 3 (three) frontyard setbacks. [Map 234, Lot 016-000; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

Address: 7 Bruce St

Zoning district: General One (G-1)

Summary:

Applicant requests a variance to encroach 5.2 ft into a front yard setback. This property has three front yards.

Property description:

Lot surrounded on three sides by streets.

Non-conforming area of 0.64 Acre where 2 Acres required.

Non-conforming frontages:

Linda St and Bruce St with 106.78 ft where 200 ft required and

Conforming frontage:

Linda St with 248.56 where 200 ft required.

LAND USE HISTORY:

7/2/75 B.P. # 3-76 for 24 x 4 A/G pool

10/3/16 denial of Restoration of Involuntarily merged lots.

ASSESSING HISTORY:

Single Family

Town in-house review comments:

Town Engr: No comments

Town Planner: None Received

Fire Dept: No comments

Attachments:

A: Assessing history

B: 7/2/75 B.P. # 3-76 for 24 x 4 A/G pool

C: 10/3/16 denial of Restoration of Involuntarily merged lots.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2021	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2020	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2020	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2019	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2019	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2018	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2018	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2017	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2017	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2017	101 - ONE FAMILY	123,400	12,000	75,900	0.64	0.00	211,300
2016	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2016	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2015	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2015	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2014	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2014	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2013	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2013	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2012	101 - ONE FAMILY	83,800	12,100	75,900	0.64	0.00	171,800
2012	101 - ONE FAMILY	108,900	8,400	112,500	0.64	0.00	229,800
2011	101 - ONE FAMILY	108,900	8,400	112,500	0.64	0.00	229,800
2011	101 - ONE FAMILY	106,100	8,400	112,500	0.64	0.00	227,000
2010	101 - ONE FAMILY	106,100	8,400	112,500	0.64	0.00	227,000
2010	101 - ONE FAMILY	106,100	8,400	112,500	0.64	0.00	227,000
2009	101 - ONE FAMILY	106,100	8,400	112,500	0.64	0.00	227,000
2008	101 - ONE FAMILY	106,100	8,400	125,000	0.64	0.00	239,500
2008	101 - ONE FAMILY	106,100	8,400	125,000	0.64	0.00	239,500
2007	101 - ONE FAMILY	106,100	8,400	125,000	0.64	0.00	239,500
2007	101 - ONE FAMILY	121,300	7,800	93,700	0.64	0.00	222,800
2006	101 - ONE FAMILY	121,300	7,800	93,700	0.64	0.00	222,800
2006	101 - ONE FAMILY	121,300	7,800	93,000	0.62	0.00	222,100
2005	101 - ONE FAMILY	121,300	7,800	93,000	0.62	0.00	222,100
2005	101 - ONE FAMILY	121,300	7,800	93,000	0.62	0.00	222,100
2004	101 - ONE FAMILY	121,300	7,800	93,000	0.62	0.00	222,100
2004	101 - ONE FAMILY	97,600	7,800	70,900	0.62	0.00	176,300
2003	101 - ONE FAMILY	97,600	7,800	70,900	0.62	0.00	176,300
2003	101 - ONE FAMILY	97,600	7,800	70,900	0.62	0.00	176,300
2002	101 - ONE FAMILY	97,600	7,800	70,900	0.62	0.00	176,300
2002	101 - ONE FAMILY	97,600	7,800	70,900	0.62	0.00	176,300
2001	101 - ONE FAMILY	62,900	0	46,200		0.00	109,100
2000	101 - ONE FAMILY	54,900	8,000	46,200	0.62	0.00	109,100

A

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
1999	101 - ONE FAMILY	54,900	8,000	46,200	0.62	0.00	109,100

A



Town of Hudson, N. H.

Office of Town Building Inspector
BUILDING PERMIT

No. 3-76

July 2, 1975

This certifies that Leight, Owen Name of Owner

is granted permission to erect
alter 24x4 above ground pool Description
repair
move

.....
of Building

.....
on premises located at and known as
to

7-18
.....
Number Street or Avenue

and to do things lawful to that end.

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

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

No Clay

[Signature]
Administrative Officer

B₁



Town Of Hudson, N. H.

Application for a Permit to Build

Date July 2 1975

Table with 2 columns: Category (Residential, Commercial, Industrial, Garage, Breezeway, No. Of Units) and empty box.

Table with 3 columns: Category (Subdivision, Planning Bd. Approval Sub Div., Water Pollution Approval Sub Div. No., Septic Construction Permit No., Necessary Bonds Posted, Bd. of Adj. Variance Granted If Nec.) and Yes/No checkboxes.

Table with 2 columns: Category (New, Alter, Addition, Repair, Pool, Fence, Other) and empty box.

PERMIT NUMBER 3-76

NAME OF OWNER Leighton Drown ADDRESS 7 BRUCE ST TELE 882-8639

LAND PURCHASED FROM LOCATION OF LAND

AREA OF LOT PROPERTY TAX NO. 870

NAME OF GENERAL CONTRACTOR ADDRESS AND TELE

NAME OF HEATING CONTRACTOR NAME OF ELECTRICAL CONTRACTOR

NAME OF MASONRY CONTRACTOR NAME OF PLUMBING CONTRACTOR

NAME OF FIRE PLACE CONTRACTOR NAME OF FIRE PLACE MASON NO. OF STORIES

MATERIAL OF BUILDING STYLE OF ROOF ROOF COVERING

SIZE OF FOUNDATION LIVING FLOOR AREA TYPE OF HEAT

CONSTRUCTION FOR OWN USE WATER SEWER

FOUNDATION MATERIAL WIDTH HEIGHT FOOTINGS

FIREPLACE NUMBER OF FLUES SIZE CHIMNEY MATERIAL

GARAGE LOCATION IF ANY TYPE OF BUSINESS IF ANY

BRIEF DESCRIPTION OF REPAIR, ALTER, OR OTHER 24 x 4 Round Above Ground Pool

THE UNDERSIGNED HEREBY AGREES THAT THE PROPOSED WORK SHALL BE DONE IN ACCORDANCE WITH THE FOREGOING STATEMENT, AND WITH THE PLANS AND SPECIFICATIONS SUBMITTED; AND THAT THE WORK CONNECTED THEREWITH SHALL CONFORM WITH THE BUILDING LAWS AND REGULATIONS OF THE TOWN OF HUDSON, AND THAT HE WILL NOTIFY THE BUILDING INSPECTOR WHEN FOUNDATION BEFORE BACKFILLING, FRAME, CHIMNEYS, FIRE-STOPS AND HEATER-PIPES, ELECTRICAL WIRING, FIREPLACE BEFORE FLUES AND PLUMBING ARE READY FOR INSPECTION. I ALSO CERTIFY THAT I HAVE BEEN AUTHORIZED BY THE OWNER TO APPLY FOR THIS PERMIT.

OWNER'S SIGNATURE Katherine Drown

CONTRACTORS SIGNATURE

ADDRESS

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

B2


TARBELL & BRODICH
ATTORNEYS AT LAW
MEMBER NATIONAL ASSOCIATION

October 3, 2016

Stephen A. Malizia, Town Administrator
Town of Hudson
12 School Street
Hudson, New Hampshire 03051

RE: Application for Restoration of Involuntarily Merged Lots Pursuant to RSA § 674:33-aa
Katherine Drown, 7 Bruce Street, Hudson, NH (Tax Map 234, Lot 16)

Dear Steve:

I have reviewed the file you sent me regarding the above referenced Application. I do not believe this is an appropriate case to unmerge the lots because it appears as though the lots have been voluntarily merged.

The Property in question is 7 Bruce Street, Hudson, NH, which is also described as Hudson Tax Map 234, Lot 16. The Property is part of the subdivision which is shown on the "Plan of Land of Gordon B. Tate, Lowell Road, Hudson, N.H." recorded at the HCRD as Plan 1509. The original deed to the Property, dated February 27, 1959, is recorded at the HCRD at Book 1560, Page 311. The original deed description, which has carried forward to the present, is that of a single parcel, although the description also states that it is "Lots 9 and 23 as shown on said Plan."

RSA § 674:39-aa, II, provides that lots which have been "involuntarily merged" by the Town for zoning, assessment, or taxation purposes, may "be restored to their premerger status" at the request of the owner. Unmerging the lots is not appropriate when the owner has "voluntarily merged" the lots. *Id.* A Voluntary merger includes "... any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to, abandoning a lot line." *Id.*

In 1942, when the Town first adopted zoning, the side yard setback requirement was five (5) feet. The zoning ordinance was amended at a special town meeting in 1956, which was ratified at the 1958 annual town meeting. At this time, the side yard setback requirement was increased to fifteen (15) feet. According to the Town's tax records, the house was built in 1958.

Eaton W. Tarbell, Jr.
Nicholas Brodich
Shane R. Stewart
Eaton W. Tarbell, III
Friedrich K. Moeckel*
James F. Pross**
David E. LeFevre

All Attorneys admitted
in New Hampshire
or as otherwise designated

*Also admitted in Massachusetts
**Admitted in Maine only

Reply to:
Concord, NH Office
45 Centre Street
Concord, NH 03301

1-877-898-1135
603-226-3900 Tel
603-225-5398 Fax

Auburn, ME Office
86 Main Street, Suite 203
Auburn, ME 04210

207-333-6005 Tel
207-333-6006 Fax

C1

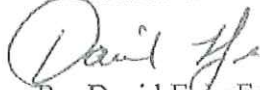
While we do not have the benefit of a survey, if you look at the attached image, it appears to me that the garage is very close to the boundary between Lots 9 and 23. While I cannot tell if the garage is wholly on Lot 9, on the line, or encroaching on Lot 23, it does not appear to be set back five (5) feet as required by the 1942 zoning ordinance. It is definitely not set back fifteen (15) feet as required by the 1956 zoning ordinance. Moreover, it does appear that the driveway is encroaching on Lot 23.

The fact that the metes and bounds description in the deed is that of a single lot does not support a finding of voluntary merger. *See Roberts v. Windham*, 165 N.H. 186 (2013). However, the physical characteristics of the Property do, in my opinion, support a finding of voluntary merger. First, the garage does not appear to have the required setback. In other words, while the house and garage are primarily, possibly entirely, on Lot 9, a portion of Lot 23 is being used to satisfy the side yard setback requirement. Second, the driveway appears to be located at least in part of Lot 23. Lastly, there is what appears to be a shed that is located on Lot 23 which would be an accessory structure to the use of Lot 9, and Lot 23 appears to be maintained, lawn, landscaping, etc., as part of Lot 9.

Based on the foregoing, I think it would be reasonable to conclude that the Lots have been voluntarily merged and the Application should be denied.

Sincerely,

TARBELL & BROICICH, P.A.




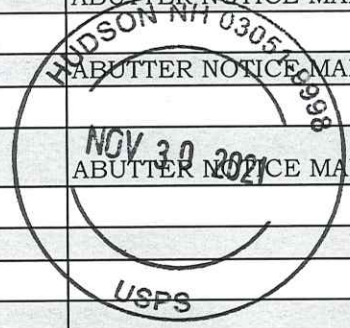
By: David E. LeFevre, Esq.
e-mail: dlefevre@tarbellpa.com

Enclosure(s)

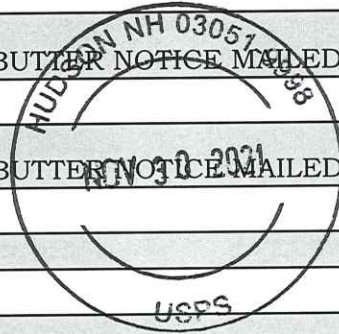
Cc: Jim Michaud, Assistant Assessor (w/encl.)
Bruce Buttrick, Zoning Administrators (w/encl.)

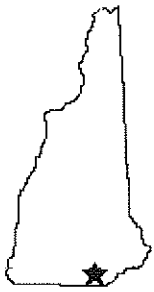
C2

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 234-016 7 Bruce Street Map 234/Lot 016-000 VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting
1	7021 0350 0000 1884 4362	PETER K. & JOYCE A. DROWN, TRUSTEES; DROWN REVOCABLE TRUST	APPLICANT/OWNER NOTICE MAILED
2	7021 0350 0000 1884 4379	7 BRUCE STREET, HUDSON, NH 03051 ROY & SYLVIA CARROLL	ABUTTER NOTICE MAILED
3	7021 0350 0000 1884 4386	16 LINDA STREET, HUDSON, NH 03051 DON & MELISSA WONG	ABUTTER NOTICE MAILED
4	7021 0350 0000 1884 4393	18 LINDA STREET, HUDSON, NH 03051 EMERSON BARBOSA	ABUTTER NOTICE MAILED
5	7021 0350 0000 1884 4409	20 LINDA STREET, HUDSON, NH 03051 ARTHUR & LESLIE LIAKOS	ABUTTER NOTICE MAILED
6	7021 0350 0000 1884 4416	9 LINDA STREET, HUDSON, NH 03051 ASTACIO, ALEJANDRO	ABUTTER NOTICE MAILED
7	7021 0350 0000 1884 4423	P.O. BOX 242, HUDSON, NH 03051 AMBER LEIGH VAILLANCOURT	ABUTTER NOTICE MAILED
8	7021 0350 0000 1884 4430	5 BRUCE ST., HUDSON, NH 03051 SCOTT W. & DEANNA L. BARGER	ABUTTER NOTICE MAILED
9	7021 0350 0000 1884 4447	6 BRUCE ST., HUDSON, NH 03051 RICHARD & JOANN BUSHONG	ABUTTER NOTICE MAILED
10	7021 0350 0000 1884 4454	8 BRUCE ST., HUDSON, NH 03051 LEONARD & DENISE KINGSLEY, TRUSTEES; KINGSLEY REV TRUST	ABUTTER NOTICE MAILED
11		10 BRUCE ST., HUDSON, NH 03051	
12			
	Total Number of pieces listed by sender 10	Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee) 



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 234-016 7 Bruce Street Map 234/Lot 016-000 VARIANCE 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting
1	Mailed First Class	DESROCHES, J. SCOTT, TRUSTEE; DESROCHES, GERALD R. FAM TRUST 296 DERRY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	GOYETTE, THERESA B.;GOYETTE, MICHAEL P.; GOYETTE, MICHELLE L. 6 LINDA ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	Mailed First Class	DAVID DUNN 8 LINDA ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	Mailed First Class	SEAN & TINA STEVENS 10 LINDA ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	Mailed First Class	MARK TEMPESTA; KRIS MARCOCCIO 12 LINDA ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	Mailed First Class	JORGE & TARA GABRIEL 3 BRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	Mailed First Class	LINDA ZARZATIAN, TR.; ZARZATIAN REVOCABLE TRUST 4 BRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	Mailed First Class	FRANCES HARDY, TR.; FRANCES HARDY FAMILY TRUST 5 STEELE ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9			
10			
11			
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee)





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 29, 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, **12/09/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 234-016 (12-09-21): Peter & Joyce Drown, 7 Bruce St., Hudson, NH requests a Variance to build a 16 ft. x 24 ft. addition, which encroaches a front yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to a corner lot with 3 (three) front yard setbacks. [Map 234, Lot 016-000; Zoned General-One (G-1); 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.

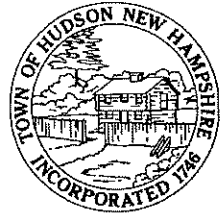
Respectfully,

Bruce Buttrick
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

November 29, 2021

ABUTTER NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **12/09/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 234-016 (12-09-21): Peter & Joyce Drown, 7 Bruce St., Hudson, NH requests a Variance to build a 16 ft. x 24 ft. addition, which encroaches a front yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to a corner lot with 3 (three) front yard setbacks. [Map 234, Lot 016-000; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

Respectfully,

Bruce Buttrick

Zoning Administrator

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

On **12/09/21**, the Zoning Board of Adjustment heard Case **234-016**, being a case brought by **Peter & Joyce Drown, 7 Bruce St., Hudson, NH** for a Variance to **build a 16 ft. x 24 ft. addition, which encroaches a front yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to a corner lot with 3 (three) front yard setbacks.** [Map 234, Lot 016-000; Zoned General-One (G-1); 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 18 2021
 Zoning Department

APPLICATION FOR A VARIANCE

Zoning Board of Adjustment
 Town of Hudson

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

Case No. 234-016 (12-9-21)

Date Filed 11/18/21

Name of Applicant Peter and Joyce Drown Map: 234 Lot: 16 Zoning District: G-1

Telephone Number (Home) 603 882 8639 (Work) 603 718 9987
cell

Mailing Address 7 Bruce St Hudson

Owner Peter + Joyce Drown

Location of Property 7 Bruce St Hudson NH
 (Street Address)

Signature of Applicant Joyce Drown Date 11/15/21

Signature of Property-Owner(s) Joyce Drown Date 11/15/21

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: 11/18/21

COST:

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

Abutter Notice:

10 Direct Abutters x Certified postage rate \$ 4.33 = \$ 43.30

8 Indirect Abutters x First Class postage rate \$ 0.58 = \$ 4.64

Total amount due: \$ 232.94

Amt. received: \$ 232.94

Receipt No.: 662945

check #
228

Received by: (Signature)

By determination of the Zoning Administrator, the following Departmental review is required:
 Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

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.

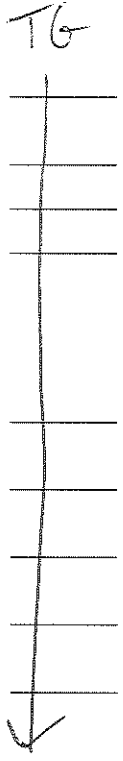
Applicant Initials		Staff Initials
<u>JD</u>	Please review the application with the Zoning Administrator or staff.	<u>TG</u> 11/17/21
<u>JD</u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with 10 (ten) ^{12 (twelve)} single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u> 11/18/21
<u>JD</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e. <u>Variance</u> , 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>JD TG</u>
<u>N/A</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>JD</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: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u> 11-18-21
<u>JD</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>TG</u>
<u>JD</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>JD</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) JD 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) JD The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) JDD The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) JDD 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) JDD 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) JDD 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) JDD The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) JDD The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) JDD 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.

Joyce Drown
Signature of Applicant(s)

11/15/21
Date

Joyce Drown
Signature of Property Owner(s)

11/15/21
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)	
234	016	Peter and Joyce Drown	7 Bruce St, Hudson, NH
234	013	Sylvia Roy Carroll	16 Linda St Hudson NH
234	014	Melissa Dom Wong	18 Linda St Hudson NH
234	015	Emerson Barbosa	20 Linda St Hudson NH
234	017	Leslie Arthur Liakos	9 Linda St Hudson NH
234	018	Astacio Alejandro	PO Box 242 Hudson NH Winkode St 03051
234	019	Amber Leigh Vallancourt	5 Bruce St Hudson NH
234	022	DeAnna, Scott Barger	6 Bruce St Hudson NH
234	023	JoAnn Richard Bushong	8 Bruce St Hudson NH
234	024	Denise Leonard Kinsley	10 Bruce St Hudson NH

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
234	008	Gerald DesRoches Fam Trust Scott DesRoches Trustee	296 Derry Rd Hudson NH 4 Linda St
234	009	Michael, Michelle Theresa Goyette	6 Linda St Hudson NH
234	010	David Dunn	8 Linda St Hudson NH
234	011	Tina Sean Stevens	10 Linda St Hudson NH
234	012	Kris Marcoccio Mark Tempesta	12 Linda St Hudson NH
234	020	Owen Revocable Trust Jorge + Tara Ann Owen Gabriel	3 Bruce St Hudson NH
234	021	Zarzation Revocable Trust Linda Zarzation	4 Bruce St Hudson NH
234	026	Frances Hardy Family Trust Frances Hardy	5 Steele Rd Hudson NH

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:

front Request for relief from the above zoning ordinance to build a 16' x 24' addition which encroaches the yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to corner lot with three front setbacks.

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.”)

It is a small addition and does not effect anyone's land but ours.

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.”)

Would not change neighborhood in anyway. Addition is design with original appearance of house in mind. Keep it on level with attach to garage and ~~formate~~ kitchen + Bathroom.

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.)

House has been in family 60 years and we recently sold 4 bedroom 3 bath home to live on one floor. This addition will allow us to have laundry on first floor and come in from garage and live on one floor.

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.)

Will be built with existing appearance of house and will increase value of house therefore increase value of houses around me.

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

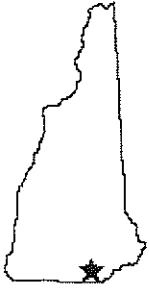
The house was built on a corner lot which is why 30 foot setbacks are required on front + side. Front can't be used because septic is there. Side has well. Back yard elevation and garage in the way. If House was not on a corner it would require 15' instead of 30 and we wouldn't need variance.

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

Corner lot requires 30 foot setback on front and side. If house not on corner setback would be different and would be well under 15 foot setback.

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.

Because corner lot with septic in front and well on side of property and elevation + garage in back yard there is ~~room~~ no other spot for addition with washer/dryer + kitchen remodeled on 1st floor.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-176

November 16, 2021

Joyce Drown
7 Bruce St
Hudson, NH 03051

RE: 7 Bruce Street Map 234 Lot 016-000
District: General One (G1)

Dear Ms. Drown,

Your request if a variance is required for the proposed addition as shown on the attached plan, has been reviewed.

Zoning Review / Determination:

Based on submitted plan dated Sept 2021.

Existing non-conforming corner lot of record with 27,953 Sqft where 87,120 sqft required, with 95 ft frontage along Bruce St where 200 ft is required, 225 ft along Linda St where 200 ft is required and 95 ft along Linda St where 200 ft is required. All existing structures appear to be conforming in regards to required setbacks.

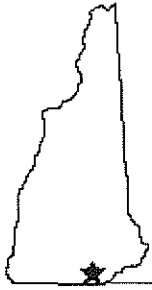
The proposed addition encroaches 5.2 ft into the required front setback from Linda Street, leaving 24.8 ft where 30 ft is required. **A variance would be required from §334-27 Table of Minimum Dimensional Requirements.**

Sincerely,

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

cc: Public Folder
B. Groth – Town Planner
file

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



TOWN OF HUDSON
 NOV 15 2021
 Zoning Department

LAND USE DEPARTMENT

12 School Street
 Hudson, NH 03051
 (603) 886-6008
 www.hudsonnh.gov

21-176



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request _____

Property Location

7 Bruce St Hudson NH

Map 234 Lot 16 Sublot _____

Zoning District if known

G-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)

Request for relief from zoning ordinance to build a 16' x 24' addition which encroaches the side yard setback 5.2 feet leaving 24.8 feet where 30 feet is required due to corner lot

Applicant Contact Information:

Name: Jolie Drown
 Address: 7 Bruce St Hudson NH
 Phone Number: 603 718 9987
 Email: Jolcedrown22@gmail.com

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

234 016 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD Hudson

Total Card / Total Parcel
APPRAISED: 211,300/ 211,300
USE VALUE: 211,300/ 211,300
ASSESSED: 211,300/ 211,300

PROPERTY LOCATION

No	Alt No	Direction/Street/City
7		BRUCE ST, HUDSON

OWNERSHIP

Unit #: _____

Owner 1: DROWN, PETER K., TR.
Owner 2: DROWN, JOYCE A., TR.
Owner 3: DROWN REVOCABLE TRUST

Street 1: 29 JENNIFER DR.
Street 2: _____

Twn/City: NASHUA
St/Prov: NH Cntry: _____ Own Occ: _____
Postal: 03062 Type: _____

PREVIOUS OWNER

Owner 1: DROWN, PETER K. -
Owner 2: DROWN, JOYCE A. -
Street 1: 29 JENNIFER DR.
Twn/City: NASHUA
St/Prov: NH Cntry: _____
Postal: 03062

NARRATIVE DESCRIPTION

This parcel contains .642 ACRES of land mainly classified as ONE FAMILY with a RANCH Building built about 1958, having primarily VINYL Exterior and 1120 Square Feet, with 1 Unit, 1 Bath, 0 3/4 Bath, 0 HalfBath, 5 Rooms, and 2 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		
Census:				Exmpt		
Flood Haz:		C				
D				Topo	1	LEVEL
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class	% Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.642		SITE ACRE SITE			0	85,000	1.39	RC						75,871					75,900	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.642	123,400	12,000	75,900	211,300
Total Card	0.642	123,400	12,000	75,900	211,300
Total Parcel	0.642	123,400	12,000	75,900	211,300
Source: Market Adj Cost		Total Value per SQ unit /Card:		188.66	/Parcel: 188.66

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	101	FV	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	9/27/2021
2021	101	JB	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	5/12/2021
2020	101	FV	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	8/27/2020
2020	101	JB	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	5/6/2020
2019	101	FV	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	9/16/2019
2019	101	JB	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	5/8/2019
2018	101	FV	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	8/27/2018
2018	101	JB	123,400	12000	.642	75,900	211,300	211,300	Year End Roll	5/9/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
DROWN, PETER K.	9484-2375	1	6/1/2021	NON-MARKET		No	No		
DROWN, KATHERIN	8921-1428	3	11/22/2016	ESTATE SALE		No	No		
DROWN, LEIGHTON	7805-2877	2	1/26/2007	NON-MARKET		No	No		

BUILDING PERMITS

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

Legal Description

Entered Lot Size
Total Land: 0.642
Land Unit Type: AC

Parcel ID 234-016-000

PRINT

Date	Time
11/15/21	12:22:03

LAST REV

Date	Time
07/09/21	15:02:31

amym

PAT ACCT. 755

ACTIVITY INFORMATION

Date	Result	By	Name
3/8/2019	Measured	18	KRT1
8/24/2011	Measured	14	APPR TECH 4
3/9/2009	Other Change	1	CHIEF ASSESS
6/8/2007	Meas/Inspect	6	RB
7/25/2006	New Maps	1	CHIEF ASSESS
6/19/2001	Meas/Inspect	0	PATRIOT
9/11/1990	Inspected	2	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA



USER DEFINED

Prior Id # 1:	0007
Prior Id # 2:	0018
Prior Id # 3:	0000
Prior Id # 1:	GM
Prior Id # 2:	
Prior Id # 3:	
Prior Id # 1:	
Prior Id # 2:	
Prior Id # 3:	
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
LandReason:	
BldReason:	
CivilDistrict:	
Ratio:	

Total AC/HA: 0.64200 Total SF/SM: 27966 Parcel LUC: 101 ONE FAMILY Prime NB Desc RES FAIR Total: 75,871 Spl Credit Total: 75,900

EXTERIOR INFORMATION

Type:	19 - RANCH
Sty Ht:	1 - ONE STY
(Liv) Units:	1 Total: 1
Foundation:	2 - CONC BLOCK
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	WHITE
View / Desir:	

GENERAL INFORMATION

Grade:	C - AVERAGE
Year Bilt:	1958 Eff Yr Bilt:
Alt LUC:	Alt %:
Jurisdic:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/FL:	STD
Prim Int Wal:	1 - DRYWALL
Sec Int Wall:	%
Partition:	T - TYPICAL
Prim Floors:	04 - CARPET
Sec Floors:	%
Bsmnt Fir:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	
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: 0
Solar HW:	NO Central Vac: NO
% Com Wal:	% Sprinkled

BATH FEATURES

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

OTHER FEATURES

Kits:	1 Rating: GOOD
A Kits:	Rating:
FrpI:	Rating:
WSFlue:	Rating:

CONDO INFORMATION

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

DEPRECIATION

Phys Cond:	AV - Average	32%
Functional:		%
Economic:		%
Special:		%
Override:		%
Total:		32%

CALC SUMMARY

Basic \$ / SQ:	105.00
Size Adj.:	1.30357146
Const Adj.:	0.96040004
Adj \$ / SQ:	131.455
Other Features:	4000
Grade Factor:	1.00
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	181406
Depreciation:	58050
Depreciated Total:	123356

COMMENTS

03/2019: AVG COND. WALL A/C = NV..

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:	5 BRs:	2 Baths:	1 HB:

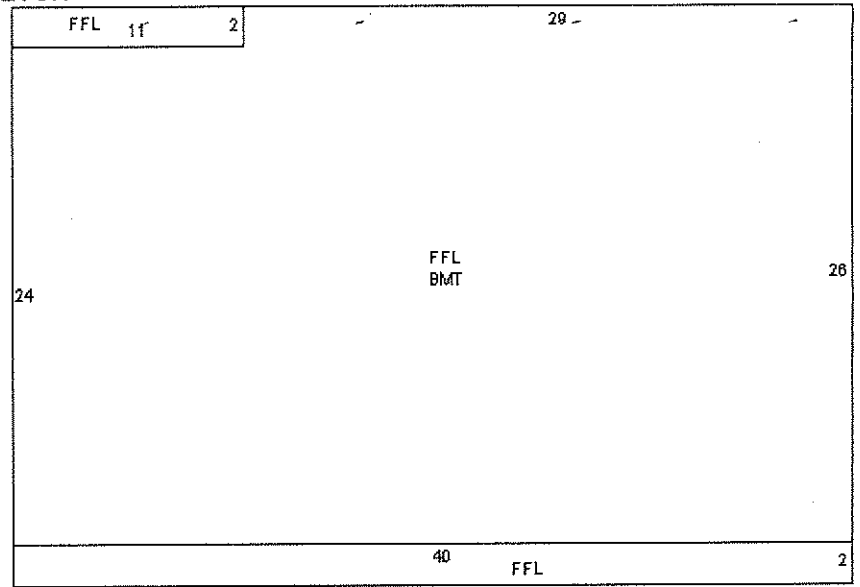
REMODELING

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

RES BREAKDOWN

No Unit	RMS	BRS	FL
1	5	2	M
Totals			
1	5	2	

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	1,120	131.450	147,229	
BMT	BASEMENT	1,018	29.640	30,177	
Net Sketched Area:		2,138	Total:	177,406	
Size Ad	1120	Gross Area	2138	FinArea	1120

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu # Ten
BMT	100	RRM	85	AV

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price	
WtAv\$/SQ:				AvRate:	Ind.Val
Juris. Factor:				Before Depr:	131.45
Special Features:	0			Val/Su Net:	57.72
Final Total:	123400			Val/Su SzAd:	110.18

MOBILE HOME

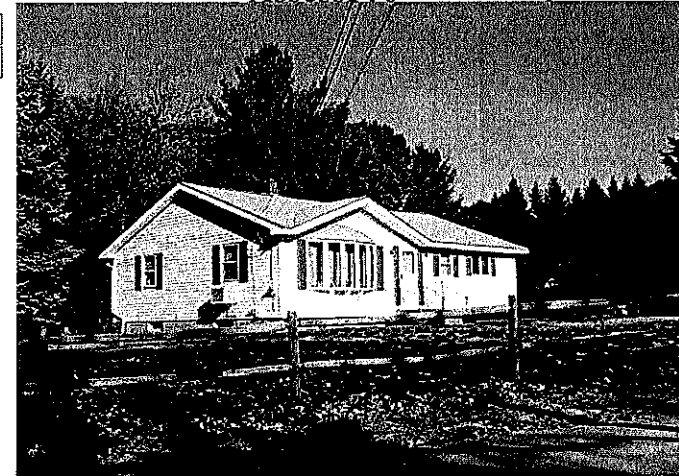
Make:		Model:		Serial #:		Year:		Color:	
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SPEC FEATURES/YARD ITEMS

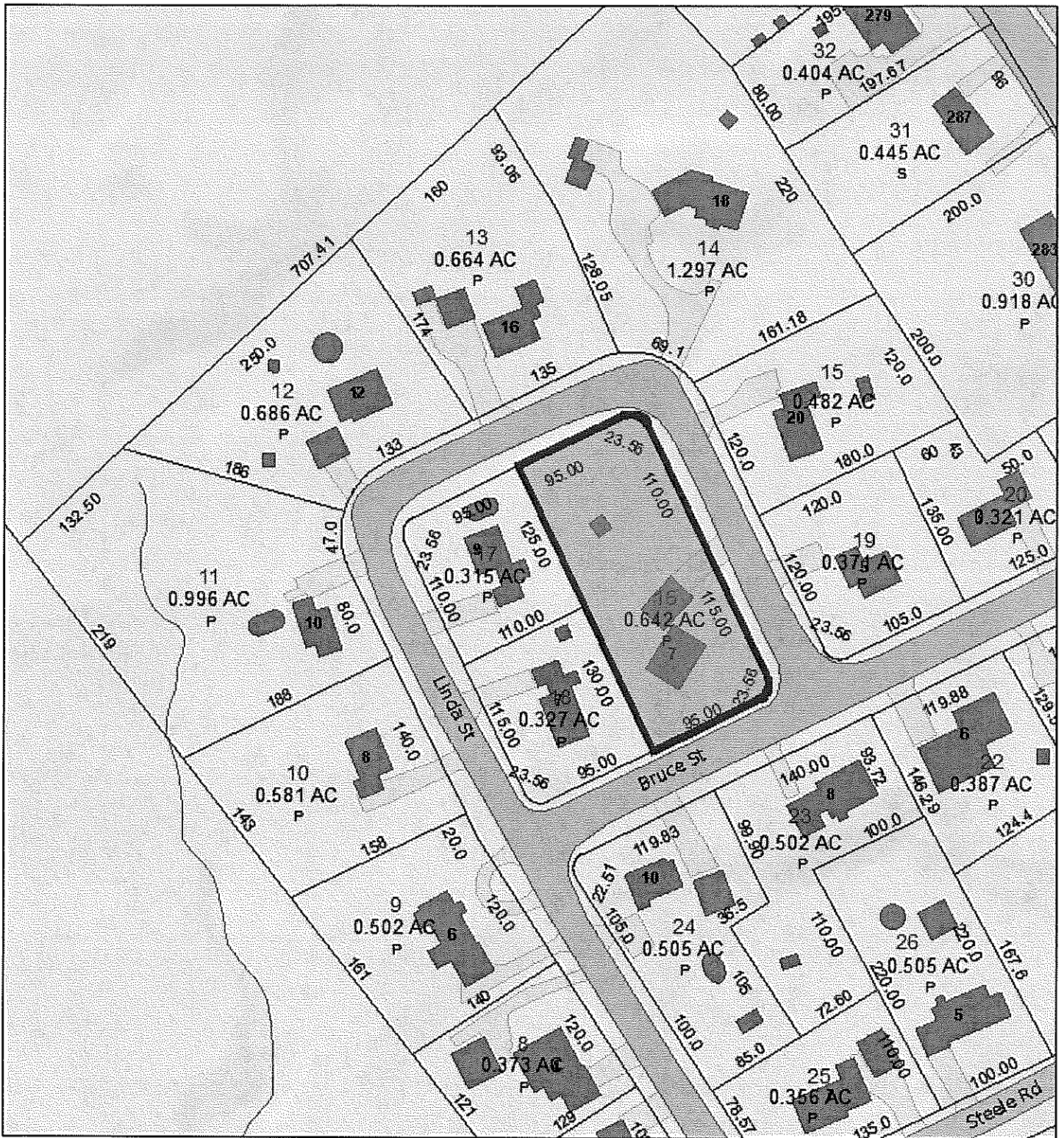
Code	Description	A Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value		
3	GARAGE	D Y		124X22	AV	FR	1967	34.85	T	50	101			9,200			9,200		
2	SHED-WOOD	D Y		112X14	AV	AV	1976	23.26	T	61.5	101			1,500			1,500		
2	SHED-WOOD	D Y		110X22	AV	AV	1967	23.26	T	75	101			1,300			1,300		
More: N																			
Total Yard Items:				12,000				Total Special Features:				Total:				12,000			

IMAGE

AssessPro Patriot Properties, Inc




7 Bruce Street (Map/Lot 234-016-000)

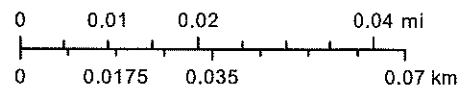


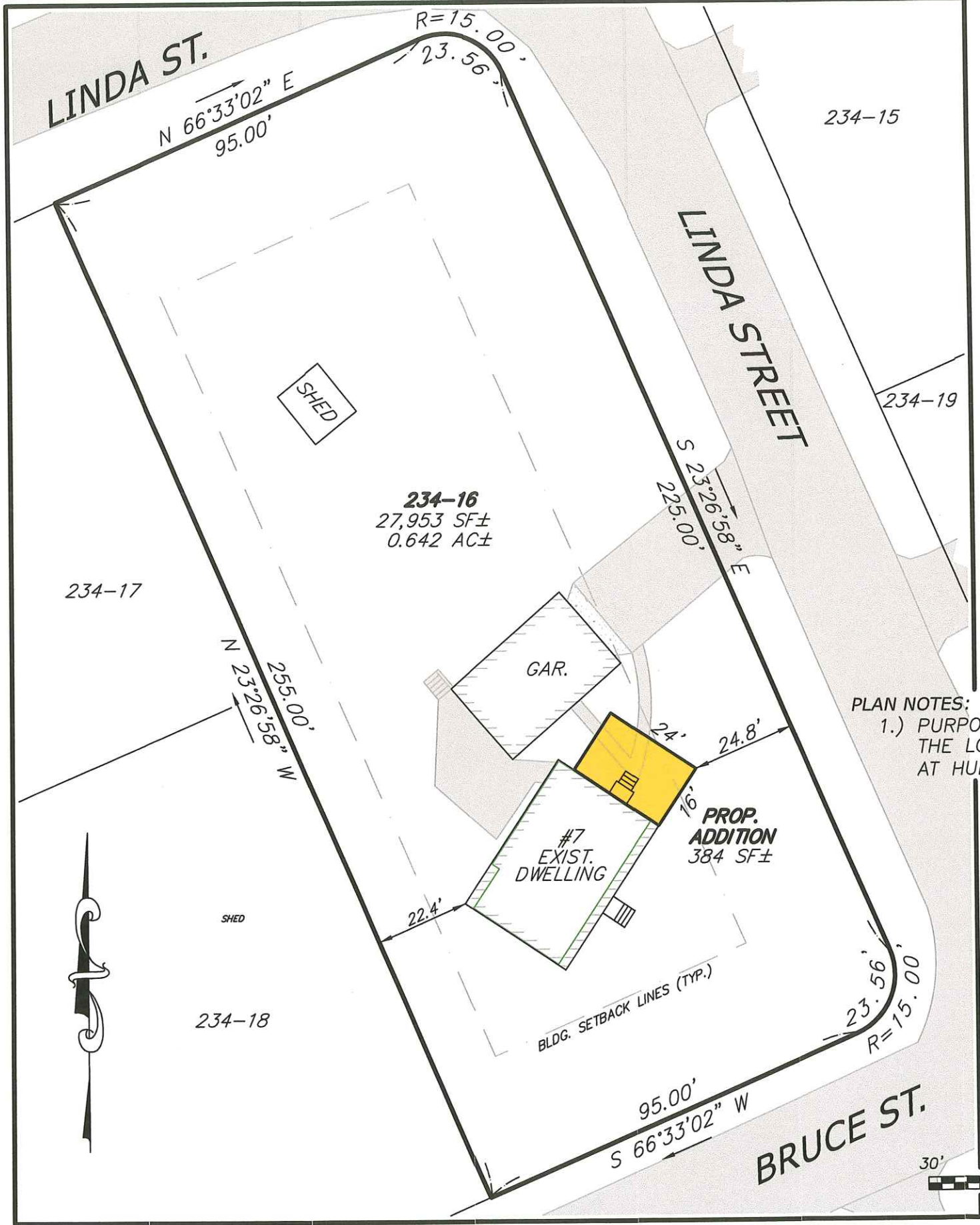
November 15, 2021

Legend

 Parcels

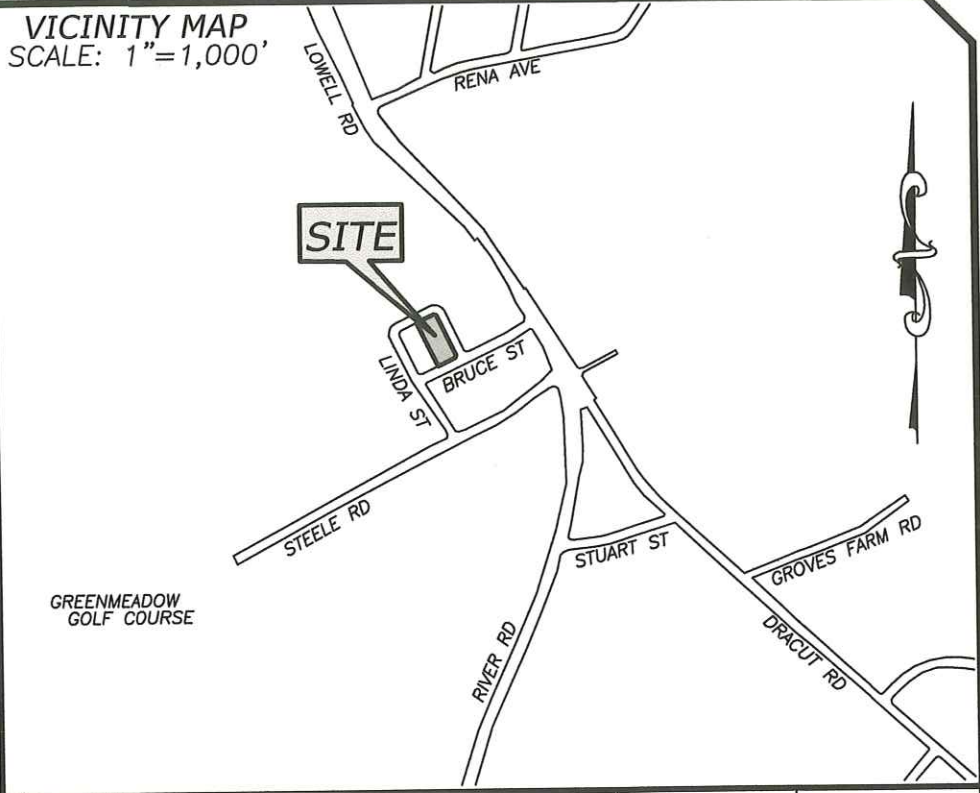
1:1,374





**PLAN OF LAND
7 BRUCE ST
HUDSON, NH
MAP 234 LOT 16
AS PREPARED FOR
PETER DROWN, OWNER**

PLAN NOTES:
1.) PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF A PROPOSED ADDITION AT HUDSON LOT 1234-16.



REV. 2		BY:
REV. 1		BY:

ZONING DISTRICT: G-1
REQUIRED SETBACKS:
FRONT - 30 FEET
SIDE - 15 FEET
REAR - 15 FEET

DEED REF.: BK. 9484 PG. 2376
PLAN REF.: HCRD PL. 1509
PLAN SCALE: 1"=30'
DATE: SEPT. 2021
JOB REF.: 021-119-DROW

TOWN OF HUDSON
NOV 18 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



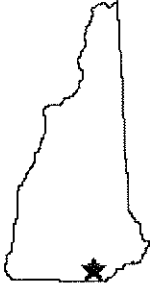
Printed
11/18/2021
4:53PM
Created
11/18/2021
4:51 PM

Transaction Receipt

Receipt# 662,945
tgoodwyn

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

<u>Description</u>		<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>	
1.00	ZBA Application- 12-9-21 ZBA Mtg. 7 Bruce Street Map/Lot 234-016-000 Variance Application	0.00	232.9400	0.00	
			Total:	232.94	
<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Peter K. & Joyce A. Drown Rev. Trust	CHECK	CHECK # 228	232.94	0.00	232.94
			Total Due:		232.94
			Total Tendered:		232.94
			Total Change:		0.00
			Net Paid:		232.94



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: December 9, 2021

BM
12-1-21

Case 168-020 (12-09-21): Paul & Sandra O’Sullivan, 8 Washington Drive, Hudson, NH [Map 168, Lot 020-000; Zoned Residential-Two (R-2)] requests the following:

- a. A Variance to build a 9 ft. x 20 ft. covered porch on the front of an existing non-conforming structure (house), which encroaches the front yard setback an additional 9.3 feet, leaving 14.8 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31.A, Alteration and expansion of nonconforming structures.]

Address: 8 Washington Dr

Zoning district: Residential Two (R-2)

Summary:

Applicant requests a Variance to build a 9ft x 20ft. covered porch which encroaches 15.2 feet into the front yard setback leaving 14.8 feet where 30 feet is required.

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

Property description:

Corner lot of record.

Non-conforming area of 0.496 Acre where 1.0 Acre required.

Conforming frontage along Washington Dr with 182.37 ft where 120 ft is required.

Non-conforming frontage along Madison Dr with 91.77 ft where 120 ft required.

LAND USE HISTORY:

5/2/84 ZBA granted Variance to allow a 25 ft front setback where 30 ft is required (House).

10/17/95 “Void” permit to construct 10 x 14 shed.

11/9/03 B.P. # 2004-00229 to add 8 x 12 Deck.

8/23/12 B.P. # 2012-00508 issued for 28 x 30 addition.

9/26/13 ZBA approval for ALU (in addition) associated w/ B.P. 2012-00508.

3/21/14 C.O. for BP 2013-00171 “Accessory Living Unit in 28 x 30 addition (B.P. 2012-00508).

7/19/18 B.P. 2018-00700 Kitchen remodel.

ASSESSING HISTORY:

Single Family w/ ALU

Town in-house review comments:

Town Engr: yes comments received

Town Planner: non received

Fire Dept: no comments

Attachments:

A: Assessing history

Permits:

B: 5/2/84 ZBA granted Variance to allow a 25 ft front setback where 30 ft is required (House).

C: 10/17/95 "Void" permit to construct 10 x 14 shed.

D: 11/9/03 B.P. # 2004-00229 to add 8 x 12 Deck.

E: 8/23/12 B.P. # 2012-00508 issued for 28 x 30 addition.

F: 9/26/13 ZBA approval for ALU (in addition) associated w/ B.P. 2012-00508.

G: 3/21/14 C.O. for BP 2013-00171 "Accessory Living Unit in 28 x 30 addition (B.P. 2012-00508)

H: 7/19/18 B.P. 2018-00700 Kitchen remodel.

In-house comments:

I: Town Engr's comments.

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2021	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2020	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2020	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2019	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2019	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2018	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2018	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2017	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2017	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2017	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2016	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2016	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2015	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2015	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2014	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2014	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2013	101 - ONE FAMILY	170,900	700	89,100	0.50	0.00	260,700
2013	101 - ONE FAMILY	170,900	700	89,100	0.50	0.00	260,700
2012	101 - ONE FAMILY	105,900	700	89,100	0.50	0.00	195,700
2012	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2011	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2011	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2010	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2010	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2009	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2008	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2008	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2007	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2007	101 - ONE FAMILY	132,100	1,200	89,100	0.50	0.00	222,400
2006	101 - ONE FAMILY	132,100	1,200	89,100	0.50	0.00	222,400

A

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2006	101 - ONE FAMILY	132,100	0	89,100	0.50	0.00	221,200
2005	101 - ONE FAMILY	132,100	0	89,100	0.50	0.00	221,200
2005	101 - ONE FAMILY	132,100	0	89,600	0.51	0.00	221,700
2004	101 - ONE FAMILY	132,100	0	89,600	0.51	0.00	221,700
2004	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2003	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2003	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2002	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2002	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2001	101 - ONE FAMILY	55,400	0	47,600		0.00	103,000
2000	101 - ONE FAMILY	55,200	200	47,600	0.51	0.00	103,000
1999	101 - ONE FAMILY	55,200	200	47,600	0.51	0.00	103,000

A

TOWN OF HUDSON NEW HAMPSHIRE
APPLICATION FOR APPEAL

Application for a variance
 a special exception
 an appeal from administrative decision
 a rehearing

Case No. _____
 Map & Lot No. 62-20
 Fee \$29.-
 Date filed 4-26-84
 Signed J. Sowerbutts

Name of Applicant JOHN B. SOWERBUTTS
 Address WASHINGTON ST. Tel. # 882-7688
 Owner of property concerned SAME
 Address SAME Tel. # OFF: 884-7698

Exact location & description of property (Include scale drawing showing plot plan, boundaries, dimensions, adjacent roads and right of way, location of buildings, as applicable) (Use separate sheet if necessary).
Same as above

Brief description of request request for variance from setback requirement. Owner in process of selling home and must comply with legal requirements (25' setback instead of 30')

Regarding Article I Section 40(c) of the Hudson Zoning Ordinance
 Tax # 3005-019one A-2

ABUTTERS - NAME MAP # LOT #	ADDRESS
62 33	James E + Joan Carlson
32	6 Washington St.
21	12 Jefferson DR.
19	Joseph A + Shirley J. Robinson
48	19 Madison DR.
58	Robert + Michael F. Tenney
59	24 Madison DR.
	2 Monroe DRIVE
	Donald J + Suzanne A. Thomas
	7 Washington St.
	Samuel W + Laura V. Borchard
	7 Washington St.
	Estelle Nicholson

Owner/Applicant hereby accepts responsibility for notification of abutters and understands that all appeals filed after cut off date will be considered as being received the day after next regular meeting. (Cut off date is two weeks prior to the regular meeting as noted in Board of Adjustment BY-LAWS).

Signed John B. Sowerbutts Date April 26, 1984

In the event an on-site inspection of the land is necessary, would you be willing to allow Board of Adjustment members on above property? Yes No

Signed John B. Sowerbutts Date April 26, 1984

NOTICE OF DECISION

It is the decision of the Board of Adjustment that the above application has been

Approved. The Board based its decision on the following:

1. Will/Will not serve the public interest.
2. Will/Will not result in unnecessary hardship.
3. Will/Will not uphold the spirit of the ordinance.
4. Will/Will not provide for substantial justice.

The following stipulations are hereby attached to the Board's decision:

5/2/84

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

B.



Town of Hudson
HUDSON, NEW HAMPSHIRE
Zoning Board of Adjustment

NOTICE TO ABUTTERS

Certified Mail No.
P 694 161 810

Date: April 26, 1984

TO: John B. Sowerbutts
8 Washington St
Hudson, NH 03051

This notice will serve to inform you that a public hearing concerning request for variance from setback requirements.

Owner: John B. Sowerbutts, 8 Washington Street, Hudson, NH

Map No. 62 Lot No. 20

will be held on WEDNESDAY, May 2, 1984, 7:00 PM, at the Town Hall.

FOR THE ZONING BOARD OF ADJUSTMENT

for

Chris Tavares
Chris Tavares
Chairman

B2

TOWN OF HUDSON
ATTN: SUSAN SNIDE
ZONING ADMINISTRATOR
12 SCHOOL STREET
HUDSON, NH 03051

BUILDING PERMIT

AMOUNT PAID

DEPT. FILE COPY

MAP 62 LOT 20

VALIDATION

DATE OCTOBER 17, 19 95 PERMIT NO. 180-96
APPLICANT SANDRA O'SULLIVAN ADDRESS 8 WASHINGTON STREET HUDSON NH 883-5810
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO CONSTRUCT SHED (TYPE OF IMPROVEMENT) (-) STORY RESIDENTIAL ACCESSORY (PROPOSED USE) NUMBER OF DWELLING UNITS ONE-FAMILY

AT (LOCATION) 8 WASHINGTON STREET (NO.) (STREET) ZONING DISTRICT _____

BETWEEN _____ (CROSS STREET) AND _____ (CROSS STREET)

SUBDIVISION _____ LOT 20 BLOCK 62 LOT SIZE _____

BUILDING IS TO BE _____ FT. WIDE BY _____ FT. LONG BY _____ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE _____ USE GROUP _____ BASEMENT WALLS OR FOUNDATION _____ (TYPE)

REMARKS: CONSTRUCT 10'X14' WOODEN FRAMED SHED FOR STORAGE. IF ANY ELECTRICAL WORK IS PROPOSED AN ELECTRICAL PERMIT IS REQUIRED.

AREA OR VOLUME 140 SQUARE FEET (CUBIC/SQUARE FEET) ESTIMATED COST \$ 2703.68 PERMIT FEE \$ 20.00

OWNER PAUL AND SANDRA O'SULLIVAN
ADDRESS 8 WASHINGTON STREET HUDSON NH
BUILDING DEPT. BY E. Deibel

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

FORM NO. BOCA-BP 1988

C₁



TOWN OF HUDSON — Building/Zoning

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT 886-6005

RECEIVED

OCT 10 1995

TOWN OF HUDSON DEPT. OF PUBLIC WORKS

MAP LOT STREET

IMPORTANT — Applicant to complete all items in sections I, II, III, IV, and IX.

I. LOCATION OF BUILDING AT (LOCATION) 8 Washington St ZONING DISTRICT BETWEEN AND SUBDIVISION MAP 62 LOT 20 LOT SIZE

II. TYPE AND COST OF BUILDING — All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT 1 New Building 2 Addition (if residential, enter number of Bdrm/Baths added, if any, in Sec. III, Part L.) D. PROPOSED USE - (For "Wrecking" most recent use) Residential 12 One family 13 Two family Non-Residential 18 Amusement, recreational 19 Church, other religious 20 Industrial 21 Parking garage 22 Service station, repair garage 23 Hospital, institutional 24 Office, bank, professional 25 Public utility 26 School, library, other educational 27 Stores, merchantile 28 Tanks, towers 29 Other - Specify Shed 10x14 for storage

C. COST 10. Cost of improvement To be installed but not included in the above cost a. Electrical b. Plumbing c. Heating, air conditioning d. Other (elevator, etc.) 11. TOTAL COST OF IMPROVEMENT \$2703.68 (Omit cents) Nonresidential - Describe in detail proposed use of buildings, e.g., food processing, machine shop, laundry building, schools, college, parking garage, rental office building, industrial plant. If use of existing building is being changed, enter proposed use.

III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings and additions, complete Parts E-L; for wrecking, complete only Part J, for all others skip to IV.

E. PRINCIPAL TYPE OF FRAME 30 Masonry (wall bearing) 31 Wood Frame 32 Structural steel 33 Reinforced concrete 34 Other - Specify G. TYPE OF SEWAGE DISPOSAL 40 Town or private company 41 Private (septic tank, etc.) (#40 requires town permit) H. TYPE OF WATER SUPPLY 42 Public or private company 43 Private (well, cistern) J. DIMENSIONS 48. Number of stories 49. Total square feet of floor area all floors, based on exterior dimensions 50. Total land area, sq. ft. K. NUMBER OF OFF-STREET PARKING SPACES 51. Enclosed 52. Outdoors L. RESIDENTIAL BUILDINGS ONLY 53. Total Bedroom Capacity Finished Unfinished 54. Number of bathrooms Full Partial

C2

IV. IDENTIFICATION - To be completed by all applicants

	NAME	MAILING ADDRESS - NUMBER, STREET, CITY, AND STATE	ZIP CODE	TEL. NO.
1. Owner or Lessee	Paul L O'Sullivan	8 Washington St Hudson, NH 03051	03051	883-5810
2. Elec., Plumb., Masonry, Heating, Gen. Contractor	Home Depot			
3. Architect or Engineer				

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

SIGNATURE OF APPLICANT <i>Sandra M O'Sullivan</i>	ADDRESS <i>Same</i>	APPLICATION DATE <i>10-10-95</i>
--	------------------------	-------------------------------------

DO NOT WRITE BELOW THIS LINE

V. PLAN REVIEW RECORD - For office use

Plans Review Required	Date Rec'd.	Date Plans Check	Started	Date Plans By	Approved	By	Notes
BUILDING							
PLUMBING							
MECHANICAL							
ELECTRICAL							
SITE							
OTHER							

VI. ZONING PLAN EXAMINERS NOTES

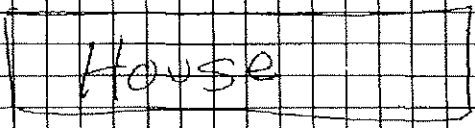
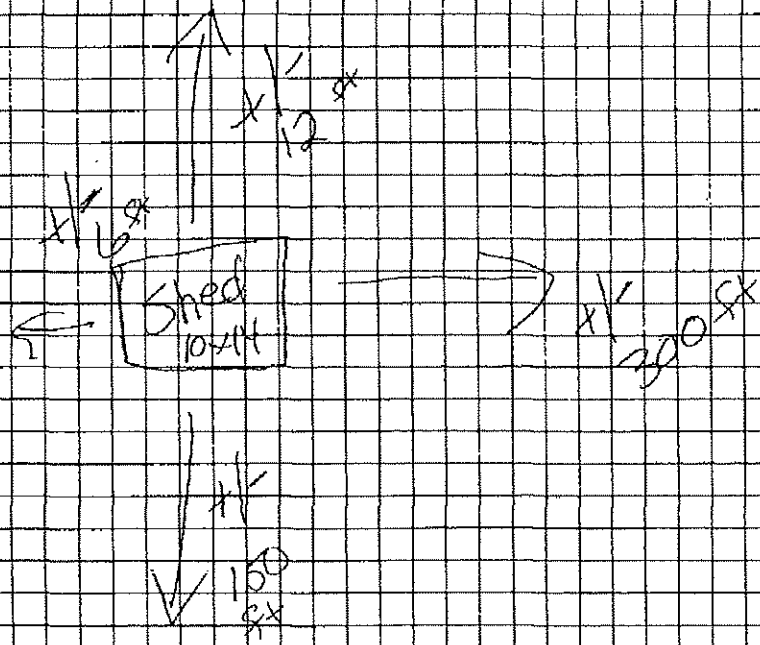
VII. REQUIRED PERMIT APPROVAL NOS.

DISTRICT:		SEPTIC PERMIT:	
USE:		SEWER PERMIT:	
FRONT YARD:		SUBDIVISION APPROVAL:	
SIDE YARD:	SIDE YARD:	CONSTRUCTION APPROVAL:	
REAR YARD:	LIVING AREA:	EXCAVATION PERMIT:	
LOT AREA:	ZBA APPROVAL:	DRIVEWAY PERMIT:	
FRONTAGE:	SPEC. EXCEPTION:	SITE PLAN APPROVAL:	
NOTES:		H.C.R.D. PLAN NO.:	

VIII. VALIDATION

BLDG. PERMIT NO. _____	IMPACT FEES \$ _____
BLDG. PERMIT ISSUED _____ 19__	REVIEW FEES \$ _____
BLDG. PERMIT FEE \$ <u>20⁰⁰</u>	INSPECTION FEES \$ _____
APPROVED BY <u>CP Madigan</u>	SEWER FEES \$ _____
BUILDING INSPECTOR	OTHER FEES \$ _____
BLDG. PERMIT FEE COLLECTED \$ <u>S. Snide 10/12/95</u>	\$ _____
BY FINANCE _____	\$ _____
TITLE _____	

C3



WASHINGTON ST

MADISON STREET

Building Permit

Amount Paid

Date 06-Nov-2003 Permit# 2004-229

Applicant **Rubin LaCombe**

88 Vine Street, Nashua

Contractor's License

Permit To **Deck**

0 Story **One Family**

of Dwelling Units **0**

At (Location) **8 Washington Street**

Zoning District

Between **Monroe Drive**

And **Highland Street**

Subdivision

Map **62**

Lot **20**

Sublot

Lot Size **0**

Building is to be

0 ft. Wide by

0 ft. Long by

0 ft. in Height and Shall Conform in Construction

to Type **Wood Frame**

Use Group

Foundation Type

Remarks **All construction must conform to Hudson Town Codes.**

Construct a 8' x 12' deck.

Area or Volume

0 Estimated Cost \$

\$0.00

Permit Fee \$

~~\$38.00~~

Owner

Paul O'Sullivan

Approved

William A. O'Brien

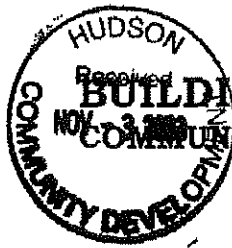
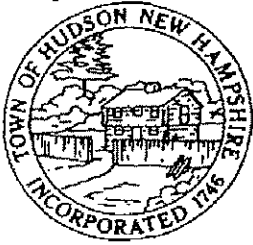
Address

8 Washington Street, Hudson, NH 03051

Date

NOV - 6 2003

D.



BUILDING PERMIT APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT

Town of Hudson
12 School Street
Hudson, New Hampshire
Phone (603) 886-6005 Fax (603) 594-1142

2004-229



Address: 8 Washington St Hudson

Cross Roads : Monroe Drive and Highland St.

Site/Sub Plan: _____

Map 62

Lot 20

Zone _____

HCRD _____

Residential

Single family detached

Townhouse

Duplex

3+ family dwelling (# of units _____)

Other _____

Type of Improvement

New Building

Addition

Alteration/Renovation

Repair/Replacement

Conversion of +/- dwelling units

Other _____

Deck

Shed

Swim Pool

Garage

Carport

Commercial

Office/Bank/Professional

Hospital/Medical

Industrial/Warehouse

Restaurant

Other _____

Garage

School

Store

Utility

Type of Improvement

New Building

Addition

Alteration/Renovation

Repair/Replacement

Conversion from residential to commercial space

Other _____

Deck

Shed

Swim Pool

Interior Demo

Total Cost of Project
Excluding plumbing, electrical, mechanical, fire suppression, elevator, etc.

\$ _____

General Description of Work and Use Include dimensions of building, room, shed, pool, etc. List # of bedrooms and bathrooms if new home or added. If use of existing building is being changed, enter proposed use.

8'x12' Deck Attach to the back Right side of the house with the Deck Roofing line up with the existing Roof of the house

Square Footage Footprint _____ Renovated/added _____ Number of stories _____

Living area of new home (exclude unfinished areas and garage) _____ Total area of bldg _____

Principal Type of Frame

Masonry (wall bearing) Wood Frame Structural steel

Reinforced concrete Other-Specify _____

Type of Sewage Disposal

Town of private company (requires Town permit)

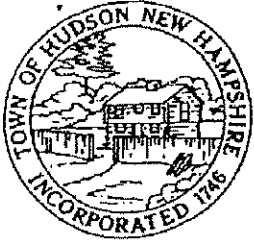
Private (septic tank, ect.)

Type of Water Supply

Public or private

Private (well, cistern)

D2



BUILDING PERMIT APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT
Town of Hudson
12 School Street
Hudson, New Hampshire
 Phone (603) 886-6005 Fax (603) 594-1142

	Name	Address	City/State/Zip	Phone
Owner	Paul O'Sullivan	8 Washington st	Hudson	883-5810
Lessee				
Contractor	Rubin LaCombe	88 Vine st	NASHUA NH 03061 *	886-0083
Architect	NONE			
Engineer	NONE			

I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his agent and we agree to conform to all applicable laws of the Town of Hudson. I hereby attest all statements made on this application are true to the best of my knowledge. Applicants are advised that the making of a false statement on this form is of criminal offense.

Signature of applicant Rubin LaCombe Date 10-20-03
 Address 88 Vine st NASHUA NH 03061

Filing Fee	\$ _____	Receipt # _____	Date _____
Building permit fee	\$ <u>30-</u>	Receipt # _____	Date _____

THIS BUILDING PERMIT IS

Issued subject to the following condition(s) _____

Denied for the following reason(s) _____

<input checked="" type="checkbox"/> Plans received	Date _____	Use group: _____
Comments: _____		Construction type _____
<input type="checkbox"/> Certificate of Occupancy Required	<input type="checkbox"/> Final Inspection (Building & HFD)	Live loading _____
Comments: _____		Occupancy load _____

Approved

Denied

[Signature] Building Inspector Date 10.22.03

*Electrical Permit, Plumbing Permit, Building Certificate, Certificate of Occupancy, Water, Sewer and Driveway are to be applied for separately when applicable.

D3

58

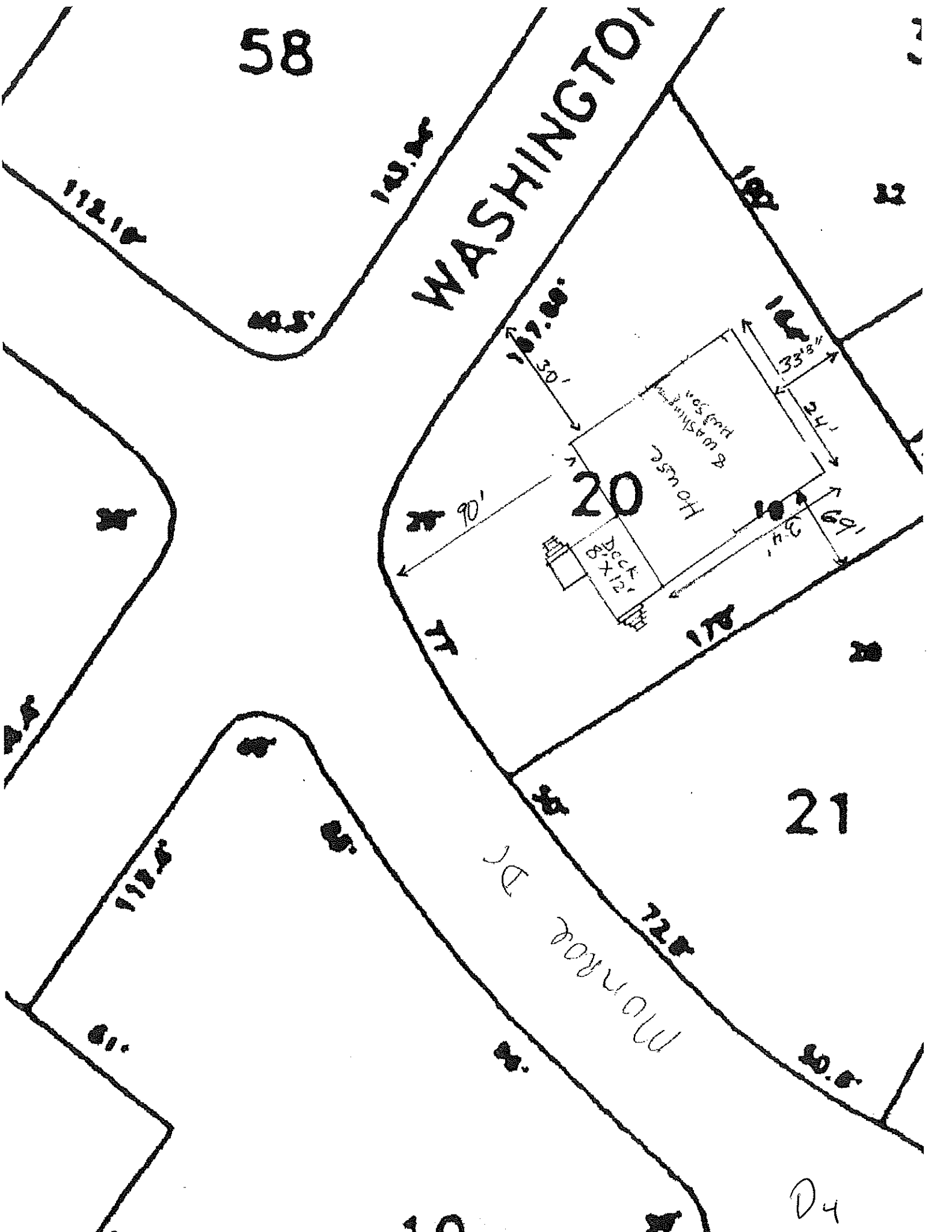
WASHINGTON

20

21

MORRIS DR

D4





BUILDING PERMIT APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT

Town of Hudson
 12 School Street
 Hudson, New Hampshire
 Phone (603) 886-6005 Fax (603) 594-1142



2012-0058

Address: <u>8 Washington Dr Hudson NH # 03051</u>	Map <u>168</u>
Cross Roads: <u>Madison Dr and Jefferson Dr</u>	Lot <u>20</u>
Site/Sub Plan: _____	Zone <u>Res-2</u>
	HCRD <u>2742</u>

Residential <input type="checkbox"/> Single family detached <input type="checkbox"/> Modular Homes <input type="checkbox"/> Duplex <input type="checkbox"/> 3+ family dwelling (# of units _____) <input type="checkbox"/> Other _____	Type of Improvement <input type="checkbox"/> New Building <input checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Conversion of +/- dwelling units <input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swim Pool <input checked="" type="checkbox"/> Garage <u>under</u> <input type="checkbox"/> Carport
--	--	--

Commercial <input type="checkbox"/> Office/Bank/Professional <input type="checkbox"/> Hospital/Medical <input type="checkbox"/> Industrial/Warehouse <input type="checkbox"/> Restaurant <input type="checkbox"/> Other _____	<input type="checkbox"/> Garage <input type="checkbox"/> School <input type="checkbox"/> Store <input type="checkbox"/> Utility	Type of Improvement <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input type="checkbox"/> Alteration/Renovation <input type="checkbox"/> Repair/Replacement <input type="checkbox"/> Conversion from residential to commercial space <input type="checkbox"/> Other _____	<input type="checkbox"/> Deck <input type="checkbox"/> Shed <input type="checkbox"/> Swim Pool <input type="checkbox"/> Interior Demo
---	--	---	--

Total Cost of Project Excluding plumbing, electrical, mechanical, fire suppression, elevator, etc. \$ <u>97,000</u>	General Description of Work and Use Include dimensions of building, room, shed, pool, etc. List # of bedrooms and bathrooms if new home or added. If use of existing building is being changed, enter proposed use. <u>① Build a 28x30 addition w/ 2 car garage under w/ 10x16 craft room in garage area</u> <u>② Covered porch 8x12 finish to mud room</u> <u>③ 8x8 opened P.T. deck w/ stairs</u>
--	---

Square Footage Finished Footprint <u>1000</u> Renovated/added <u>96</u> Number of stories <u>2</u> Living area of new home (exclude unfinished areas and garage) <u>Add mud rm + garage</u> Total area of bldg <u>1776</u>

Principal Type of Frame <input type="checkbox"/> Masonry (wall bearing) <input type="checkbox"/> Reinforced concrete	<input checked="" type="checkbox"/> Wood Frame <input type="checkbox"/> Other-Specify _____	<input type="checkbox"/> Structural steel
---	--	---

Type of Sewage Disposal <input type="checkbox"/> Town or private company (requires Town permit) <input checked="" type="checkbox"/> Private (septic tank, etc.)
--

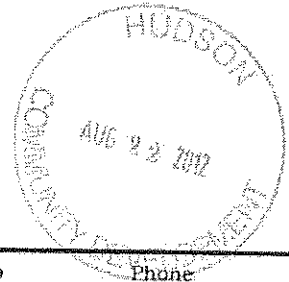
Type of Water Supply <input checked="" type="checkbox"/> Town <input type="checkbox"/> Private (well, cistern)	Type of Heat Source <input checked="" type="checkbox"/> Gas <input type="checkbox"/> Oil <input type="checkbox"/> Electric	<input type="checkbox"/> Other _____
---	--	--------------------------------------

E1



BUILDING PERMIT APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT

Town of Hudson
12 School Street
Hudson, New Hampshire
Phone (603) 886-6005 Fax (603) 594-1142



Name	Address	City/State/Zip	Phone
Owner <u>Paul + Sandy</u>	<u>8 Washington Dr</u>	<u>Hudson NH</u>	<u>883-5810</u>
Lessee <u>O'Sullivan</u>		<u>03051</u>	
Contractor <u>Hicks Bldg. LLC</u>	<u>6 Folsom Rd</u>	<u>Derry NH</u>	<u>603-437-4477</u>
Architect	<u>BX 1973</u>	<u>03038</u>	<u>(603) 365-9498</u>
Engineer			<u>Joe</u>

I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his agent and to conform to all applicable laws of the Town of Hudson. I hereby attest all statements made on this application are true to the best of my knowledge. The signature on 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. If said structure is commercial or industrial I understand that an as-built plan is required prior to occupancy of the structure.

Signature of applicant [Signature] Joe Hicks (Hicks Bldg LLC) Date 8/15/12
Address BX 1973, Derry, NH. 03038

Filing Fee #2552 \$ 30.00 Receipt # 249,368 Date 8-22-12
Building permit fee \$ 440.00 Receipt # _____ Date _____

THIS BUILDING PERMIT IS

Issued subject to the following condition(s) _____ Denied for the following reason(s)
NO Accessory Living unit - NO operable Kitchen.

<input type="checkbox"/> Plans received Comments: _____ Date: _____	Use group: _____ Construction type: _____
Certificate of Occupancy _____ Required <input checked="" type="checkbox"/> Final Inspection (Building & HFD) Comments: _____	Live loading: _____ Occupancy load: _____

Approved
_____ Denied _____
[Signature] Building Inspector Date 8/23/12

*Electrical Permit, Plumbing Permit, Mechanical Permit, Certificate of Occupancy, Water, Sewer and Driveway are to be applied for separately when applicable.

CERTIFIED PLOT PLAN
8 WASHINGTON DRIVE, HUDSON, NH
MAP 168 LOT 20

REV. 2	BY:
REV. 1	BY:

ZONING DISTRICT: RES-2
 REQUIRED SETBACKS:

FRONT -- 30 FEET
 SIDE -- 15 FEET
 REAR -- 15 FEET

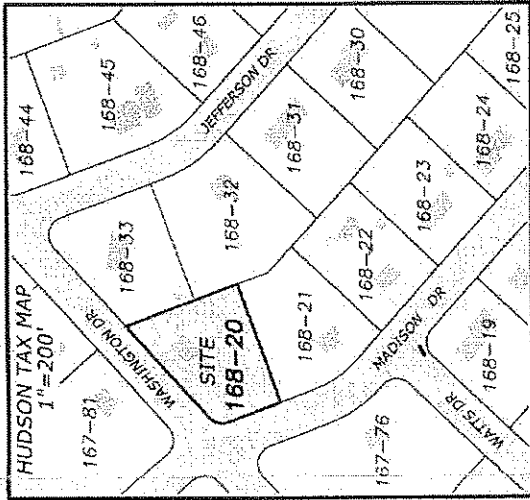
DEED REF: BK. 5211 PG. 1339
 PLAN REF.: HCRD PL. 2742

PLAN SCALE: 1"=40'
 DATE: AUG. 2012

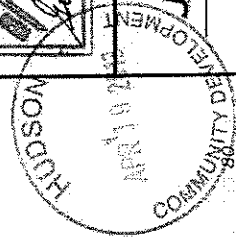
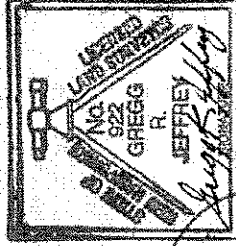
JOB REF.: 012-060-OSUL
 XREF.:

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.

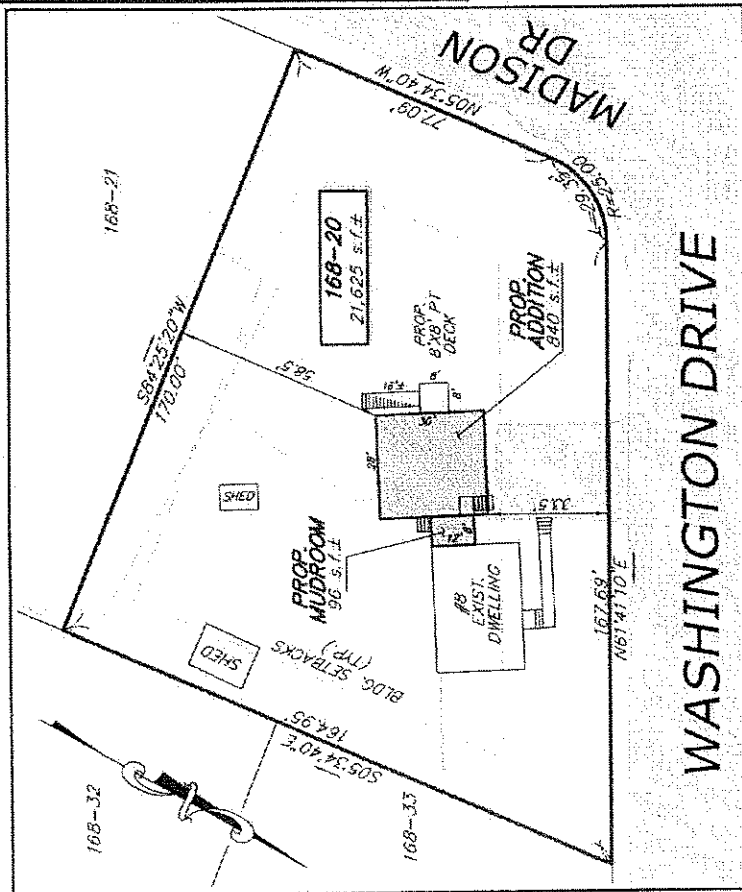


ORIGINAL IS A RED STAMP PLAN



JEFFREY LAND SURVEY, LLC

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





TOWN OF HUDSON

COMMUNITY DEVELOPMENT DEPARTMENT



12 School Street • Hudson, New Hampshire 03051 • 603-886-6005 • Fax 603-594-1142

February 27th, 2013

Hicks Building LLC
6 Folsom Road
Derry, NH 03038

Re: 8 Washington Drive Hudson, NH(Map: 168/Lot: 020)

Dear Sirs:

Your building permit #2012-00508 was issued on 8/29/12 for construction of a 28' x 30' addition with a two car garage under, a 10' x 16' craft room in the garage, conversion of an existing 8' x 12' area into a mudroom, and construction of an 8' x 8' deck with stairs.

A final inspection is required and our records indicate that this inspection has not been completed. Please contact me at your earliest convenience to schedule this inspection at 603-886-6005.

Thank you.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT

Julie Kennedy

Julie Kennedy
Administrative Aide

pc: Paul & Sandy O'Sullivan
Zoning Administrator
Board of Selectmen
File

JK/KS



TOWN OF HUDSON

COMMUNITY DEVELOPMENT DEPARTMENT



12 School Street • Hudson, New Hampshire 03051 • 603-886-6005 • Fax 603-594-1142

March 27, 2013

Whitney Law Offices
Todd A. Whitney, Esq.
One Prospect Street
Nashua, NH 03060-3921

Re: 8 Washington Drive, Hudson (Map 168/ Lot 020)

Dear Attorney Whitney:

In response to your letter dated March 9, 2013 regarding the open building permit number 2012-00508 that is currently on file for a 28' x 30' addition for the aforementioned property. After multiple discussions with the builder, Mr. Joe Hicks, regarding the space above the garage was not to be used as an Accessory Living Unit (ALU) and after receiving the building permit application for the addition with a letter from Mr. Paul O'Sullivan stating the space will not be used as an ALU, the building permit was issued with the stipulation "No operable kitchen is allowed. This is not to be used as an Accessory Living Unit" (both documents are attached).

Therefore, your clients will be required to submit a new building permit application with the supporting documentation requesting the space above the garage to be an ALU. The documentation will then be reviewed for compliance of the Hudson Zoning Ordinance and Building Codes. After review, the building permit will then be denied and a letter sent stating that Zoning Board approvals will be needed.

Please find, attached hereto, an application for an Accessory Living Unit. This application and any supporting documents must be submitted to the Community Development Department. Upon receipt of said application and supporting documents, the Community Development Department will schedule a hearing on this matter with the Zoning Board of Adjustment.

Please feel free to contact the Community Development Department if you have any further questions.

Sincerely,

COMMUNITY DEVELOPMENT DEPARTMENT

William A. Oleksak
Zoning Administrator/Code Enforcement Officer
pc: Board of Selectmen
Zoning Board of Adjustment

File

WO/jk

Hudson Town Hall
Hudson Zoning Board
12 School Street
Hudson, NH 03051

A43

FEES:	1846
SURCHARGE:	2-
CASH:	—

Town of Hudson

Zoning Board of Adjustment

Decision to Grant Special Exception Permit for an Accessory Living Unit (ALU)

On **September 26, 2013**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard case #168-020, pertaining to a request by **Paul & Sandy O'Sullivan, 8 Washington St.** for a Special Exception Permit to allow an **Accessory Living Unit (ALU)** to be above the attached 2-car garage at 8 Washington Street and connected to the principal dwelling via stairs in a common entry way [Map 168, Lot 020, Zoned R2 in accordance with the provisions of HZO Article XIII A, Section 334-73.3.

Following the hearing of testimony by applicants, representatives, and abutters, together with subsequent deliberation based on their familiarity with the area and knowledge of past cases, a majority of the members of the Board determined that this ALU Special Exception Permit should be granted in this case, because the ALU as proposed would be in compliance with all requirements listed of HZO Article XIII A, Section 334-73.3 and the applicants testified that they had read and understood the provisional restrictions outlined in the application and would abide by those restrictions, which constitute stipulations of this approval, including the following:

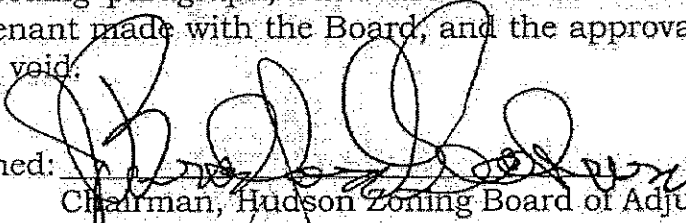
F₁

1. The ALU is to be occupied only by immediate family members of the owner of record of the principal dwelling, who must reside in that principal dwelling.
2. At least one common interior access between the principal dwelling unit and the ALU shall exist.
3. Separate utility service connections and/or meters for the principal dwelling unit and the ALU shall not exist.
4. Off-street parking shall be provided to serve the combined needs of the residents of the principal dwelling unit and the ALU.
5. This Special Exception to permit the creation of an ALU is to benefit the original applicant exclusively and shall expire when the owner of record of the principal dwelling unit conveys the property by sale or ceases to personally occupy the principal dwelling unit or the ALU.
6. The original applicant shall notify the Hudson Zoning Administrator of termination of the occupancy of the ALU. When the original occupant(s) of the ALU vacate(s) the premises, the property owner has the option to relet the ALU to another family member or to remove the ALU. The ALU cannot be rented for financial gain or to a non-family member.
7. If a new owner of record of the principal dwelling desires to maintain the existence of the ALU for use by an immediate family member, application for a new Special Exception approval to benefit the new owner of record must be made to the Community Development Department before conveyance of the subject property.

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

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this ALU Special Exception permit shall be considered conditions of the Special Exception, regardless of the fact that such facts or intentions may not have been specifically stated as part of the motion to grant.

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

Signed:  Date: 10-01-13
Chairman, Hudson Zoning Board of Adjustment

Signed:  Date: 10-01-13
Zoning Administrator

CERTIFIED PLOT PLAN
8 WASHINGTON DRIVE, HUDSON, NH
MAP 168 LOT 20

REV. 2	BY:
REV. 1	BY:

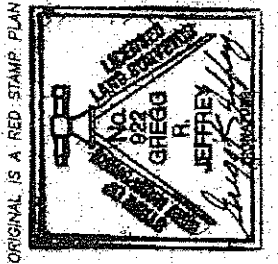
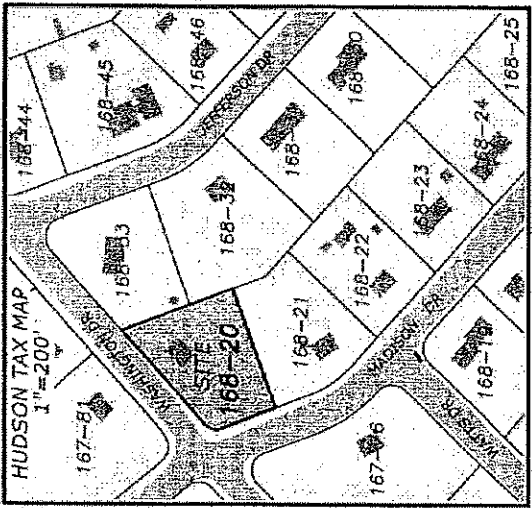
ZONING DISTRICT: RES-2
 REQUIRED SETBACKS:
 FRONT - 30 FEET
 SIDE - 15 FEET
 REAR - 15 FEET

DEED REF: BK. 5211 PG. 1339
 PLAN REF: HCRD PL. 2742

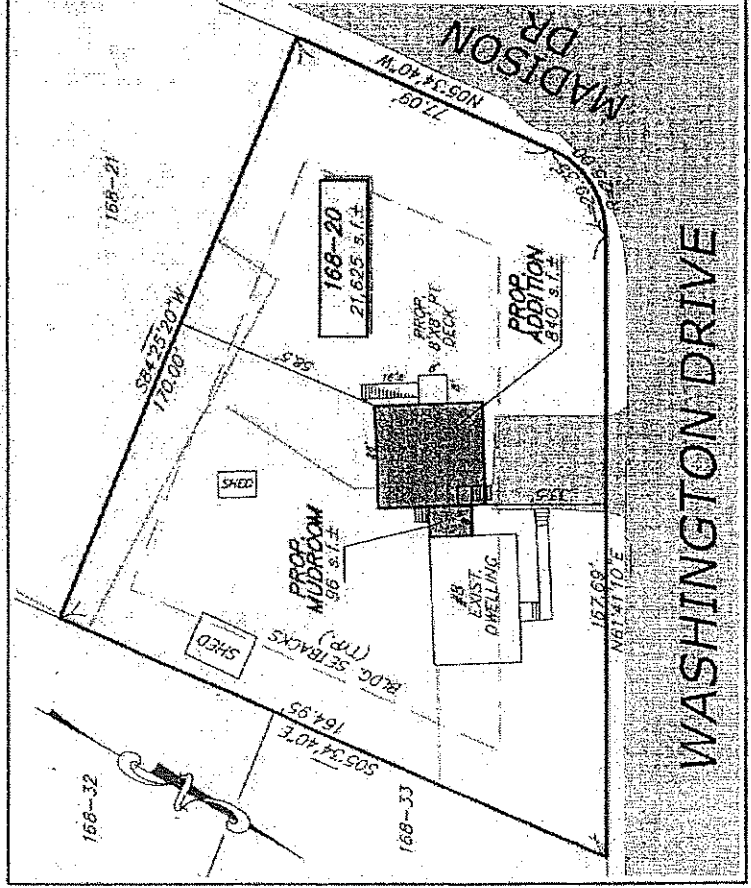
PLAN SCALE: 1"=40'
 DATE: AUG. 2012

JOB REF: 012-060-OSUL
 XREF:

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



F4

Town of Hudson, NH
Certificate of Occupancy



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

Owner, Lessee or Occupant: O'SULLIVAN, PAUL L. O'SULLIVAN, SANDRA M.

Location of Work: 8 WASHINGTON DR (Unit or Building)
(No. and Street)

Desc of Work: Construct an Accessory Living Unit with the existing 28' x 30' addition

Map\Lot: 168-020-000

District: R-2

Permit(s): 2013-00171, 2013-00171-2-MG, 2013-00171-2-EL

Use Group: R-3

Fire Sprinkler System Required: NO

Fire Alarm System Required: NO

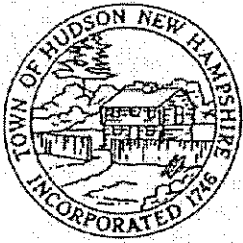
This is to certify that O'SULLIVAN, PAUL L. O'SULLIVAN, SANDRA M. has/have obtained all final inspections and has been found to substantially conform to all regulations and codes and is hereby approved for occupancy and use, as limited or otherwise noted below.

This Certificate of Occupancy is non-transferable and must conform to the stipulations set forth in the Special Excpetion issued by the Zoning Board of Adjustment.

Date of Issue: 3/21/2014

Signed:  3/21/14

G1



BUILDING PERMIT APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT

Town of Hudson
12 School Street
Hudson, New Hampshire
Phone (603) 886-6005 Fax (603) 594-1142



	Name	Address	City/State/Zip	Phone
Owner	Paul & Sandy	8 Washington Dr.	Hudson NH	883-5810
Lessee	O'Sullivan		03051	
Contractor	Hicks Builders LLC	BX 1973	Derry NH	603-432-4422
Architect		6 Folsom Rd	03038 (C)	365-9498X
Engineer				Joe Hicks

I hereby certify the owner of record authorizes the proposed work and I have been authorized by the owner to make this application as his agent and to conform to all applicable laws of the Town of Hudson. I hereby attest all statements made on this application are true to the best of my knowledge. The signature on 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. If said structure is commercial or industrial I understand that an as-built plan is required prior to occupancy of the structure.

Signature of applicant [Signature] Hicks Blds LLC Date 4/29/12
Address PO BX 1973 Derry NH 03038

Filing Fee \$ 30.00 Receipt # 275,064 Date 4/19/13
Building permit fee \$ 175.00 Receipt # _____ Date _____

THIS BUILDING PERMIT IS
 Issued subject to the following condition(s) MAO 10/4/13 NEED TO GET ZBA APPROVALS FIRST MAO 4/23/13
 Denied for the following reason(s) Sept 26 ZBA VARIANCE FOR ALU OK

Plans received Date _____ Use group: _____
Comments: _____ Construction type: _____
Certificate of Occupancy _____ Required _____ Final Inspection (Building & HFD)
Comments: _____ Live loading: _____
Occupancy load: _____

Approved
 Denied [Signature] Building Inspector Date 10/7/13

*Electrical Permit, Plumbing Permit, Mechanical Permit, Certificate of Occupancy, Water, Sewer and Driveway are to be applied for separately when applicable.

G2



Town of Hudson, NH
Building Permit

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

Permit Number 2018-00700
Date of Issue 7/19/2018
Expiration Date 1/15/2019

Owner: O'SULLIVAN, PAUL L. O'SULLIVAN, SANDRA M.

Applicant: Specialty Kitchens

Location of Work: 8 WASHINGTON DR (Unit or Building)
(No. and Street)

Description of Work: Kitchen remodel with removal of bearing wall, installing an LVL

ZONING DATA: District: R-2 Map/Lot: 168-020-000

CONTRACTOR: Specialty Kitchens 603-883-9154

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.
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: Specialty Kitchens (Taking Responsibility for the Work)
Company/Affiliation: Contractor Job Site Phone Number:

Constr Cost: \$37,510 Permit Fee: \$30.00 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.

[Signature]
Code Official

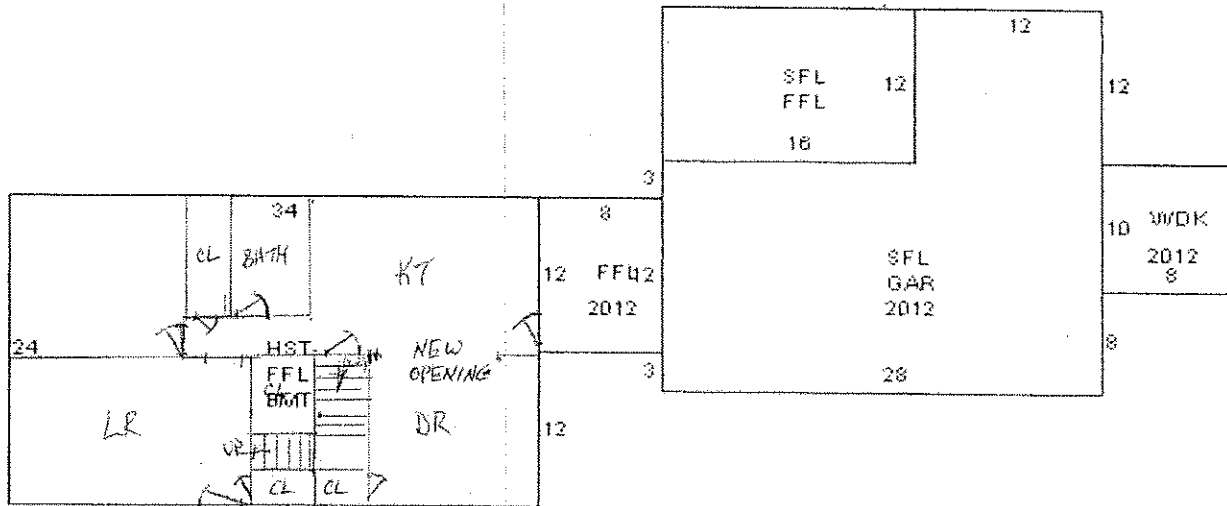
[Signature]
Permit Holder

7/19/2018
Date

H.

O'SULLIVAN

8 WASHINGTON ST., HUDSON, NH



RECEIVED
JUL 18 2018
HUDSON FIRE DEPARTMENT
INSPECTORAL SERVICES DIVISION

H₂

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

REQUEST FOR REVIEW/COMMENTS:

Case: 168-020 (Variance)

Property Location: 8 Washington Dr

For Town Use

Plan Routing Date: 11/23/2021 Reply requested by: 11/29/2021 ZBA Hearing Date: 12/09/2021

I have no comments I have comments (see below)

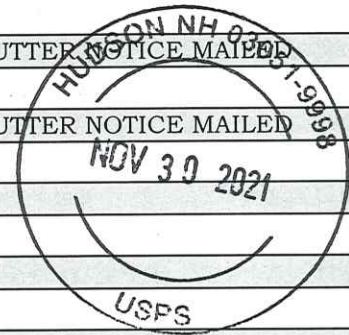
EZD Name: Elvis Dhima, PE Date: 11/23/2021
(Initials)

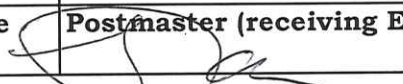
DEPT:
 Town Engineer Fire/Health Department Town Planner

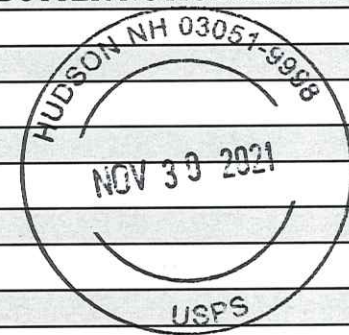
1. Applicant shall confirm location of the septic system on the property
2. Applicant is advised to confirm that water service is not under the proposed porch.

I

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 168-020 VARIANCE & EQUITABLE WVR. 8 Washington Dr. Map 168/Lot 020-000 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting	
1	7021 0350 0000 1884 4461 PAUL L. & SANDRA O'SULLIVAN 8 WASHINGTON DR., HUDSON, NH 03051	APPLICANT/OWNERS NOTICE MAILED	
2	7021 0350 0000 1884 4478 TIMOTHY J. & LOUISE N. CHARRON 24 MADISON DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	7021 0350 0000 1884 4485 DONALD J. & SUZANNE A. LEMMO 63 PAGE RD., LITCHFIELD, NH 03052	ABUTTER NOTICE MAILED	
4	7021 0350 0000 1884 4492 JENNIFER L. LAMBERT, TR.; BARCHARD FAMILY TRUST 9 WASHINGTON DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7021 0350 0000 1884 4508 GARTH A. & JUDITH A. STEVENS 19 MADISON DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	7021 0350 0000 1884 4515 BRIAN FISHER; MONIQUE PROVENCAL 12 JEFFERSON DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	7021 0350 0000 1884 4089 JAMES E. & JOAN CARLEN 6 WASHINGTON DR., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	7021 0350 0000 1884 4096 PAMELA C. FRASER 41 JESSICA DRIVE, NASHUA, NH 03060	ABUTTER NOTICE MAILED	
9			
10			
11			
12			
	Total Number of pieces listed by sender 8	Total number of pieces rec'vd at Post Office 8	Postmaster (receiving Employee) <i>[Signature]</i>



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 168-020 VARIANCE & EQUITABLE WVR. 8 Washington Dr. Map 168/Lot 020-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	12/09/2021 ZBA Meeting
1	Mailed First Class	JUSTIN HATEM	ABUTTER NOTICE MAILED
		14 WASHINGTON DRIVE, HUDSON, NH 03051	
2	Mailed First Class	PHILIP & KAREN KIM COURTURIER	ABUTTER NOTICE MAILED
		3 MONROE STREET, HUDSON, NH 03051	
3	Mailed First Class	CLIFFORD M. DUNNING; ANGELA M. SCUDERI	ABUTTER NOTICE MAILED
		17 MADISON DRIVE, HUDSON, NH 03051	
4	Mailed First Class	JAMES E. COLE, TR.; DIANE J. COLE, TR.; COLE FAMILY TRUST	ABUTTER NOTICE MAILED
		10 JEFFERSON DRIVE, HUDSON, NH 03051	
5	Mailed First Class	RUSSELL A. & KIMBERLY A. MARCHAND	ABUTTER NOTICE MAILED
		2 JACKSON DRIVE, 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) 





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 29, 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, **12/09/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 168-020 (12-09-21): Paul & Sandra O'Sullivan, 8 Washington Drive, Hudson, NH [Map 168, Lot 020-000; Zoned Residential-Two (R-2)] requests the following:

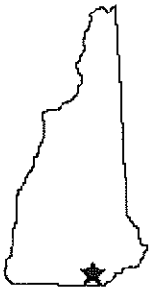
- a. **A Variance to build a 9 ft. x 20 ft. covered porch on the front of an existing non-conforming structure (house), which encroaches the front yard setback an additional 9.3 feet, leaving 14.8 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31.A, Alteration and expansion of nonconforming structures.]**
- b. **An Equitable Waiver of Dimensional Requirement for an existing 19'3" x 12'3" (235.8 sqft) shed which encroaches ~9 feet into the side yard setback leaving ~6 feet where 15 feet is required. [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

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

November 29, 2021

ABUTTER NOTIFICATION

You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **12/09/21** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

Case 168-020 (12-09-21): Paul & Sandra O'Sullivan, 8 Washington Drive, Hudson, NH [Map 168, Lot 020-000; Zoned Residential-Two (R-2)] requests the following:

- a. **A Variance to build a 9 ft. x 20 ft. covered porch on the front of an existing non-conforming structure (house), which encroaches the front yard setback an additional 9.3 feet, leaving 14.8 feet where 30 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31.A, Alteration and expansion of nonconforming structures.]**
- b. **An Equitable Waiver of Dimensional Requirement for an existing 19'3" x 12'3" (235.8 sqft) shed which encroaches ~9 feet into the side yard setback leaving ~6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]**

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

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

Respectfully

Bruce Buttrick

Zoning Administrator

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

On **12/09/21**, the Zoning Board of Adjustment heard Case **168-020**, being a case brought by **Paul & Sandra O’Sullivan, 8 Washington Drive, Hudson, NH** for a Variance **to build a 9 ft. x 20 ft. covered porch on the front of an existing non-conforming structure (house), which encroaches the front yard setback an additional 9.3 feet, leaving 14.8 feet where 30 feet is required.** [Map 168, Lot 020-000; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31.A, Alteration and expansion of nonconforming structures.]

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 | <p>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.”</p> <hr/> <hr/> <hr/> |
| Y | N | <p>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.”</p> <hr/> <hr/> <hr/> |
| Y | N | <p>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.</p> <hr/> <hr/> <hr/> |
| Y | N | <p>4. The proposed use will not diminish the values of surrounding properties.</p> <hr/> <hr/> <hr/> |
| Y | N | <p>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 <i>and also</i> 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.</p> <hr/> <hr/> <hr/> |

Member Decision: _____

Signed: _____

Sitting member of the Hudson ZBA

Date _____

Stipulations: _____

TOWN OF HUDSON
NOV 23 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. 168-020 (12-9-21)

Date Filed 11/23/21

Name of Applicant Paul and Sandy O'Sullivan Map: 168 Lot: 020-000 Zoning District: R-2

Telephone Number (Home) 603-566-6874 (Work) _____

Mailing Address 8 Washington Dr. Hudson, NH 03051

Owner Paul and Sandy O'Sullivan

Location of Property 8 Washington Dr.
(Street Address)

Paul O'Sullivan Sandy O'Sullivan 22 NOV 21
Signature of Applicant Date

Paul O'Sullivan Sandy O'Sullivan 22 NOV 21
Signature of Property-Owner(s) Date

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

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

COST:			Date received: <u>11/23/21</u>
Application fee:	<u>4.33</u>	<u>\$ 185.00</u>	
<u>8</u> Direct Abutters x \$4.10 =		<u>\$130.00</u>	
<u>5</u> Indirect Abutters x \$0.55 =		<u>34.64</u>	
Total amount due:		<u>2.90</u>	
		<u>\$ 222.54</u>	Amt. received: <u>\$ 222.54</u> check # <u>2745</u>
			Receipt No.: <u>663,367</u>
Received by: <u>TSG</u>			

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

Engineering Fire Department Health Officer Planner

TOWN OF HUDSON, NH

NOTICE TO APPLICANTS

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

Applicant Initials		Staff Initials
<u>POS</u>	The applicant must provide 13 copies including the original of the filled-out application form, together with this checklist and any required attachments listed. (Paper clips, no staples)	<u>TG</u>
<u>POS</u>	Before making the 13 copies, please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>POS</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> + Equitable Waiver
<u>POS</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>POS</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>POS</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>POS</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>POS</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>

POS

PLOT PLAN-

TG

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



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

Paul O'Sullivan Sandra M O'Sullivan
Signature of Applicant(s)

22 NOV 21
Date

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

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

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

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

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

ALL DIRECT ABUTTERS

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
168	020-000	Applicant Paul L. & Sandra M. O'Sullivan	8 Washington Drive Hudson, NH 03051
167	076-000	Timothy J. & Louise N. Charron	24 Madison Drive Hudson, NH 03051
167	081-000	Donald J & Suzanne A. Lemmo	63 Page Road Litchfield, NH 03052
167	091-000	Jennifer L. Lambert, TR.; Barchard Family Trust	9 Washington Drive Hudson, NH 03051
168	021-000	Garth A. & Judith A. Stevens	19 Madison Drive Hudson, NH 03051
168	032-000	Brian Fisher; Monique Provencal	12 Jefferson Drive Hudson, NH 03051
168	033-000	James E. & Joan Carlen	6 Washington Drive Hudson, NH 03051
168	034-000	Pamela C. Fraser	41 Jessica Drive Nashua, NH 03060

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
167	077-000	Justin Hatem	14 Washington Drive Hudson, NH 03051
167	090-000	Philip & Karen Kim Courturier	3 Monroe Street Hudson, NH 03051
168	022-000	Clifford M. Dunning; Angela M. Scuderi	17 Madison Drive Hudson, NH 03051
168	031-000	James E. Cole, TR.; Diane J. Cole, TR.; Cole Family Trust	10 Jefferson Drive Hudson, NH 03051
168	035-000	Russell A. & Kimberly A. Marchand	2 Jackson Drive Hudson, NH 03051

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VIII of HZO Section(s) 334-31.A

in order to permit the following change or use:

Addition of an approximately 9 foot deep by 20 foot wide covered porch on the front of the house which encroaches the front setback an additional 9.3 feet leaving 14.8 feet where 30 feet is required.

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

FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

The addition of a front porch at 8 Washington Dr. would not alter the essential character of the neighborhood as there are several homes in the neighborhood with similar porches, note 17 Washington, 3 Jackson, 2 Jefferson, 8 Jefferson, 8 Madison, 11 Madison, and 14 Madison. The proposed porch does not threaten public health, safety, or welfare, nor otherwise injure public rights.

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

The proposed front porch would replace the existing front stairway and walkway in the same footprint. Because the proposed porch is covered and elevated from the existing walkway to the driveway, it constitutes an expansion of the structure footprint. The purpose and use of the proposed porch are the same as the existing porch and walkway with the added benefit of a covered entryway.

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

The proposed porch would provide an improved aesthetic appearance to the home without altering the use of the existing footprint.

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 improved aesthetic appearance of the home should not affect the values of surrounding properties. The improvement at 8 Washington Dr. will likely result in a very modest increase in property value but likely not result in any change to surrounding property values.

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

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

The home is about 50 years old. We have lived there for 31 years. The proposed porch is an improvement to the appearance of the home and would provide a covered entry way in the same space occupied by the existing stairway and walkway. This makes the request reasonable. Further, denial of the variance would not recognize that the purpose and use of the proposed porch is the same as the existing porch and walkway with added benefit of being covered.

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-157

September 23, 2021

Paul O'Sullivan
8 Washington Dr
Hudson, NH 03051

Re: 8 Washington Dr Map 168 Lot 020-000
District: Residential Two (R-2)

Dear Mr. O'Sullivan,

Zoning Review / Determination:

This structure (house) has a variance granted 5/2/1984 in regards to front setback requirements per Table of Minimum Dimensional Requirements §334-27.

Based on your inquiry if an addition of a front porch with further encroachment would require a variance, 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.**

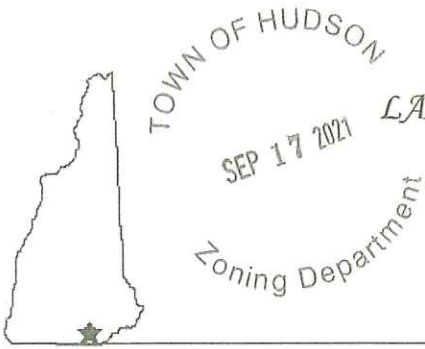
To continue with your proposal you would need to start with a Variance application (link):
<https://www.hudsonnh.gov/zoning/page/variance>

Sincerely,

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

cc: Public Folder
B. Groth, Town Planner
File

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



TOWN OF HUDSON
SEP 17 2021
Zoning Department

LAND USE DEPARTMENT
12 School Street
Hudson, NH 03051
(603) 886-6008
www.hudsonnh.gov

#21-157



Town of Hudson

REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request 17 SEP 21
Property Location 8 Washington St. DR
Map 168 Lot 020 Sublot 000
Zoning District if known R-2

Type of Request

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

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

There is an existing variance for the house being within the 30 foot setback from the street. I want to know what would be required to build a porch on the front of my house that would further encroach the setback requirement.

Applicant Contact Information:

Name: Paul O'Sullivan
Address: 8 Washington St.
Phone Number: 603-883-5810 / 603-566-6874
Email: posullivan09@yahoo.com

For Office use

ATTACHMENTS: TAX CARD GIS
NOTES: _____
ZONING DETERMINATION LETTER SENT DATE: _____

168 020 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD

Hudson

APPRaised: 328,500 /
USE VALUE: 328,500 /
ASSESSed: 328,500 /
Total Card / Total Parcel
328,500 / 328,500
328,500 / 328,500
328,500 / 328,500



Patriot Properties Inc.

PROPERTY LOCATION

Table with columns: No, Alt No, Direction/Street/City. Row 1: 8, WASHINGTON DR, HUDSON

OWNERSHIP

Table with columns: Owner 1-3, Street 1-2, Twn/City, St/Prov, Postal. Owners: O'SULLIVAN, PAUL L., O'SULLIVAN, SANDRA M.

PREVIOUS OWNER

Table with columns: Owner 1-2, Street 1, Twn/City, St/Prov, Postal. Owners: -

NARRATIVE DESCRIPTION

This parcel contains .496 ACRES of land mainly classified as ALU with a CAPE Building built about 1968, having primarily VINYL Exterior and 2352 Square Feet, with 2 Units, 3 Baths, 0 3/4 Bath, 0 HalfBath, 10 Rooms, and 4 Bdrms.

OTHER ASSESSMENTS

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

PROPERTY FACTORS

Table with columns: Item, Code, Description, %, Item, Code, Description. Items: Z R2 RESD TWO, water, Sewer, Electri, Exmpt, Flood Haz: C, D, s, t, Topo, Street, Gas.

LAND SECTION (First 7 lines only)

Table with columns: Use Code, Description, LUC Fact, No of Units, Depth / PriceUnits, Unit Type, Land Type, LT Factor, Base Value, Unit Price, Adj, Neigh, Neigh Infl, Neigh Mod, Infl 1, %, Infl 2, %, Infl 3, %, Appraised Value, Alt Class, %, Spec Land, J Code, Fact, Use Value, Notes. Row 1: 107 ALU, 0.496, SITE ACRE, SITE, 0 110,000, 1.71 RE, 93,368

IN PROCESS APPRAISAL SUMMARY

Table with columns: Use Code, Land Size, Building Value, Yard Items, Land Value, Total Value. Row 1: 107, 0.496, 234,400, 700, 93,400, 328,500

PREVIOUS ASSESSMENT

Table with columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date. Rows: 2021-2018

SALES INFORMATION

Table with columns: Grantor, Legal Ref, Type, Date, Sale Code, Sale Price, V, Tst, Verif, Notes. Rows: 5211-1339, 9/15/1990, 102,000; 5211-1339, 9/13/1990, 102,000

BUILDING PERMITS

Table with columns: Date, Number, Descip, Amount, C/O, Last Visit, Fed Code, F. Descip, Comment. Rows: 8/21/2018, 2018-00700-ELECTRIC, 1,000 C, 8/21/2018, 2018-00700-MECHANIC, 500 C, 8/21/2018, 2018-00700-PLUMBING, 2,500 C, 7/19/2018, 2018-00700 INT RENO, 37,510 C, 3/21/2014, 2013-00171 CERT OCC, C, 3/12/2014, 2013-00171 ELECTRIC, C, 12/6/2013, 2013-00171 MECHANIC, C, 10/9/2013, 2013-00171 ACC LIV, 3,500 C, 11/14/2012, 2012-00508 ELECTRIC, 5,000 C, 11/13/2012, 202-00518 PLUMBING, 3,000 C

Legal Description

Table with columns: Entered Lot Size, Total Land, Land Unit Type. Values: 0.496, 0.496, AC

Parcel ID

168-020-000

Table with columns: Date, Date. Rows: 9/27/2021, 5/12/2021, 8/27/2020, 5/6/2020, 9/16/2019, 5/8/2019, 8/27/2018, 5/9/2018

PAT ACCT.

Table with columns: Notes. Value: 8393

ACTIVITY INFORMATION

Table with columns: Date, Result, By, Name. Rows: 1/22/2019 Permit Visit, 12 TECH ASMNT, 1/16/2019 Permit Visit, 12 TECH ASMNT, 2/24/2014 Permit Visit, 15 APPR TECH 5, 3/29/2013 NC Visit, 12 TECH ASMNT, 2/26/2013 Permit Visit, 12 TECH ASMNT, 6/25/2010 Meas/Inspect, 14 APPR TECH 4, 5/18/2006 Measured, 8 ASMNT TECH I, 7/19/2005 New Maps, 1 CHIEF ASSESS, 7/27/2004 Permit Visit, 4 APPR TECH II

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.49600 Total SF/SM: 21606 Parcel LUC: 107 ALU Prime NB Desc RES AVG Total: 93,368 Spl Credit Total: 93,400

EXTERIOR INFORMATION

Table with exterior details: Type: 05 - CAPE, Sty Ht: 1H - 1.5 STY, (Liv) Units: 2, Total: 2, Foundation: 1 - CONCRETE, Frame: 1 - WOOD, Prime Wall: 04 - VINYL, Sec Wall: %, Roof Struct: 1 - GABLE, Roof Cover: 1 - ASPH SHING, Color: WHITE, View / Desir:

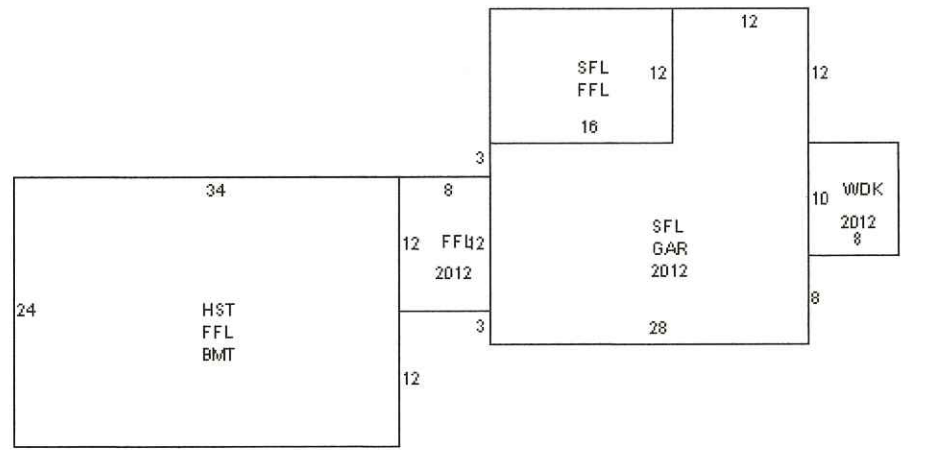
BATH FEATURES

Table with bath features: Full Bath: 2, Rating: AVERAGE, A Bath: 1, Rating: AVERAGE, 3/4 Bath: , Rating: , A 3QBth: , Rating: , 1/2 Bath: , Rating: , A HBth: , Rating: , OthrFix: , Rating:

COMMENTS

PDAS IN SFL. 2014=ALU COMPLETE.

SKETCH



GENERAL INFORMATION

Table with general info: Grade: C - AVERAGE, Year Blt: 1968, Eff Yr Blt: , Alt LUC: , Alt %: , Jurisdic: , Fact: , Const Mod: , Lump Sum Adj:

OTHER FEATURES

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

CONDO INFORMATION

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

RESIDENTIAL GRID

Table with 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: 10, BRs: 4, Baths: 2, HB:

REMODELING

Table with remodeling: Exterior: , Interior: , Additions: 2012, Kitchen: 2018, Baths: , Plumbing: , Electric: , Heating: , General:

RES BREAKDOWN

Table with res breakdown: No Unit, RMS, BRS, FL, 1, 10, 4, M, Totals: 1, 10, 4

INTERIOR INFORMATION

Table with interior info: Avg Ht/FL: STD, Prim Int Wal: 1 - DRYWALL, Sec Int Wall: , Partion: T - TYPICAL, Prim Floors: 15 - WD LAM, Sec Floors: 04 - CARPET, 33%, Bsmnt Flr: 12 - CONCRETE, Subfloor: , Bsmnt Gar: , Electric: 3 - TYPICAL, Insulation: 2 - TYPICAL, Int vs Ext: S, Heat Fuel: 2 - GAS, Heat Type: 3 - FORCED HW, # Heat Sys: 1, % Heated: 100, % AC: 0, Solar HW: NO, Central Vac: NO, % Com Wal: , % Sprinkled:

DEPRECIATION

Table with depreciation: Phys Cond: EX - Excellent, 16.%, Functional: , Economic: , Special: , Override: , Total: 16%

CALC SUMMARY

Table with calc summary: Basic \$ / SQ: 106.00, Size Adj.: 0.88265306, Const Adj.: 0.98656607, Adj \$ / SQ: 92.304, Other Features: 23500, Grade Factor: 1.00, NBHD Inf: 1.00000000, NBHD Mod: , LUC Factor: 1.00, Adj Total: 279038, Depreciation: 44646, Depreciated Total: 234392

COMPARABLE SALES

Table with comparable sales: Rate, Parcel ID, Typ, Date, Sale Price, WtAv\$/SQ: , AvRate: , Ind.Val: , Juris. Factor: , Before Depr: 92.30, Special Features: 0, Val/Su Net: 60.16, Final Total: 234400, Val/Su SzAd: 99.66

SUB AREA

Table with sub area: Code, Description, Area - SQ, Rate - AV, Undepr Value, Sub Area, % Usbl, Descrip, % Type, Qu, # Ten. Includes rows for FFL, SFL, BMT, GAR, HST, WDK and summary rows for Net Sketched Area and Size Ad.

SUB AREA DETAIL

MOBILE HOME

Table with mobile home details: 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, JCod, JFact, Juris. Value. Includes items like SHED-NV, PATIO.

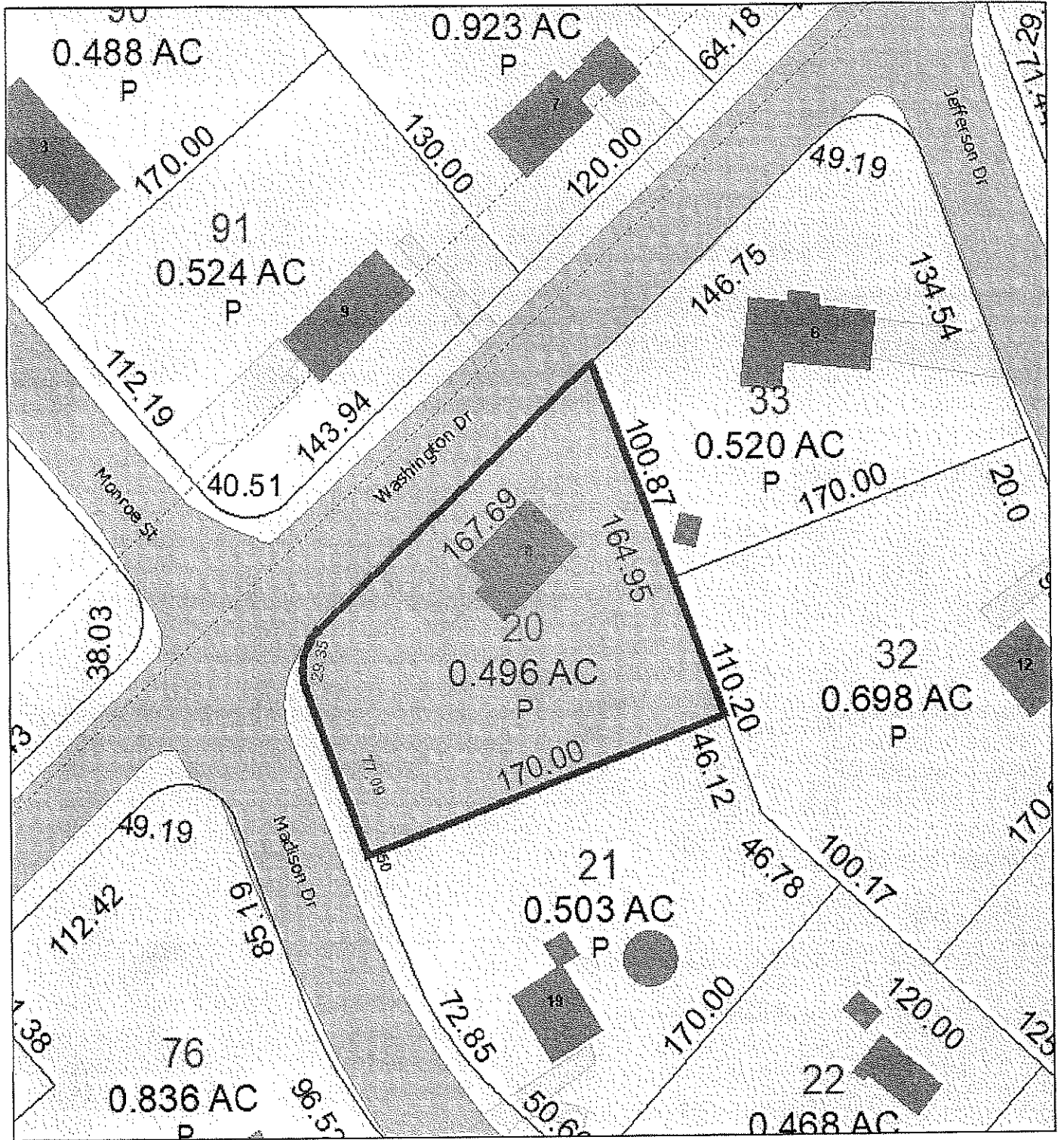
Summary row: More: N, Total Yard Items: 700, Total Special Features: , Total: 700

IMAGE

AssessPro Patriot Properties, Inc



8 Washington Dr (Map/Lot 168-020-000)



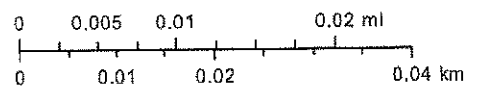
September 17, 2021

Legend

----- Easement_Lines

▭ Parcels

1:742



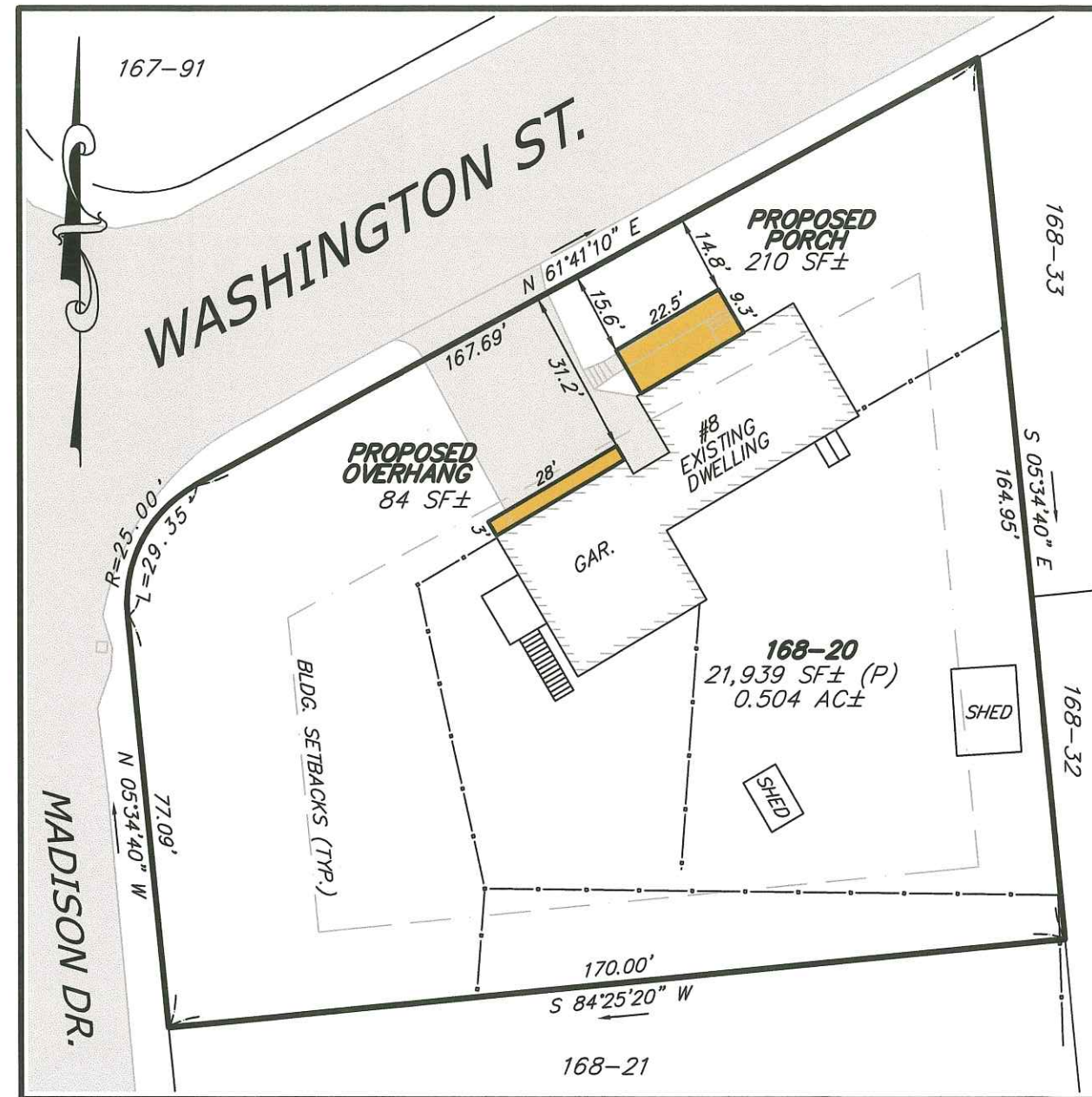
PLAN NOTES:

1.) PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF PROPOSED IMPROVEMENTS AT HUDSON LOT 168-20.

**PLAN OF LAND
8 WASHINGTON ST.
HUDSON, NH
MAP 168 LOT 20
AS PREPARED FOR
PAUL O'SULLIVAN, OWNER**

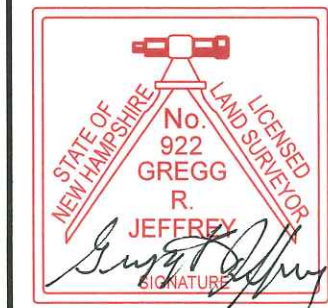


VICINITY MAP
SCALE: 1"=500'



REV. 2		BY:
REV. 1		BY:

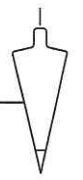
ZONING DISTRICT: R-2
 REQUIRED SETBACKS:
 FRONT - 30 FEET
 SIDE - 15 FEET
 REAR - 15 FEET
 DEED REF: BK. 5211 PG. 1339
 PLAN REF.: HCRD PL. 2742
 HCRD PL. 4083
 PLAN SCALE: 1"=30'
 DATE: NOV. 2021
 JOB REF.: 021-140-OSUL



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
 11/23/2021
 2:37PM
 Created
 11/23/2021
 2:31 PM

Transaction Receipt

Receipt# 663,367
 tgoodwyn

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

	Description	Current Invoice	Payment	Balance Due
1.00	ZBA Applications-12/9/21 ZBA Mtg. 8 Washington Dr. Map/Lot 168-020-000			
	Variance Application	0.00	222.5400	0.00
	EQ. Waiver Dim. Req.	0.00	185.0000	0.00
			Total:	407.54

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Paul & Sanrda O'Sullivan	CHECK	CHECK# 2745	222.54	0.00	222.54
Paul & Sanrda O'Sullivan	CHECK	CHECK# 2745	185.00	0.00	185.00

Total Due:	407.54
Total Tendered:	407.54
Total Change:	0.00
Net Paid:	407.54



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: December 9, 2021 *FB*

12-1-21

1. **Case 168-020 (12-09-21):** Paul & Sandra O'Sullivan, 8 Washington Drive, Hudson, NH [Map 168, Lot 020-000; Zoned Residential-Two (R-2)] requests the following:

An Equitable Waiver of Dimensional Requirement for an existing 19'3" x 12'3" (235.8 sqft) shed which encroaches ~9 feet into the side yard setback leaving ~6 feet where 15 feet is required. [HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

Address: 8 Washington Dr

Zoning district: Residential Two (R-2)

Summary:

Applicant requests an Equitable Waiver of Dimensional Requirement to allow an existing 19'-3" x 12'-3" (235.8 sqft) shed to remain in the side yard setback.

Property description:

Corner lot of record.

Non-conforming area of 0.496 Acre where 1.0 Acre required.

Conforming frontage along Washington Dr with 182.37 ft where 120 ft is required.

Non-conforming frontage along Madison Dr with 91.77 ft where 120 ft required.

LAND USE HISTORY:

10/17/95 "Void" permit to construct 10 x 14 shed.

ASSESSING HISTORY:

Single Family w/ ALU

Town in-house review comments:

Town Engr: no comments

Town Planner: non received

Fire Dept: no comments

Attachments:

A: Assessing history

B: 10/17/95 "Void" permit to construct 10 x 14 shed.

C: 2005 Aerial

Previous Assessments

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2021	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2021	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2020	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2020	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2019	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2019	107 - ALU	234,400	700	93,400	0.50	0.00	328,500
2018	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2018	107 - ALU	216,600	700	93,400	0.50	0.00	310,700
2017	107 - ALU	216,600	700	93,400	0.50	0.00	269,800
2017	107 - ALU	180,000	700	89,100	0.50	0.00	310,700
2017	107 - ALU	216,600	700	93,400	0.50	0.00	269,800
2016	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2016	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2015	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2015	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2014	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2014	107 - ALU	180,000	700	89,100	0.50	0.00	269,800
2013	101 - ONE FAMILY	170,900	700	89,100	0.50	0.00	260,700
2013	101 - ONE FAMILY	170,900	700	89,100	0.50	0.00	260,700
2012	101 - ONE FAMILY	105,900	700	89,100	0.50	0.00	195,700
2012	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2011	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2011	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2010	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2010	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2009	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2008	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2008	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2007	101 - ONE FAMILY	121,600	800	118,800	0.50	0.00	241,200
2007	101 - ONE FAMILY	132,100	1,200	89,100	0.50	0.00	222,400
2006	101 - ONE FAMILY	132,100	1,200	89,100	0.50	0.00	222,400

A

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2006	101 - ONE FAMILY	132,100	0	89,100	0.50	0.00	221,200
2005	101 - ONE FAMILY	132,100	0	89,100	0.50	0.00	221,200
2005	101 - ONE FAMILY	132,100	0	89,600	0.51	0.00	221,700
2004	101 - ONE FAMILY	132,100	0	89,600	0.51	0.00	221,700
2004	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2003	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2003	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2002	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2002	101 - ONE FAMILY	100,900	0	68,200	0.51	0.00	169,100
2001	101 - ONE FAMILY	55,400	0	47,600		0.00	103,000
2000	101 - ONE FAMILY	55,200	200	47,600	0.51	0.00	103,000
1999	101 - ONE FAMILY	55,200	200	47,600	0.51	0.00	103,000

A₂

TOWN OF HUDSON
ATTN: SUSAN SNIDE
ZONING ADMINISTRATOR
12 SCHOOL STREET
HUDSON, NH 03051

BUILDING PERMIT

AMOUNT PAID

DEPT. FILE COPY

MAP 62 LOT 20

VALIDATION

DATE OCTOBER 17, 19 95 PERMIT NO. 180-96

APPLICANT SANDRA O'SULLIVAN ADDRESS 8 WASHINGTON STREET HUDSON NH 883-5810
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO CONSTRUCT SHED (TYPE OF IMPROVEMENT) (NO.) STORY RESIDENTIAL ACCESSORY (PROPOSED USE) NUMBER OF DWELLING UNITS ONE-FAMILY

AT (LOCATION) 8 WASHINGTON STREET (NO.) (STREET) ZONING DISTRICT

BETWEEN (CROSS STREET) AND (CROSS STREET)

SUBDIVISION LOT 20 BLOCK 62 LOT SIZE

BUILDING IS TO BE FT. WIDE BY FT. LONG BY FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE USE GROUP BASEMENT WALLS OR FOUNDATION (TYPE)

FORM NO. BOCA-BP 1989

REMARKS: CONSTRUCT 10'X14' WOODEN FRAMED SHED FOR STORAGE. IF ANY ELECTRICAL WORK IS PROPOSED AN ELECTRICAL PERMIT IS REQUIRED.

AREA OR VOLUME 140 SQUARE FEET (CUBIC/SQUARE FEET) ESTIMATED COST \$ 2703.68 PERMIT FEE \$ 20.00

OWNER PAUL AND SANDRA O'SULLIVAN
ADDRESS 8 WASHINGTON STREET HUDSON NH

BUILDING DEPT. BY *Edmund P. Madigan*

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

B₁



TOWN OF HUDSON — Building/Zoning

APPLICATION FOR
PLAN EXAMINATION AND
BUILDING PERMIT
886-6005

RECEIVED

OCT 10 1995

TOWN OF HUDSON
DEPT. OF PUBLIC WORKS

IMPORTANT — Applicant to complete all items in sections I, II, III, IV, and IX.

I. LOCATION OF BUILDING	AT (LOCATION) <u>8 Washington St</u> (NO.) (STREET)	ZONING DISTRICT
	BETWEEN _____ (CROSS STREET) AND _____ (CROSS STREET)	
	SUBDIVISION _____ MAP <u>62</u> LOT <u>20</u> LOT SIZE _____	

II. TYPE AND COST OF BUILDING — All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT 1 <input type="checkbox"/> New Building 2 <input checked="" type="checkbox"/> Addition (If residential, enter number of Bdrm/Baths added, if any, in Sec. III, Part L.) 3 <input type="checkbox"/> Alteration (See 2 above) 4 <input type="checkbox"/> Repair, replacement 5 <input type="checkbox"/> Wrecking (If multi-family residential, enter number of units in building in Part D, 13) 6 <input type="checkbox"/> Moving (relocation) 7 <input type="checkbox"/> Foundation only		D. PROPOSED USE - (For "Wrecking" most recent use) <table border="0"> <tr> <td>Residential</td> <td>Non-Residential</td> </tr> <tr> <td>12 <input checked="" type="checkbox"/> One family</td> <td>18 <input type="checkbox"/> Amusement, recreational</td> </tr> <tr> <td>13 <input type="checkbox"/> Two family</td> <td>19 <input type="checkbox"/> Church, other religious</td> </tr> <tr> <td>14 <input type="checkbox"/> Transient hotel, motel, or dormitory - Enter number of units _____</td> <td>20 <input type="checkbox"/> Industrial</td> </tr> <tr> <td>15 <input type="checkbox"/> Garage</td> <td>21 <input type="checkbox"/> Parking garage</td> </tr> <tr> <td>16 <input type="checkbox"/> Carport</td> <td>22 <input type="checkbox"/> Service station, repair garage</td> </tr> <tr> <td>17 <input type="checkbox"/> Multi-Family - Townhouse, Apartment, etc (enter number of residential units)</td> <td>23 <input type="checkbox"/> Hospital, institutional</td> </tr> <tr> <td>18 <input type="checkbox"/> Other - Specify (shed, pool, fireplace)</td> <td>24 <input type="checkbox"/> Office, bank, professional</td> </tr> <tr> <td></td> <td>25 <input type="checkbox"/> Public utility</td> </tr> <tr> <td></td> <td>26 <input type="checkbox"/> School, library, other educational</td> </tr> <tr> <td></td> <td>27 <input type="checkbox"/> Stores, merchantile</td> </tr> <tr> <td></td> <td>28 <input type="checkbox"/> Tanks, towers</td> </tr> <tr> <td></td> <td>29 <input type="checkbox"/> Other - Specify _____</td> </tr> </table>		Residential	Non-Residential	12 <input checked="" type="checkbox"/> One family	18 <input type="checkbox"/> Amusement, recreational	13 <input type="checkbox"/> Two family	19 <input type="checkbox"/> Church, other religious	14 <input type="checkbox"/> Transient hotel, motel, or dormitory - Enter number of units _____	20 <input type="checkbox"/> Industrial	15 <input type="checkbox"/> Garage	21 <input type="checkbox"/> Parking garage	16 <input type="checkbox"/> Carport	22 <input type="checkbox"/> Service station, repair garage	17 <input type="checkbox"/> Multi-Family - Townhouse, Apartment, etc (enter number of residential units)	23 <input type="checkbox"/> Hospital, institutional	18 <input type="checkbox"/> Other - Specify (shed, pool, fireplace)	24 <input type="checkbox"/> Office, bank, professional		25 <input type="checkbox"/> Public utility		26 <input type="checkbox"/> School, library, other educational		27 <input type="checkbox"/> Stores, merchantile		28 <input type="checkbox"/> Tanks, towers		29 <input type="checkbox"/> Other - Specify _____
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	28 <input type="checkbox"/> Tanks, towers																												
	29 <input type="checkbox"/> Other - Specify _____																												
B. OWNERSHIP 8 <input type="checkbox"/> Private (individual, corporation, nonprofit institution, etc.) 9 <input type="checkbox"/> Public (Federal, State, or local government)		Shed 10x14 for storage																											

C. COST 10. Cost of Improvement <i>To be installed but not included in the above cost</i> a. Electrical b. Plumbing c. Heating, air conditioning d. Other (elevator, etc.) 11. TOTAL COST OF IMPROVEMENT	(Omit cents) \$	Nonresidential - Describe in detail proposed use of buildings, e.g., food processing, machine shop, laundry building, schools, college, parking garage, rental office building, industrial plant. If use of existing building is being changed, enter proposed use.
	\$ 2703.68	

III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings and additions, complete Parts E-L; for wrecking, complete only Part J, for all others skip to IV.

E. PRINCIPAL TYPE OF FRAME 30 <input type="checkbox"/> Masonry (wall bearing) 31 <input checked="" type="checkbox"/> Wood Frame 32 <input type="checkbox"/> Structural steel 33 <input type="checkbox"/> Reinforced concrete 34 <input type="checkbox"/> Other - Specify _____	G. TYPE OF SEWAGE DISPOSAL 40 <input type="checkbox"/> Town or private company 41 <input checked="" type="checkbox"/> Private (septic tank, etc.) (#40 requires town permit)	J. DIMENSIONS 48. Number of stories 49. Total square feet of floor area all floors, based on exterior dimensions 50. Total land area, sq. ft.
	H. TYPE OF WATER SUPPLY 42 <input type="checkbox"/> Public or private company 43 <input type="checkbox"/> Private (well, cistern)	
F. PRINCIPAL TYPE OF HEATING FUEL 35 <input type="checkbox"/> Gas 35a <input type="checkbox"/> Undergnd 36 <input type="checkbox"/> Oil 36b <input type="checkbox"/> Tank 37 <input type="checkbox"/> Electricity 48 <input type="checkbox"/> Coal 49 <input type="checkbox"/> Other - Specify _____	I. TYPE OF MECHANICAL Will there be central air conditioning? 44 <input type="checkbox"/> Yes 45 <input type="checkbox"/> No Will there be an elevator? 46 <input type="checkbox"/> Yes 47 <input type="checkbox"/> No	L. RESIDENTIAL BUILDINGS ONLY 53. Total Bedroom Capacity { Finished / Unfinished 54. Number of bathrooms { Full / Partial

B2

MAP LOT STREET

IV. IDENTIFICATION - To be completed by all applicants				
NAME		MAILING ADDRESS - NUMBER, STREET, CITY, AND STATE	ZIP CODE	TEL. NO.
1. Owner or Lessee	Paul L O'Sullivan	8 Washington St Hudson, NH 03051	03051	883-5810
2. Elec., Plumb., Masonry, Heating, Csw. Contractor	Home Depot			
3. Architect or Engineer				

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

SIGNATURE OF APPLICANT Sanduo M O'Sullivan	ADDRESS Same	APPLICATION DATE 10-10-95
---	-----------------	------------------------------

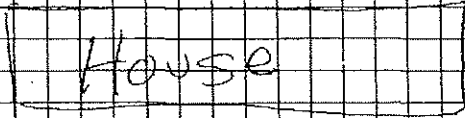
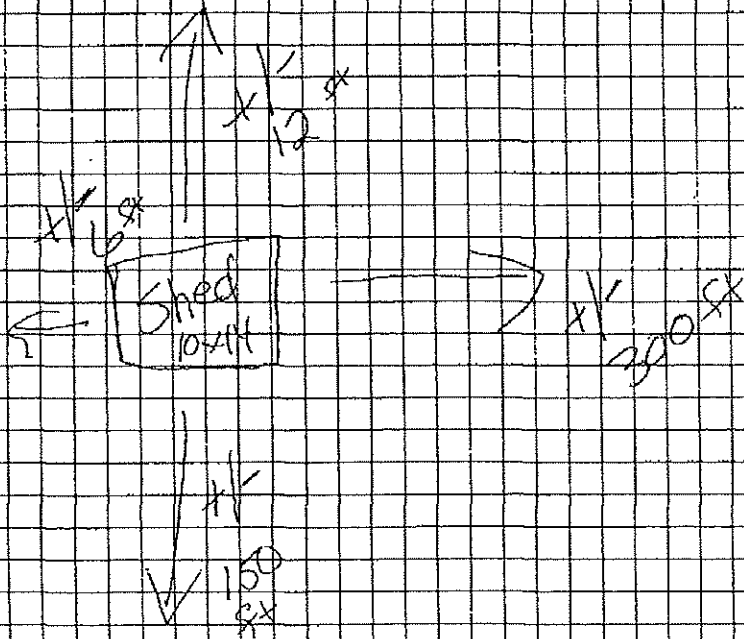
DO NOT WRITE BELOW THIS LINE

V. PLAN REVIEW RECORD - For office use							
Plans Review Required	Date Rec'd.	Date Plans Check	Started	Date Plans By	Approved	By	Notes
BUILDING							
PLUMBING							
MECHANICAL							
ELECTRICAL							
SITE							
OTHER							

VI. ZONING PLAN EXAMINERS NOTES	VII. REQUIRED PERMIT APPROVAL NOS.
DISTRICT:	SEPTIC PERMIT:
USE:	SEWER PERMIT:
FRONT YARD:	SUBDIVISION APPROVAL:
SIDE YARD:	CONSTRUCTION APPROVAL:
REAR YARD:	EXCAVATION PERMIT:
LOT AREA:	DRIVEWAY PERMIT:
FRONTAGE:	SITE PLAN APPROVAL:
NOTES:	H.C.R.D. PLAN NO.:

VIII. VALIDATION	
BLDG. PERMIT NO. _____	IMPACT FEES \$ _____
BLDG. PERMIT ISSUED _____ 19__	REVIEW FEES \$ _____
BLDG. PERMIT FEE \$ 20 ⁰⁰	INSPECTION FEES \$ _____
APPROVED BY E P Madigan BUILDING INSPECTOR	SEWER FEES \$ _____
BLDG. PERMIT FEE COLLECTED \$ S. Snide 10/12/95	OTHER FEES \$ _____
BY FINANCE _____	\$ _____
TITLE _____	\$ _____

B3



WASHINGTON ST.

MADISON STREET

2005 Aerial

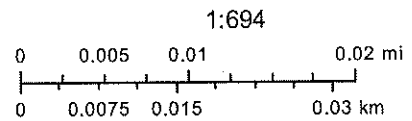


December 1, 2021

Legend

----- Easement_Lines

▭ Parcels



C

HUDSON ZONING BOARD OF ADJUSTMENT
EQUITABLE WAIVER DECISION WORKSHEET
Option 2- (Per RSA 674:33-a, II)

Equitable Waivers are granted, pursuant to RSA 674:33-a, I: When a lot or other division of land, or structure thereupon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance enacted pursuant to RSA 674:16, the zoning board of adjustment shall, upon application by and with the burden of proof on the property owner, grant an equitable waiver from the requirement... **II. In lieu of the findings required by the board under subparagraphs I (a) and (b), the owner may demonstrate the following to the satisfaction of the board:**

On **12/09/21**, the Hudson Zoning Board of Adjustment heard Case **168-020**, being a request by **Paul & Sandra O’Sullivan, 8 Washington Drive, Hudson, NH** to allow a Waiver from the provisions of **HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements**. Applicant(s) request **an Equitable Waiver of Dimensional Requirement for an existing 19’3” x 12’3” (235.8 sqft) shed which encroaches ~9 feet into the side yard setback leaving ~6 feet where 15 feet is required. [Map 168, Lot 020, Sub lot 000; Zoned Residential-Two (R-2).]**

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

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

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

Signed: _____ Date _____
Sitting Member of the Hudson ZBA

TOWN OF HUDSON

NOV 23 2021

Zoning Department

APPLICATION FOR AN EQUITABLE WAIVER

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 168-020 (12-9-21)

Date Filed 11/23/21

Name of Applicant Paul and sandy O'Sullivan Map: 168 Lot: 020-000 Zoning District: R-2

Telephone Number (Home) 603-566-6874 (Work) _____

Mailing Address 8 Washington Drive Hudson, NH 03051

Owner Paul and Sandy O'Sullivan

Location of Property 8 Washington Drive
(Street Address)

Paul O'Sullivan Sandra M O'Sullivan 22 NOV 21
Signature of Applicant Date

Paul O'Sullivan Sandra M O'Sullivan 22 NOV 21
Signature of Property-Owner(s) Date

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

If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak/represent on his/ her/ their behalf or that you have permission to seek the described Equitable Waiver.

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

Date received: 11/23/21

COST:

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

8 Abutter Notice:

8 Direct Abutters x Certified postage rate \$ 4.33 = \$ N/A

5 Indirect Abutters x First Class postage rate \$ 0.58 = \$ N/A

Total amount due: \$ 185 -

Amt. received: \$ 185 -

Receipt No.: 663,367

Received by: (TG)

By determination of the Zoning Administrator, the following Departmental review is required:
 Engineering Fire Dept. Health Officer Planner Other

Check #
2745

TOWN OF HUDSON, NH

Application Checklist

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

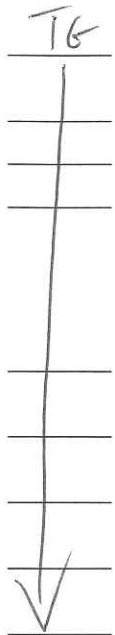
Applicant Initials		Staff Initials
<u>POS</u>	Please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>POS</u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with 10 (ten) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>POS</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>POS</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>POS</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: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>POS</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>TG</u>
<u>POS</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>POS</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>*pending</u>
<u>POS</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) POS 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) POS The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) POS The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) POS 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) POS 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) POS 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) POS The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) POS The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) POS 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.

Paul O'Sullivan Sandra McSullivan 22 NOV 21
Signature of Applicant(s) Date

Paul O'Sullivan Sandra McSullivan 22 NOV 21
Signature of Property Owner(s) 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 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
168	020-000	Applicant Paul L. & Sandra M. O'Sullivan	8 Washington Drive Hudson, NH 03051
167	076-000	Timothy J. & Louise N. Charron	24 Madison Drive Hudson, NH 03051
167	081-000	Donald J & Suzanne A. Lemmo	63 Page Road Litchfield, NH 03052
167	091-000	Jennifer L. Lambert, TR.; Barchard Family Trust	9 Washington Drive Hudson, NH 03051
168	021-000	Garth A. & Judith A. Stevens	19 Madison Drive Hudson, NH 03051
168	032-000	Brian Fisher; Monique Provencal	12 Jefferson Drive Hudson, NH 03051
168	033-000	James E. & Joan Carlen	6 Washington Drive Hudson, NH 03051
168	034-000	Pamela C. Fraser	41 Jessica Drive Nashua, NH 03060

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
167	077-000	Justin Hatem	14 Washington Drive Hudson, NH 03051
167	090-000	Philip & Karen Kim Courturier	3 Monroe Street Hudson, NH 03051
168	022-000	Clifford M. Dunning; Angela M. Scuderi	17 Madison Drive Hudson, NH 03051
168	031-000	James E. Cole, TR.; Diane J. Cole, TR.; Cole Family Trust	10 Jefferson Drive Hudson, NH 03051
168	035-000	Russell A. & Kimberly A. Marchand	2 Jackson Drive Hudson, NH 03051

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

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

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

TEN YEARS OR MORE: Please explain how the violation has existed for 10 years or more, and that no enforcement action, including written notice of violation, has been commenced against the violation during that time by the municipality or any person directly affected; and

The shed was installed in April of 2011, a little over 10 years ago. It was included on a plot plan submitted in 2013 for an ALU. No enforcement action or written notice of violation has been commenced by the town or any abutter.

(c) **NO NUISANCE.** Please explain how the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property; and

The shed is near the back of the property along the property line with 12 Jefferson Drive. It is about 5 feet from the property line and therefore is within 10 feet of the 15 foot side setback. The property on the other side is wooded which obscures the view.

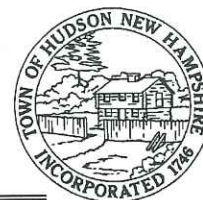
(d) **HIGH CORRECTION COST.** Please explain how that due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

The shed is set on a pad of sand and gravel in an area that is obscured from most neighbors view. Relocating would require substantial investment to remove topsoil and install a new pad sufficient to adequately support the shed as well as hiring a firm with experience in moving such a structure. In addition, there is no clear benefit to any party for incurring such cost.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #21-178

November 24, 2021

Paul and Sandra O'Sullivan
8 Washington Dr
Hudson, NH 03051

Re: 8 Washington Dr Map 168 Lot 020-000
District: Residential Two (R-2)

Dear Mr. & Mrs. O'Sullivan

Zoning Review / Determination:

Your existing structure (shed) is not a legal existing conforming structure in regards to rear and side setback requirements per Table of Minimum Dimensional Requirements §334-27.

To continue the existing non-conforming location would require an Equitable Waiver of Dimensional Requirement from the Zoning Board of Adjustment.

These applications available at Town Hall and/or can be found online:

<https://www.hudsonnh.gov/zoning/page/equitable-waiver-dimensional-requirement>

Sincerely,

Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth, Town Planner
File

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

100 U2U UUU
MAP LOT SUB

101 RESIDENTIAL
CARD Hudson

APPRAISED: 328,500 / 328,500
USE VALUE: 328,500 / 328,500
ASSESSED: 328,500 / 328,500



Patriot Properties Inc.

USER DEFINED

Table with columns: Prior Id #, Value. Rows include Prior Id # 1: 0062, Prior Id # 2: 0020, Prior Id # 3: 0000, etc.

IN PROCESS APPRAISAL SUMMARY

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

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

Table with columns: User Acct, GIS Ref, Insp Date. Values: 3033, GIS Ref, 06/25/10.

PREVIOUS ASSESSMENT

Table with columns: Tax Yr, Use, Cat, Bldg Value, Yrd Items, Land Size, Land Value, Total Value, Asses'd Value, Notes, Date. Shows history from 2018 to 2021.

Parcel ID 168-020-000

Table with columns: PRINT Date, Time, LAST REV Date, Time, mikep, 8393.

SALES INFORMATION

Table with columns: Grantor, Legal Ref, Type, Date, Sale Code, Sale Price, V, Tst, Verif, Notes. Shows sales from 9/13/1990 and 9/15/1990.

PAT ACCT.

BUILDING PERMITS

Table with columns: Date, Number, Descrp, Amount, C/O, Last Visit, Fed Code, F. Descrp, Comment. Lists various permits from 2012 to 2018.

ACTIVITY INFORMATION

Table with columns: Date, Result, By, Name. Lists activity from 7/27/2004 to 1/22/2019.

LAND SECTION (First 7 lines only)

Table with columns: 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.

Summary row: Total AC/HA: 0.49600, Total SF/SM: 21606, Parcel LUC: 107 ALU, Prime NB Desc RES AVG, Total: 93,368, Spl Credit, Total: 93,400.

PROPERTY LOCATION
No Alt No Direction/Street/City
8 WASHINGTON DR, HUDSON

NEARSHIP
Owner 1: O'SULLIVAN, PAUL L.
Owner 2: O'SULLIVAN, SANDRA M.
Address 1: 8 WASHINGTON DRIVE
City: HUDSON
Prov: NH Cntry Own Occ
Postal: 03051 Type:

PREVIOUS OWNER
Owner 1: -
Owner 2: -
Address 1:
City:
Prov: Cntry
Postal:

DESCRIPTIVE DESCRIPTION
This parcel contains .496 ACRES of land mainly classified as with a CAPE Building built about 1968, having primarily 1/2 Exterior and 2352 Square Feet, with 2 Units, 3 Baths, 0 3/4 Bath, 0 HalfBath, 10 Rooms, and 4 Bdrms.

Table with columns: Date, Descrp/No, Amount, Com. Int.

PROPERTY FACTORS
Table with columns: n, Code, Description, %, Item, Code, Description. Includes items like RESD TWO, water, Sewer, Electric, Exmpt, Topo, Street, Gas.

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

Total AC/HA: 0.49600, Total SF/SM: 21606, Parcel LUC: 107 ALU, Prime NB Desc RES AVG, Total: 93,368, Spl Credit, Total: 93,400.

ERROR INFORMATION

Type: 05 - CAPE
 Sty Ht: 1H - 1.5 STY
 iv) Units: 2 Total: 2
 undation: 1 - CONCRETE
 Frame: 1 - WOOD
 ime Wall: 04 - VINYL
 Sec Wall: %
 of Struct: 1 - GABLE
 of Cover: 1 - ASPH SHING
 Color: WHITE
 m / Desir:

BATH FEATURES

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

COMMENTS

PDAS IN SFL. 2014=ALU COMPLETE.

GENERAL INFORMATION

Grade: C - AVERAGE
 ear Blt: 1968 Eff Yr Blt:
 it LUC: Aik %:
 irisdic: Fact:
 Const Mod:
 Lump Sum Adj:

OTHER FEATURES

Kits: 1 Rating: VERY GOOD
 A Kits: 1 Rating: AVERAGE
 Frpl: Rating:
 WSPFlue: Rating:

CONDO INFORMATION

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

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: 10 BRs: 4 Baths: 2 HB

REMODELING

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

RES BREAKDOWN

No Unit	RMS	BRS	FL
1	10	4	M
Totals			
1	10	4	

ERROR INFORMATION

vg Ht/FL: STD
 m Int Wal: 1 - DRYWALL
 : Int Wal: %
 Partition: T - TYPICAL
 m Floors: 15 - WD LAM
 ec Floors: 04 - CARPET 33%
 smnt Fir: 12 - CONCRETE
 Subfloor:
 smnt Gar:
 Electric: 3 - TYPICAL
 nsulation: 2 - TYPICAL
 Int vs Ext: S
 heat Fuel: 2 - GAS
 eat Type: 3 - FORCED HW
 Heat Sys: 1
 % Heated: 100 % AC: 0
 Solar HW: NO Central Vac: NO
 Com Wal: % Sprinkled

DEPRECIATION

Phys Cond: EX - Excellent 16%
 Functional:
 Economic:
 Special:
 Override:
 Total: 16%

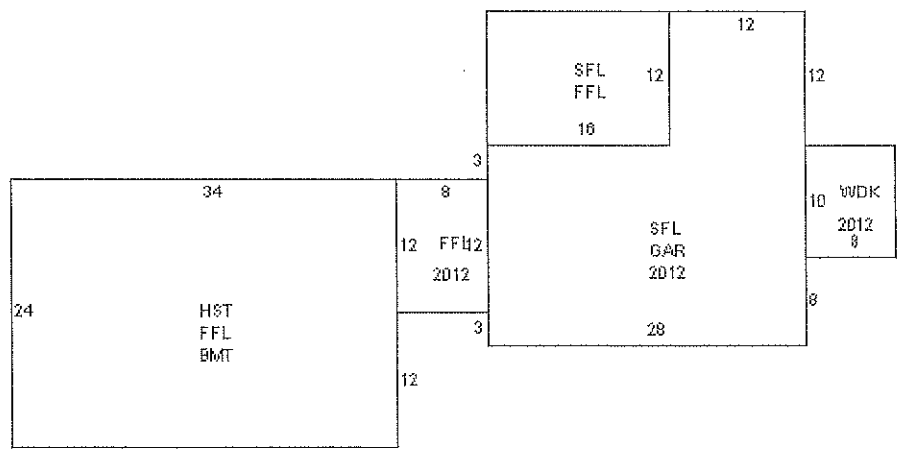
CALC SUMMARY

Basic \$ / SQ: 106.00
 Size Adj.: 0.88265306
 Const Adj.: 0.98656607
 Adj \$ / SQ: 92.304
 Other Features: 23500
 Grade Factor: 1.00
 NBHD Inf: 1.00000000
 NBHD Mod:
 LUC Factor: 1.00
 Adj Total: 279038
 Depreciation: 44646
 Depreciated Total: 234392

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv\$/SQ:		AvRate:		Ind.Val
Juris. Factor:		Before Depr:	92.30	
Special Features:	0	Val/Su Net:	60.16	
Final Total:	234400	Val/Su SzAd	99.66	

GRID



SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value
FFL	FIRST FLOOR	1,104	92.300	101,904
SFL	SECOND FLR	840	92.300	77,536
BMT	BASEMENT	816	18.460	15,064
GAR	GARAGE	648	33.080	21,433
HST	HALF STORY	408	92.300	37,660
WDK	WOOD DECK	80	24.270	1,941
Net Sketched Area:		3,896	Total:	255,538
Size Ad	2352	Gross Area	4304	FinArea 2352

SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu #	Ten

MOBILE HOME

Make: Model: Serial # Year: Color:

EXTRA FEATURES/YARD ITEMS

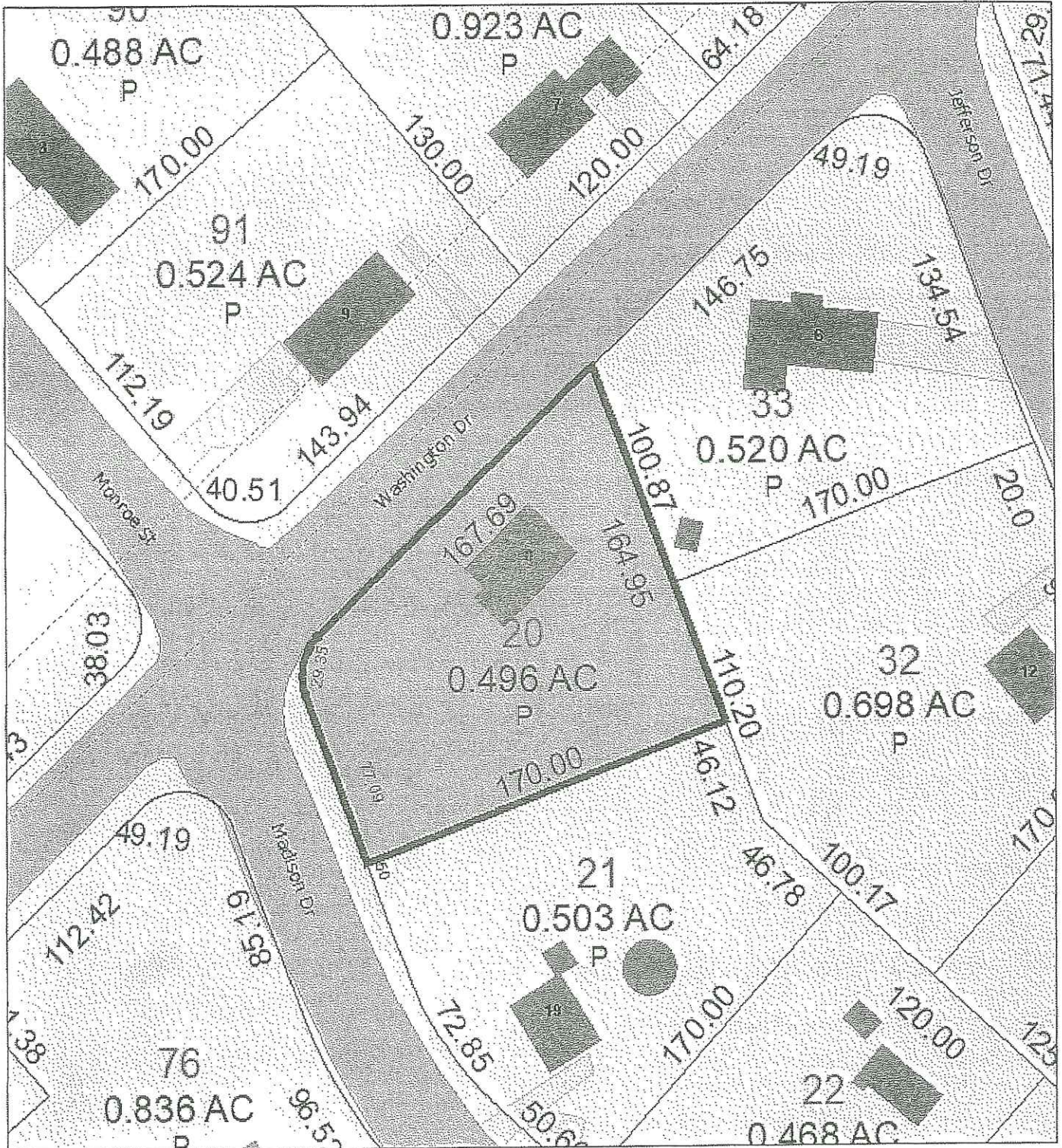
de	Description	A Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Fa	Appr Value	JCod	JFact	Juris. Value
	SHED-NV	D Y		160	AV	AV	1968	0.00	T	40	107						
	PATIO	D Y		130X12	AV	AV	1968	7.00	T	73.5	107			700			700
	SHED-NV	D Y		17X7	AV	AV	1968	0.00	T	40	107						
	SHED-NV	D Y		14X7	AV	AV	1968	0.00	T	40	107						
lore:IN	Total Yard Items:		700	Total Special Features:													
	Total:			Total:													

IMAGE



AssessPro Patriot Properties, Inc

8 Washington Dr (Map/Lot 168-020-000)



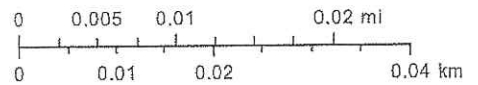
September 17, 2021

Legend

----- Easement_Lines

▭ Parcels

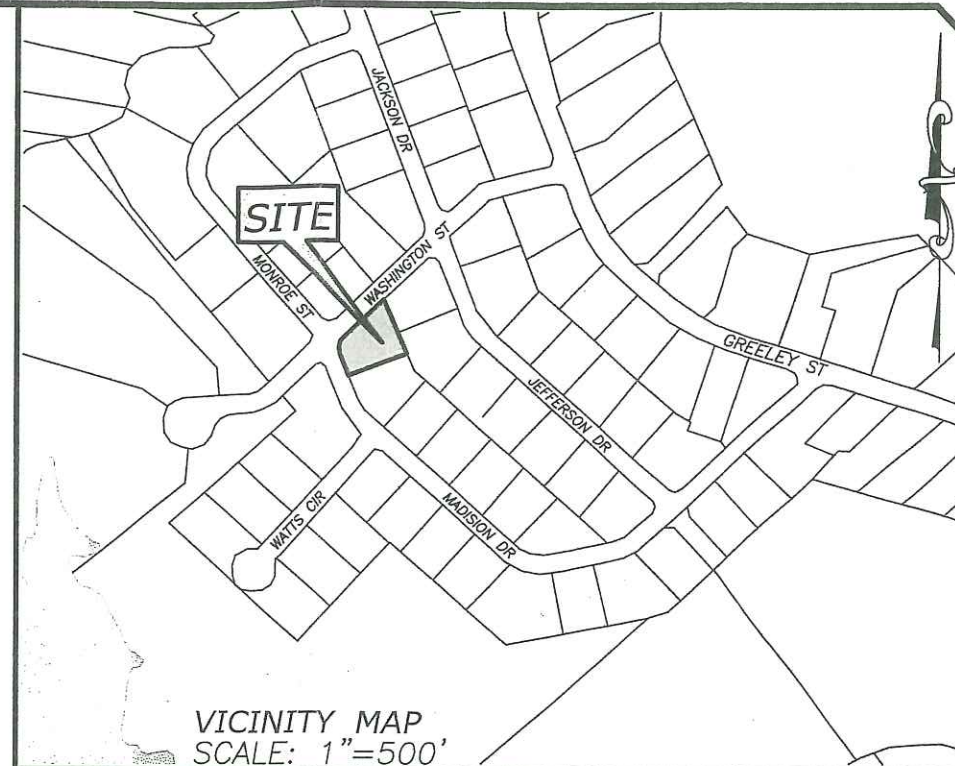
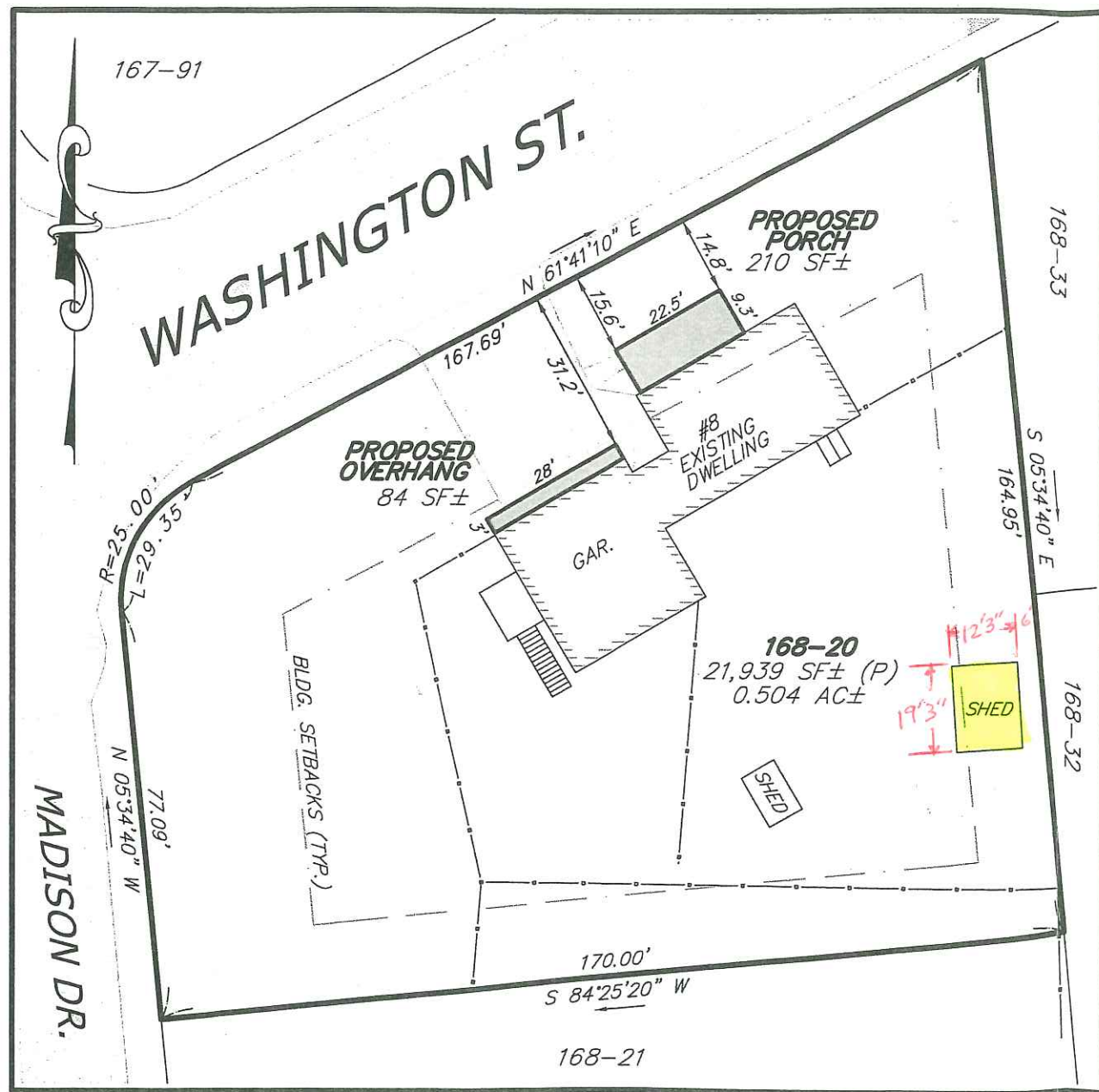
1:742



PLAN NOTES:

- 1.) PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE LOCATION OF PROPOSED IMPROVEMENTS AT HUDSON LOT 168-20.

PLAN OF LAND
8 WASHINGTON ST.
HUDSON, NH
MAP 168 LOT 20
AS PREPARED FOR
PAUL O'SULLIVAN, OWNER



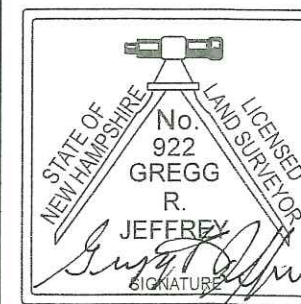
REV. 2	BY:
REV. 1	BY:

ZONING DISTRICT: R-2
REQUIRED SETBACKS:
FRONT - 30 FEET
SIDE - 15 FEET
REAR - 15 FEET

DEED REF: BK. 5211 PG. 1339
PLAN REF.: HCRD PL. 2742
HCRD PL. 4083

PLAN SCALE: 1"=30'
DATE: NOV. 2021
JOB REF.: 021-140-OSUL

TOWN OF HUDSON
NOV 29 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
 11/23/2021
 2:37PM
 Created
 11/23/2021
 2:31 PM

Transaction Receipt

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

Receipt# 663,367
 tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	ZBA Applications-12/9/21 ZBA Mtg. 8 Washington Dr. Map/Lot 168-020-000 Variance Application	0.00	222.5400	0.00
	EQ. Waiver Dim. Req.	0.00	185.0000	0.00
			Total:	407.54

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Paul & Sanrda O'Sullivan	CHECK	CHECK# 2745	222.54	0.00	222.54
Paul & Sanrda O'Sullivan	CHECK	CHECK# 2745	185.00	0.00	185.00
			Total Due:		407.54
			Total Tendered:		407.54
			Total Change:		0.00
			Net Paid:		407.54



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison

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

MEETING MINUTES – October 28, 2021 - draft

The Hudson Zoning Board of Adjustment met on Thursday, October 28, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Chairman Gary Daddario called the meeting to order at 7:01 PM, invited everyone to stand for the Pledge of Allegiance and read the procedure for the meeting from the Preamble found in Exhibit A of the Board’s Bylaws into the record.

Acting Clerk Normand Martin took attendance. Members present were: Gary Daddario (Regular/Chair), Leo Fauvel (Regular), Normand Martin (Alternate/Acting Clerk), Marcus Nicolas (Regular) and Jim Pacocha (Regular/Vice Chair). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (remote) and Kara Roy, Selectman Liaison. Excused were Brian Etienne (Regular/Clerk) and Dean Sakati (Alternate) who was present but not yet sworn into the Board. Absent was Edward Thompson (Alternate). For the record, Mr. Daddario appointed Alternate Martin as a Voting Member and noted that there would be five (5) Voting Members.

III. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

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

Mr. Buttrick read both requests into the record and noted that each should be reviewed independently.

a) A **Variance** for relief from HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements: to extend and rebuild an existing non-conforming (15 ft. x 5 ft.) three season porch to an enlarged size of 26 ft. x 6 ft. which further encroaches into the front yard setback leaving 9.2 feet where 30 feet is required and encroaches into the side yard setback leaving 9.8 feet where 15 feet is required. This Variance is required per HZO Article VIII, Nonconforming Uses, Structures and Lots; §334-31, Alteration and expansion of nonconforming structures.

Mr. Buttrick referenced his Zoning Determination dated 8/23/2021 and his Staff report signed 10/14/2021 and noted that the extension for the front porch is to

48 expand it to the length of the front of the house and enlarge it a foot to encroach an
49 extra foot into the front setback.

50

51 Cynthia Farrell and Kevin Farrell sat at the applicant's table and introduced
52 themselves. Ms. Farrell stated that if one looks at the front of their house there is no
53 main entrance and actually looks like the side of their home. Ms. Farrell distributed a
54 picture of their home, noted that there is an existing 15'x5' three-season porch at the
55 front of their house and stated that what they would like to do is extend that porch
56 approximately ten feet (10') to include the entire front of their house and create a main
57 entrance. Ms. Farrell stated that the house was built in 1918, long before the Zoning
58 Ordinance and front setbacks established. Ms. Farrell stated that the proposed porch
59 extension would not obstruct any view for the road or neighboring driveways and is
60 just an extension of what already exists.

61

62 Mr. Buttrick posted the Site Plan prepared by Gregg Jeffrey of Jeffrey Land Survey LLC
63 dated September 2021 and Ms. Farrell pointed out the existing porch and their desire
64 to make it six feet (6') deep and extend it to the south to cover the entire front of their
65 house for the length of twenty six feet (26').

66

67 Mr. Buttrick noted the dash line on the Plan that showed the buildable area for the lot
68 honoring all current setbacks and noted that a good portion of the house is out of the
69 buildable footprint but because the house existed at the time setbacks were
70 implemented, it is now considered an existing non-conforming structure and the
71 Zoning Ordinance requires that any expansion of a non-conforming structure requires
72 a Variance from the ZBA.

73

74 Ms. Farrell noted that within the existing three-season porch there is a door from the
75 house but no door leading to the outside and whenever packages are delivered, the
76 driveway must be used to reach the outside door from the driveway. Mr. Pacocha
77 asked and received confirmation that stairs are planned that would lead to the front
78 door and then questioned if the steps should also be included in the Variance. Mr.
79 Buttrick stated that definition of setback has been changed and now excludes stairs
80 even when they encroach the setback.

81

82 Ms. Farrell next addressed the criteria for the granting of a Variance. The information
83 provided included:

84

85 (1) *not contrary to public interest*

86 • proposed extension will not obstruct any view to abutting properties and nor
87 will it obstruct any driveway or the street

88 • only asking to extend the already existing three-season porch to the length
89 of the front of the house and add an entrance to the street side of the house

90 (2) *will observe the spirit of the Ordinance*

91 • homes deserve a street side front door

92 • any addition or change would require a variance because house is in the
93 front setback and existed before the Zoning Ordinance and front setback
94 established

95 (3) *substantial justice done*

96 • proposed addition allows to straighten the house and provide a functional
97 use of the street side

- 98 • will give a slightly more modern look to a very old property
99 (4) *not diminish surrounding property values*

- 100 • will increase curb appeal and add value to property
101 • will not diminish other property values in neighborhood

102 (5) *hardship*

- 103 • house was built in 1918 before the adoption of a Zoning Ordinance and
104 implementation of setbacks
105 • any update or addition to the front of the house would require a variance
106 • Zoning Ordinance causes the hardship
107

108 Public testimony opened at 7:23 PM. John Padellaro, abutter at 27 Riverside Drive
109 introduced himself, stated that he and the Farrells have a cordial relationship, that his
110 lot is a “pork chop” lot and that he is present because he received notice. Mr.
111 Padellaro asked and received confirmation that the proposed extension would not
112 encroach the side setback and then stated that he is not opposed to the front porch
113 extension. Being no one else to speak, public testimony closed at 7:30 PM.
114

115 Mr. Buttrick posted an aerial view of the neighborhood. Mr. Fauvel noted that the
116 bulk of the homes all seem to have seventy-five feet (75’) or less and that all the older
117 houses appear to infringe the front setback. Mr. Fauvel noted that this is an older
118 neighborhood and would probably not be subject to any road expansion. With regard
119 the additional foot, Mr. Fauvel stated that it would not really be apparent and would
120 provide more functionality.
121

122 Mr. Martin stated that he drives down Riverside Drive every afternoon and has lived in
123 the neighborhood for twenty (20) years, and does not see this as an additional
124 encroachment to the front setback, that it will improve the functionality of the home
125 and help increase property values to the neighborhood. Mr. Daddario concurred and
126 noted that the porch would be an extension to the existing corner of the existing
127 house, basically filling in the space, and that primarily it is an extension of the
128 existing encroachment.
129

130 Mr. Pacocha asked and received confirmation that the existing door from the driveway
131 would remain but now would be considered the side entrance instead of the main and
132 only entrance.
133

134 Mr. Fauvel made the motion to grant the Variance as requested. Mr. Pacocha
135 seconded the motion. Mr. Fauvel spoke to his motion stating that it is not out of
136 character in the neighborhood to encroach into the front setback so no precedent is
137 being set, that property value would increase, that there is no conflict with other
138 properties in the neighborhood and would not diminish other property values and that
139 hardship is satisfied by the fact that the house was built in 1918 before there was a
140 Zoning Ordinance and setbacks established. Mr. Pacocha concurred and stated that
141 the hardship, which usually pertains to the land, is satisfied because the house was
142 built prior to a Zoning Ordinance being adopted. Mr. Marcus and Mr. Martin
143 concurred and noted that it is not contrary to public interest and the spirit of the
144 Ordinance is observed. Mr. Daddario also concurred and added that nothing could be
145 done to the house to make it fit into the current buildable area and there was no true
146 opposition presented to the Board and it just makes sense to have a front door on the

147 street side. Roll call vote was 5:0. Variance granted. Mr. Daddario noted the 30-day
148 appeal period and Mr. Buttrick added that a building permit could be issued but any
149 work performed during the appeal period would be at the Property Owners' risk should
150 an appeal be filed.

151
152 b) An **Equitable Waiver of Dimensional Requirement** for an existing 9 ft. x 13 ft.
153 (117 sqft) shed which encroaches the side and rear setbacks leaving 2 feet and 11
154 feet respectively where 15 feet is required for both setbacks. [HZO Article VII,
155 Dimensional Requirements; §334-27, Table of Minimum Dimensional
156 Requirements.]

157
158 Mr. Buttrick referenced his Zoning Determination dated 10/1/2021 noting that the
159 shed is not a legal non-conforming structure in regards to rear and side setbacks and
160 his Staff report signed 10/19/2021 and noted that sheds less than two hundred
161 square feet (<200SF) do not require a Building Permit and posted an aerial view from
162 2010 that showed the shed encroaching both the side and rear setbacks.

163
164 Cynthia Farrell and Kevin Farrell sat at the applicant's table. Ms. Farrell addressed
165 the criteria for Equitable Waiver and the information included:

- 166
167 (1) *violation has existed for more than ten (10) years*
- 168 • shed existed on property prior to purchase in 2003 and has been a
 - 169 taxable yard item the entire time
 - 170 • according to the tax card it has been a taxable item since 1960
 - 171 • there has been no code enforcement on record
- 172 (2) *no nuisance*
- 173 • lived there eighteen (18) years with the shed and no one has mentioned
 - 174 or complained the existence of the shed
 - 175 • shed does not sit on a concrete foundation and is less than 200 SF
 - 176 • shed does not impede use of any surrounding property
- 177 (3) *high correction cost*
- 178 • because of the rocky topography of the land, there is no useable area to
 - 179 move the shed to meet today's requirements
 - 180 • the cost to do any movement (if it were possible) would be unjust
 - 181 because there have been no claims of nuisance in at least 18 years
- 182

183 Public testimony opened at 7:50 PM. John Padellaro, abutter at 27 Riverside Drive
184 introduced himself, and stated that his home is situated directly behind their (Farrell)
185 home and that a few years ago he erected a fence and the fence takes away some of
186 the sting from his view from his front windows but the fence does not obstruct the
187 view of their shed and garage and is concerned that it diminishes his property value
188 because the shed is so close and physical unappealing visually and, contrary to what
189 Ms. Farrell said, the shed could be moved, could even be eliminated, and noted that
190 the Farrell's were able to put in a swimming pool. Mr. Padellaro stated that it would
191 be unfair to allow that shed to continue to exist in its location forever. Mr. Martin
192 stated that the purpose of an Equitable Waiver is to allow what is existing to remain
193 and if the Applicants decide to tear the shed down they would have to place a new
194 shed within the regulations (out of the setback). Mr. Martin stated that another
195 purpose is to meet mortgage company requirements should the Applicants decide to

196 sell their home because a mortgage company would/should question the
197 encroachment and complimented the Applicants for pursuing to legitimize the
198 existence of their shed in the setback. Being no one else to address the Board, public
199 testimony closed at 7:55 PM.

200
201 Mr. Fauvel stated that the assessing history shows that the shed has existed since
202 1991 with no code enforcement action taken so it does satisfy the greater than ten
203 year requirement and questioned why the garage is not included in the Equitable
204 Waiver. Mr. Buttrick stated that in 1962 a Variance was granted for the garage and it
205 was constructed accordingly. Mr. Martin asked and received confirmation that the
206 home to the rear of the property (Padellaro) has existed for twelve (12) years and was
207 built knowing the existence of the shed.

208
209 Mr. Nicolas made the motion to grant the Equitable Waiver of Dimensional
210 Requirement as it has met all the requirements and noted that if the shed is ever
211 replaced, the replacement shed would be located out of the setback. Mr. Martin
212 seconded the motion and agreed with Mr. Nicolas' reasoning. Mr. Daddario listed the
213 three (3) criteria. Roll call vote was 5:0. Equitable waiver granted. Mr. Daddario
214 noted the 30-day appeal period. Mr. Pacocha stated the Equitable Waivers cannot be
215 appealed and Mr. Buttrick disagreed.

216
217 Board took a break at 8:05 PM. Mr. Daddario called the meeting back to order at 8:10
218 PM, noted that there were several members in the public present and asked which
219 Case they were interested in addressing. Mr. Daddario directed the Board's attention
220 to the third item on the Agenda to accommodate the majority of the public in
221 attendance.

222
223 2. **Case 166-031 (10-28-21)**: Daniel M. Flores, PE of SFC Engineering Partnership,
224 Inc., 183 Rockingham Rd, Unit 3 East, Windham NH 03087 requests a Variance for **8**
225 **Lindsay St., Hudson, NH** for relief from HZO Article VII, Dimensional Requirements; §
226 334-27.1 D, General Requirements: to allow the creation of a new lot that has
227 insufficient required frontage on a class V or better portion off **Grigas St.** [Map 166,
228 Lot 031-000, Zoned Town Residence (TR).]

229
230 Mr. Buttrick read the Case into the record and referenced his Staff Report signed
231 10/4/2021 and the additional material in the supplemental package that contained
232 comments (letter) from an indirect abutter.

233
234 Dan Flores, PE, of SFC Engineering Partnership, Inc. in Windham NH, sat at the
235 Applicant's table, introduced himself and submitted a thumb drive to Mr. Buttrick.
236 The GIS of the lot at 8 Lindsay Street was posted. Mr. Flores stated that a variance is
237 being sought to create a lot that would have insufficient frontage on a Class V or better
238 road. Mr. Flores stated that the address for the lot is 8 Lindsay Street owned by
239 Amnon Waisman Revocable Trust and that the lot is 1.319 acres in the shape of an "L"
240 and the Property Owner's desire is to create a new lot in the back lower section of the
241 "L" with frontage from Gringas Street extension that has not been paved. Mr. Flores
242 stated that there have been questions raised about the ROW (Right-of-Way) identified
243 on their Plan dated 10/4/2021 and noted that that issue should be resolved with the
244 Planning Board when the Subdivision is reviewed and added that they will also go

245 before the Board of Selectmen to gain access in order to pull a Building Permit for the
246 proposed four-bedroom house. Access is proposed to be a private driveway from
247 Grigas Street. Water service is also proposed to come off Gregas Street. Sewer service
248 will be pumped from the back of the proposed house down along the southerly lot line
249 out to the infrastructure on Lindsay Street and would require a sewer easement on the
250 existing lot. Mr. Flores stated that the new lot will satisfy all Zoning requirements
251 with the exception of the frontage requirement on a Class V or better road but it does
252 have frontage on a right-of-way that exists today.

253
254 Mr. Flores addressed the criteria for the granting a Variance and the information
255 shared included:
256

257 (1) *not contrary to public interest*

- 258 • proposed lot creation will be similar in size to existing lots in neighborhood
- 259 • proposed use of the lot is as a single family residence, in keeping with other
260 properties in neighborhood

261 (2) *will observe the spirit of the Ordinance*

- 262 • proposed lot will meet all other requirements of the Zoning Ordinance, except
263 the required frontage on a Class V or better road
- 264 • lot does have frontage on the Grigas Road ROW/extension; however, Grigas
265 Road was never extended within the ROW that forms the proposed lot
266 frontage

267 (3) *substantial justice done*

- 268 • the lot at 8 Lindsay Street was created as an “L” shape with frontage on both
269 Lindsay Street and on an extension of Grigas Street ROW, as depicted on
270 the recorded subdivision plan
- 271 • Grigas Street extension was never built, so the proposed lot does not have
272 frontage on a Class V road, as intended when lot was created
- 273 • Variance will allow Property Owner to fully develop the property as intended

274 (4) *not diminish surrounding property values*

- 275 • Proposed lot will not diminish property values
- 276 • Proposed lot size and configuration will be similar to existing properties
277 along Grigas Street, St. John Street, Nellie Court and Ledge Road

278 (5) *hardship*

- 279 • Lot has a unique configuration with the “L” shape and frontage on both
280 Lindsay Street to the west and a paper street to the north – Grigas Street
281 ROW
- 282 • Reviewing past recorded plans, it is clear that the *intent* was to extend
283 Grigas Street to create additional lots
- 284 • The Town never constructed the Gringas Street extension, resulting in the
285 planned Grigas Street frontage not existing
- 286 • Town accepted Grigas Street in 1978
- 287 • Plan #1667 recorded in 1957 shows Grigas Street extending south with a
288 number of lots created along the frontage
- 289 • Plan #2888 recorded in 1964 shows changes to the lot sizes along Grigas
290 Street continuing south
- 291 • Plan #13558 recorded in 1980 is the Plan what created the current lot and
292 shows Grigas Street ROW extending the create the current “L”
293 configuration of the subject lot

294
295 Mr. Flores stated that from 1893 – 1969, a Right of Way (ROW) that was not
296 used/utilized by a town in twenty (20) years automatically disappeared and anything
297 after 1969 required action by the Town (Selectmen) to release/discharge the ROW.
298 Mr. Flores concluded his presentation and stated that a legal opinion from Pancioco (?)
299 Law was sought and submitted previously and should be in the Board's supplemental
300 folders tonight.

301
302 Mr. Fauvel asked what the frontage is along Grigas Street and Mr. Flores responded
303 that it has one hundred four feet (104') and that only ninety feet (90') is required.
304

305 Mr. Nicolas stated that he knows Mr. Lacasse of M.R. Lacasse Homes, LLC, noted that
306 they are neighbors and asked if ethically he is allowed to vote. Mr. Buttrick referred to
307 the Juror Test – is there a monetary gain, is there a family relationship and would the
308 relationship taint your decision. Mr. Nicolas stated that there is no need to recuse
309 himself.
310

311 Mr. Daddario opened public testimony at 8:32 PM. The following individuals
312 addressed the Board:
313

314 (1) Robert Graves, 4 Grigas Street, stated that he has concerns and questions.
315 Who owns the Gingras Street extension and who pays taxes on it? Mr.
316 Graves stated that his biggest concern is drainage and noted that Grigas
317 Street is crowned and drains into that corner so that there always seems to
318 be a puddle, or an ice skating rink in the winter months, and wondered if
319 there are designated wetlands in the area. Without knowing the exact
320 measurements, it appears that the proposed house seems rather big for the
321 neighborhood and could impact his property value and does not see the
322 hardship because there's already a house on the lot and not making money
323 by building another does not satisfy the hardship requirement.
324

325 Mr. Buttrick responded that the Town owns it by dedication on a Planning
326 Board subdivision plan that was approved and recorded. Mr. Daddario
327 stated that drainage and size of the house will be reviewed by the Planning
328 Board. Mr. Buttrick stated that "frontage" on a "paper street" does not
329 equal a Class V road, but a Class VI road and that requires a Variance. Mr.
330 Fauvel asked if all Class V roads are to be paved and Mr. Buttrick stated
331 that question should be posed to the Town Engineer. Mr. Pacocha stated
332 that the Town closes many Class VI roads in the winter. Mr. Buttrick noted
333 that Gringas Street turns into St John Street creating a rounded corner.
334 Mr. Pacocha asked if Grigas Street should be extended.
335

336 (2) Andrew Cloutier, 6 Grigas Street, direct abutter, opposed the subdivision for
337 the lack of frontage and the fact that all the water runoff from Grigas Street
338 and St John Street flows approximately twenty five feet (25') from his rear
339 property line and puddles. Mr. Cloutier stated that he does not believe
340 duplexes are allowed in the TR Zone and Mr. Buttrick stated that the
341 proposed home is to be a single family home and that the existing duplex
342 on the property is permitted by right and permit.
343

- 344 (3) Susan Cloutier, 25 George Street, Hudson NH, stated the Mr. Flores kept
345 mentioning “intent” over the years and wonders if there is an underlying
346 issue of why the Town never finished Gingras Road and whether there’s a
347 good reason why the street stopped where it did. Ms. Cloutier stated that
348 the corner has had drainage issues all along and the Town plows snow in
349 there every winter and she and her family and neighbors have cleaned out
350 that extension several times. No one should rely on “intent” if there is a
351 reason why it has not been finished in all these years.
352
- 353 (4) Jeff ~~Jeff~~-Ferentio, 5 St ~~j~~John Street, ~~_~~—pointed to his lot on the map and stated
354 that all the water from Grigas Lindsay and St John travels to this lot in the
355 corner and pools there. Developing this lot will create more of a disaster
356 than what is there already.
357
- 358 (5) Robert Graves, 4 Grigas Street, asked if the Town owns the extension would
359 they pave it and maintain it if the variance is granted to build a house
360 there? Mr. Daddario stated that will be discussed in deliberation as he too
361 has the same question.
362
- 363 (6) Rene Gregoire, 16 St John Street, stated that statements have been made that
364 developing this lot would benefit the area, or at least not harm it, but
365 extending Grigas Street would require the cutting of trees but trees are a
366 benefit and those trees were one of the reasons she selected to purchase
367 her home in the neighborhood because the area is not congested. Ms.
368 Gregoire stated that there is no benefit to the Town if they have to build the
369 extension and maintain it. There is no benefit to the public/neighborhood.
370
- 371 (7) Andrew Cloutier, 6 Grigas Street, referenced the original plan, Plan 1667 dated
372 1957, and asked if there was an easement for the drainage because the line
373 for his property is dotted, not solid, and that could mean an easement. Mr.
374 Cloutier stated that one possible reason Grigas Street was not completed is
375 because Lindsay Street got developed.
376

377 Public testimony closed at 8:57 PM.
378

379 Mr. Buttrick provided a recap of the abutter concerns just heard: drainage, too big a
380 house, intent of original subdivision and why Grigas Street extension never completed,
381 removal of trees, ~~town plows snow into Grigas Street extension~~, Town plows snow into
382 Grigas Street extension, Town maintenance required if Grigas Street extension is built
383 and easement.
384

385 Mr. Flores responded to Abutter concerns and stated that they are aware of the
386 drainage issue and posted the subdivision plan for the new lot, agreed with the
387 statement made that water collects, noted to the rear of the proposed new lot is a
388 cemetery and that they will have to contain stormwater runoff and plan to keep the
389 driveway low and place a swale and added that the details for the drainage will be
390 reviewed with the Planning Board. With regard to the question raised about paving
391 the road (Gigras Street extension), several options were explored which included
392 building a private road built to Town standards and no longer owned by the Town but
393 the Town Planner and others were not receptive to that idea. Mr. Flores stated that

394 after all the discussion, it is his opinion that the Town will not build the extension and
395 as a result they are proposing a private driveway. The paper street is a fifty-foot (50')
396 ROW. One of the questions for the Board of Selectmen will be to decide whether they
397 wish to retain the easement land (Grigas Street extension) or have it split in half and
398 add to the abutting lots and if split, then the driveway would be on the lot proposed for
399 subdivision and noted that it would still need a Variance for frontage. The proposed
400 house size is 28'x36' with a 24'x24' garage and is similar to other buildings in the
401 neighborhood.

402
403 With regard to the dashed line easement question, Mr. Flores posted the plan from
404 1964 and noted that it revised the 1957 Plan by adjusting the lot lines for specific lots
405 (2,3,4 & 18) and the dash line was probably the old lot line. Mr. Flores stated that the
406 soil on the proposed lot is sandy soil that is well drained. The interesting factor is
407 sewer that starts on St John Street but the manhole is too shallow so the plan is to
408 pump it from the house along the property line, with an easement, to Lindsay Street.
409 With regard to the trees, only the space needed for the house, garage and driveway
410 would have trees removed leaving the rear and side trees untouched and added that
411 there is no plan to cut trees in the back of the existing duplex.

412
413 Public testimony reopened at 9:00 PM and the following individuals addressed the
414 Board:

415
416 (1) Robert Graves, 4 Grigas Street, stated that when there is an existing ROW,
417 specifically the Grigas Street extension, apparently owned by the Town, will the
418 Town allow someone to put in a driveway on Town owned land? Ms. Roy stated
419 it is her belief that the Town, the Board of Selectmen (BoS), will have to either
420 grant them an easement to build the driveway or carve the section needed for
421 the driveway. Mr. Buttrick stated a driveway is allowed on Class VI roads, but
422 maintenance relies on/with the Property Owner as the Town does not maintain
423 or plow Class VI roads.

424
425 (2) Andrew Cloutier, 6 Grigas Street, asked how the drainage issue will be solved,
426 whether trees would be cut and land regraded and stated that he would prefer
427 trees to be left along his property line for the shade and expressed concern if
428 the trees are cut it would negatively affect his home's value.

429
430 Mr. Flores responded the intent is to leave as many trees as possible and added that
431 the soils are sandy with excellent drainage and the drainage details will be reviewed
432 with the Planning Board. Mr. Flores stated the Grigas Street extension is a Class VI
433 road now and the Town does not maintain it and that they need to go to the BoS to get
434 permission in order to get a driveway permit.

435
436 (3) Mr. Buttrick referred to the email received yesterday with a lengthy letter
437 attached in opposition that was placed in the supplemental folder.

438
439 (4) Jeff Ferentino, 5 St John Street, asked if Grigas Street extension is actually a
440 "paper street" owned by the Town and a Class VI road and if anyone else can
441 have access/use of it beside the Applicant and wondered if he could have a
442 second driveway onto it?
443

444 Mr. Buttrick stated that there is an outstanding question regarding whether “quiet
445 title” can be claimed, noted that there are processes in place for such a claim and
446 urged Mr. Ferentino to pursue independently as that is not under ZBA purview and
447 added that the plan presented to the ZBA “prescribes” it as a ROW. Mr. Fauvel stated
448 that if approval is given to one person, i.e. the applicant, then everyone should be able
449 to use it. Mr. Daddario questioned who decides who can use a Town ROW. Mr. Flores
450 stated that the RSA addresses this Class VI road issue and that is why he needs to go
451 before the BoS and added that maintenance would be on the user and not the Town.
452

453 (5) Andrew Cloutier, 6 Grigas Street, asked how the Board can proceed to grant
454 this variance when there are so many unanswered questions and asked that
455 Mr. Nicolas be removed from voting on this Case due to a personal relationship
456 with the builder.
457

458 Mr. Martin responded that per the RSA, Mr. Nicolas did notify the Board of this
459 neighbor relationship prior to the going into public testimony and both the Board and
460 the Applicant raised no issue/concerns and Mr. Nicolas made the decision not to
461 recuse himself. Mr. Fauvel noted that if any Member had a problem with Mr. Nicolas
462 remaining to vote, they would have spoken up then.
463

464 Public testimony closed at 9:14 PM.
465

466 Mr. Martin stated that in 2012 there was a similar Case that claimed frontage on a
467 stump of a circle, the March Street extension Case, and that was denied by ZBA,
468 appealed to Supreme and the Town prevailed. Mr. Martin stated that this lot has
469 frontage on Lindsay Street and if they want to have Grigas Street extension then they
470 can build it out, with the permission of the BoS of course, and they can maintain it.
471 Mr. Fauvel agreed and added the option that they could offer to buy the property
472 (Grigas Street extension/ROW) from the Town.
473

474 Mr. Buttrick suggested review of Town Counsel’s opinion. Mr. Daddario stated that he
475 is unsure the Board is in a position to grant a Variance and would prefer to defer
476 deciding until the driveway issue is resolved. Mr. Martin stated that the Town owns
477 the land, that it is a “paper street” never developed/finished and questioned when or if
478 it reverts to the abutting property owners and that, added to the driveway resolution,
479 it is his opinion that the hardship criteria has not been satisfied and would vote to
480 deny the Variance. Mr. Buttrick stated that there are processes in place to “quiet” the
481 title. Mr. Daddario stated Town Counsel opinion is needed. Mr. Fauvel agreed and
482 stated that it is also important to know if the stub extension can be purchased. Mr.
483 Martin asked what would remain of the stub should the Selectmen allow a driveway to
484 be paved.
485

486 Discussion continued. It was noted that the current ROW width is sixty feet (60’) and
487 a Variance for reduced frontage would still be required to subdivide this lot. It was
488 also noted that the ZBA has no authority regarding the dispensation of Gigras Street
489 extension and the Applicant does not have approval from the Selectmen to construct a
490 driveway on Town owned land.
491

492 Mr. Daddario asked Mr. Flores if he had a preference whether to withdraw the
493 application without prejudice or to defer in order for him to meet with the BoS and

494 ZBA to confer with Town Counsel. Mr. Flores asked for a deferral. Discussion focused
495 on selecting a date.

496
497 Mr. Martin made the motion to defer to the January 27, 2022 in order for the
498 Applicant to meet with the BoS and ZBA to confer with Town Counsel. Mr. Fauvel
499 seconded the motion and suggested each Member submit their question(s) in writing
500 to Mr. Buttrick for Town Counsel to address. Roll call vote was 5:0. Motion passed.
501 Case continued to 1/27/2022. Mr. Buttrick announced that there would be no
502 further notice sent for the continued ~~meeting~~Hearing.

503
504 **3. Case 190-029 (10-28-21):** Antonio Marcos Pinheiro De Carvalho, **14A Riverside**
505 **Dr., Hudson, NH**, Map 190, Lot 029-000, Split Zoned Business (B) and Town
506 Residence (TR) requests the following:

507
508 a) A Use **Variance** for relief from HZO Article V, Permitted Uses; §334-21, Table of
509 Permitted Principal Uses: for newly built deck, pool and shed structures. This
510 Variance is required per HZO Article VIII, Nonconforming Uses, Structures and
511 Lots; §334-29, Extension or enlargement of non-conforming uses.

512
513 Mr. Buttrick read the request into the record and referenced his Zoning Determination
514 #21-159 dated 9/23/2021 and his Staff Report signed 10/14/2021. The Zone line
515 diagonally bisects the lot and structure.

516
517 Antonio De Carvalho, 14ARiverside Drive, sat at the Applicant table with his wife and
518 introduced himself. Mr. De Carvalho stated that he bought the property about a year
519 ago, that he has two (2) small children and installed a small nine foot diameter pool
520 and he extended his deck about six feet (~6') to the pool. Mr. De Carvalho apologized
521 and stated that he did the work without obtaining any permits. Mr. De Carvalho
522 stated that he had his lot surveyed (Promised Land survey, LLC, Timothy Peloquin,
523 LLS, dated 8/17/2021, and discovered he had an issue with his side setback, that his
524 property actually goes into his neighbor's property by approximately fourteen and a
525 half feet (~14.5') and goes over his neighbor's bulkhead.

526
527 Mr. De Carvalho stated that there used to be an in-ground pool on the property as
528 shown on an older aerial view (maybe 1986 or 1998?) as well as a shed. Mr. De
529 Carvalho stated his property has two Zones but he only uses the property for his home
530 and wondered if he could have his whole property in the residential zone.

531
532 Mr. Buttrick stated that in his review there was a fire in 2001 and the house was
533 rebuilt and added that the issue of the side property line is not before the Board as it
534 is a civil matter and the two-family residence has a Permit but neither the TR or the B
535 Zones allow for two-family residences so it is non-conforming and the installation of
536 the deck is an expansion of the non-conformity and requires a Variance.

537
538 Mr. Daddario asked for the criteria for the granting be addressed. Mr. De Carvalho
539 stated that he reading of English is not very good, that he had his friend's help to
540 answer and signed the Application. Mr. Buttrick read the questions and answers to
541 the criteria from the application form. The information shared included:

542
543 (1) *not contrary to public interest*

- 544 • Not contrary – residential neighborhood
 545 • Half of the property is residential, the other half is business – would prefer for
 546 all the property to be in the residential zone
 547 (2) *will observe the spirit of the Ordinance*
 548 • Is a residential neighborhood
 549 • Does not threaten public health, safety or welfare
 550 (3) *substantial justice done*
 551 • When house was purchased, had no idea that half was zoned business
 552 • Do not wish to change anything regarding property, just seek to have
 553 property zoned residential
 554 (4) *not diminish surrounding property values*
 555 • A variance deeming property residential will in no way diminish values of
 556 surrounding properties
 557 • Variance will provide flexibility to improve residence in the future
 558 (5) *hardship*
 559 • Variance will allow me to perform normal home owner improvements, such
 560 as a deck and deck improvements
 561 • Town's Zoning map imposes the use restrictions

562
 563 Mr. Daddario asked Mr. Carvalho if this was his testimony and Mr. Carvalho
 564 responded in the affirmative.
 565

566 Public testimony opened at 9:58 PM. No one addressed the Board. Mr. Buttrick
 567 stated he received an email in the afternoon today and placed it in the Supplemental
 568 folder and read it into the record. In brief, the email was dated 10/28/2021 from
 569 Joyce Wilcox, 15 Cross Street, expressed concern regarding the speed and ease of
 570 putting in a pool, an enlarged deck and shed, replacement of an old wooden fence
 571 extending it along the multi-car driveway, questioned quality workmanship and noted
 572 that all seem to have been well coordinated with speed and assistance and questioned
 573 whether this is a classic case of “sorry, didn't know I needed permission and is now
 574 asking for forgiveness” and wondered about the bobcat that's always parked there.
 575

576 Mr. De Carvalho stated he recently bought the excavator and has parked it in the back
 577 of his yard and hopes to one day start a business.
 578

579 Public testimony closed at 10.04 PM.
 580

581 Mr. Buttrick stated that this needs a Variance because the Town changed the Zone
 582 and that change split the Applicant's lot into two zones and noted that the whole
 583 neighborhood is residential.
 584

585 It was also noted that a change to Zones does not fall under the purview of the Zoning
 586 Board and can only happen if the Planning Board presents an amendment to the
 587 Zoning Ordinance and the amendment gets majority vote at the annual Town Meeting.
 588

589 Mr. Pacocha made the motion to grant the Variance. Mr. Nichols seconded the
 590 motion. Mr. Pacocha stated that the requested Variance is not contrary to public
 591 interest, that it does observe the spirit of the Ordinance, there is no harm to the
 592 general public, no decrease in property values and that hardship is satisfied due to the

593 lot being split zoned. Mr. Nicolas concurred, as did Mr. Martin who also stated that
594 justice is afforded to the Property Owner. Mr. Daddario stated that it does not alter
595 the character of the neighborhood, which is predominantly residential, the deck
596 preexisted and only extended to connect to the pool, there is no harm to the public
597 and no decrease in property values and that hardship is met because of the split zone
598 and the existing house is a two-family by Permit making it non-conforming and any
599 change would require a Variance. Roll call vote was 5:0. Variance granted. The 30-
600 day appeal period was noted.

601
602 b) An **Equitable Waiver of Dimensional Requirement** to allow a newly installed 12'-
603 6" x 20'-4" (254 square feet) shed to remain in its current location which
604 encroaches the side and rear yard setbacks leaving 11'-3" and 3' respectively where
605 15 feet is required for both setbacks. [HZO Article VII, Dimensional Requirements;
606 §334-27, Table of Minimum Dimensional Requirements.]

607
608 Mr. Buttrick read the request into the record and referenced his Staff Report signed
609 10/19/2021, noted that this resulted from after-the-fact Building Permits submitted
610 after having received a complaint and noticed that this falls under Option 1 of the
611 Equitable Waiver of Dimensional Requirements as it has not existed for more than ten
612 (10) years. Board discussed the material submitted.

613
614 Antonio De Carvalho, 14A Riverside Drive, sat at the Applicant table with his wife and
615 introduced himself. Mr. Buttrick read the Application into the record and the
616 following information was shared:

617
618 (a) *discovered too late*

- 619 • am a first time home owner
- 620 • did not realize permits (Building Permits) were needed
- 621 • as soon as notification of violation received went and applied for Permits

622 (b) *innocent mistake*

- 623 • it was an honest mistake
- 624 • did not realize permits were needed as I was going by old pictures that
625 there was once a pool and shed on property and I only extended existing
626 deck to reach the pool

627 (c) *no nuisance*

- 628 • property is totally fenced in with a 6' high fence
- 629 • there is no nuisance nor diminishment of/to property values
- 630 • *high correction cost*
- 631 • nor feasible to move a structure (shed)
- 632 • is in approximately same location as one was location in 1978
- 633 • property is surrounded by a 6' fence

634
635 Mr. De Carvalho added that his neighbor has his shed close to the property line and it
636 seems like there are many sheds in the neighborhood located similarly and it just
637 makes sense to leave enough yard for children to have a backyard to play in. Mrs. De
638 Carvalho stated that she comes from Brazil and speaks little English, has lived in
639 apartments for eighteen (18) years and has two (2) children and this is their first
640 house and are overjoyed to have a backyard for the children and honestly did not
641 know permits were needed.

642
643 Board reviewed aerial views of the neighborhood and noted that there are several other
644 sheds in the neighborhood with structures close to property lines and also a large
645 pool. Discussion arose on the height of the shed and it was noted that a business
646 (with lots of cars) abuts the rear property line.

647
648 Mr. Pacocha inquired about the height of the shed and fence. Mr. De Carvalho
649 responded that the fence is six feet (6') high and that he does not know the exact
650 height of the shed but estimated approximately ten feet (10'). Mr. Pacocha noted that
651 the shed's roofline would be visible

652
653 Public testimony opened at 10:26 PM. No one addressed the Board. Mr. Buttrick
654 referenced the email received from Ms. Wilcox. Public testimony closed at 10:27 PM.

655
656 Mr. Fauvel made the motion to grant the Equitable Waiver. Mr. Martin seconded the
657 motion. Mr. Fauvel stated that when driving down the road, other sheds are visibly
658 close to property lines and several houses too in the setbacks which is not surprising
659 considering frontage is typically just seventy-five feet (75') of frontage and as soon as
660 the Applicant received notice that permits were required he immediately called the
661 Building Inspector and took corrective action. Mr. Fauvel added that it was an
662 innocent mistake as there are many in the neighborhood with sheds similarly located
663 and the cost to correct it (move the shed) would be outrageous. Mr. Martin stated that
664 it was not discovered too late, it was discovered by the Town and possibly an innocent
665 mistake because the Applicant is a new homeowner, and it poses no nuisance
666 especially considering the rear abutter is a business with many cars parked on that lot
667 and, because the shed is on cinder blocks, it could be moved, however since ~~it is~~ there
668 is no nuisance and not hurting anyone and considering that the neighborhood has
669 many sheds close to property lines he would vote to grant the request. Mr. Daddario
670 spoke to the factors and concurs that it was discovered too late in the sense that the
671 shed was complete before the complaint was received and probably was an innocent
672 mistake because looking at the neighborhood it would appear to be a reasonable
673 assumption to place a shed close to the property lines and the yard is fenced in and
674 there would be no benefit and a high correction cost to move the shed. Roll call vote
675 was 5:0. Equitable Waiver granted. The 30-day appeal period was noted.

676
677 **IV. REQUEST FOR REHEARING**

678
679 No requests were presented for Board consideration.

680
681 **V. REVIEW OF MINUTES:** Edited Minutes for 08/26/21, 09/09/21 & 09/23/21

682
683 Board reviewed the Minutes. Ms. Knee confirmed that Mr. Martin's edits were received
684 and it was noted they were typographical and not substantive. Motion made by Mr.
685 Martin, seconded by Mr. Nicolas and unanimously voted to approve the Minutes of
686 08/26/21, 09/09/21 & 09/23/21 as edited.

687
688 **IV. OTHER:**

- 689
690 **1. 2022 Proposed ZBA Meeting Schedule**
691

692 Board reviewed the proposed schedule. Mr. Pacocha noted that, traditionally for the
693 months of November and December, the meetings are held on the second Thursday of
694 the month to avoid the Thanksgiving and Christmas holidays and asked why
695 November this year it is on the third Thursday. Mr. Buttrick responded that this year
696 the second Thursday falls on Veteran's Day.

697

698 2. Member Contact Sheet

699

700 Mr. Buttrick stated that another updated list would be forthcoming as everyone is
701 being urged to use a Town email address for ZBA business and not their personal
702 email address. Mr. Buttrick offered to help streamline establishing a Town email for
703 anyone interested.

704

705 3. Growth Management and Workforce Housing

706

707 Mr. Fauvel asked if the Growth Management Ordinance has been repealed or if it is
708 still in effect and noted that the last update to the Master Plan was in 2002. Mr.
709 Buttrick responded that it is still in the Zoning Ordinance, Article XIX Sections
710 334:108-119, and that workforce housing is covered by RSA 674:58. Mr. Buttrick
711 noted that the Planning Board has the responsibility to propose Zoning Ordinance
712 amendments for Town Vote as well as the Town's Master Plan that is traditionally
713 updated every decade. Mr. Daddario stated that this could be a workshop topic for a
714 future date.

715

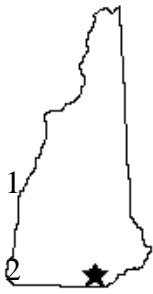
716

717 Mr. Martin made the motion, seconded by Mr. Nicholas and unanimously voted to
718 adjourn the meeting. The 10/28/2021 ZBA meeting adjourned at 11:01 PM

719

720

721 Respectfully submitted,
722 Louise Knee, Recorder



TOWN OF HUDSON

Zoning Board of Adjustment

Gary M. Daddario, Chairman Kara Roy, Selectmen Liaison

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

MEETING MINUTES – November 18, 2021 – as edited

The Hudson Zoning Board of Adjustment met on Thursday, November 28, 2021 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Chairman -Gary Daddario called the meeting to order at 7:00 PM, invited everyone to stand for the Pledge of Allegiance and read the procedure for the meeting from the Preamble found in Exhibit A of the Board’s Bylaws into the record.

Clerk Etienne took attendance. Members present were: Gary Daddario (Regular/Chair), Brian Etienne (Regular/Clerk), Leo Fauvel (Regular), Normand Martin (Alternate), Marcus Nicolas (Regular), Jim Pacocha (Regular/Vice Chair), Dean Sakati (Alternate) and Edward Thompson (Alternate). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (remote) and Kara Roy, Selectman Liaison. For the record all Regular Members voted.

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.]

Mr. Buttrick read the Case into the record, referenced his Staff Report signed 11/9/2021 and noted that comments were received from the Town Engineer, Elvis Dhima, PE.

Glenn Lemieux came masked to the lectern, introduced himself, stated that they would like to construct a farmer’s porch but need a Variance because it would encroach approximately three feet (3’) into the front setback.

Mr. Lemieux addressed the criteria for the granting of a Variance and the information shared included:

- (1) *not contrary to public interest*
 - Will not be contrary to public interest

- 48 • Adding a farmer's porch will bring more curb appeal and increase property
49 values for self and neighbors
50 (2) *will observe the spirit of the Ordinance*
51 • Will make the house look nicer and allow opportunity to further connect with
52 the community
53 • Will not compromise safety or hinder traffic flow in area
54 (3) *substantial justice done*
55 • Will raise property value and house will becomes more visually appealing
56 (4) *not diminish surrounding property values*
57 • will increase curb appeal and add value to the property
58 • will not diminish other property values in the neighborhood
59 (5) *hardship*
60 • original setback for property was thirty feet (30') and then later changed to
61 fifty feet (50')
62 • house is fifty feet (50') and front entry steps and landscaping do not infringe
63 the original thirty-foot (30') setback but are now in the current fifty foot
64 (50') setback
65 • the porch will fall out of the original thirty-foot (30') setback
66

67 The Google map overview was presented and the proposed porch would be placed
68 along the front of the house to the corner and not extend further than the three (3)
69 steps to the front door. Mr. Lemieux stated that the front bush along the front of the
70 house has already been removed. The Site Plan prepared by Gregg Jeffrey, LLS, of
71 Jeffrey Land Survey, LLC dated October 2021, was posted and showed the 21.6'x7'
72 front farmers porch being 46.3' from the property line.
73

74 Public testimony opened at 7:17 PM. No one addressed the Board.
75

76 Mr. Martin noted that the house was constructed in 1998, fifty feet (50') from the
77 property line, and asked when the front setback was changed from thirty feet (30') to
78 fifty feet (50'). Mr. Buttrick responded that at one time Collector Roads in Town had
79 the front setback changed to fifty feet (50') but exact date unknown and added that the
80 house meets the current setback requirement. Mr. Fauvel noted that if Bush Hill
81 Road is expanded in the future the porch could end up twenty feet (20') from the
82 expanded road. Mr. Martin asked if there was ledge where the porch is proposed
83 because that could involve blasting and Mr. Lemieux responded that he does not
84 know. Mr. Pacocha noted the Town Engineer's comment dated 11/5/2021 asking the
85 Property Owner to take into consideration locating/possibly relocating the water and
86 sewer service connectors as they are both currently in the front of the house and could
87 be problematic if service is required in the future if under the porch. Mr. Lemieux
88 stated that he is aware of the concern and the water connection will be taken into
89 consideration when the porch is constructed and added that the sewer connection will
90 not fall under the proposed porch.
91

92 Public testimony reopened at 7:22 PM. No one addressed the Board.
93

94 Mr. Nicolas made the motion to grant the waiver as requested. Mr. Pacocha seconded
95 the motion. Mr. Nicolas stated there is no harm to the public, the porch will align
96 with the house and add value to the community and noted that the entry steps will

97 remain. Mr. Pacocha stated that the criteria have been satisfied, not contrary to public
98 interest, spirit of the Ordinance is observed, does not alter the character of the
99 neighborhood, no harm to the general public, adds value, substantial justice would be
100 done and the hardship is the change increasing the front setback and the infraction is
101 minimal. Roll call vote was 5:0. Variance granted. The 30-day Appeal period was
102 noted.

103
104 2. **Case 159-027 (11-18-21)**: Denissa F. Grace, Tr., 15 Barretts Hill Rd., Hudson, NH
105 requests a Variance to allow a lot (after subdivision) with 112.26 ft. of frontage
106 where 200 ft. is required. [Map 159, Lot 027-000; Split Zoned General-One (G-1)
107 and General (G); HZO Article VII, Dimensional Requirements; §334-27, Table of
108 Minimum Dimensional Requirements.]

109
110 Mr. Buttrick read the Case into the record, referenced Zoning Determination #21-163
111 dated 10/12/2021, his Staff Report signed 11/9/2021, and noted that this irregular
112 shaped 15.838 acre-parcel has one residence in the rear of the parcel and the desired
113 subdivision would create one 2.23 acre parcel with 223.04' of frontage with the
114 current driveway along two of its property lines which leaves the current residence
115 with 15.838 acres with only 112.26' of frontage where 200' is required.

116
117 Tony Basso, LLS with Keach Nordstrom Associates, Inc. stood masked at the lectern
118 and introduced himself as representing the Denissa F. Grace Revocable Trust. Mr.
119 Basso stated that they seek to subdivide a 15.838 acre-parcel with a single home to
120 create one new building lot. The property has a split zone – General and General-One
121 – with the existing single-family residence in the General (G) Zone and the proposed
122 new lot entirely in the General-One (G-1) Zone with a required two hundred feet (200')
123 of frontage. The lot has relatively steep topography traveling to the South and a utility
124 easement transacts the lot. The proposed new lot of 2.23 acres satisfies the Zoning
125 criteria and the remaining lot (parent lot) would have only one hundred twelve point
126 twenty six feet (112.26') of frontage, which does not satisfy the frontage requirement
127 and needs a Variance.

128
129 Mr. Basso stated that the purpose of frontage is to space out development and avoid
130 overcrowding and noted that this is already achieved with the existing house in the
131 rear of the property and only one new house close to the front. Mr. Basso stated that
132 there are other alternatives to subdivide the fifteen (15) acre parcel, like building a
133 home to accommodate more than one single family home, but that is not being
134 proposed. The intent is to leave the parent lot as a single-family large lot with reduced
135 frontage of approximately eighty feet (~80').

136
137 Mr. Basso addressed the criteria for the granting of a Variance and the information
138 shared included:

- 139
140 (1) *not contrary to public interest*
141 • Will not be contrary to public interest
142 • Will not unduly conflict with the basic purposes of the zoning provisions
143 • Will not alter essential character of the area
144 • Will not threaten public health, safety or welfare
145 (2) *will observe the spirit of the Ordinance*
146 • Spirit of the Ordinance is to prevent overcrowding of buildings

- 147 • Granting the Variance does not jeopardize public safety and welfare
148 • Existing driveway has existed safely for over 40 years
149 • New driveway will have access on a parcel with compliant frontage and
150 therefore observes the Spirit of the Ordinance
151 (3) *substantial justice done*
152 • No gain to the public if Variance is denied
153 • Driveway has existed for several decades without an adverse impact to
154 general public
155 (4) *not diminish surrounding property values*
156 • Granting the requested dimensional variance and allowing the subsequent
157 subdivision will not adversely affect surrounding property values
158 • New homes and new construction tend to improve surrounding home values
159 (5) *hardship*
160 • Because of the special conditions of the property, the restriction applied to
161 the property does not serve the purpose of the restriction in a “fair and
162 reasonable” way
163 • There is no fair and substantial relationship between the general public
164 purposes of the frontage requirement and its application to the subject
165 property
166 • The new residential lot will be completely compliant with current Zoning
167 regulations
168 • The existing lot is relatively large compared to the minimum lot size, and
169 when reduced, will still be more than six (6) times larger than the
170 minimum lot size required
171 • Although frontage is reduced, the reduction does not alter the form or
172 function of the existing driveway that serves the existing single-family
173 home
174 • Proposed use is a reasonable use given that this property has been utilized
175 as a residential property since the original house construction and is
176 allowed by Right
177

178 Mr. Nicolas asked and received confirmation that the Variance is for the existing lot.
179 Mr. Thompson asked and received confirmation that the new lot would have its own
180 separate driveway. Mr. Martin asked if there would be enough room on the new lot for
181 a driveway with the existing wetlands. Mr. Basso responded that those areas
182 represent steep slopes, not wetlands, and were identified to calculate the buildable
183 area for the lot.
184

185 Mr. Fauvel expressed concern with setting a precedent if the Variance is granted, and
186 suggested that to compensate, to condition a variance approval for an increased front
187 setback requirement based upon the amount of frontage reduction being sought -
188 approximately a hundred and eighteen feet (118'). Mr. Daddario asked if the increased
189 frontage condition would apply to both the new lot and the parent lot. It was noted
190 that the Variance request before the Board is for the existing lot, after subdivision.
191 Mr. Basso stated that such a condition would pose no problem for his client as there is
192 no intent to further subdivide the remaining parent-lot of approximately thirteen
193 acres.
194

195 Mr. Etienne stated that the frontage reduction is egregious and asked why it was not
196 just split in half. Mr. Basso responded that it was just cleaner to have the new lot
197 compliant and create the new lot shape by the existing driveway, which meets the
198 driveway requirements for sight distance, etc., and because the existing house is
199 tucked in the rear of the lot and not visible from the road, the purpose of the frontage
200 requirement is satisfied as only one new home would be visible from the road.

201
202 Public testimony opened at 7:44 PN. No one addressed the Board.

203
204 Mr. Etienne asked to post the Table of Uses for G and G-1 Zones and noted that the
205 fifteen-acre lot could have many other Uses than as a single-family Residential Use.
206 Mr. Buttrick stated that should the parcel ever change from a Residential Use to
207 another Permitted Use, it would not require ZBA approval but would need to go before
208 the Planning Board for a Change of Use Permit. Mr. Basso added that even though
209 there is no plan to change from the Residential Use, if in the future the lot is sold and
210 an industrial Use is being proposed, by granting this Variance tonight, the lot becomes
211 a legal non-conforming lot and any expansion would require ZBA review and approval.
212 Mr. Buttrick disagreed – yes, the lot becomes a legal existing non-conforming lot of
213 record and construction (if Use is permitted) would just have to satisfy setbacks per
214 ZO Section 334-32, Nonconforming Lots.

215
216 Mr. Fauvel made the motion to grant the Variance as requested with the stipulation
217 that the front setback be increased to one hundred seventeen point seven four feet
218 (117.74') for the parent lot to accommodate for the lack of road frontage. Mr. Etienne
219 seconded the motion. Mr. Fauvel stated that the existing house is so far back into the
220 lot and not visible from the street and does not affect the neighborhood and won't
221 affect property values; and the new house proposed to be built with be on a standard
222 lot for the area and new construction has a positive impact on property values; and
223 the increased frontage is to prevent setting a precedent and was calculated by adding
224 the frontage shortage to the already required front setback of fiftythirty feet (350'). Mr.
225 Etienne stated that currently it is a residential neighborhood, that should a change
226 occur in the future, the lot, which becomes a legal non-conforming lot with the
227 granting of this Variance, would need ~~to come back to the ZBA for~~ review ~~as well as to~~
228 from the Planning Board. Roll call vote was 5:0. Motion granted with one stipulation.
229 The 30-day appeal period was noted.

230
231 Board took a five-minute recess at 7:53 PM. Meeting called back to order at 7:58 PM.

232
233 3. **Case 253-017 (11-18-21):** Phillip C. Nichols, Tr., 23 Schaefer Circle, Hudson, NH
234 requests a Variance to convert a 640 sqft office area above a detached garage into a
235 single bedroom in-law apartment (ADU) where an ADU is not allowed as a
236 freestanding detached structure or as part of any structure which is detached from
237 the principal dwelling. [Map 253, Lot 017-000; Zoned Residential-One (R-1); HZO
238 Article XIII A, Accessory Dwelling Units; §334-73.3.B, Provisions.]

239
240
241 Mr. Buttrick read the Case into the record, referenced Zoning Determination #21-118
242 dated 7/19/2021 and his Staff Report signed 11/9/2021 and noted that the free-
243 standing detached garage was constructed in 2020 with an office and convenience
244 bathroom that now seeks to convert to a single bedroom Accessory Dwelling Unit

245 (ADU) which are not allowed in detached buildings. Mr. Buttrick stated that
246 comments were received from the Town Engineer requesting a septic system design
247 that can accommodate the additional proposed bedroom and also from the Fire
248 Department noting that all construction requirements will be reviewed during the
249 Building Permit review and requested that the location have separate
250 marking/address for fire respondents in case of emergency.

251
252 Philip Nichols came to the lectern, introduced himself, stated that he is a retired Police
253 Officer from the City of Nashua and his wife is a recently retired ATF Controller in
254 Nashua, that they have been residents of Hudson since 1992 and placed an addition
255 to their home in 1999, following all the required permit processes, added a pool in
256 2007, again obtaining all the required permits and began construction of the detached
257 garage in 2020. Mr. Nichols stated that one of the prime reasons for the garage is to
258 house their RV (Recreational Vehicle) and not just leave it parked on the premise when
259 not in use.

260
261 Mr. Nichols stated that many trees had to be cut to place the garage and it also
262 included the need to redesign the septic system that is directly behind the house to
263 the left of the new garage and the redesign included connecting it to the garage. The
264 location of the garage is due to the ledge on the property. There is ledge under the
265 pool. The well is in the left front yard

266
267 Mr. Nichols stated that the in-law apartment would be for his mother who lives alone
268 in Ohio and where he and his brother were born and raised. His younger brother lives
269 in Tennessee and he took care of their grandmother, who passed away a few years ago.
270 His mother does not drive and public transportation is not an option for her. They
271 stay in touch with her and during a recent face-time call he heard gunshots in the
272 background and that was very concerning. After discussions with his wife, they
273 decided to convert the garage office into living space for her so she can be safe.

274
275 Mr. Nichols stated that many properties in the neighborhood have detached buildings
276 and some even have in-law apartments in those detached garages, some with permits
277 and probably some without and one that has been reconverted because the person
278 passed away. Mr. Nichols stated that his request will not disrupt the neighborhood.
279 Many of his neighbors approached him when they received notice and did not have
280 anything negative to say.

281
282 The GIS map was posted. Mr. Nichols noted the pool that was installed in 2007 that
283 required the removal of hundreds of trees and ledge was discovered at the four-foot
284 mark that had to be chipped out; between the pool and the house is the septic system;
285 the garage is located to the right of the septic system; and there is ledge along the
286 entire back of his property as well as from the road to his house. The well is located to
287 the left of the house in the front yard.

288
289 Mr. Nichols addressed the criteria for the granting of a Variance and the information
290 shared included:

- 291
292 (1) *not contrary to public interest*
293 • Request is to provide affordable housing for his mother without the need to
294 add more infrastructure and without further land development

- 295 • Will not violate the public health safety or welfare or injure “public rights”
- 296 • Will not be contrary to public interest
- 297 (2) *will observe the spirit of the Ordinance*
- 298 • Garage initially constructed to house RV when not in use and negate parking
- 299 it out in the open and provide personal office space
- 300 • Garage is aesthetically pleasing and compliments the house
- 301 • After construction began, situation with mother changed and decision made
- 302 to construct a one--bedroom apartment for her and forego the office
- 303 (3) *substantial justice done*
- 304 • Mom needs a safe place to live and maintain her independence & privacy
- 305 • Many neighbors have been previously granted the same consideration,
- 306 including 75, 30, 72 & 26 Schaefer Circle, 9 & 12 Potter Road and 1,9,12
- 307 & 20 Williams Drive
- 308 • No gain to the public if Variance is denied
- 309 (4) *not diminish surrounding property values*
- 310 • The detached garage fits the neighborhood as many neighbors have
- 311 detached structures on their property
- 312 • These detached structures are aesthetically pleasing and enhance property
- 313 values
- 314 • There will be no additional vehicles or increase in traffic as mother does not
- 315 drive
- 316 (5) *hardship*
- 317 • Because of the special conditions of the property – the existing ledge,
- 318 placement of the septic system and well and pool – there was no other
- 319 location to construct the garage
- 320 • While structure is detached from the primary residence it is there to be part
- 321 of the primary residence
- 322 • Attempting to attach the garage to the current residence is not possible
- 323 • The restriction applied to the property does not serve the purpose of the
- 324 restriction in a “fair and reasonable” way
- 325

326 Mr. Fauvel stated that ADUs in detached structures was discussed at the last
 327 Planning Board meeting, noted that the mother is seventy one (71) years old and wider
 328 steps should be considered along with the need for two (2) exits. Mr. Daddario asked
 329 and received confirmation from Mr. Buttrick that the need for two (2) exits does get
 330 covered in the Building Permit process and added that the Building Permit will need to
 331 be changed from an office to living space. Mr. Nichols stated that the windows are
 332 properly sized and believes that the stairway is large enough to install a chair lift
 333 whenever his mom is no longer mobile and active, and there are options for the second
 334 exit and he will comply with whatever is needed, noting that no interior work for the
 335 living space has not begun.

336
 337 Ms. Roy stated that the septic system was redesigned and asked it if accommodates
 338 four (4) bedrooms, three (3) in the home and one (1) in the garage. Mr. Nichols stated
 339 that the redesign included the next bigger sized tank in order to accommodate waste
 340 from the RV. Mr. Buttrick stated that the size of the septic tank and leach field are
 341 based on the number of bedrooms. Mr. Nichols stated that he will check with the
 342 installer to confirm that it will accommodate four (4) bedrooms.

343

344 Mr. Nicolas asked and received confirmation that the RV will be housed in the newly
345 constructed garage. Mr. Fauvel asked if 5/8" drywall was installed and Mr. Nichols
346 stated that the interior work has not yet been done but the plan is to install 5/8"
347 drywall to separate the original plan to create an office and noted that the interior
348 stairway going to the second floor is planned to be completely boxed off.
349

350 Mr. Martin referenced the aerial view and that several lots have detached structures.
351 Mr. Daddario asked Mr. Nichols if the addresses given to criteria 3 & 4 also meant that
352 they contained ADUs and Mr. Nichols responded that those addresses represent lots
353 in the neighborhood that have detached buildings and that he only knows of the lot at
354 26 Schaefer Circle had a legal in-law apartment above in the detached garage and
355 when their parent passed the apartment was discontinued.
356

357 Mr. Pacocha stated that, in his opinion, this is not an ALU (Accessory Living Unit) or
358 an ADU (Accessory Dwelling Unit) but a detached dwelling unit that would render the
359 lot non-conforming. Mr. Buttrick stated that is the reason for the Variance – for the
360 ADU to be permitted in the detached garage instead of the main residence with an
361 interconnecting door – and this is a lot of record and does not believe it would render
362 the lot non-conforming – and, in essence, it would be a separate dwelling unit.
363

364 Discussion continued on the connection. Mr. Fauvel asked of the septic system
365 connecting to both living units would satisfy the criteria. Answer, no. Mr. Fauvel
366 asked if a roof connecting the two living units would suffice? Mr. Buttrick stated that
367 is not an acceptable solution. Mr. Nichols stated that there is seventeen feet (17')
368 between the house and garage. Question raised whether a condition of approval could
369 be that the variance is valid for the mom only – a lifetime tenancy. Mr. Pacocha
370 stated that unlike Special Exceptions, Variances run with the land and stay forever.
371

372 Mr. Etienne stated that placing apartments on top of detached buildings is one way to
373 provide affordable housing without having to build apartment complexes but there are
374 downsides too, like more traffic to a neighborhood and providing off-street parking.
375 Mr. Etienne stated that it is interesting that this Case comes before the Board at the
376 same time the Planning Board is discussing potential changes for ADUs and added
377 that if the Board grants this Variance, there could be sweeping implications with
378 others in Town seeking the same relief, citing this Case as setting precedent, before
379 the Town's Planning Board assesses the situation and present Zoning Ordinance
380 changes for the Town to vote upon.
381

382 Mr. Daddario agreed, to a point, and noted that anyone wanting to add a living unit in
383 their detached garage would need to come before the Board for a Variance and they
384 too would have to satisfy the Variance criteria. With regard to this Case, Mr. Daddario
385 stated that the hardship criteria, in his opinion, has been satisfied ~~and satisfied~~-based
386 on the land – the existence of ledge, the placement of the septic system, the location of
387 the swimming pool and the well– which dictated where the garage could be
388 constructed which did not allow it to be connected to the residence.
389

390 Mr. Buttrick recapped the history. The Building Permit was initially filed for that two-
391 stall unit garage with a private office above with a convenience bathroom, then the
392 situation with Mr. Nichols' mother changed and Mr. Nichols asked if the office could
393 be converted to an ADU and, unfortunately, the term ADU perpetuated and required a

394 Variance, but in hindsight, what should have been processed was a request for a
395 second dwelling unit, which would also require a Variance.

396

397 Public testimony opened at 8:45 PM. No one addressed the Board.

398

399 Mr. Etienne made the motion to grant the Variance with the stipulation that the
400 detached living unit must comply with all the other ADU (Accessory Dwelling Unit –
401 Section 334-73.3) requirements with the exception of the physical connection and the
402 separate address prohibition to allow a distinguishing address for emergency access.

403 Mr. Daddario seconded the motion. Roll call vote was 4:1. Mr. Pacocha opposed.

404 Variance granted with stipulations. The 30-day appeal period was noted.

405

406 **IV. REQUEST FOR REHEARING:**

407

408 No requests were presented for Board consideration.

409

410 **V. REVIEW OF MINUTES:** 10/28/21 Edited Minutes

411

412 Motion made by Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to table
413 review of the Minutes to the next meeting (12/9/2021).

414

415 **IV. OTHER:**

416

417 1. Welcome new Alternate Members

418

419 Warm welcome extended to the Alternates.

420

421 2. Special Meeting – January 13/2022?

422

423 Mr. Buttrick stated that there is a need for a special meeting on a complicated Case
424 that started out as Code Enforcement and one of the abatements from the Court was
425 to bring it to the Zoning Board for a relief via Variances and Special Exceptions. The
426 Applicant would like to have five (5) Voting Members. Mr. Buttrick noted that Member
427 Nicolas is an abutter and therefore will be recusing himself. Mr. Buttrick took a poll
428 on who is available on 1/13/2022 and only four (4) Members would be able to attend.
429 A second date of 1/20/2022 was explored and seven (7) Members could attend.

430 Special meeting set for 1/20/2022. Members asked to have paper-work early and the
431 presence of Town Counsel. Special Meeting set for 1/20/2022

432

433 3. BoS Conflict of Interest Packet

434

435 Mr. Buttrick noted that the information was sent out electronically as well as print in
436 the Supplemental Meeting Packet, provided a recap of the scenario that occurred in
437 Manchester where a voting member spoke out on social media as opposing the project
438 prior to its public hearing, asked everyone to sign for the receipt of the information,
439 Town Counsel's letter and noted that it does contain good information.

440

441 4. When an Alternate Votes

442

443 Mr. Buttrick stated that in a recent Case, Alternate Martin was appointed to vote in
444 Mr. Etienne's absence and that Case was continued to the January meeting. The

445 Board's Bylaws is silent. There are ~~two~~two (2) possible scenarios: (1) the Regular
446 Member (in this instance, Mr. Etienne) could familiarize himself with the Case and sit
447 as a Voting Member at the continued meeting or (2) the Alternate Voting Member (in
448 this instance, Mr. Martin) could be appointed to vote. Discussion ensued. Ms. Roy
449 stated that it is more fair to the Applicant to have the same Voting Members. Mr.
450 Buttrick agreed. Mr. Etienne concurred and recalled an earlier Case when he was
451 absent and upon his return at the following meeting he recused himself because even
452 though he had read all the material, he had not heard the testimony.

453
454 Mr. Buttrick presented proposed change to the Bylaws, Section 143, Disqualifications
455 A-G with a change to G. and a new H. for direct or indirect abutters disqualify/recuse.
456 No changes were suggested. Mr. Buttrick noted that any change to the Bylaws
457 requires two (2) Public Hearings.

458

459 5. The Clerk Position

460

461 Mr. Buttrick stated that the position of Clerk has traditionally been performed by an
462 Alternate Member, but the Board has been without Alternate Members and Mr.
463 Etienne has been performing the function; however, it is challenging to participate in a
464 meeting discussion and take the required notes. Mr. Etienne concurred.

465

466 Mr. Buttrick noted that the Bylaws do not specify details for the Clerk position, except
467 that it is a position filled/voted on every year. Mr. Buttrick noted that Alternates can
468 and do participate in discussion in Board discussion up to the point of deliberation.
469 Mr. Buttrick suggested that the Alternates should be rotated to perform the Clerk
470 function. Mr. Etienne stated that the rotation would serve to build the bench of
471 experience among the Alternates. Discussion arose and scenarios explored, for
472 example when an Alternate is designed to Clerk but is then appointed to Vote,
473 controlling and monitoring the rotation. Mr. Buttrick to draft proposed language for
474 the Bylaws.

475

476 6. Proposed Zoning Ordinance Amendments for Consideration by PB

477

478 Mr. Buttrick stated that the Planning Board (PB) met and ranked the list accumulated
479 for possible Zoning Ordinance (ZO) amendments and referenced the list in the
480 Supplemental Meeting Packet. In brief, the list included: housing for older persons;
481 discontinue Article 13; change to the small lots in the TR Zone to either allow sheds in
482 the setback or reduce the setback; building height in the I (Industrial) Zone; definition
483 of "buildable area" needed; mixed use in the B (Business) Zone and Dual Use on a lot;
484 split Zone; Table of Uses, Home Occupation for Day Care to allow outdoor noise/use;
485 ADU (Accessory Dwelling Unit) size/square footage and detached structures; Split
486 Zone parcels; uplit lighting on signs; cell towers still in Table of Uses even though
487 Town voted to change from Special Exception to CUP (Conditional Use Permit) from
488 the Planning Board; and display parking in the setback

489

490 7. Town Counsel Questions for Gringras Street Extension

491

492 Mr. Buttrick asked if there were more questions to pose to Town Counsel for the
493 Gringras Street extension pertaining to the 8 Lindsay Street Case.

494

495 8. Next ZBA Meeting – December 9, 2021

Not Official until reviewed, approved and signed.

As Edited [NM, BB, GD]

496
497
498 Motion made by Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to
499 adjourn the meeting. The 11/18/2021 ZBA meeting adjourned at 9:37 PM.
500
501 Respectfully submitted,
502 Louise Knee, Recorder
503

AS EDITED

Town of Hudson, New Hampshire Bylaws
Zoning Board of Adjustment

Amended ~~xx-xx-22~~

Chapter 143

- 143.1 History
- 143.2 Authority
- 143.3 Purpose
- 143.4 Amendments
- 143.5 Officers
- 143.5A Recorder
- 143.5B Vacancy and Succession of Officers
- 143.6 Members and Alternates
- 143.7 Meetings
 - 1. Regular Meetings
 - 2. Other Meetings
 - 3. Quorum
 - 4. Disqualification
 - 5. Order of Business
- 143.8 Application Process
 - 1. Applications
 - 2. Forms
 - 3. Public Notice
 - 4. Public Hearing
- 143.9 Decision Process
- 143.10 Deferment and Withdrawal
- 143.11 Reconsideration by the Board
- 143.12 Motions for Rehearing
- 143.13 Records
- 143.14 Waivers
- 143.15 Joint Meetings and Hearings

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143.1 History

12-14-1978: Adopted by the Zoning Board of Adjustment of the Town of Hudson

06-23-1988: Amended in its entirety,

06-23-2011: Amended again in its entirety.

Subsequent amendments noted where applicable.

10-12-17: Amended in entirety.

04-11-19: Subsequent amendments noted where applicable.

09-26-19: Added Recorder; revised Clerk; unexcused absences; order of business: pledge of allegiance, introduction and 11:00pm curfew; 30 day re-hearing note and attachment "A".

01-28-21: Added section 143.5B on vacancy & succession of officers.

xx-xx-22: Revised section 143.7(3)b on Alternate status for continued/deferred cases.; and revised section 143.7(4) by adding Recusals; revised section 143.7(4)g striking then and adding currently; Revised 143.7(4) added (h) Direct/Indirect Abutter as disqualification. Revised 143.3 Clerk appointment and added Appendix "B" Clerk Duties.

143.2 Authority

These bylaws of the Hudson Zoning Board of Adjustment, hereinafter referenced simply as the Board, are adopted under the Authority of NH-RSA (New Hampshire Revised Statutes Annotated) 676:I. In the event of a difference between these bylaws and the applicable NH-RSAs, the NH-RSAs take precedence over these Bylaws.

143.3 Purpose

The purpose of these bylaws is to ensure an orderly procedure in the execution of the duties of the Board.

143.4 Amendments

These bylaws may be amended by a majority vote of the voting members at a regular meeting of the Board provided such amendments are read at two successive public meetings.

143.5 Officers

1. A Chairman shall be elected annually by a majority vote of the Board at the first meeting in the month of January.

The Chairman shall preside over all meetings and hearings, appoint such committees as directed by the Board and shall affix his/her signature in the name of the Board.

2. A Vice-Chairman shall be elected annually by a majority vote of the Board at the first meeting in the month of January.

The vice-Chairman shall preside in the absence of the Chairman and shall have the full powers of the Chairman on matters which come before the Board during the absence of the Chairman.

3. A Clerk shall be selected/appointed by the Chairman at each meeting, preferably an Alternate and to rotate Alternates each meeting,

The clerk shall take attendance, read cases into the record, and process the member decision

Deleted: elected annually by a majority vote of the Board at the first meeting in the month of January.

sheets for a summary of decision made. [9-26-19], and use Appendix B as a guide. [xx-xx-2022]

4. All officers shall serve for one year and shall be eligible for re-election.

143.5A Recorder

The Recorder is not a Member or Alternate. The Recorder shall transcribe the minutes and notices of decisions in accordance with State RSA requirements. The Recorder shall have minutes available for members to accept. The Recorder shall have notice of decisions available for the Chairman and Zoning Administrator. [9-26-19]

143.5B Officer vacancies

1. In the event that the un-expired term of Chairman becomes vacant, the Vice-Chairman will fill the vacancy until the 1st meeting in January of the following year at which time the voting members will elect a new Chairman.

2. In the event that the un-expired term of Vice-Chairman becomes vacant, the voting members will vote to fill the vacancy at their next regular scheduled meeting.

3. In the event that the un-expired term of Clerk becomes vacant, the voting members will vote to fill the vacancy at their next regular scheduled meeting. [01-28-21]

143.6 Members and Alternates

1. Five Regular Members shall be appointed by the Board of Selectmen attend all meetings, and sit as voting members

2. Five Alternate Members shall be appointed by the Board of Selectmen, attend all meetings to familiarize themselves with the workings of the Board and stand ready to serve whenever a regular member of the Board is unable to fulfill his/her responsibilities.

3. A Selectman Liaison may be appointed by the Board of Selectman to act as a liaison between the two Boards and should attend all meetings but shall have no voting powers nor the ability to sit in place of any regular member not in attendance.

4. At meetings of the Board, alternates who are not activated to fill the seat of an absent or recused member or who have not been appointed by the Chairman to temporarily fill the unexpired term of a vacancy may participate with the Board in a limited capacity. During a public hearing, alternates may sit at the table with the regular members and may view documents, listen to testimony, ask questions and interact with other Board members, the applicant, abutters and the public. Alternates shall not be allowed to make or second motions. Once the Board moves into deliberations, alternates shall remove themselves from any further deliberations with the Board. During work sessions or portions of meetings that do not include a public hearing, alternates may fully participate, exclusive of any motions or votes that may be made. At all times, the Chairman shall fully inform the public of the status of any alternate present and identify the members who shall be voting on the application.

5. All members and alternates must reside in the community and are expected to attend each meeting of the Board to exercise their duties and responsibilities. Any member unable to attend a meeting shall notify the Chairman as soon as possible. Members, including the Chairman and all officers, shall participate in the decision-making process and vote to approve or disapprove all motions under consideration. Three (3) consecutive unexcused absences by a member or alternate shall be reported to the Board of Selectmen through the Town Administrator, to take appropriate action. [9-26-19]

143.7 Meetings

1. Regular meetings (for appeals and Hearings) shall be held at Hudson Town Hall, at 7:00pm on the fourth Thursday of each month in accordance with RSA 676:5-7 and RSA 91-A:2. The Chairman may schedule additional overflow meetings, or reschedule meetings after consultation with the Zoning Administrator (or designee).

2. Other meetings may be held on the call of the Chairman, or a majority vote of the Board in accordance with RSA 91-A: 2II.

All Board members shall be given notice of meetings by mail or email one week prior to the meeting date.

3. Quorum: A quorum for all meetings of the Board shall be three members, including alternates sitting in place of members.

a. The Chairman shall make every effort to ensure that all five members, and one or two alternates, are present for the consideration of any appeal or application.

b. If any regular Board member is absent from any meeting or hearing, or disqualifies himself/herself from sitting on a particular case, the Chairman shall designate one of the alternate members to sit in place of the absent or disqualified member, and such alternate shall be in all respects a full member of the Board while so sitting, including any continued/deferred cases.[xx-xx-22]

c. Alternates shall generally be activated on a rotating basis from those present at a particular meeting. When an alternate is needed, the Chairman shall select the alternate who has not been activated for the longest time.

d. If there are less than five members (including alternates) present, the Chairman shall give the option to proceed or not to the applicant. Should the applicant choose to proceed with less than five members present that shall not solely constitute grounds for a rehearing should the application fail.

4. Disqualifications/Recusals: If any member finds it necessary to disqualify himself/herself from sitting in a particular case, as provided in RSA 673:14, he/she shall notify the Chairman as soon as possible so that an alternate may be requested to sit in his/her place. When there is uncertainty as to whether a member should be disqualified to act on a particular application, that member or another member of the Board may request the Board to vote on the question of disqualification. Any such request shall be made before the public hearing gets underway. The vote shall be advisory and non-binding.

Determining the threshold of disqualification can be difficult. To assist a member in determining whether or not they should step down (recuse themselves) Board members should review the questions which are asked of potential jurors to determine qualification (RSA 500-A: 12). A potential juror may be asked whether he or she:

a. Expects to gain or lose upon the disposition of the case;

- b. Is related to either party;
- c. Has advised or assisted either party;
- d. Has directly or indirectly given an opinion or formed an opinion;
- e. Is employed by or employs any party in the case;
- f. Is prejudiced to any degree regarding the case; or
- g. Employs any of the counsel appearing in the case in any action ~~then currently~~ pending in the court.
- h. Is a Direct or Indirect Abutter. [xx-xx-22]

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Either the Chairman or the Member disqualifying himself/herself before the beginning of the public hearing on the case shall announce the disqualification. The disqualified shall step away from the table during the public hearing and during all deliberation on the case as they so choose.

5. Order of Business

The order of business for regular meetings shall be as follows:

- a. Call to order by the Chairman
- b. Pledge of allegiance [9-26-19]
- c. Introduction/order of business. Attachment "A". [9-26-19]
- d. Roll call by the clerk
- e. Unfinished Business (Continued or Deferred Hearings)
- f. New Hearing(s) Board will not hear new cases after 11:00pm [9-26-19]
- g. Requests for Rehearing
- h. Approval of Minutes from Previous Meeting (s)
- i. New Business
- j. Communications and items of interest to the Board, Other Business
- k. Adjournment

(Note: Although this is the usual order of business, the Board may wish to hold the hearings immediately after the roll call in order to accommodate the public, based on a positive vote of the Board.)

143.8 Application Process

1. **Applications**

- a. Each application for a hearing before the Board shall be made on forms provided by the Board and shall be presented to the Zoning Administrator (or designee) who shall record the date and time of receipt.

Application deadline for meeting is 12:00 noon, 12 business days (Monday-Friday including Holidays) prior the scheduled meeting date.

Only complete and accurate applications will be submitted for agenda action, incomplete or inaccurate applications will not be submitted for agenda action.

- b. Appeals from an administrative decision taken under RSA 676:5 shall be filed within 30 days of the decision or when such decision becomes known or reasonably could have been known by the petitioner as determined by the Board.
- c. All forms and revisions prescribed shall be adopted by resolution of the Board and shall become part of these rules of procedure

2. Public Notice

- a. Public notice of hearings on each application shall be given in general newspaper and shall be posted at Town Hall, Town Public Library and the Post Office not less than five (5) days before the date fixed for the hearing. Notice shall include the name of the applicant, description of property to include tax map identification, action desired by the applicant, provisions of the zoning ordinance concerned, the type of appeal being made, and the date, time and place of the hearing.
- b. Personal notice shall be made by certified mail to the applicant and all direct abutters and regular mail for indirect abutters within 200' not less than five (5) days before the date of the hearing.
- c. The applicant shall pay for all required notice costs in advance.

3. Public Hearing

The conduct of public hearings shall be governed by the following rules:

- a. The Chairman shall call the hearing in session by instructing the clerk to report on the first case.
- b. The Zoning Administrator shall report why the case has been brought before the Board.
- c. Members and Alternates of the Board, and any party to the case, may ask questions at any point during testimony once recognized by the Chairman.
- d. Each person who appears shall be required to state his/her name and address for the record and indicate whether he/she is a party to the case or an agent or counsel of a party to the case.
- e. The applicant shall be called to present his appeal.
- f. Those appearing in favor of the appeal shall be allowed to speak.
- g. Those in opposition or neutral to the appeal shall be allowed to speak.
- h. The applicant and those in favor shall be allowed to speak in rebuttal.
- i. Those in opposition to the appeal shall be allowed to speak in rebuttal.
- j. Any person who wants the Board to compel the attendance of a witness shall present his request in writing to the Chairman in accordance with RSA 673.15
- k. The Board of adjustment will hear with interest any evidence that pertains to the facts of the Case or how the facts relate to the provisions of the zoning ordinance and state zoning law.
- l. The Chairman shall present a summary setting forth the facts of the case and the claims made for each side (see Findings of Facts form in Appendix C). Opportunity shall be given for correction from the floor.

- m. The public hearing on the Case shall be declared closed and the Case will be declared to be before the Board. The Board will deliberate and make its decision.
- n. All subsequent cases shall then be heard in the order they were presented.

143.9 Decision Process

Before deliberations begin, the Chairman shall allow non-sitting alternates, the Selectmen's Liaison, if present, and the Zoning Administrator or his/her replacement to ask questions and give input, if they so desire.

Once this phase is completed, the Chairman shall declare the matter before the Board and the sitting members present who are voting will raise any further questions they may have and then deliberate all concerns in order to reach a decision on the request.

The Board shall vote on each of the applications for which testimony was given, after adequate deliberations.

For the granting of variances: the Board will consider a "vertical" (member) method of voting on each request. [04-11-19]

The Chairman shall announce all decisions after the vote has been taken, and explain that the appeal/Re-Hearing process is available to all aggrieved w/in 30 days of the meeting vote [9-26-19]

143.10 Deferment and Withdrawal

After public notice has been given, each application presented to the Board for consideration may be deferred or withdrawn only by action of the Board, following receipt of written notice to the Zoning Administrator or to the Board, itself, by the applicant. A sitting member must make a motion to defer until the next regular meeting or a date specific, that motion must be seconded and voted on by the sitting members of the case in question, and abutter notice shall be presumed to have been accomplished by the decision of the Board's vote.

In the event that a deferred applicant is not ready when the case comes back before the Board, the Board may initiate withdrawal of the application, with or without prejudice, where "with prejudice" means that any new application (unless substantially changed) cannot be filed for a period of one year. Filing fees shall not be returned for withdrawn cases that have been reviewed and processed by staff with public notice of a scheduled hearing having been posted.

Moreover, once an application has been withdrawn, any re-application shall be considered a new application and the applicant shall be required to pay all applicable fees for consideration. In the event of a Board-initiated deferment, because members felt it necessary for more information or other reason, a sitting member must make a motion to defer until the next regular meeting or a date specific, that motion must be seconded and voted on by the voting members of the case in question, and abutter notice shall be presumed to have been accomplished by the decision of the Board's vote, but in some rare instances the Board may require that notification fees be paid again for deferred cases in order to ensure that abutters are properly notified. In the event of the Board's acceptance of a request for deferment by the applicant at the meeting, the request shall be handled in the same manner as a Board-initiated deferment. In the event that the applicant is not ready when the case comes back before the Board, the Board may initiate withdrawal of the application, with or without prejudice, as described above.

143.11 Reconsideration by the Board

The Board may reconsider a decision to grant or deny an application or grant or deny a motion for rehearing provided such reconsideration is within the appeal period of the original decision as per RSA 667:3

143.12 Motions for Rehearing

If the Board grants a motion for rehearing, the new public hearing shall be held within 30 days of the decision to grant the rehearing provided all notice fees are paid and an updated abutters list is submitted by the party requesting the rehearing. Notification of the rehearing shall follow the procedures set forth in RSA 677:2. [October 2012]

143.13 Records

1. The records of the Board shall be kept by the Zoning Administrator and made available for public inspection at Hudson Town Hall in accordance with RSA 673:17.
2. Final written decisions will be placed on file and available for public inspection within 5 business days after the decision is made. RSA 676:3
3. Minutes of all meetings including names of Board members, persons appearing before the Board, and a brief description of the subject matter shall be open to public inspection within 5 business days of the public meeting. RSA 91-A:2 II

143.14 Waivers

Any portion of these rules of procedure may be waived in such cases where, in the opinion of the Board, strict conformity would pose a practical difficulty to the applicant and a waiver would not be contrary to the spirit and intent of the rules. A majority of the Board present shall vote any waiver.

143.15 Joint Meetings and Hearings

1. RSA 676:2 provides that the Board of Adjustment may hold joint meetings or hearings with other "Land Use Boards," including the Planning Board, the Historic District Commission, the Building Code Board of Appeals, and the Inspector of Buildings, and that each Board shall have discretion as to whether or not to hold a joint meeting with any other land use Board.
2. Joint business meetings with any other land use Board may be held at any time when called jointly by the Chairman of the two Boards.
3. A public hearing on any appeal to the Board of Adjustment will be held jointly with another Board only under the following conditions:
 - a. The joint public hearing must be a formal public hearing on appeals to both Boards regarding the same subject matter; and
 - b. If the other Board is the Planning Board, RSA 676:2 requires that the Planning Board Chairman shall chair the joint hearing. If the other Board is not the Planning Board, then the Board of Adjustment Chairman shall chair the joint hearing; and
 - c. The provisions covering the conduct of public hearings, set forth in these rules, together with such additional provisions as may be required by the other Board, shall be followed; and
 - d. The other Board shall concur with the above.

Attachment “A” [9-26-19]

Chairman’s introduction/order of business

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

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

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

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

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

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

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

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

Before we begin a few housekeeping items:

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

Will the Clerk please call for attendance.....

Appendix “B” “Clerk” Duties [xx-xx-2022]

Roll Call / Attendance Sheet: Sheet provided by Town staff. Mark each Member as either Present, Absent or Excused – as well as Zoning Administrator, Selectmen Liaison and Recorder. [Note: Sheet should also list Alternate Selectmen Liaison]

Case # Sheet: Prefilled by Staff with Name of Applicant, Case # etc. For each Member identify if present and whether voting on the Case (“Sitting Member” = voting on Case); identify who made the motion and who seconded the motion. Write out the Motion and any conditions/stipulations applied to it and the vote. If there is opposition [or abstinence] must identify the individual(s) and reason(s) why.

Individual Member Vote Sheet: Collect and make sure they are signed.

Exhibits / Material received at/during meeting: Write the Case # it applies to, date received (the date of the meeting) and assign it an Exhibit #, beginning with “A”.

Place all Sheets in ZBA Clerk Binder / Notebook.

CLERK PURPOSE –With a reliable Recorder and the recent change to the ByLaws (including the shift of preparing NODs to the Recorder), extensive note taking is no longer required by the Clerk – just the basics to satisfy RSA 91-A:2.II

- in the odd event that something happens to the Recorder, the Clerk's notes can be utilized to produce and meet the RSA's (minimum) Minute requirements as follows:

"Minutes ... shall include the names of members, persons appearing before (the Board) ... and a brief description of the subject matter discussed and final decisions ... who made and seconded the motion..." and the vote

CLERK / MEETING BINDER

- 1) Meeting Date
- 2) Time Chairman called meeting to order
- 3) Standard intro – in the order performed: Pledge, Preamble, attendance
- 4) Case # and who read into the record
- 5) Name of person(s) presenting the Case
 - Applicant
 - Applicant's attorney – full name, firm name and address

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- Engineer - full name, firm name and address
 - Other (example: parent, child, realtor)
 - Exhibits, if any received during hearing
- 6) Public Testimony
- Time opened
 - Chairman requests an order – supporting/opposed/neutral
 - ID who addressed the Board – full name & address
 - Time closed
- 7) Motion
- ID who made the Motion & who seconded
 - Write out any stipulations, if made
 - Vote – if any opposed or abstained, id by name & why
- 8) Repeat 4), 5), 6) &7) for each Case on the Agenda
- 9) Agenda Item # - Minutes etc – see 7)
- 10) Motion to adjourn – who made & seconded - Time adjourned -