

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 – August 25, 2022 (* Amended 8/17/22)

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, **August 25, 2022 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 182-036 (08-25-22):** Patrick & Shannon Lacasse, 7 **Fulton Street, Hudson, NH** requests two (2) Variances to permit an existing 2nd dwelling unit to remain as an Accessory Dwelling Unit (ADU) within the existing structure also used as a single family dwelling unit, with relief from the following provisions in the Hudson Zoning Ordinance [Map 182, Lot 036-000; Zoned Town Residence* (TR)]:
 - a. A Variance for relief from the common interior access requirement between the principal dwelling unit and the ADU. [HZO Article XIII A, Accessory Dwelling Units; §334-73.3 E, Provisions]
 - b. A Variance to allow two (2) driveways to remain where a separate driveway for the ADU is not allowed. [HZO Article XIII A, Accessory Dwelling Units; §334-73.3 G, Provisions]
2. **Case 167-031 (08-25-22):** Shanna Moreau, **128 Highland Street, Hudson, NH** requests a Variance for a proposed installation of a 15 ft. x 30 ft. above ground residential pool to be located 10 feet into the side yard setback leaving 5 feet where 15 feet is required. [Map 167 Lot 031-000; *Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]

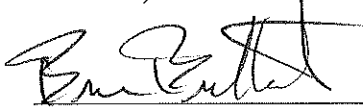
IV. REQUEST FOR REHEARING: None

V. REVIEW OF MINUTES:

07/28/22 edited Draft Minutes

VI. OTHER:

- 1) * ZBA Training/Workshop- Member availability and tentative date ?
- 2) Notice of Hearing date from Superior Court – 8 Washington Dr. appeal.



Bruce Buttrick
Zoning Administrator

su | do | ku

© Puzzles by Pappocom

9x9 grid for the 'su | do | ku' puzzle.

Fill in the puzzle so that every row, every column and every 3x3 grid contains the digits 1 through 9.

3x3 grid showing the solution to the 'su | do | ku' puzzle.

WONDERWORD

By DAVID OUELLET

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally and even backward.

SOLVING DEBT PROBLEMS

Solution: 6 letters

15x15 grid for the Wonderword puzzle.

© 2022 Andrews McMeel Syndication www.wonderword.com 8/17

Account, Advisor, Amount, Assistance, Auto, Balance, Bank, Buyer, Cable, Calculate, Calendar, Card, Career, Cases, Cash, Chart, Cost, Coupon, Deposit, Dollar, Employment, Expenses, Finance, Funds, Goals, Income, Invest, Loan, Management, Mortgage, Payment, Rate, Rent, Review, Salary, Save, Schedule, Sell, Skill, Spend, Statement, Total, Track, Value, Wage

Yesterday's Answer: Name

Crossword

Eugene Sheffer

Crossword puzzle grid with clues for Across and Down.

Solution time: 23 mins.

Completed crossword puzzle grid.

Yesterday's answer 8-17

Legal Notice

Precision Towing and Recovery Inc. 1065 Hanover Street Manchester, NH 03104 August 31, 2022 - 9am

The last publication shall be on or before September 12, 2022. Also, ON OR BEFORE 30 days after the last publication - Heirs, Devisees, Successors and Legal Representatives of Edward J. Murphy shall electronically file an Appearance and Answer or responsive pleading with this court.

October 03, 2022 - Bank of New York Mellon Trust Company, N.A., Trustee shall electronically file the Return of Publication with this Court.

Notice to Heirs, Devisees, Successors and Legal Representatives of Edward J. Murphy: If you are working with an attorney, they will guide you on the next steps.

Legal Notice

THE STATE OF NEW HAMPSHIRE JUDICIAL BRANCH SUPERIOR COURT Hillsborough Superior Court Northern District 300 Chestnut Street Manchester NH 03101

Once you have responded to the Complaint, you can access documents electronically filed through our Case Access Portal by going to https://odpna.nhcourts.us/portal

If you do not comply with these requirements, you will be considered in default and the Court may issue orders that affect you without your input.

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

JZWMC BRBTDZG WTPVQ PVUAMG

IKR IZP ZU MOBMGS ZS

MOSGZQSVUA DMZC RGM JGRW

WVUMP: AZDMUZ KRGUM.

Yesterday's Cryptoquip: WHAT COULD YOU CALL PEOPLE WHO SEEM TO MAKE DUMB MISTAKES AT EVERY TURN? BLUNDER-ACHIEVERS.

Today's Cryptoquip Clue: B equals P

Cryptoquip

The cryptoquip is a simple substitution cipher in which each letter used stands for another. If you think the X equals O, it will equal O throughout the puzzle.

Bridge

Steve Becker

In general, it is not wise to double the opponents for penalties unless you think you can defeat the contract at least two tricks.

gain 50 points, you might lose 170, which means you are giving odds of about 3.5 to 1 that the contract will fail.

Bridge hand layout showing North, West, East, and South cards.

The bidding: North 1♣, East 1♦, South 1♠, West 1NT. Pass 2♦, 2♣, Dble. Opening lead — eight of diamonds.

Consider this deal from a duplicate game where West made a very close double of two spades. This was an especially risky double because, if West's hopes failed to materialize, he would be doubling the opponents into game.

Horoscope

Eugenia Last

IF BORN ON THIS DATE: Settle down and monitor situations before you get involved. Refuse to let your emotions take over and lead you in the wrong direction.

TAURUS (April 20-May 20) You'll get the wrong impression if you let your emotions take over. Be aware of what others are doing, and ask questions to ensure you know what's happening.

GEMINI (May 21-June 20) Sit sight and observe. Choose your words wisely, and give no one a chance to misinterpret what you say.

CANCER (June 21-July 22) Call on people you know you can count on for assistance. A conversa-

tion will convince you to branch out in a direction where you know your skills can do some good.

LIBRA (Sept. 23-Oct. 22) Charm your way into a position that gives you a shot at presenting what you have to offer.

SCORPIO (Oct. 23-Nov. 21) Refuse to let anyone limit your potential. Pour your energy into change and completion.

SAGITTARIUS (Nov. 22-Dec. 21) Focus less on the demands being put on you, and strive to satisfy your dreams.

CAPRICORN (Dec. 22-Jan. 19) Question what's happening, and figure out what you want before implementing change.

AQUARIUS (Jan. 20-Feb. 18) Be reasonable and compromise. Getting along with others will strengthen your position among friends, peers and family members.

PISCES (Feb. 19-March 20) Chancing how you handle responsibilities will help you nullify negative comments that can hurt your reputation.

LIBRA (Sept. 23-Oct. 22) Charm your way into a position that gives you a shot at presenting what you have to offer.



TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearing THURSDAY, AUGUST 25, 2022

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, August 25, 2022 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the basement of the Hudson Town Hall, 12 School St., Hudson, NH.

PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD: 1. Case 182-036 (08-25-22): Patrick & Shannon Lacasse, 7 Fulton Street, Hudson, NH requests two (2) Variances to permit an existing 2nd dwelling unit to remain as an Accessory Dwelling Unit (ADU) within the existing structure also used as a single family dwelling unit.

a. A Variance for relief from the common interior access requirement between the principal dwelling unit and the ADU. [HZO Article XIII A, Accessory Dwelling Units; §334-73.3 E, Provisions]

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JUMBLE THAT SCRAMBLED WORD GAME

By David L. Hoyt and Jeff Knurek

Jumble game interface with word grids and a cartoon illustration of a DJ.

Yesterday's Jumbles: LATCH CRIMP GLADLY ODDST Answer: The Everglades reptile that was following too close was a - "TAIL-GATOR"

KidSpot

By Dan Thompson

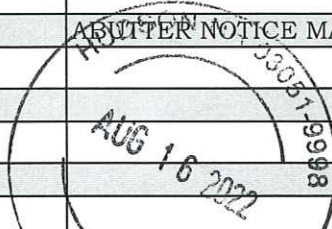
Guess his age Today is my cat Fritz's birthday. I won't tell you his age, but can you figure it out from the clues in this number puzzle?

Clues: It is a number from 1 to 10. It's an even number. It's more than 4. It's not 10 minus 2. It is not 4 plus 6.

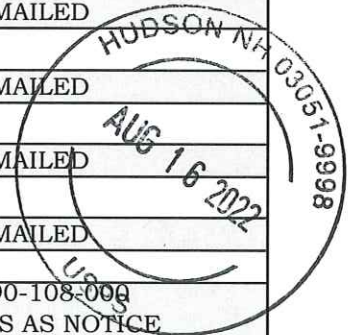
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SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 182-036 2 Variances a & b 7 Fulton Street Map 182/Lot 036-000
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/25/2022 ZBA Meeting
1	7021 1970 0000 0964 0305	GEER, SHANNON B.; LACASSE, PATRICK A. 7 FULTON STREET, HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	7021 1970 0000 0964 0312	BRIN, DIANE C. 5 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	7021 1970 0000 0964 0329	KOHL, MITCHELL A. 8 FULTON ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	7021 1970 0000 0964 0336	NARDONI, JOSEPH R.& KATHERINE M. 20 MAPLE AVENUE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	7021 1970 0000 0964 0343	STEWART, KADE N. & TOMOMI 5 FULTON ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	7021 1970 0000 0964 0350	BROWN, CHRISTOPHER LANE; BROWN, EMILY C. EASTMAN 22 MAPLE AVENUE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	7021 1970 0000 0964 0367	O'CONNOR, MARK E. & MARY K. 7 REED STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	7021 1970 0000 0964 0374	STAFFORD, THOMAS BRENNAN; STAFFORD, JENNIFER LEIGH 18 MAPLE AVENUE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	7021 1970 0000 0964 0381	BANNON, LOUISE M. 1 CHAPIN ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
10			
11			
	Total Number of pieces listed by sender 9	Total number of pieces rec'vd at Post Office <i>9</i>	Postmaster (receiving Employee) <i>Paula Angelli</i>



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 182-036 Variances a & b 7 Fulton Street Map 182/Lot 036-000	2 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/25/2022 ZBA Meeting	
1	Mailed First Class	SMITH, MARTHA E. , TR; LALIBERTE, KATHLEEN S., TR. ; MARTHA E. SMITH REV TRUST 41 LEXINGTON CT, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	SHUMSKY, MICHAEL, TR. ; BOURASSA, MARY ELLEN, TR. ; BOURASSA SHUMSKY REV TRUST 16 FULTON STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	CARON, CHRISTOPHER 19 MAPLE AVENUE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	NEWMAN, THEODORE W. 112 REDEMPTION ROCK TRAIL, APT A, STERLING, MA 01564	ABUTTER NOTICE MAILED	
5	Mailed First Class	COUILLARD, DONALD J. 14 FULTON STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	SULTAN, NASIR BIN; YUSOF, FARIDAH BINTI 13 REED ST, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	Mailed First Class	AMERICAN LEGION 37 CENTRAL STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	THERRIEN, KENNETH & MARCIA, TRSTS. ; THERRIEN FAMILY REV TRUST 1 REED ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class	SJL PROPERTIES OF NH, LLC 189 RIDGE RD., HOLLIS, NH 03049	ABUTTER NOTICE MAILED	
10	Mailed First Class	MELLENDEZ, LUIS; RUIZ, JHOAN MIGUEL 2 CHAPIN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
11	Mailed First Class	DAVIDSON PROPERTIES, LLC 81C SEAVERNS BRIDGE RD., MERRIMACK, NH 03054	ABUTTER NOTICE MAILED	
12	Mailed First Class	BAKER, SCOTT & COLLEEN 17 MAPLE AVENUE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
13	Mailed First Class	YOKSH, HALEY E. & ALEC N. 6 FULTON ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
14	Mailed First Class	HUGGINS, DEREK N. & TRACEE E. 1 SHUM WAY, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
		TOWN OF HUDSON 12 SCHOOL STREET, HUDSON, NH 03051	RE:182-042-000; 190-108-000 APPLICATIONS ACTS AS NOTICE	
	Total # of pieces listed by sender	Total # of pieces rec'vd at Post Office	Postmaster (receiving Employee)	
	14	14	Paula Angeli	



Non-Direct First Class



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

August 16, 2022

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, **08/25/2022** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

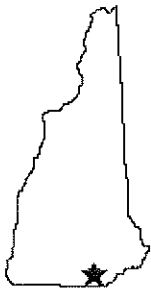
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Respectfully,


Bruce Buttrick
Zoning Administrator



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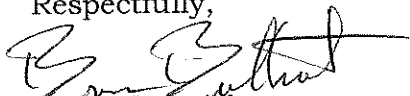
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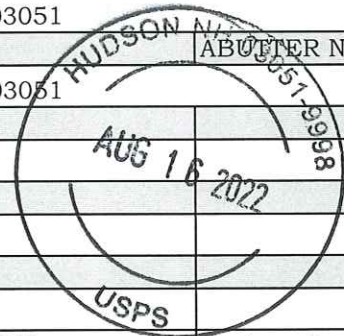
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A full copy of this application is available for your review on the Hudson Town Hall website: www.hudsonnh.gov or in the Land Use Department located at the Hudson Town Hall.

Respectfully,

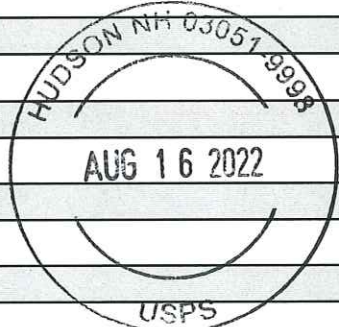

Bruce Buttrick
Zoning Administrator

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 167-031 128 Highland Street Map 167/Lot 031-000	Variance 1 of 1
ARTICLE NUMBER	Name of Addressee, Street, and post office address	08/25/2022 ZBA Meeting		
1	7021 1970 0000 0964 0398 JONES (Moreau), SHANNA 128 HIGHLAND ST., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED		
2	7021 1970 0000 0964 0404 TREMBLAY, LINDA M. 4 BONNIE LANE, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
3	7021 1970 0000 0964 0411 PARENT, BRYAN P. & MEAGHAN 132 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
4	7021 1970 0000 0964 0428 LIBERTY UTILITIES ATTN: ACC. PAYABLE-PAUL KINCH, 15 BUTTRICK RD., LONDONDERRY, NH 03053-3305	ABUTTER NOTICE MAILED; RE:167-030-000; 167-029-000		
5	7021 1970 0000 0964 0435 JEAN, SANDRA 5A LAMPRON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
6	7021 1970 0000 0964 0442 GILSON, STEPHEN & CHANHSAMONE, TRSTS; GILSON FAMILY REV LIVING TRUST 5B LAMPRON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
7	7021 1970 0000 0964 0459 ALI, AUSAMA MOHAMED; BOUAYADI, SOUKAYNA EL 135 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
8	7021 1970 0000 0964 0466 DAIGLE, BRUCE A. & BERNADETTE 127 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED		
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	Total Number of pieces listed by sender 8	Total number of pieces rec'd at Post Office	Postmaster (receiving Employee)	



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Paula
angeli

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1	Mailed First Class	PETERSON, MICHAEL D. & SHARON 122 HIGHLAND ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	BROCK, ROBERT G. & KATHLEEN T. 125 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	REILLY, KENDALL C. 5 BONNIE LANE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	BISBING, PAMELA L., TR.; BISBING REVOCABLE TRUST 123 HIGHLAND ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class	LIVINGSTON, MICHAEL P. TERRY L., TRSTS.; LIVINGSTON FAMILY REV TRUST 129 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	YEATON, MARK 118 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	Mailed First Class	MULLIGAN, MICHAEL S.; CONRAD, DARLENE 7 BONNIE LANE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	ROUSSEL, RONALD A. & WINIFRED E., TRSTS.; ROUSSEL IRREV. TRUST 134 HIGHLAND STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class	BIZARRO, EVARISTO S. & MARIA M. 3 BONNIE LANE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
10	Mailed First Class	FRANCOEUR, LEO R., TR.; FRANCOEUR REVOCABLE TRUST 6 BONNIE LANE, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
11				
12				
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	Total # of pieces listed by sender 10	Total # of pieces rec'vd at Post Office 10	Postmaster (receiving Employee) Paula Angeli	



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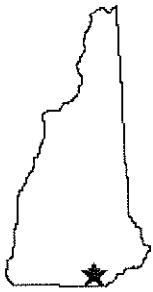
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Zoning Administrator



TOWN OF HUDSON

Land Use Division



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Zoning Administrator Staff Report

Meeting Date: August 25, 2022

BB
8-17-22

Case 182-036 (08-25-22): Patrick & Shannon Lacasse, 7 Fulton Street, Hudson, NH requests two (2) Variances to permit an existing 2nd dwelling unit to remain as an Accessory Dwelling Unit (ADU) within the existing structure also used as a single family dwelling unit, with relief from the following provisions in the Hudson Zoning Ordinance [Map 182, Lot 036-000; Zoned Town Residential (TR)]:

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Summary:

Applicant would like to continue an existing non-conforming 2nd dwelling unit (not known to be legal) within the structure, as an ADU.

Property description:

Two family - by configuration.

Existing lot of record: 29,620 sqft where 10,000 sqft is required. Lot frontage with 282 ft where 90 ft is required.

Property History

Assessing:

Listed as single family (101) until 2017, then 108 (not known to be legal ADU)

ZBA:

May 1973 - Denial for a 2 lot subdivision.

November 14, 1991 – Denial for second dwelling on same lot.

Zoning Determinations:

#19-137 (Code Enf complaint # 19-80)

#20-001 (Code Enf complaint # 19-80)

#20-001R

Code Enforcement:

Nov 7, 2019 Notice of Complaint

Building Permit:

Oct 6, 1977 BP# 165-78 addition to exist garage.

Sept 1984 BP# 116-85 “8 x 12 deck addition”

Jan 2001 Electrical Permit: service change to 200 amps
May 2005 BP# 14 x 22 2 story addition (screen porch 1st flr, bedroom 2nd flr)

IN-HOUSE Review/Comments:

Fire Dept: Comments: no
Planning Dept: Comments: no
Engineering Dept: Comments: yes

Attachments:

A: Assessing history: Listed as single family (101) until 2017, then 108 (not known to be legal ADU)
B: May 1973 - Denial for a 2 lot subdivision.
C: November 14, 1991 – Denial for second dwelling on same lot.
D: #19-137 (Code Enf complaint # 19-80)
E: #20-001 (Code Enf complaint # 19-80)
F: #20-001R
G: #22-100
H: Findings/Records/History summary report
I: Nov 7, 2019 Notice of Complaint
J: Oct 6, 1977 BP# 165-78 addition to exist garage.
K: Sept 1984 BP# 116-85 “8 x 12 deck addition”
L: Jan 2001 Electrical Permit: service change to 200 amps
M: May 2005 BP# 14 x 22 2 story addition
N: Engineering Dept in-house review/comments

Fiscal Year	Owner Lookup	Category	Date Saved	Primary LUC	Full Land Value	Total SFY Value	Full Building Value	Total Value	Land Exemption	SFY Exemption	Building Exemption	Agriculture Credit	Taxable Land	Taxable SFY	Taxable Building	Value Exemption	Total Value	To
2022	23930	JB	05/24/2022	108	99,300	50,000	270,900	370,200	0	0	0	0	99,300	50,000	220,900	0	0	
2021	23930	FV	09/27/2021	108	99,300	50,000	270,900	370,200	0	0	0	0	99,300	50,000	220,900	0	0	
2021	23930	JB	05/12/2021	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2020	23930	FV	08/27/2020	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2020	23930	JB	05/06/2020	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2019	23930	FV	09/16/2019	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2019	23930	JB	05/08/2019	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2018	23930	FV	08/27/2018	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2018	23930	JB	05/09/2018	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2017	23930	FV	10/26/2017	108	99,300	39,200	260,100	359,400	0	0	0	0	99,300	39,200	220,900	0	0	
2017	23930	FV	08/28/2017	101	99,300	25,800	243,700	343,000	0	0	0	0	99,300	25,800	217,900	0	0	
2017	23930	JB	05/10/2017	101	94,800	22,000	177,100	271,900	0	0	0	0	94,800	22,000	155,100	0	0	
2016	23930	FV	08/30/2016	101	94,800	22,000	177,100	271,900	0	0	0	0	94,800	22,000	155,100	0	0	
2016	23930	JB	05/11/2016	101	94,800	0	177,100	271,900	0	0	0	0	0	0	0	0	0	
2015	23930	FV	08/26/2015	101	94,800	22,000	177,100	271,900	0	0	0	0	94,800	22,000	155,100	0	0	
2015	23930	JB	05/08/2015	101	94,800	0	177,100	271,900	0	0	0	0	0	0	0	0	0	
2014	23930	FV	09/04/2014	101	94,800	22,000	177,100	271,900	0	0	0	0	94,800	22,000	155,100	0	0	
2014	23930	JB	05/07/2014	101	94,800	22,000	177,100	271,900	0	0	0	0	94,800	22,000	155,100	0	0	

108
↑
101
↓

Filter Options

Enter Fiscal Year to filter on:

Enter Category to filter on:

Enter Date Saved to filter on:

Exit

Apply Filter Options

Clear Filter Options

A

DATE MAY 24, 1973

PETITIONER:

JOSEPH RHODES

PROPERTY CODE NO. 3541

7 FULTON ST.

HUDSON, N. H.

In reply to your letter of APRIL 27 1973 which requested a zoning ordinance variation, the Zoning Board of Adjustment has reached the following decision:

Petition ~~Granted~~
Denied

REMARKS, COMMENTS, CONDITIONS:

SUBSTANDARD LOT SIZE AND BLDG. SIZE

Apply to the Building Inspector for permit.

Angus Dunt
Chairman
Zoning Board of Adjustment
Hudson, New Hampshire

B.I.

MEETING OF
BOARD OF DIRECTORS

#5

NO. _____

DATE 24 May 73

MEMBERS PRESENT

TIME 8 PM

Robert Quinn
Gerry Boucher
Terry Dunn
Fred Klose

APPLICANT FOR VARIANCE

NAME Joseph Rhodes
ADDRESS 7 Fulton St.
REPRESENTED BY _____

APPEARING IN FAVOR OF VARIANCE

NAME Himself NAME _____
ADDRESS _____ ADDRESS _____

APPEARING IN FAVOR OF VARIANCE

NAME _____ NAME _____
ADDRESS _____ ADDRESS _____

OPPOSED TO VARIANCE

NAME No one NAME _____
ADDRESS _____ ADDRESS _____
(SEE ATTACHED SHEET FOR ADDITIONAL NAMES)

MOTION MADE BY G. Boucher

SECONDED BY F. Klose

MOTION To DENY Based on lot size and building size.

VOTE

YES 3
NO 0 1 abstain
NOT VOTING 1

VARIANCE GRANTED
VARIANCE DENIED

REMARKS ON BACK OF PAGE

B₂

26,400 on his side of lot

17,500 on proposed side of lot

Bldg size - 28 x 16

Just make it for one apartment

850 Reg'd

440



Lot size variance - substandard

Substandard Bldg Size - inadequate

$\frac{220,400}{88,000}$ - Length

B₃

NOTICE OF DISAPPROVAL ←

On Thursday, November 14, 1991, The Hudson Zoning Board of Adjustment heard case 45-125 (11/14/91), pertaining to a request by David Murray of 7 Fulton Street

for a lot size area variance to place a second single-family home on what is currently Lot 125. [Map 47, Lot 125; Zoned A-1 Residential; HZO Article X, Section 334-54C; 60,000 sq. ft. required, approximately 30,450 sq. ft. provided.]

A majority of the members sitting on the Zoning Board of Adjustment for this hearing voted to deny this request, finding that the intended use did not satisfy the statutory requirements for an Area Variance.

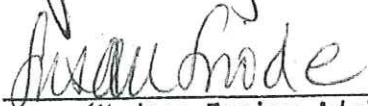
Findings:

- . Applicant does not meet criteria #1 and #4 of application.
- . Viable use of land currently.
- . May be economically viable.
- . No hardship created by not granting.
- . Policy of Board to adhere strictly to ordinance.
- . To have Board allow creation of substandard lots is contrary to Board's previous positions regarding substandard lots already created.
- . Single parcel as indicated by tax maps and records.

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

Signed: 
(Chairman of the Zoning Board of Adjustment)

Date: 11-19-91

Signed: 
(Hudson Zoning Administrator)

Date: 11/15/91





TOWN OF HUDSON

Land Use Division



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

Zoning Determination #19-137 Code enforcement complaint #2019-0080

December 27, 2019

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

Certified 7018 2290 0001 2945 4930
USPS 1st Class

RE: Zoning Ordinance Violation at:
7 Fulton St, Hudson, NH
Hudson Tax Map 182 Lot 036-000

Dear Shannon & Patrick,

Upon further review of our records of your property I make the following determination: of an unauthorized "additional dwelling unit" at the above referenced property.
The Town of Hudson Zoning Ordinance requires Building Permits and Certificate of Occupancies for any change of use, your use/creation of an additional dwelling unit to an existing dwelling unit is a violation of §334-16 and §334-8 respectively.

If you could please arrange with me a site visit with you at your property, by January 15, 2020, to discuss your options: 1) possible creation (after the fact) of an approved Accessory Dwelling Unit (ADU), 2) a variance to allow a two family, or oversized ADU, 3) and required permits/inspections for additional heating systems etc.
I do not know if this dwelling unit is configured as an ADU, or a separate standalone dwelling unit, thus I include the ADU checklist for your use.

Thank you in advance,

Bruce Buttrick, MCP

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

encl: 11-7-19 Notice of Complaint
cc: Public Folder
R. Buxton, Fire Chief
D. Hebert, Building Official
J. Michaud, Chief Assessor
File

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

D



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #20-001 Code enforcement complaint #2019-0080

January 3, 2020

USPS 1st Class

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

RE: Zoning Ordinance Violation at:
7 Fulton St, Hudson, NH
Hudson Tax Map 182 Lot 036-000

Dear Shannon & Patrick,

Thank-you for the site visit of January 3, 2020. My determination of the additional dwelling unit on the 2nd flr is not an ADU by (Zoning) definition, as that dwelling unit would need to communicate with the primary single family dwelling unit, and this one does not.

On further review of Town records of your property I make the following determination: That two family uses had occurred per assessing records up until ~1999/2001 at which time the property was listed as single family. Note: the Zoning Ordinance changed in 1994 to TR zone which allowed the two family as "existing non-conforming use" (grandfathered). I did not find any conversion back to two family which would have required a variance and permits.

Actually the conversion from two family to single family should have had a permit for the use change. The Town of Hudson Zoning Ordinance requires Building Permits and Certificate of Occupancies for any change of use, the use/creation of an additional dwelling unit to an existing dwelling unit is a **violation of §334-16 and §334-8 respectively.**

So here are the options available to you to keep as a second dwelling unit:

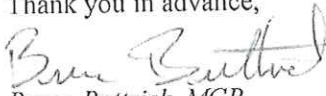
- 1) A Variance from the ZBA to allow a two family.
- 2) A Variance from the ZBA to allow an oversized > 750 sqft ADU and open/communicate the dwelling unit to the other dwelling unit.
- 3) A building permit to continue the ADU by opening/communicating with the other dwelling unit.

If you could please let me know which option you wish to proceed with, by January 21, 2020.

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

121

Thank you in advance,

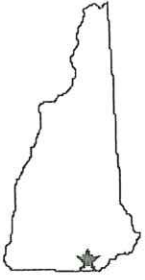

Bruce Buttrick, MCP

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

cc: Public Folder
R. Buxton, Fire Chief
D. Hebert, Building Official
J. Michaud, Chief Assessor
File

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





TOWN OF HUDSON

Land Use Division



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

Zoning Determination #20-001R

August 26, 2020

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

RE: Zoning Ordinance Violation at:
7 Fulton St, Hudson, NH
Hudson Tax Map 182 Lot 036-000

Dear Shannon & Patrick,

This is a revision/clarification of my prior Zoning Determination dated January 3, 2020.

You wish to continue the second Dwelling Unit upstairs as an ADU, satisfying all requirements of ARTICLE XIII A Accessory Dwelling Units. Except needing a variance to the following section: §334-73.3E, specifically: "*At least one common interior access between the principal DWELLING UNIT and an ADU must exist.*"

Regards,

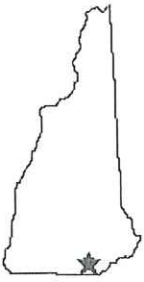

Bruce Buttrick, MCP

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

encl: Jan 3 2020 Zoning Determination #20-001
cc: Public Folder
File

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

F



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #22-100

July 28, 2022

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

RE: 7 Fulton St Map 182 Lot 036-000
District: Town Residence (TR)

Dear Shannon & Patrick,

Request: To continue as an ADU on the 2nd Flr.

History:
The dwelling unit on the 2nd flr is not an ADU by (Zoning) definition. On further review of Town records of your property, I note the following: That two family uses had occurred per assessing records up until ~1999/2001 at which time the property was listed as single family. Note: the Zoning Ordinance changed in 1994 to TR zone which allowed the two family as "existing non-conforming use" (grandfathered). I did not find any conversion back to two family.

Determination:
You will need Variances from Article XIII A Accessory Dwelling Units, sections:
§334-73.3 Provisions:

- E. "At least one common interior access between the principal DWELLING UNIT and an ADU must exist. Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist."
G. "A minimum of four off-street paved parking spaces shall be provided to serve the combined needs of the principal DWELLING UNIT and an ADU. There shall not be a separate driveway for the ADU."

Sincerely,

Bruce Buttrick
Zoning Administrator/Code Enforcement Officer

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.

91



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 07/27/2022

Property Location 7 Fulton St

Map 182 Lot 36 Sublot 0

Zoning District if known TR

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)

would like to make our existing adu legal. When we purchased the house in 2000, the adu was existing and because of this, we thought it was approved by the town. The only parts of the adu that does not meet the requirements is that it doesn't have a shared common space (it would open to our bedroom) and that the house has two driveways. The two driveways were part of the house when we purchased it in 2000 as well. It is our hope to complete the variance process for the August meeting.

Applicant Contact Information:

Name: Shannon Lacasse
Address: 7 Fulton St. Hudson NH 03051
Phone Number: _____
Email: pslacasse@aol.com

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

92

Buttrick, Bruce

From: Buttrick, Bruce
Sent: Thursday, July 28, 2022 10:34 AM
To: 'Shannon Lacasse'
Cc: Goodwyn, Tracy
Subject: RE: ADU
Attachments: 22-100 Zoning Determination - 7 Fulton St - continue exist ADU.pdf

Shannon,
I reviewed your ADU application checklist and submit the attached Zoning Determination.

Please start the Variance application (checklist pages 2-3).

Link: https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning/code_enforcement/page/1751/cdd-zn-variance-rev_07-21-21.pdf

We can help out with the abutter list(s). **We will need to review your Final Draft/Original before you make all the copies.....**

Please identify the ADU floor plan with all elements of such: Kitchen/eating, living, sleeping and bath, and according dimensions/sizes.

If the ADU winds up > 750 sqft then another Variance will be required (§334-73.3 H).

Please clarify your parking situation. You do need a variance for the additional driveway, is there a total of 4 parking spaces available on property?

This is a start.....

Bruce

Bruce Buttrick
Zoning and Code Enforcement



Town of Hudson
Land Use Division
12 School Street
Hudson, NH 03051
Ph: (603) 886-6008
F: (603) 594-1142

From: Shannon Lacasse <PSLACASSE@aol.com>
Sent: Wednesday, July 27, 2022 8:25 PM
To: Buttrick, Bruce <bbuttrick@hudsonnh.gov>
Subject: ADU

93

EXTERNAL: Do not open attachments or click links unless you recognize and trust the sender.

Hi,
Please find the enclosed ADU and zoning paperwork for our property. Please let me know if you need anything else or what our next steps are. Thank you so much for your help, we truly appreciate it.

Thank you,
Shannon

- >
- >
- >
- > Sent from my iPhone

64



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 7/27/22
 Property Location 7 Fulton St Hudson NH 03051
 Map 182 Lot D3e Sublot _____
 Zoning District if known TR

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)

We would like our 2nd floor additional dwelling unit to be a legal ADU. We purchased the house in 2000 and the ADU was part of the home. We were unaware that it was not an approved ADU.

Applicant Contact Information:

Name: Patrick and Shannon Lacasse
 Address: 7 Fulton St Hudson, NH 03051
 Phone Number: 603-234-9812
 Email: pslacasse@aol.com

For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

65

TOWN OF HUDSON, NH

Accessory Dwelling Unit Checklist

The following requirements/checklist pertain to all applications for Accessory Dwelling Units (ADU) in the Town of Hudson, NH:

Applicant Initials		Staff Initials
<u>SS</u>	The applicant must provide two (2) copies of this filled-out checklist form (this entire packet), together with the required documentation listed in this application checklist.	_____
<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).	<u>BB</u>
<u>SS</u>	Either the principal dwelling unit or the ADU must be occupied by the owner of record of the principal dwelling.	<u>BB</u>
<u>SS</u>	Upon request of the Zoning Administrator or other official with authority to enforce this ordinance, the owner of record shall demonstrate that one of the units is his or her principle place of residence.	<u>BB</u>
<u>SS</u>	The ADU is only allowed in zoning districts where single family dwellings are permitted.	<u>BB</u>
<u>SS</u>	ADU is not allowed as a freestanding detached structure.	<u>BB</u>
<u>SS</u>	ADU is not allowed as part of any structure which is detached from the principle dwelling.	<u>BB</u>
<u>SS</u>	Manufactured housing, recreational vehicles or trailers may not be erected or added to the principal dwelling as an ADU.	<u>BB</u>
<u>SS</u>	Multiple ADU's are not permitted on any lot in any district.	<u>BB</u>
<u>SS</u>	The maximum number of unrelated persons occupying an ADU shall not exceed two (2).	_____
<u>SS</u>	An ADU shall make provisions for adequate water supply and sewage disposal in compliance with NH RSA 485-A:38 and regulations adopted by the NH Department of Environmental Services, but separate systems shall not be required for the principal STRUCTURE and ADU. Verification of compliance with RSA 485-A:38 shall be filed with the Town prior to issuance of a building permit.	<u>BB</u>
<u>SS</u>	The application must include two (2) copies of the floor plan showing the existing and proposed dwelling units. Pictures and construction plans will also be helpful.	_____
<u>SS</u>	A site plan consisting of either a current plot plan, or survey or GIS map shall be provided indicating the location of the ADU structure and proposed parking.	_____

Town
H₂O ✓

Sewer

of water Mats? 1

96

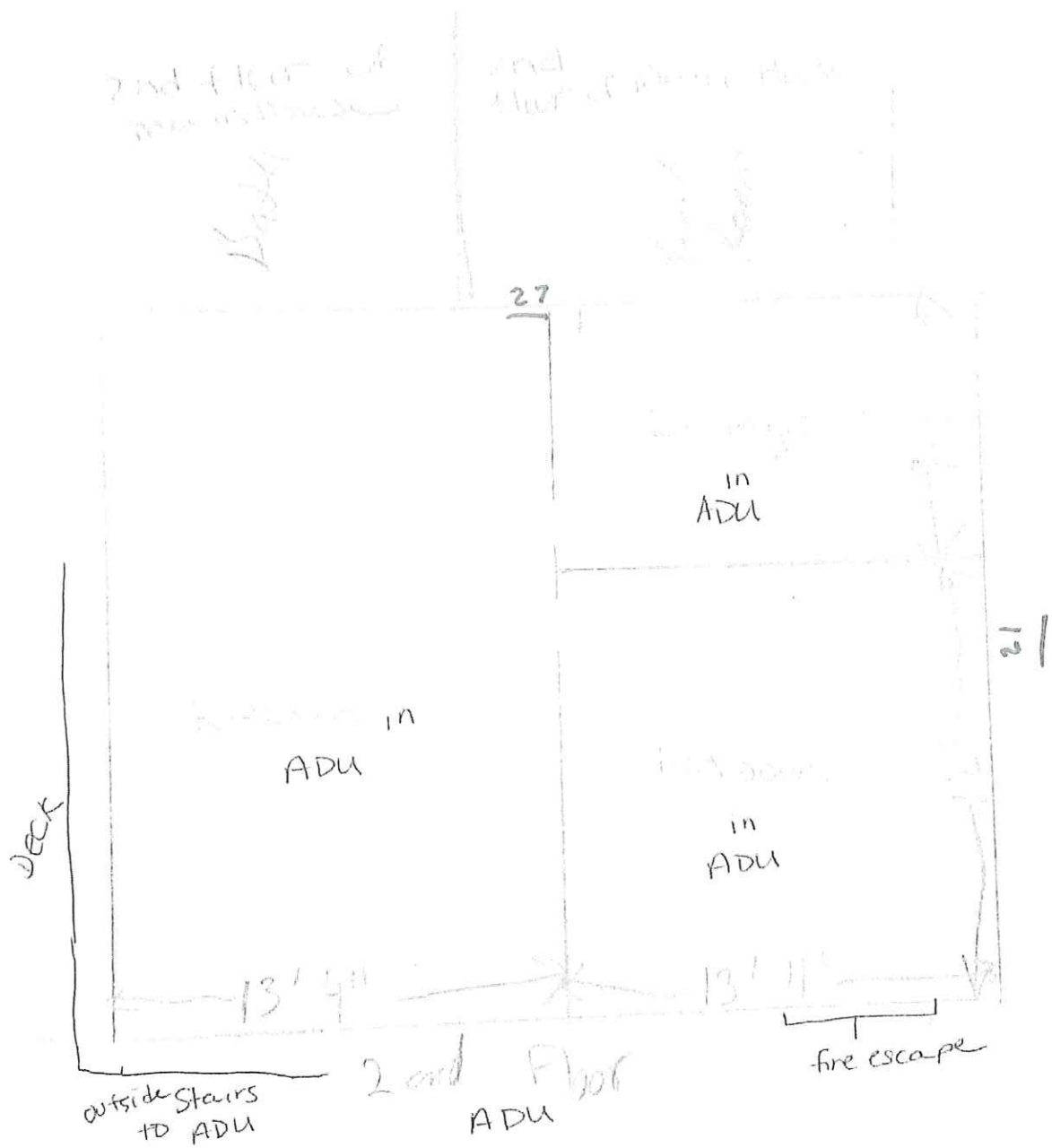
TOWN OF HUDSON, NH

Accessory Dwelling Unit Checklist

PLOT PLAN- *If any new footprint addition is proposed, a plot plan of the proposal shall be required*

- a) N/A The plot plan shall have the signature and the name of the preparer, with his/her their seal. _____
- b) N/A The plot plan shall include all existing buildings and other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. _____
- c) N/A The plot plan shall include lot dimensions 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 Inspectional Services Division). _____
- d) N/A The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. _____
- e) N/A The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. _____
- N/A The plot plan shall indicate all parking spaces and lanes, with dimensions. _____
- SS A minimum of four (4) off street paved parking spaces shall be provided to serve the combined needs of the principal dwelling unit and the ADU. VARIANCE
- _____ There shall not be a separate driveway for the ADU. VARIANCE
- SS The front face of the principal dwelling structure is to appear as a single family dwelling after any alterations to the structure are made to accommodate an ADU. BB
- SS Any additional entrances must be located on the side or rear of the structure. BB
- _____ Provide one common interior access between the principal dwelling unit and the ADU. VARIANCE
- SS Two (2) external means of egress (common or separate) from both a principal dwelling unit and the ADU must exist. BB
- SS Separate utility service connections and/or meters for the principal dwelling unit and the ADU shall not exist. (Separate/different heating systems are allowed.) BB
- _____ Separate service connections for common areas shall be as required by building and electrical codes. BB
- SS The size of the ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of the ADU. Measurement of size shall be consistent with Town Assessor's practices. _____
- SS The size proposed for the ADU: 600 square feet. _____
- SS The remaining size of the principal dwelling unit: 2,035 square feet. _____
- SS The ADU shall not have more than two (2) bedrooms. _____

97



Where is bathroom ASSOCIATED w/ ADU?

ADU = 567 sq ft

7 Fulton St

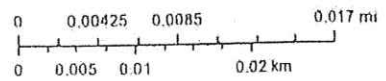


July 27, 2022

Legend

- Parcels - Aerials
- Parcels

1:505



69

Findings/records for 7 Fulton St Map 182/ Lot 036-000

Assessing card (1974) indicates 1 kitchen.

Oct 6, 1977 B/P application proposed 23 x 13 addition to exist garage as non-heated utility/storage/garage. B.P. # 165-78 issued Oct 10, 1977

Inspec/Code Enforce memo dated 6-11-91. Question from appraiser: *is this a single family? In-law appt?* answered: *only single family, anything else is illegal, phone conv 11:50 6-11-91*

Assessing card print date 01/12/93 with a handwritten note: *"inspected 11/27/01, single family only JM"*

Electrical permit dated Jan 5, 2001 #166-01 issued for 200 amp service change.

Permit application # 2005-501 May 4, 2005, indicates single family, addition: 1st Flr screened on porch and 2nd flr adding onto bedroom 14 ft x 22 ft. Electric permit # 194-06 associated B/P # 501-05.

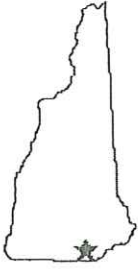
Summary:

From Assessing records (print date 01/12/93) printout indicated 2 family, but was corrected to single family.

No other assessing records indicate 2 family or ADU.

Building permits do not indicate any conversion from single family to 2 family or ADU.

H



TOWN OF HUDSON
Land Use Division



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

Notice of Complaint

COPY

November 7, 2019

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

Certified 7019 0700 0000 2993 5123
USPS 1st Class

RE: Possible Zoning Ordinance Violation at:
7 Fulton St, Hudson, NH
Hudson Tax Map 182 Lot 036-000

Dear Shannon & Patrick,

Upon review of our records of your property I make the following complaint of an unauthorized "additional dwelling unit" at the above referenced property.

The Town of Hudson Zoning Ordinance requires Building Permits and Certificate of Occupancies for any change of use, such as the creation of an additional dwelling unit to an existing dwelling unit as is in this complaint, §334-16 and §334-8 respectively.

If you could please arrange with me a site visit with you at your property, to discuss your options: 1) possible creation (after the fact) of an approved Accessory Dwelling Unit (ADU), 2) a variance to allow a two family, or oversized ADU, 3) and required permits/inspections for additional heating systems etc.

Thank you in advance.

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

encl: ADU checklist
cc: Public Folder
R. Buxton, Fire Chief
D. Hebert, Building Official
J. Michaud, Chief Assessor
File

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

I



Town of Hudson, N. H.

Office of Town Building Inspector

BUILDING PERMIT

No. 165-78

Oct. 10, 1977

This certifies that Joseph K. Kishner Name of Owner

is granted permission to ^{erect} addition to present garage 21'6" x 13'3" Description
^{alter}
^{repair}
^{move}

.....
of Building

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

2754 77 Eaton St 2776-47/125
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.

Richard E. Millard
Administrative Officer

2000





TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date Oct 6 1977

Residential	X
Commercial	
Industrial	
Garage	X
Breezeway	
No. of Units	
ADDITION	X

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

New	
Alter	X
Addition	X
Repair	

Permit Number
165-78

Name of Owner Joseph Rhodes Address 7 Fulton Street Tel. _____

Land Purchased From _____ Address _____

Location 7 Fulton St. Hudson Property Tax No. 2754

Name of General Contractor P+P Assoc. Map and Lot No. 47/125

Name of Heating Contr. N/A Name of Electrical Contractor Locicero, Alan F.

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

Name of Fireplace Mason N/A Name of Masonry Contractor N/A (P+P Assoc)

Material of Building Wood Style of Roof SLOPE 2" PER 1' Roof Covering Roll Asphalt

Size of Foundation 8" Living Floor Area N/A No. of Stories ONE (1)

Size of Garage 23'6" X 23'3" Water NONE Sewer NONE

Foundation Material CONCRETE (POURED) Width 8" Height VAR. Footings Yes No

Fireplace No. of Flues N/A Size N/A Chimney Material N/A

Brief Description of Repair, Alter or Other Proposed addition to present garage with oversized, overhead door (9'x8'). Proposed addition to cover additional 307 1/2 sq. ft. Proposed addition to be a non-heated utility/storage/garage structure.

4.00

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 P+P Assoc. will notify the Building Inspector when foundation, frame, chimneys, fire-stops and heater-pipes, electrical wiring and plumbing are ready for inspection. I also certify that I have been authorized by the owner to apply for this permit.

OVER

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

Owner's Signature Joseph Rhodes

Contractor's Signature P+P Assoc.

Address 7 Red Street, Hudson, N.H.



Application For Permit to Build

No.

Location

Estimated Cost \$

PERMIT GRANTED

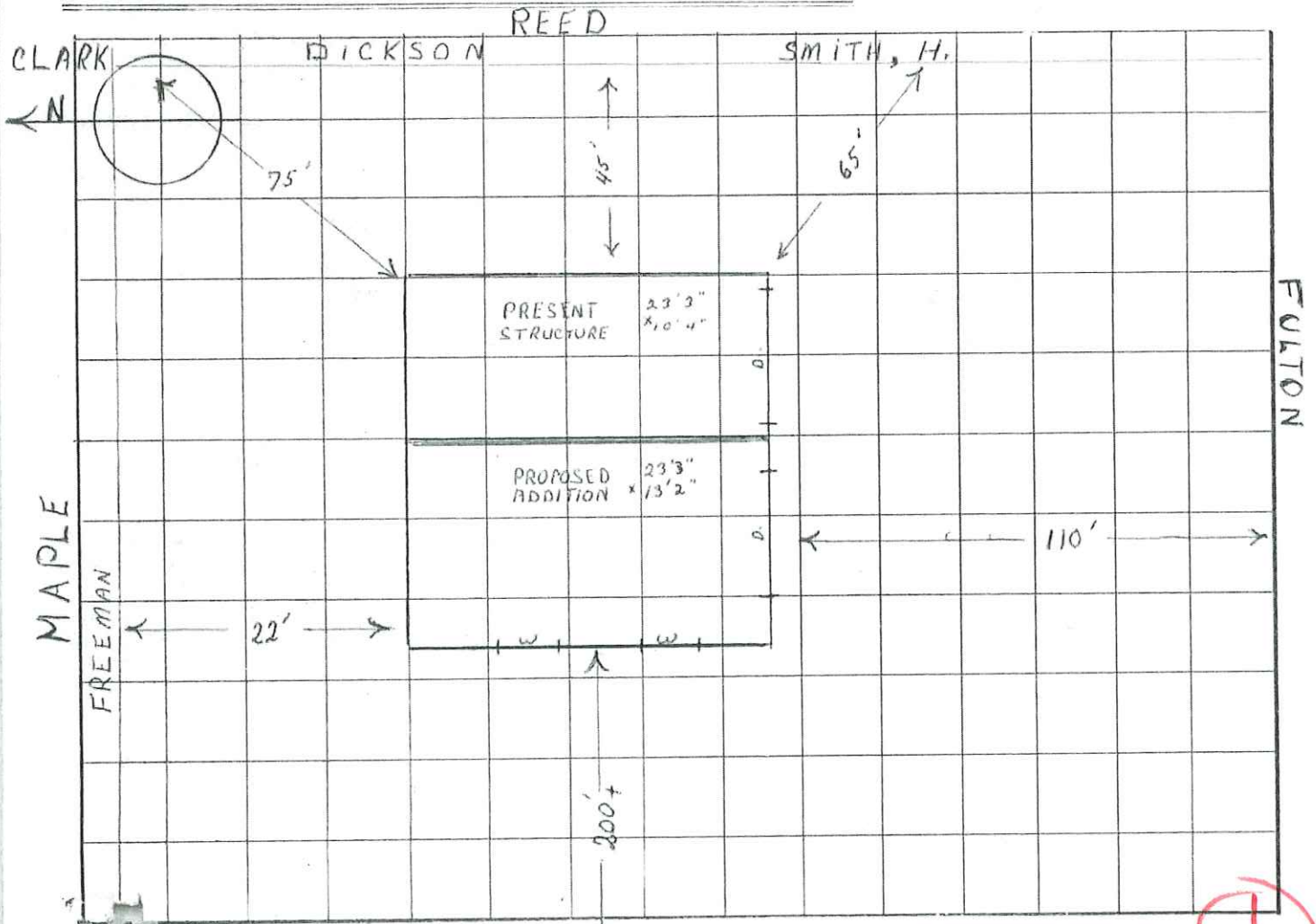
WORK COMPLETED

Building Inspector

COMMENTS

PLOT PLAN

LOT Joseph Rhodes Owner's Name
 SHEET 7 FULTON STREET No. Street
 SCALE 1" = 10 ft. _____ District _____



NOTE

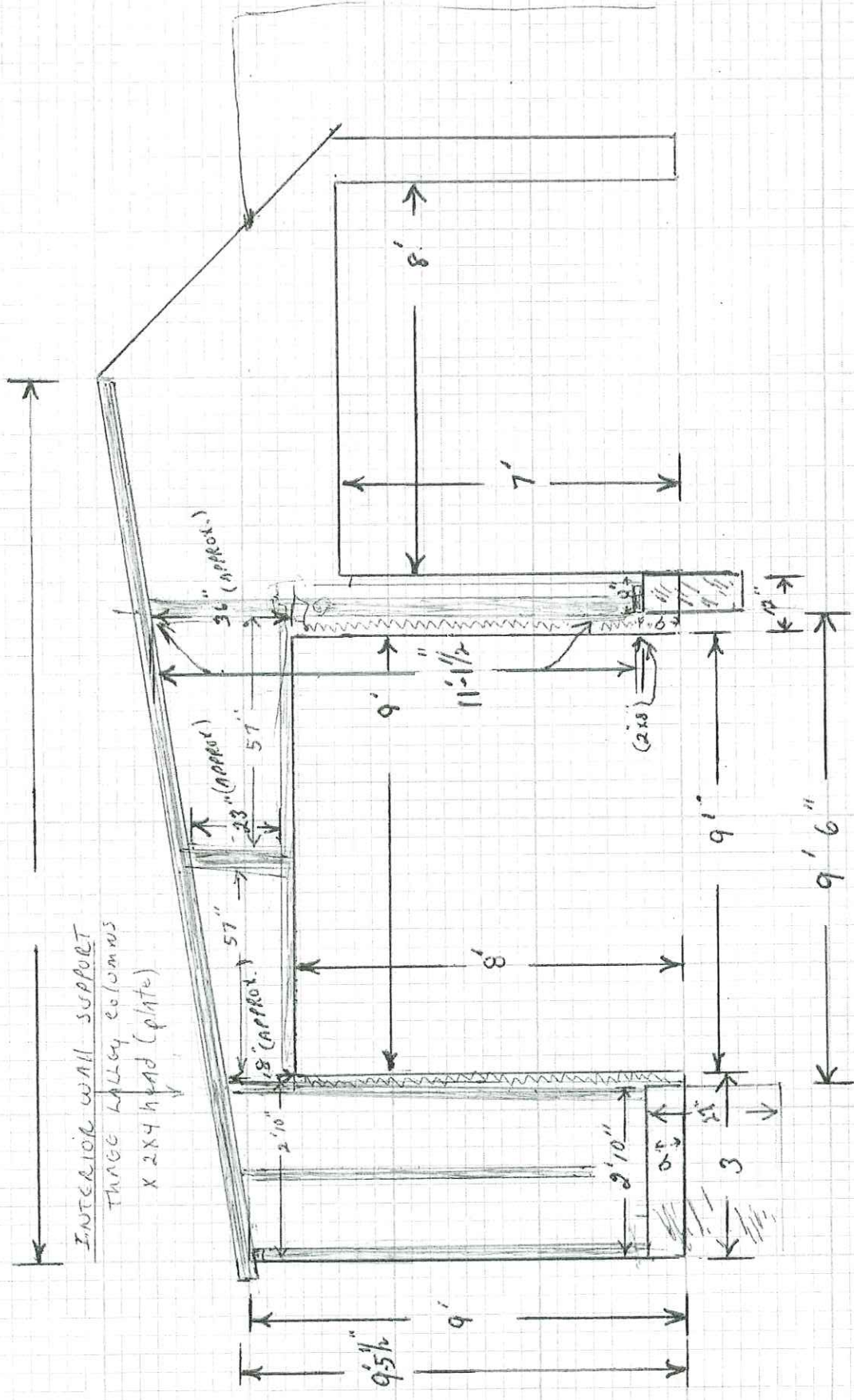
certify this plot.

Date



FRONT 1

FINISH MEASUREMENTS



= 3" ea. side of doors (R/O - 9'6")

FOUNDATION: 8' X 27" (FRONT) 8' X VAR REAR

57

SCALE: 1/4" = 1' - 2" SQUARES = 1'



Town of Hudson, N. H.

Office of Town Building Inspector
BUILDING PERMIT

No. 116-81

....., 1994.....

This certifies that Murray Moxley.....
Name of Owner

is granted permission to erect
alter deck (8x12).....
 repair
 move.....
Description

.....
of Building

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

3054.....
Number Street or Avenue 7 Fulton Street.....
247-115

and to do things lawful to that end.

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

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

Value \$ 200.00

.....
Administrative Officer

Fee \$ 3.00

(K)



TOWN OF HUDSON, N. H.

Application for a Permit To Build

Date 8/15 1984

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

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

Table with categories: New, Alter, Addition, Repair

Permit Number 116-85

Name of Owner MURRAY RHODES Address 7 FULTON ST Tel. 8839665

Land Purchased From N/A Address N/A

Location Property Tax No. 2754

Name of General Contractor SCHUMSKY Map and Lot No. 047-125

Name of Heating Contr. Name of Electrical Contractor

Type of Heat Name of Plumbing Contractor

Name of Fireplace Mason Name of Masonry Contractor

Material of Building Style of Roof Roof Covering

Size of Foundation Living Floor Area No. of Stories

Size of Garage Water Sewer

Foundation Material Width Height Footings Yes No

Fireplace No. of Flues Size Chimney Material

Brief Description of Repair, Alter or Other ADDITION of DECK on N SIDE of HOUSE 5 X 12'

Value 200.00

Fee 3.00 Deck

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

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

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

Owner's Signature [Signature] Contractor's Signature Address

K2

Application For Permit to Build

No. _____

Location _____

Estimated Cost \$ _____

PERMIT GRANTED

WORK COMPLETED

Building Inspector _____

PLOT PLAN

COMMENTS

LOT _____ Owner's Name _____

SHEET _____ No. Street _____

SCALE 1" = _____ ft. _____ District _____



Estimated Cost \$ _____

ELECTRICAL PERMIT

map 47/125

DATE Jan 5, 2001

PERMIT NUMBER 1166-01

CONTRACTORS LICENSE NO. _____ BLDG. PERMIT NO. _____

LOCATION 7 Fulton St

OWNER Patrick A Lacasse

KIND OF BUILDING House USED AS _____

TO BE COMPLETED ABOUT _____ ESTIMATED COST \$ _____

NEW - ALTERATION - REPAIR - ADDITION (Circle One)

ITEM	NUMBER	FEE
CEILING OUTLETS		
SWITCHES		
PLUG RECEPTACLES		
TOTAL OUTLETS		
AIR HEATERS		
RANGES		
SIGNS		
WATER HEATER		
LIGHTING CIRC.		
OTHER CIR.		
TOTAL CIRCUITS		
MOTORS		
PANEL SIZE		
RANGE COND.		
SUB FEEDER SIZE		
Service		
Service change from 100 Amp		
to 200 AMP		
TOTAL FEE		\$30

TREASURER'S VALIDATION OF FEE PAID

166-01

01-1708

7 Fulton St

M 47/125

CONTRACTOR'S NAME AND ADDRESS

Hudson NH 03051
 CITY STATE ZIP CODE

READY FOR INSPECTION ON _____ OR WILL CONTACT PERMIT CLERK LATER _____
 (date)

APPLICANT CERTIFIES THAT ALL INFORMATION GIVEN IS CORRECT AND THAT ALL PERTINENT ELECTRICAL ORDINANCES WILL BE COMPLIED WITH IN PERFORMING THE WORK FOR WHICH THIS PERMIT IS ISSUED.

[Signature]
 Signature of Contractor or his Authorized Representative Making Application

Abbey Edwards
 Signature of Permit Clerk

FILE COPY



A Final Inspection is required by the Fire and Building Departments prior to occupancy.

Building Permit

Date 09-May-2005 Permit# 2005-501

Applicant Patrick Lacasse 7 Fulton Street Contractor's License
Permit To Addition 0 Story One Family # of Dwelling Units 0

At (Location) 7 Fulton Street Zoning District
Between Reed Street And Maple Ave

Subdivision Map 182 Lot 36 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 14' x 22' addition. First floor to be screened in porch second floor adding onto bedroom

Area or Volume 0 Estimated Cost \$ \$3,000.00 Permit Fee \$ \$103.00

Owner Patrick Lacasse

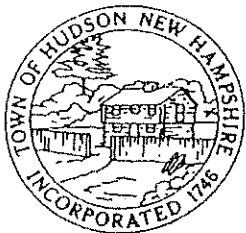
Approved *William A. Olesak*

Address 7 Fulton Street, Hudson, NH 03051

Date MAY - 9 2005

5-9-05 Spoke to Patrick

M1



BUILDING PERMIT APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT

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



2005-501

Address: 7 Fulton St
Cross Roads: Reed St and Maple Av
Site/Sub Plan:
Map 182
Lot 36
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.
\$3,000.00

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.
first floor screened in porch
second floor adding on to bedroom
14 ft x 22 ft

Square Footage Footprint 14x22 Renovated/added
Number of stories 2
Living area of new home (exclude unfinished areas and garage)
Total area of bldg 294 S&F

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)

M2

ELECTRICAL PERMIT

182/36

exp 12/06

DATE 12-29-05

CONTRACTORS LICENSE NO. 10792 M PERMIT NUMBER 194-06

BLDG. PERMIT NO. 501-05

LOCATION 7 Fulton St

OWNER Patric

KIND OF BUILDING Residential USED AS _____

TO BE COMPLETED ABOUT _____ ESTIMATED COST \$ _____

NEW - ALTERATION - REPAIR - ADDITION (Circle One)

ITEM	NUMBER	FEE	
CEILING OUTLETS	2		TREASURER'S VALIDATION OF FEE PAID <i>receipt # 06-1389</i>
SWITCHES	2		
PLUG RECEPTACLES	8		
TOTAL OUTLETS	12		
AIR HEATERS			
RANGES			
SIGNS			
WATER HEATER			
LIGHTING CIRC.			
OTHER CIR.			
TOTAL CIRCUITS			
MOTORS			
PANEL SIZE			
RANGE COND.			
SUB FEEDER SIZE			
TOTAL FEE		<u>50 -</u>	

CONTRACTOR'S NAME AND ADDRESS
Border Electric 91 Baboosic Lake Rd
 CITY Merrimack STATE NH ZIP CODE 03054

READY FOR INSPECTION ON _____ OR WILL CONTACT PERMIT CLERK LATER _____
 (date) 424-3959

APPLICANT CERTIFIES THAT ALL INFORMATION GIVEN IS CORRECT AND THAT ALL PERTINENT ELECTRICAL ORDINANCES WILL BE COMPLIED WITH IN PERFORMING THE WORK FOR WHICH THIS PERMIT IS ISSUED.

Jane Bol Signature of Contractor or his Authorized Representative Making Application
Abbey Holliver Signature of Permit Clerk

FILE COPY

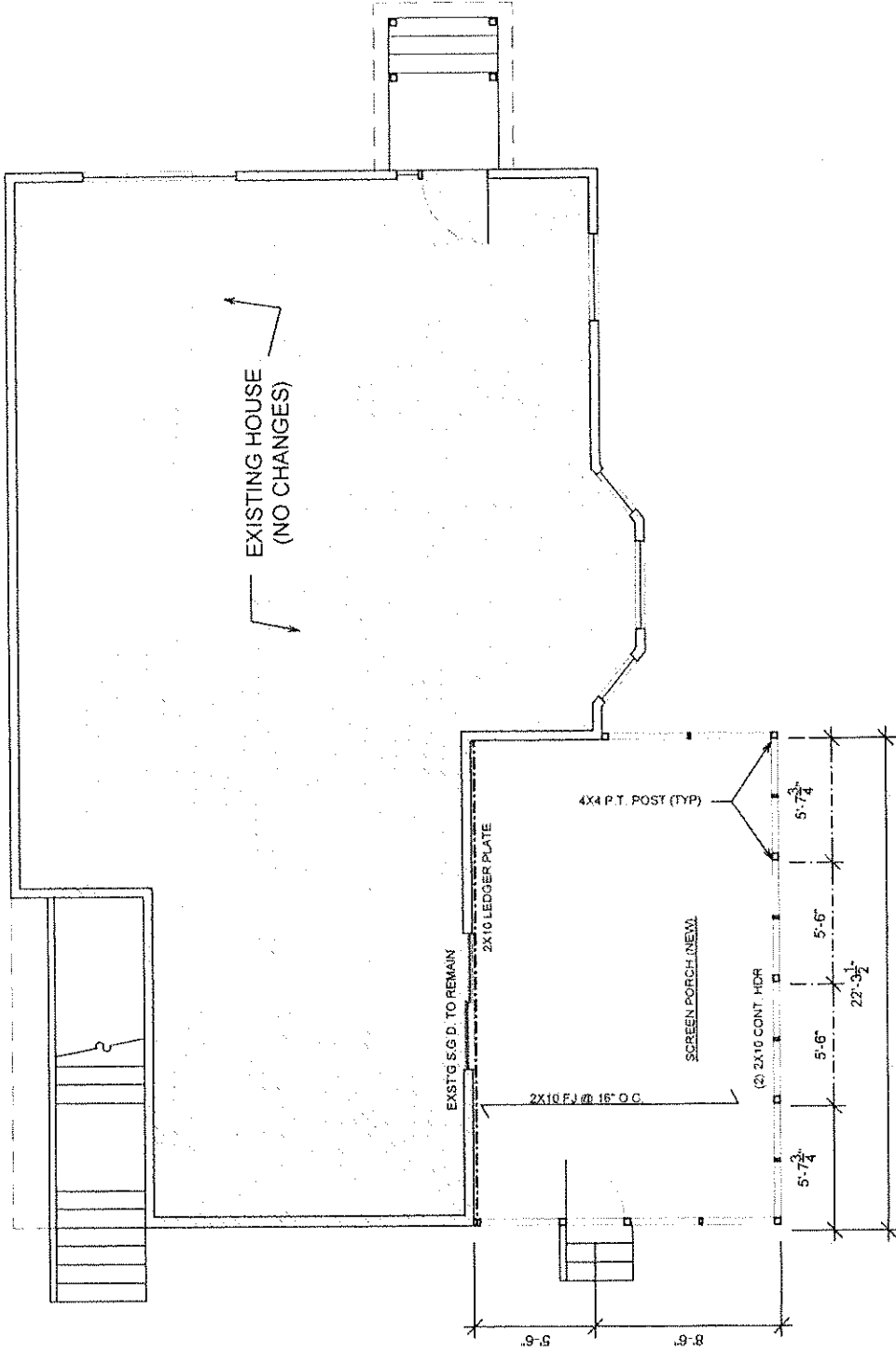
© Copyright 2003 INTERNATIONAL CODE COUNCIL

M3

A1

ADDITION TO LACASSE HOUSE

7 LOCUST ST, HUDSON NH
Fulton



SCALE: 1/8" = 1'-0"

MAY 3, 2005

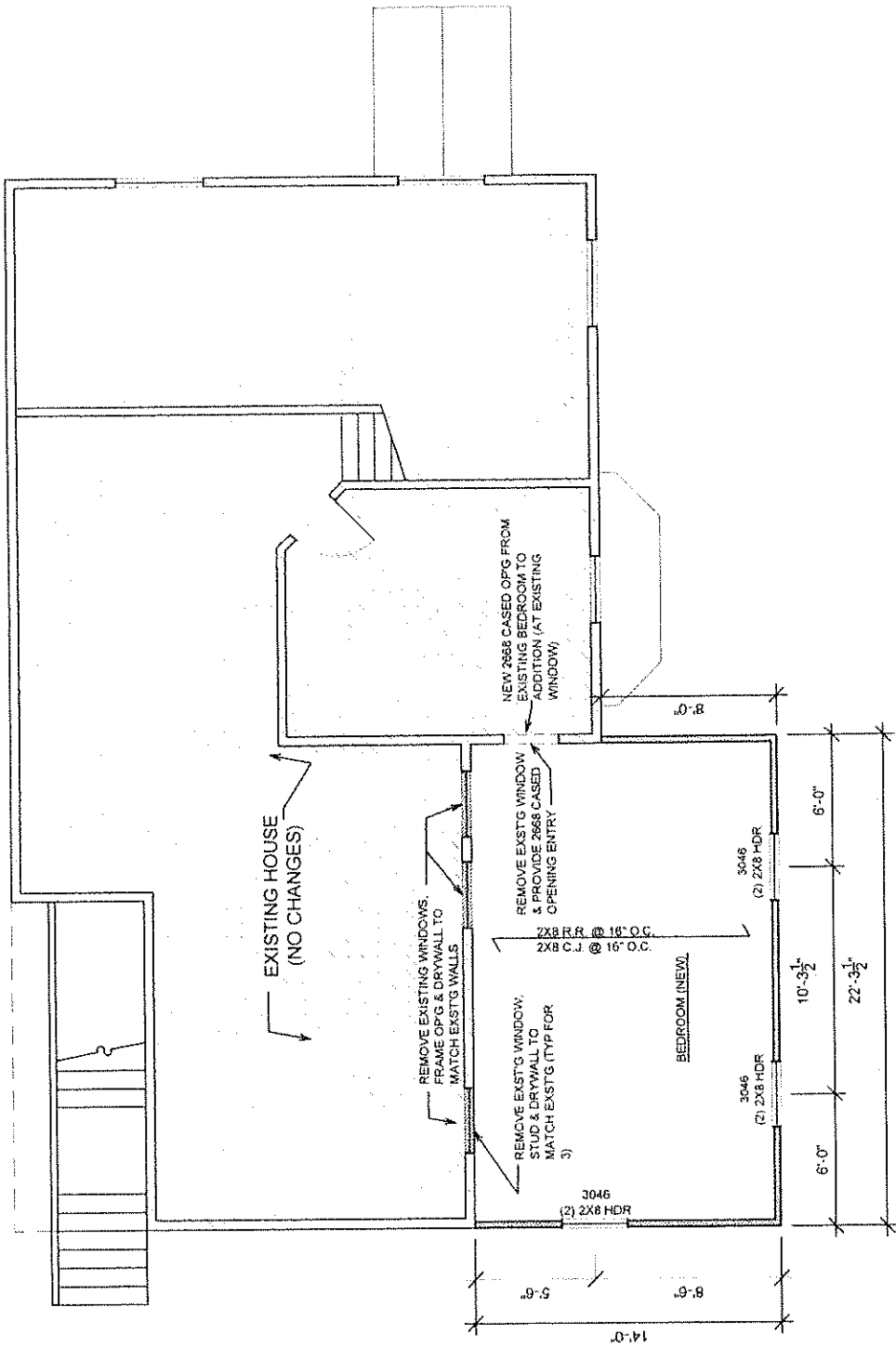
1ST FLR PLAN

SCOTT BOREN Architectural Consultant

6 Haines ST, Nashua NH
PH: 603-620-0152 FX: 603-882-1132

34

2/



A2

ADDITION TO LACASSE HOUSE

7 LOCUST ST., HUDSON NH
Fulton

SCALE: 1/8" = 1'-0"

MAY 3, 2005

2ND FLR PLAN

SCOTT BOREN Architectural Consultant
6 Haines ST. Nashua NH
PH: 603-620-0152 FX: 603-882-1132

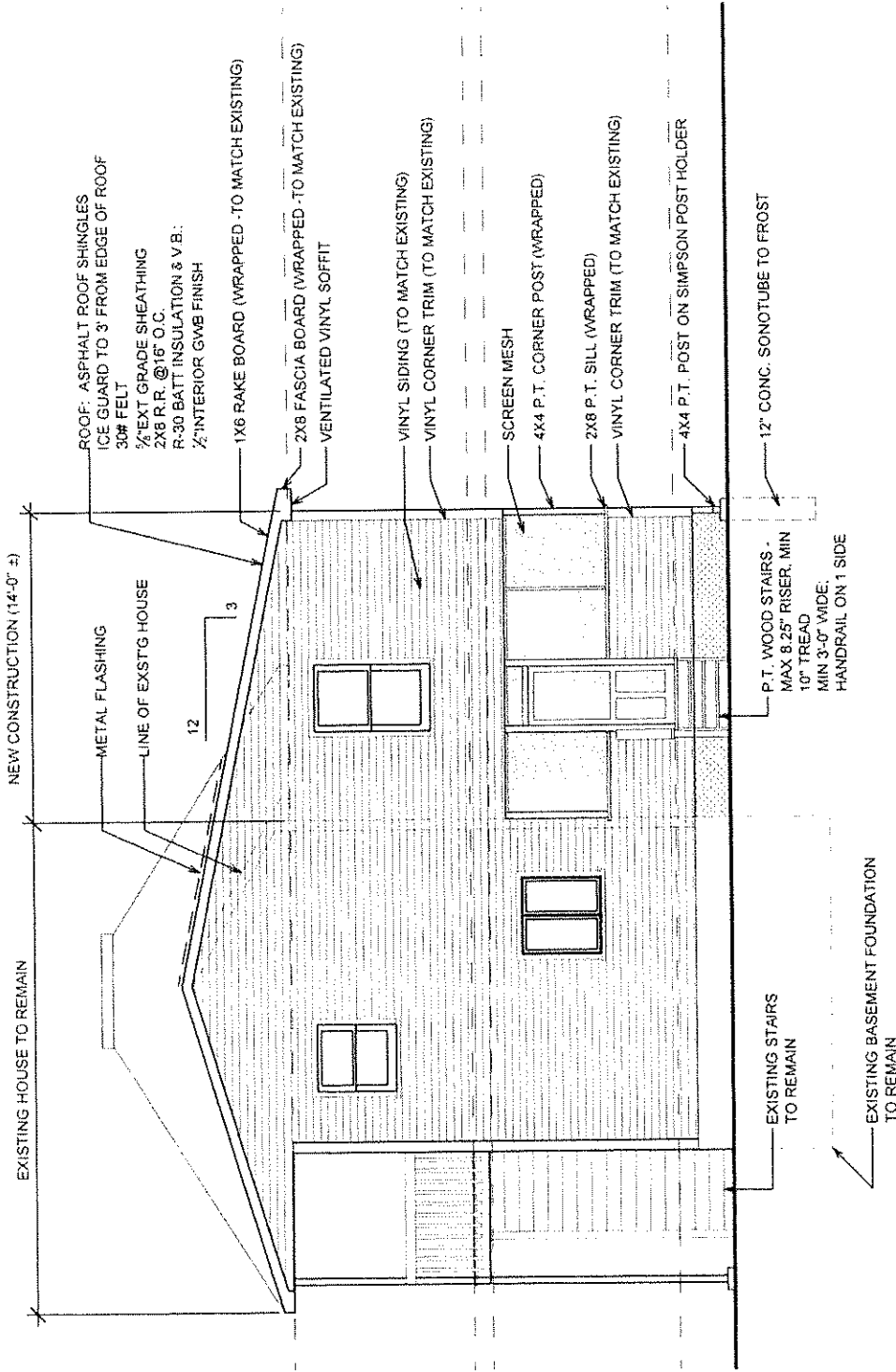
M/S

A3

ADDITION TO LACASSE HOUSE

7 LOCUST ST, HUDSON NH

Fulbright



SCALE: 1/8" = 1'-0"

MAY 3, 2005

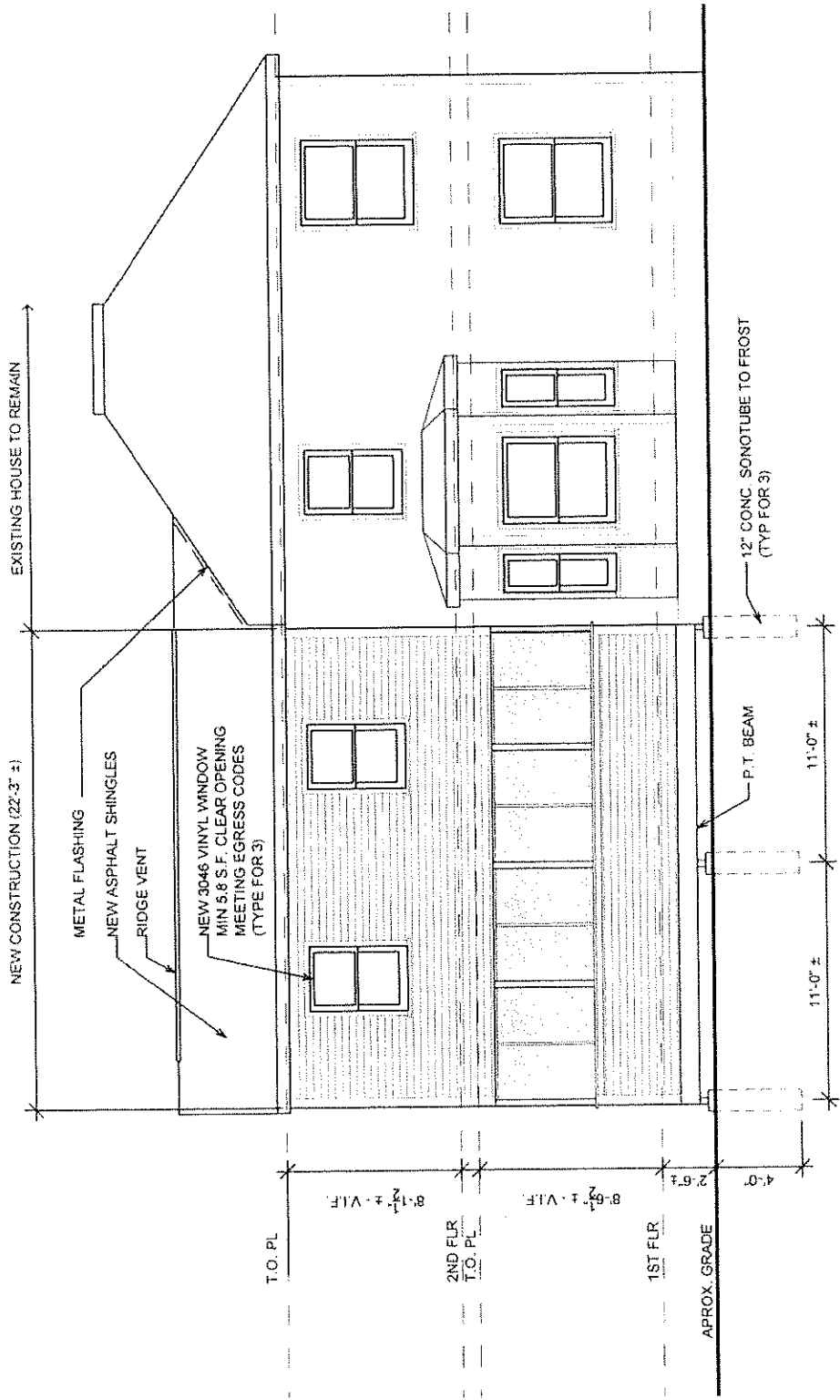
ELEVATION

SCOTT BOREN Architectural Consultant

6 Haines ST, Nashua NH
PH: 603-620-0152 FX: 603-882-1132



A4



ELEVATION

SCALE: 1/8" = 1'-0"

APRIL 21, 2005

ADDITION TO LACASSE HOUSE

APRIL 21, 2005

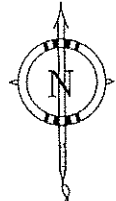
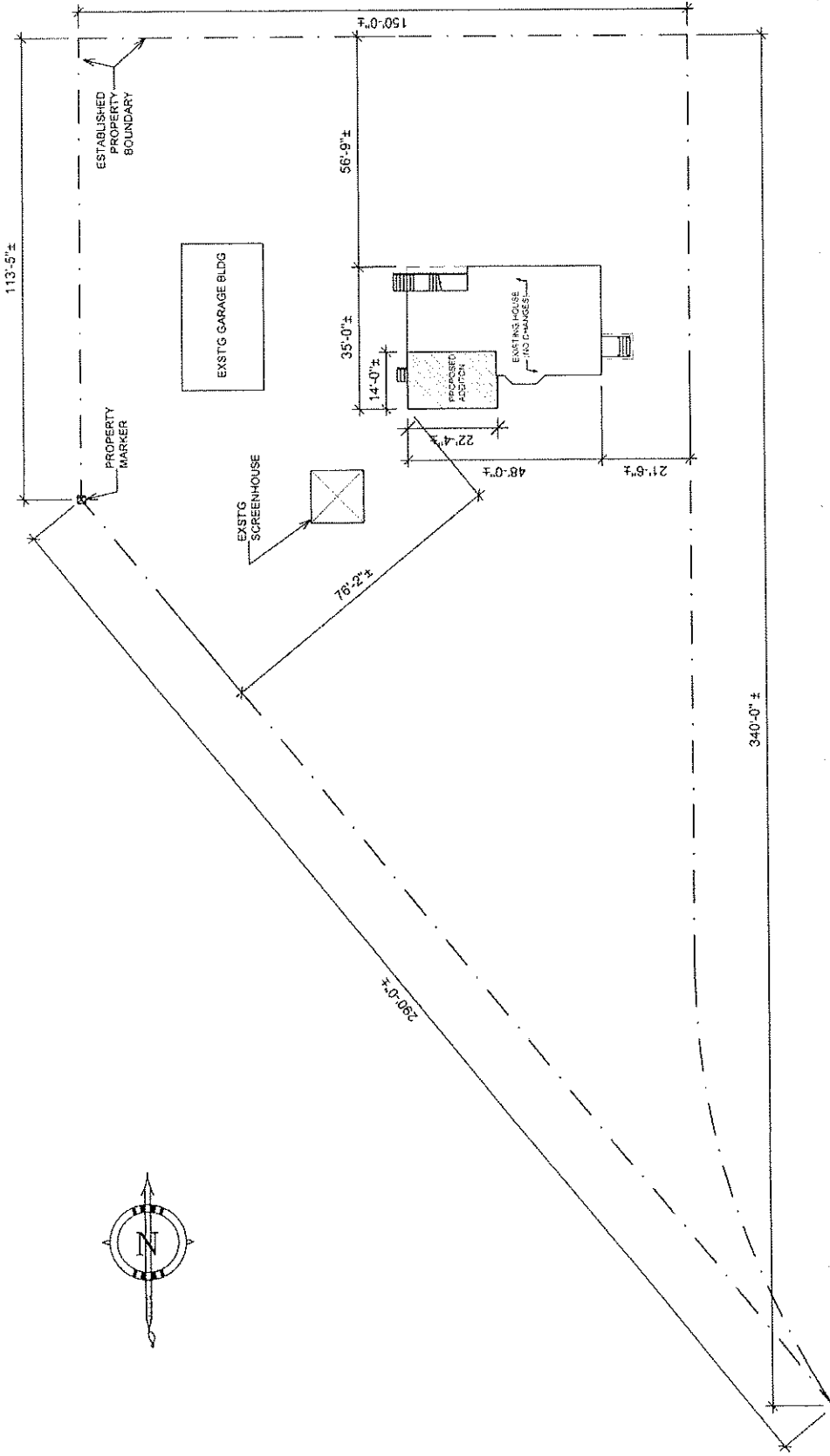
SCOTT BOREN Architectural Consultant

6 Haines ST, Nashua NH
PH: 603-620-0152 FX: 603-882-1132

7 LOCUST ST, HUDSON NH

Fulton

M3



SP

LAFFSC
 7 LOCUST ST. HUDSON NH

ADDITION TO LECASSE HOUSE

HUDSON MAP 47-125; LOTS 125, 126, 127 (MERGED)
 HILLSBOROUGH COUNTY MAP 544; LOTS 40, 41, & 43 (MERGED)
 INFORMATION ALSO EXTRACTED FROM WARRANTY DEED, DOCKET 1000329, HILLSBOROUGH CITY BOOK 6336, PAGE 1981

SCALE: 1/32" = 1'-0"
 MAY 3, 2005

SITE PLAN

SCOTT BOREN Architectural Consultant
 6 Haines ST. Nashua NH
 PH: 603-620-0152 FX: 603-882-1132



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

REQUEST FOR REVIEW/COMMENTS:

Case: 182-036 (2 Variances)

Property Location: 7 Fulton Street

For Town Use

Plan Routing Date: 08/04/2022 Reply requested by: 08/12/2022 ZBA Hearing Date: 08/25/2022

I have no comments I have comments (see below)

EZD Name: Elvis Dhima Date: 08/04/2022
(Initials)

DEPT:
 Town Engineer Fire/Health Department Town Planner

Ortho imagery shows two driveways for this property for the past 24 years. The applicant should seek Planning Board waiver for the second existing nonconforming driveway and if received pull the permit for the second driveway.

(N)

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

On **08/25/2022**, the Zoning Board of Adjustment heard **Case 182-036 a)**, being a case brought by **Patrick & Shannon Lacasse, 7 Fulton Street, Hudson, NH** for a **Variance to permit an existing 2nd dwelling unit to remain as an Accessory Dwelling Unit (ADU) within the existing structure also used as a single family dwelling unit, with relief from the common interior access requirement between the principal dwelling unit and the ADU.** [Map 182, Lot 036-000; Zoned Town Residential (TR); HZO Article XIII A, Accessory Dwelling Units; §334-73.3 E, Provisions]:

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

- | | | |
|----------|----------|---|
| Y | N | <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: _____

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

On **08/25/2022**, the Zoning Board of Adjustment heard **Case 182-036 b**, being a case brought by **Patrick & Shannon Lacasse, 7 Fulton Street, Hudson, NH** for a **Variance to permit an existing 2nd dwelling unit to remain as an Accessory Dwelling Unit (ADU) within the existing structure also used as a single family dwelling unit, with relief from the HZO to allow two (2) driveways to remain where a separate driveway for the ADU is not allowed.** [Map 182, Lot 036-000; Zoned Town Residential (TR); HZO Article XIII A, Accessory Dwelling Units; §334-73.3 G, Provisions]

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

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

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: _____

HUDSON

APPLICATION FOR A VARIANCE

AUG 02 2022

To: Zoning Board of Adjustment
Town of Hudson
Zoning Department

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

Case No. 182-036 (08-25-22)

Date Filed 8/2/2022

Name of Applicant Patrick + Shannon Lacasse Map: 182 Lot: 036 Zoning District: TR

Telephone Number (Home) 603-234-9812 (Work) _____

Mailing Address 7 Fulton St Hudson, NH 03051

Owner Patrick and Shannon Lacasse

Location of Property 7 Fulton St Hudson, NH
(Street Address)

[Signature] Signature of Applicant Date 8/1/22

[Signature] Signature of Property-Owner(s) Date 8/1/22

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: 8/2/22

COST:

Application fee (processing, advertising & recording) (non-refundable):	\$	<u>185.00</u>	
<u>9</u> Abutter Notice:			<u>185.00</u>
Direct Abutters x Certified postage rate \$ <u>4.00</u> =	\$	<u>36.00</u>	<u>Var. 1</u>
<u>14</u> Indirect Abutters x First Class postage rate \$ <u>0.60</u> =	\$	<u>8.40</u>	<u>Var. 2</u>
Total amount due:	\$	<u>414.40</u>	

Amt. received: \$ 414.40 check # 1626

Receipt No.: 696,322

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>SS</u>	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>TG</u>
<u>SS</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 thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>SS</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>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>SS</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>SS</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>SS</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>SS</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>SS</u>	If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or <u>N</u> (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).

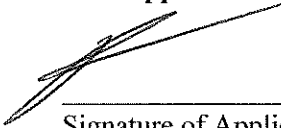
see
flood
plan

- a) N/A The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) N/A The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) N/A The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) N/A The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property.
(NOTE: 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) N/A 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) N/A The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
- g) N/A The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) N/A The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) N/A The plot plan shall indicate all parking spaces and lanes, with dimensions.

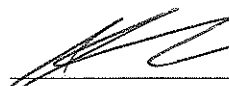
N/A



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


Signature of Applicant(s)

8/1/22
Date


Signature of Property Owner(s)

8/1/22
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)	
182	036	Geer, Shannon B. Lacasse, Patrick A	7 Fulton St Hudson, NH 03051
182	039	Brin, Diane C	5 Reed St Hudson, NH 03051
182	012	Kohl, Mitchell A	8 Fulton St Hudson, NH 03051
190	106	Nardoni, Joseph A Nardoni, Katherine M	20 Maple Ave. Hudson, NH 03051
182	037	Stewart, Kade N. Stewart, Tomomi	5 Fulton St Hudson, NH 03051
190	107	Brown, Christopher Lane Brown, Emily c. Eastman	22 Maple Avenue Hudson, NH 03051
182	038	O'Connor, Mark E O'Connor, Mary K	7 Reed St Hudson, NH 03051
190	105	Stafford, Thomas Brennan Stafford, Jennifer Leigh	18 Maple Avenue Hudson, NH 03051
190	109	Bannon, Louise M	1 Chapin St Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. 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
182	031	Smith, Martha E, TR LaLiberte, Kathleen S, TR Martha E Smith Trust	41 Lexington Ct Hudson, NH 03051
190	121	Shumsky, Michael Bourassa, Mary Ellen Bourassa Shumsky Rev Trust	16 Fulton St Hudson, NH 03051
190	103	Caron, Christopher	19 Maple Avenue Hudson, NH 03051
182	034	Newman, Theodore W	112 Redemption Rock Apt A Sterling, MA 01504
190	120	Couillard, Donald J.	14 Fulton St Hudson, NH 03051
182	014	Soltyan, Nasir Bin Yusuf, Faridan	13 Reed St Hudson, NH 03051
182	022	American Legion	37 Central St Hudson, NH 03051
182	040	Therrien, Kenneth, TR Therrien, Marcia, TR Therrien Family Rev Trust	1 Reed St Hudson, NH 03051
182	035	SJL Properties of NH, LLC	189 Ridge Rd Hollis, NH 03049
182	011	Melendez, Luis Ruiz, Joaon Miguel	2 Chapin St Hudson, NH 03051
182	041	Davidson Properties LLC	81c Seaverns Bridge Rd Merrimack, NH 03054
190	104	Baker, Scott Baker, Colleen	17 Maple Avenue Hudson, NH 03051
182	013	Yoksh, Haley Yoksh, Alec	6 Fulton St Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
190	109-001	Huggins, Derek	1 Shum Way
182	042	Huggins Tracee	Hudson, NH 03051
190	108	Town of Hudson	12 School St 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 XIII A. ADU of HZO Section(s) E and G in order to permit the following:

* See attached page

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:

* See attached page

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.”)

please 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.”)

please 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.)

please 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.)

please see attached

FACTS SUPPORTING THIS REQUEST: (Continued)

See attached page

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

please see attached

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

please 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.

We are requesting a variance in order to permit an existing ADU. We purchased the house in 2000 with the understanding that the ADU was an approved and legal structure of the main house. The structure meets all provisions of article XIII A with the exception of letter E, at least one common interior access between the principal dwelling unit and ADU, as well as, letter G, There shall not be a separate driveway for the ADU. We are requesting relief from these two provisions so that the ADU becomes a legal part of the main house.

Facts Supporting This Request:

1. Granting the requested variance will not be contrary to public interest because the house had an ADU with two driveways when we purchased it in 2000. We have not changed the footprint of the house or changed the driveways. The variance does not alter the essential character of the neighborhood because the house, as it exists, has been part of the neighborhood all along.
2. The proposed use will observe the spirit of the ordinance because the structure meets almost all of the provisions of article XIII A. We purchased the home in 2000 with the existing layout which includes an ADU and two driveways. Our property is located in the TR zone, which allows an ADU. The existing ADU is 600 square feet, has one bedroom, living room, kitchen and bathroom. There are two exits including an outside door and a fire escape. There is only one mailbox, one utility service connection, and the outside stairs and deck on the side and back of home. When you look at the front of the house, it looks like a single family house. There are also 4 off street parking spaces available.
3. By granting this variance, substantial justice would be done to the property owner because the house was bought with the understanding that the ADU was an approved and legal part of the house and that the two driveways were approved because they were already a functional and used part of the property. We have owned the property for the last 21 years and have not changed the footprint of the home or added a driveway. We would like the existing ADU to be a legal part of our home.
4. The proposed use will not diminish the values of the surrounding properties because the ADU and second driveway are existing parts of our property. In addition, the neighborhood has several multi-family properties. The house in its current condition, with the ADU and two driveways, has been assessed by the town and is already included in the neighborhood assessment.
5. The special condition that exists that the literal enforcement of the ordinance results in necessary hardship is the layout of the building. The dwelling has all aspects of an ADU except a common area and that the house has two driveways. In order to create a common area, the second floor master bedroom and bathroom of the main house would be disrupted. The ADU, master bedroom, and bathroom share the same wall. If we were to create a common area, we would lose the function of the master bedroom and/or bathroom. In addition, the second driveway has always been an existing part of the home. We utilize both driveways and they are an intricate part to the flow of the home. Allowing both the ADU and second driveway would allow us to use the home we purchased twenty-one years ago.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #22-100

July 28, 2022

Shannon Geer & Patrick Lacasse
7 Fulton Street
Hudson, NH 03051

RE: 7 Fulton St Map 182 Lot 036-000
District: Town Residence (TR)

Dear Shannon & Patrick,

Request: To continue as an ADU on the 2nd Flr.

History:

The dwelling unit on the 2nd flr is not an ADU by (Zoning) definition. On further review of Town records of your property, I note the following: That two family uses had occurred per assessing records up until ~1999/2001 at which time the property was listed as single family. Note: the Zoning Ordinance changed in 1994 to TR zone which allowed the two family as "existing non-conforming use" (grandfathered). I did not find any conversion back to two family.

Determination:

You will need Variances from Article XIII A Accessory Dwelling Units, sections:

§334-73.3 Provisions:

E. "At least one common interior access between the principal DWELLING UNIT and an ADU must exist. Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist."

G. "A minimum of four off-street paved parking spaces shall be provided to serve the combined needs of the principal DWELLING UNIT and an ADU. There shall not be a separate driveway for the ADU."

Sincerely,

Bruce Buttrick
Zoning Administrator/Code Enforcement Officer

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.



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 07/27/2022

Property Location 7 Fulton St

Map 182 Lot 36 Sublot 0

Zoning District if known TR

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)

would like to make our existing adu legal. When we purchased the house in 2000, the adu was existing and because of this, we thought it was approved by the town. The only parts of the adu that does not meet the requirements is that it doesn't have a shared common space (it would open to our bedroom) and that the house has two driveways. The two driveways were part of the house when we purchased it in 2000 as well. It is our hope to complete the variance process for the August meeting.

Applicant Contact Information:

Name: Shannon Lacasse
 Address: 7 Fulton St. Hudson NH 03051
 Phone Number: _____
 Email: pslacasse@aol.com

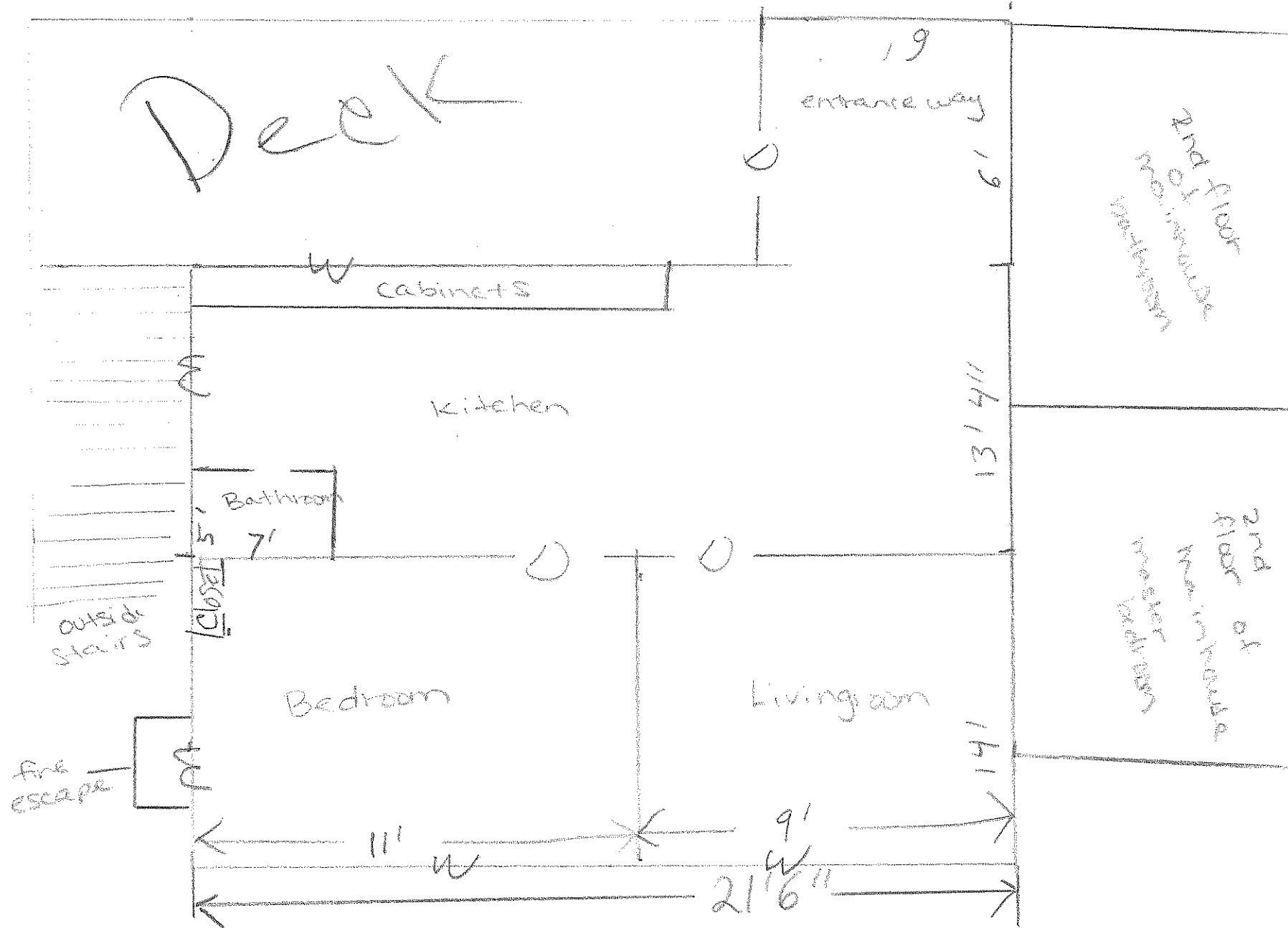
For Office use

ATTACHMENTS: TAX CARD GIS

NOTES: _____

ZONING DETERMINATION LETTER SENT DATE: _____

ADU - Second floor



1st floor
main house



Kitchen

Livingroom

13' 4"

13' 11"



1st Floor
main house

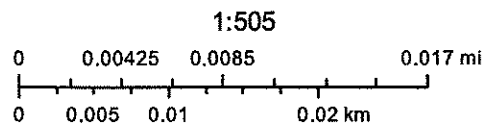
7 Fulton St



July 27, 2022

Legend

-  Parcels - Aerials
-  Parcels



182 036 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD

Hudson

Total Card / Total Parcel
APPRaised: 370,200/ 370,200
USE VALUE: 370,200/ 370,200
ASSESSed: 370,200/ 370,200



PROPERTY LOCATION

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

OWNERSHIP		Unit#:
Owner 1:	GEER, SHANNON B.	
Owner 2:	LACASSE, PATRICK A.	
Owner 3:		
Street 1:	7 FULTON STREET	
Street 2:		
Twn/City:	HUDSON	
St/Prov:	NH	Cntry:
Postal:	03051	Type:

PREVIOUS OWNER

Owner 1:	GEER, SHANNON B. -	
Owner 2:	LACASSE, PATRICK A. -	
Street 1:	7 FULTON STREET	
Twn/City:	HUDSON	
St/Prov:	NH	Cntry:
Postal:	03051	

NARRATIVE DESCRIPTION

This parcel contains .676 ACRES of land mainly classified as IN-LAW with a NEW ENGLANDR Building built about 1909, having primarily VINYL Exterior and 2835 Square Feet, with 2 Units, 2 Baths, 1 3/4 Bath, 0 HalfBath, 11 Rooms, and 5 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

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

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
108	IN-LAW		0.676		SITE ACRE SITE			0	110,000.	1.34	RE						99,308					99,300	

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
108	0.676	220,900	50,000	99,300	370,200
Total Card	0.676	220,900	50,000	99,300	370,200
Total Parcel	0.676	220,900	50,000	99,300	370,200
Source:	Market Adj	Cost	Total Value per SQ unit /Card: 130.58		/Parcel: 130.58

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2022	108	JB	220,900	50000	.676	99,300	370,200	370,200	Year End Roll	5/24/2022
2021	108	FV	220,900	50000	.676	99,300	370,200	370,200	Year End Roll	9/27/2021
2021	108	JB	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	5/12/2021
2020	108	FV	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	8/27/2020
2020	108	JB	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	5/6/2020
2019	108	FV	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	9/16/2019
2019	108	JB	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	5/8/2019
2018	108	FV	220,900	39200	.676	99,300	359,400	359,400	Year End Roll	8/27/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
MURRAY, DAVID V	6336-1981		12/27/2000	NO SEP ASSMT	120,000	No	No		5 FULTON (MAP 182 LOT 037) GRANTS ARTESIAN WE
	5208-1317		8/29/1990			No	No		

BUILDING PERMITS

Date	Number	Descrip	Amount	C/O	Last Visit	Fed Code	F. Descrip	Comment
11/13/2020	2020-01119	SHED	8,500	C				
10/1/2020	2020-00949	SHED	2,000	C				
5/9/2005	2005-501	ADDITION	3,000	C				NOT COMPLETE.

ACTIVITY INFORMATION

Date	Result	By	Name
6/15/2021	Permit Visit	21	DEP ASR
10/20/2017	Meas/Inspect	12	TECH ASMNT
9/5/2013	Measured	15	APPR TECH 5
5/24/2007	Measured	10	APPRASER II
6/1/2006	Permit Visit	4	APPR TECH II
8/19/2005	New Maps	1	CHIEF ASSESS
3/26/2001	Meas/Inspect	0	PATRIOT
11/28/2000	Inspected	2	AVITAR
5/9/1991	Inspected	2	AVITAR

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.67600 Total SF/SM: 29447 Parcel LUC: 108 IN-LAW Prime NB Desc RES AVG Total: 99,308 Spl Credit Total: 99,300

EXTERIOR INFORMATION

Type:	15 - NEW ENGLANDR
Sty Ht:	2A - 2 STY/ATTIC
(Liv) Units:	2 Total: 2
Foundation:	3 - BRICK/STONE
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	%
Roof Struct:	2 - HIP
Roof Cover:	1 - ASPH SHING
Color:	GRAY
View / Desir:	

GENERAL INFORMATION

Grade:	B - GOOD/AVG
Year Bilt:	1909 Eff Yr Bilt:
Alt LUC:	Alt %:
Jurisdct:	Fact:
Const Mod:	
Lump Sum Adj:	

INTERIOR INFORMATION

Avg Ht/FL:	STD
Prim Int Wall:	1 - DRYWALL
Sec Int Wall:	%
Partition:	T - TYPICAL
Prim Floors:	04 - CARPET
Sec Floors:	15 - WD LAM 25%
Bsmnt Fir:	12 - CONCRETE
Subfloor:	
Bsmnt Gar:	
Electric:	3 - TYPICAL
Insulation:	2 - TYPICAL
Int vs Ext:	S
Heat Fuel:	2 - GAS
Heat Type:	1 - FORCED AIR
# Heat Sys:	2
% Heated:	100 % AC: 100
Solar HW:	NO Central Vac: NO
% Com Wal:	% Sprinkled

BATH FEATURES

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

OTHER FEATURES

Kits:	2 Rating: AVERAGE
A Kits:	Rating:
Frpl:	Rating:
WSFlue:	Rating:

CONDO INFORMATION

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

DEPRECIATION

Phys Cond:	AG - Avg-Good 30.0%
Functional:	%
Economic:	%
Special:	%
Override:	%
Total:	30.4%

CALC SUMMARY

Basic \$ / SQ:	98.00
Size Adj.:	0.81746030
Const Adj.:	0.93426090
Adj \$ / SQ:	74.845
Other Features:	22709
Grade Factor:	1.20
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	317378
Depreciation:	96483
Depreciated Total:	220895

COMMENTS

GAR HAS HTG SYS. 2 st barn has gar door/METAL SHD = TRUCK BODY. 2BRS HAVE NO CLOSETS. 1 FURNACE IN ATTIC. PDAS IN REAR SFL..

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: 11 BRs: 5 Baths: 2 HB
--------	----------------------------

REMODELING

Exterior:	2002
Interior:	2002
Additions:	2005
Kitchen:	
Baths:	
Plumbing:	
Electric:	
Heating:	
General:	

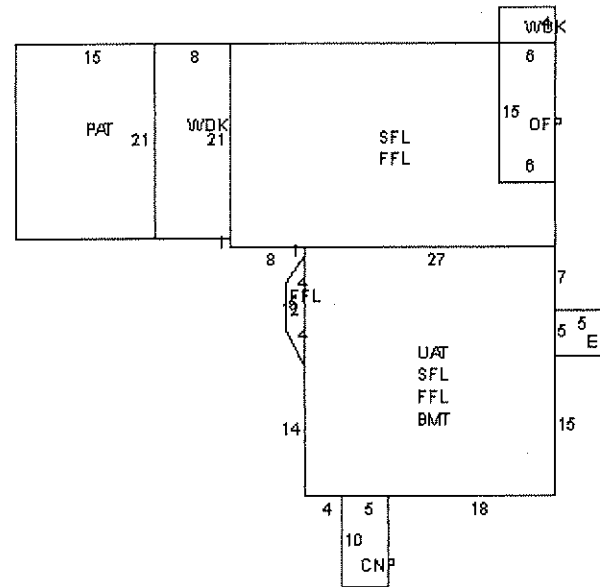
RES BREAKDOWN

No Unit	RMS	BRS	FL
1	8	4	M
1	3	1	2
Totals			
2	11	5	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
WtAv\$/SQ:				Ind.Val
Juris. Factor:				Before Depr: 89.81
Special Features:	0			Val/Su Net: 50.00
Final Total:	220900			Val/Su SzAd: 77.92

SKETCH



SUB AREA

Code	Description	Area - SQ	Rate - AV	Un depr Value
FFL	FIRST FLOOR	1,426	74.840	106,729
SFL	SECOND FLR	1,409	74.840	105,456
BMT	BASEMENT	729	14.970	10,912
PAT	PATIO	315	7.210	2,272
WDK	WOOD DECK	192	16.400	3,149
UAT	ATTIC/SFL	182	34.050	6,206
OPF	OPEN PCH	90	53.940	4,855
CNP	CANOPY	50	42.000	2,100
Net Sketched Area: 4,418				Total: 241,773
Size Ad	2835	Gross Area	4965	FinArea 2835

SUB AREA DETAIL

Sub Area	% Usbl	Descrip Type	%	Qu # Ten
UAT	100	FLA 100 AV		

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	JCodJFact	Juris. Value
3	GARAGE	D Y	1	137X23	GD AV 2005	39.02	T	12	108		29,200		29,200
14S	SCREEN PORC	D Y	1	112X12	AV AV 2000	49.51	T	17	108		5,900		5,900
7	POOL-AG-CIR	D Y	1	116	AV AV 2008	0.00	T	13.5	108				
1	SHED-METAL	D Y	1	8X28	GD AV 2000	17.08	T	25.5	108		2,900		2,900
41	IMPL SHED	D Y	1	14X26	FR FR 2000	8.13	T	60	108		1,200		1,200
43	BARN/2STY	D Y	1	112x24	FR AV 2020	75.28	T	50	108		10,800		10,800

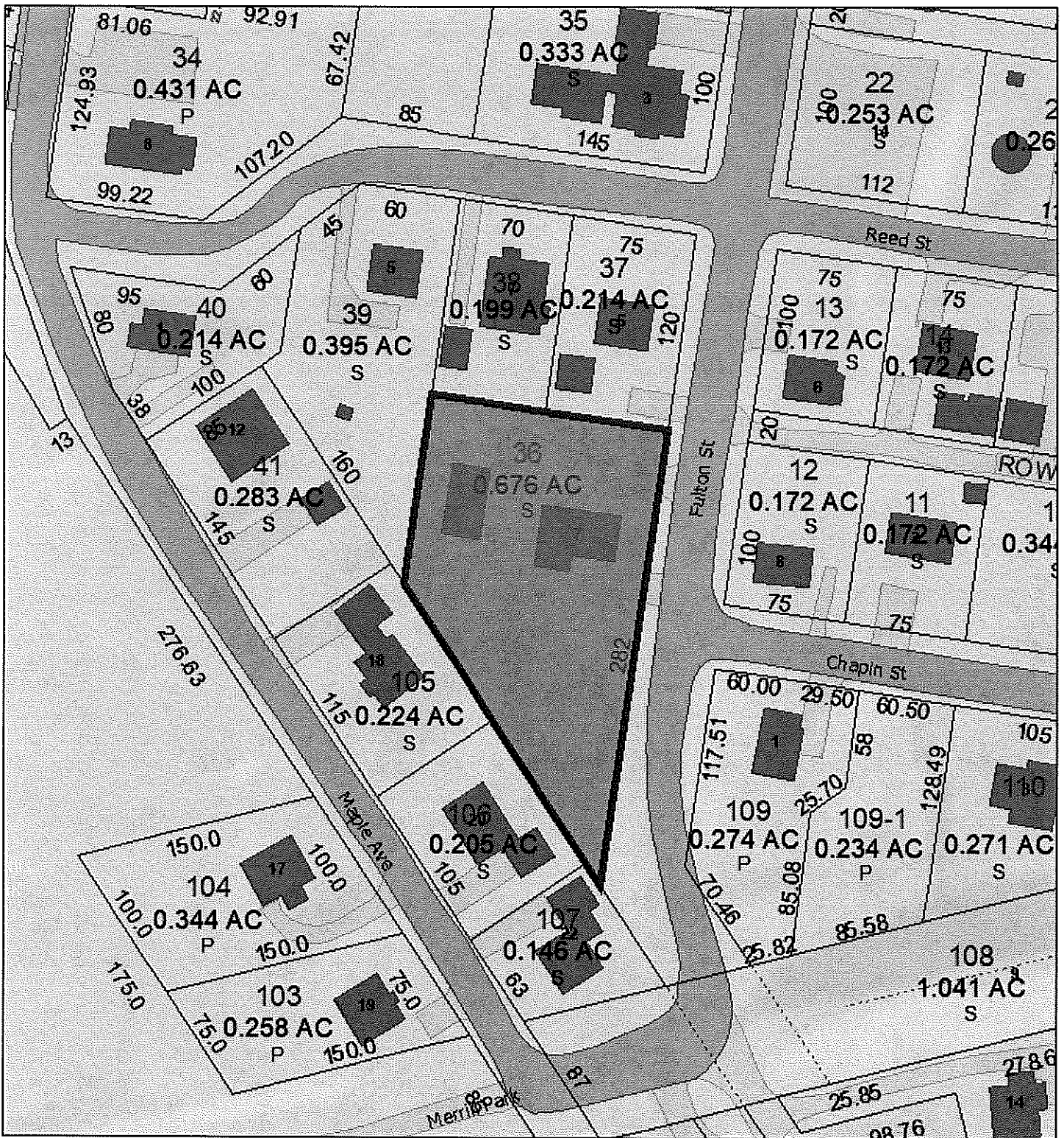
More: N	Total Yard Items:	50,000	Total Special Features:	Total:	50,000
---------	-------------------	--------	-------------------------	--------	--------

IMAGE

AssessPro Patriot Properties, Inc



7 Fulton Street (Map/Lot 182-036-000)



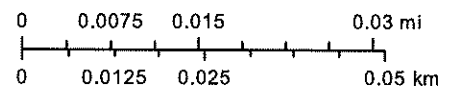
August 1, 2022

Legend

----- Easement_Lines

▭ Parcels

1:1,040



Printed
8/03/2022
9:49AM
Created
8/03/2022
9:38 AM

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

Receipt# 696,322
tgoodwyn

<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00 Zoning Application- 8/25/22 ZBA Meeting 7 Fulton Street Map 182 Lot 036-000			
Variance 1	0.00	229.4000	0.00
Variance 2	0.00	185.0000	0.00
		Total:	414.40

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Shannon B Lacasse	CHECK	CHECK # 1626	414.40	0.00	414.40
			Total Due:		414.40
			Total Tendered:		414.40
			Total Change:		0.00
			Net Paid:		414.40



TOWN OF HUDSON

Land Use Division

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



Zoning Administrator Staff Report Meeting Date: August 25, 2022

BB 8-17-22

Case 167-031 (08-25-22): Shanna Moreau, 128 Highland Street, Hudson, NH requests a Variance for a proposed installation of a 15 ft. x 30 ft. above ground residential pool to be located 10 feet into the side yard setback leaving 5 feet where 15 feet is required. [Map 167 Lot 031-000; HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]

Summary:

Applicant would like to install an above ground pool with a setback encroachment into side yard setback, leaving 8 ft where 15 ft is required.

Property description:

Single Family Use

Existing non-conforming in lot size 30,056 sqft where 43,560 sqft is required. Existing corner lot with access/frontage from Bonnie Ln with 213 ft where 150 ft required. Existing structure is existing nonconforming in regards to front setback @ 32 ft where 50 ft is required.

Land Use History

Building Permit:

7-10-79 Notice of Violation "erection of fence on Town Property"
9-17-90 Notice of Violation "construction of utility shed w/o permit"
9-25-90 BP applications
10-1-90 Zoning review/stipulations
10/2/90 inter Dept sign-offs
10-2-90 BP #146-91 for 12 x 12 shed
6-8-22 BP #2022 "30 ft x 15ft A/G pool"

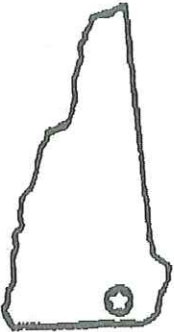
IN-HOUSE Review/Comments:

Fire Dept: Comments: no
Planning Dept: Comments: no
Engineering Dept: Comments: yes

Attachments:

A: 9-17-90 Notice of Violation "construction of utility shed w/o permit"
B: 9-25-90 BP applications

- C:** 10-1-90 Zoning review/stipulations
- D:** 10/2/90 inter Dept sign-offs
- E:** 10-2-90 BP #146-91 for 12 x 12 shed
- F:** 6-8-22 BP #2022 "30 ft x 15ft A/G pool"
- G:** 7-10-79 Notice of violation: "*fence on Town property*"
- H:** Engineering Dept in-house comments



TOWN OF HUDSON
HEALTH AND CODE ENFORCEMENT
NOTICE OF VIOLATION



12 School Street Hudson, New Hampshire 03051 603/886-6005

Certified Mail # P 252 861 905 Date: 9/17/90

Land Owner: Edward J. and Zena F. Gata

Location: 128 Highland Street Map 61 Lot 22-1

Dear Sir:

You are hereby notified that an inspection of the above referenced property indicates that you are in violation of the Town of Hudson Zoning Ordinance.

Article # II Section(s) # 334-7 E Zone A-1
X # 334-53 A&B

Type of Violation: Construction of a utility shed without first obtaining a building permit.

Corrective Action Required: Apply for a building permit before any more work is done.

Should any of the above noted violations not be corrected on or before ten (10) days from the date of this notice, you will be subject to the penalties of H20 Article XII, Section 334-65 which states: "Any person, firm or corporation violating any of the provisions of this chapter, (334) shall be deemed guilty of a misdemeanor and shall be punished by a fine for each violation of not more than one hundred dollars (\$100). Each day that a violation is permitted to exist shall constitute a separate violation. Such fines shall be in addition to the remedies for violation provided for by RSA 676:15."

If you have any questions regarding this matter, I will do my best to assist you.

Sincerely,

William A. Olesch
Code Enforcement Officer

cc: John Ratigan, Town Attorney
Susan Snide, Zoning Administrator

Permitted 9/21/90





TOWN OF HUDSON — Building/Zoning RECEIVED

APPLICATION FOR
PLAN EXAMINATION AND
BUILDING PERMIT
886-8005

SEP 25 1990

TOWN OF HUDSON

Bldg - Zoning

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

ZONING DISTRICT **A-1**

I. LOCATION OF BUILDING

AT (LOCATION) 128 Highland St
(NO.) (STREET)
BETWEEN Greeley St AND RT 3A
(CROSS STREET) (CROSS STREET)
SUBDIVISION _____ MAP 61 LOT 22-1 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.)
- 3 Alteration (See 2 above)
- 4 Repair, replacement
- 5 Wrecking (If multi-family residential, enter number of units in building in Part D, 13)
- 6 Moving (relocation)
- 7 Foundation only

D. PROPOSED USE - (For "Wrecking" most recent use)

Residential

- 12 One family
- 13 Two family
- 14 Transient hotel, motel, or dormitory - Enter number of units _____
- 15 Garage
- 16 Carport
- 17 Multi-Family - Townhouse, Apartment, etc (enter number of residential units)
- 18 Other - Specify (shed, pool, fireplace)

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 _____

B. OWNERSHIP

- 8 Private (individual, corporation, nonprofit institution, etc.)
- 9 Public (Federal, State, or local government)

C. COST

- 10. Cost of improvement \$ 600
To be installed but not included in the above cost
- a. Electrical NO
- b. Plumbing NO
- c. Heating, air conditioning NO
- d. Other (elevator, etc.) NO
- 11. TOTAL COST OF IMPROVEMENT \$ 600

(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.

Shed 12 by 12'

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)
- N/A

H. TYPE OF WATER SUPPLY

- 42 Public or private company
 - 43 Private (well, cistern)
- N/A

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.
- 12 by 12

K. NUMBER OF OFF-STREET PARKING SPACES

- 51. Enclosed
- 52. Outdoors

F. PRINCIPAL TYPE OF HEATING FUEL

- 35 Gas 35a Undergnd
- 36 Oil 38b Tank
- 37 Electricity
- 48 Coal
- 49 Other - Specify NO HEAT
N/A

I. TYPE OF MECHANICAL

- Will there be central air conditioning?
- 44 Yes 45 No
- Will there be an elevator?
- 46 Yes 47 NO

L. RESIDENTIAL BUILDINGS ONLY

- 53. Total Bedroom Capacity { Finished
Unfinished
- 54. Number of bathrooms { Full
Partial

(B)

IV. IDENTIFICATION - To be completed by all applicants

NAME		MAILING ADDRESS - NUMBER, STREET, CITY, AND STATE	ZIP CODE	TEL. NO.
1. Owner or Lessee	EDWARD & ZENA GATTA	124 Highland St Hudson N.H.	07051	889-8937
2. Elec., Plumb, Masonry, Heating, Gen. Contractor	SAME			
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>Edward J. Gatta</i>	ADDRESS 124 Highland St	APPLICATION DATE 9-25-90
--	----------------------------	-----------------------------

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.

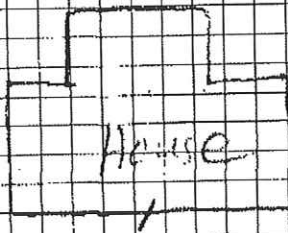
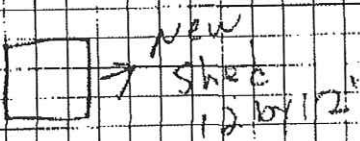
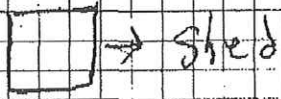
DISTRICT:		SEPTIC PERMIT:	
USE:		SEWER PERMIT:	
FRONT YARD:		SUBDIVISION APPROVAL:	
SIDE YARD:	SIDE YARD:	CONSTRUCTION APPROVAL:	
REAR YARD:	LIVING AREA:	EXCAVATION PERMIT:	
LOT AREA:	ZBA APPROVAL:	DRIVEWAY PERMIT:	
FRONTAGE:	SPEC. EXCEPTION:	SITE PLAN APPROVAL:	
NOTES:		H.C.R.D. PLAN NO.:	

VIII. VALIDATION

BLDG. PERMIT NO. _____	IMPACT FEES \$ _____
BLDG. PERMIT ISSUED _____ 19 _____	REVIEW FEES \$ _____
BLDG. PERMIT FEE \$ _____	INSPECTION FEES \$ _____
APPROVED BY _____ BUILDING INSPECTOR	SEWER FEES \$ _____
BLDG. PERMIT FEE COLLECTED \$ _____	OTHER FEES \$ _____
BY FINANCE _____	\$ _____
TITLE _____	\$ _____

B₂

IX. SITE OR PLOT PLAN — For Applicant's Use 1 block = 5 ft.



Highland St

B₃



TOWN OF HUDSON
Department of Public Works and Development



12 School Street Hudson, New Hampshire 03051 603/886-6005

Date rec'd. _____

*** BUILDING PERMIT APPLICATION REVIEW ***

STREET ADDRESS/BLDG LOCATION: 128 Highland St. MAP 6 LOT 22-1

	Name	Address	Telephone
APPLICANT:	<u>Edward Latta</u>	<u>128 Highland St.</u>	<u>889 8937</u>

OWNER : _____

BUILDING USAGE: Residential Commercial _____ Industrial _____

ZONING ADMINISTRATOR - SECTION VI

BUILDING/LAND USE APPROVED: Yes No _____

VARIANCE ISSUED _____ TYPE _____ DATE _____

BY: Frank Fiedle DATE: 10/1/90
Zoning Administrator

***** Please return by October 3, 1990 *****

- ① the 140 sq ft shed shall be no closer than five feet from the side lot line rearer
- ② the shed shall be no greater in height than 9 ft.



Map 61 Lot 22-1

146.91

TOWN OF HUDSON, NH

BUILDING PERMIT FILE CHECKOFF LIST

THE FOLLOWING ITEMS MUST BE THE BUILDING PERMIT FILE TO BE COMPLETE:

- | <u>ITEM</u> | <u>DATE ENTERED</u> |
|---|-------------------------|
| 1. Completed Building Permit Application. | <u>9-25-90</u> |
| 2. Electrical Permit | _____ |
| 3. Plumbing Permit | _____ |
| 4. State Septic Permit or Town Sewer Permit | _____ |
| 5. Driveway Permit | _____ |
| 6. 5-various departmental Sign-Off Sheets | _____ |
| _____ Planning Div. Date _____ | |
| _____ Fire Dept. Date _____ | |
| _____ Engineer Div. Date _____ | |
| ✓ Zoning Div. Date <u>10-2-90</u> | |
| ✓ Building Div. Date <u>10-2-90</u> | |
| 7. Valid Building Permit and Receipt. | _____ |
| 8. All requests for inspection sheets,
(i.e.. foundation, frame, electrical,
plumbing, sewer and fireplace) | _____

_____ |
| 9. All written inspection Field Reports. | _____ |
| 10. Any other correspondence, memos, etc. | _____ |
| 11. 1-Certificate of Occupancy Sign-Off Sheet. | _____ |
| Sewer Div. Date _____ | |
| Fire Dept. Date _____ | |
| Engineer Div. Date _____ | |
| Zoning Div. Date _____ | |
| Building Div. Date _____ | |
| Planning Div. Date _____ (non-res. only) | |
| 12. The original Certificate of Occupancy. | _____ |



Map 61, Lot 22-1

BUILDING PERMIT

DEPT. FILE COPY

PAID

VALIDATION

APPLICANT Edward Gatta DATE October 2, 19 90 PERMIT NO. 146-91
ADDRESS 128 Highland St. - Hudson NH 889-8937
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO Build shed (TYPE OF IMPROVEMENT) (-) STORY Residential Accessory (PROPOSED USE) NUMBER OF DWELLING UNITS N/A

AT (LOCATION) 128 Highland Street (NO.) (STREET) ZONING DISTRICT A-1
BETWEEN Greeley Street (CROSS STREET) AND Route 3A (CROSS STREET)

SUBDIVISION LOT 22-1 BLOCK 61 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: Build 12'x12' shed, wood frame.

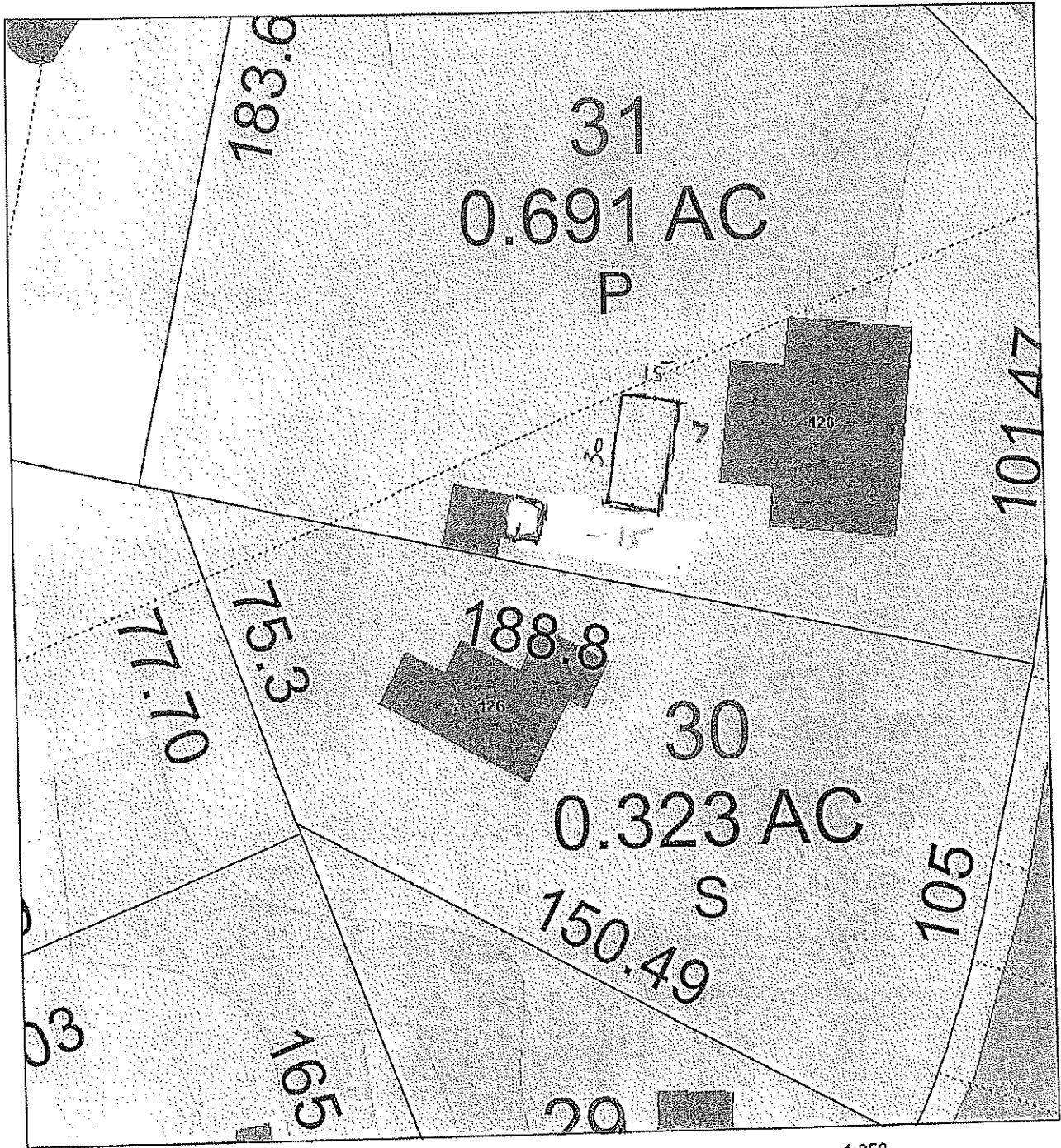
AREA OR VOLUME 144 sq. ft. (CUBIC/SQUARE FEET) ESTIMATED COST \$ 600.00 PERMIT FEE \$ 20.00

OWNER Edward and Zena Gatta
ADDRESS 128 Highland Street - Hudson NH 03051 BUILDING DEPT. BY Edward P. Maloney

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

FORM NO. BOCA-BP 1989

E



June 8, 2022

Legend

----- Easement_Lines

▭ Parcels

128 Highland St

BP#

30 x 15 A/G park

2022-00621

BB 6-8-22



(F)

167-31
128 Highland

TOWN OF HUDSON
Office of the Building Inspector

12 School Street Hudson, New Hampshire 03051 603-889-8489

July 10, 1979

Dear Edward J. Gatta

It has been brought to our attention that you are in violation of the Zoning Ordinance of the Town of Hudson, Article _____ Section _____.

Building of fence on Town property

You are hereby directed to correct this situation within 30 days or be subject to the penalties of the Ordinance and/or any additional action which may be deemed necessary to insure compliance.

Very truly yours,

Richard E. Millard
Richard E. Millard
Building Inspector

REM:jtp

8/14/79

Waiting for fence Company to move fence back onto property line - R. E. M.

(G)

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

REQUEST FOR REVIEW/COMMENTS:

Case: 167-031 (Variance)

Property Location: 128 Highland Street

For Town Use

Plan Routing Date: 08/04/2022 Reply requested by: 08/12/2022 ZBA Hearing Date: 08/25/2022

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 08/04/2022
(Initials)

DEPT.
 Town Engineer Fire/Health Department Town Planner

1. This property is adjacent to a significant size Liberty Utilities natural gas station. Our records indicate a gas main under a structure located at this property. the applicant should request an evaluation and a letter from Gas Liberty utility regarding any concerns for the proposed work.
2. There is a significant elevation drop between 128 and 126 Highland (Liberty Utilities station) at the proposed pool location , which will create a challenge during construction.
3. Applicant shall indicate the location of the pool discharge hose.
4. Applicant should consider relocating the proposed pool behind the house,if possible.

(H)

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

On 08/25/2022, the Zoning Board of Adjustment heard **Case 167-031**, being a case brought by **Shanna Moreau, 128 Highland Street, Hudson, NH requests a Variance for a proposed installation of a 15 ft. x 30 ft. above ground residential pool to be located 10 feet into the side yard setback leaving 5 feet where 15 feet is required.** [Map 167 Lot 031-000; 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: _____ Date _____
 Sitting member of the Hudson ZBA

Stipulations: _____

APPLICATION FOR A VARIANCE

AUG 02 2022

To: Zoning Board of Adjustment
Zoning Department
Town of Hudson

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

Case No. 167-031 (08-25-22)

Date Filed 8/2/22

Name of Applicant Shanna Moreau Map: 167 Lot: 031 Zoning District: R2

Telephone Number (Home) 978-408-6667 (Work) _____

Mailing Address 128 Highland St Hudson NH 03051

Owner Shanna Moreau

Location of Property 128 Highland St Hudson NH 03051
(Street Address)

Shanna Moreau _____
Signature of Applicant Date 8/2/22

Shanna Moreau _____
Signature of Property-Owner(s) Date 8/2/22

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: 8/2/22

COST:

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

<u>8</u> Abutter Notice:		
<u>8</u> Direct Abutters x Certified postage rate	\$ <u>4.00</u> =	\$ <u>32.00</u>
<u>11</u> Indirect Abutters x First Class postage rate	\$ <u>.60</u> =	\$ <u>6.60</u>
Total amount due:		\$ <u>223.60</u>

Amt. received: \$ 223.60

Receipt No.: 696,326

Received by: (TSG)

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>DM</u>	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>TG</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 thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>DM</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>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>DM</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>DM</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>BK</u> <u>pending</u>
<u>DM</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>DM</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:

N/A

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) _____ The plot plan shall be drawn to scale on an 8 ½” x 11” or 11” x 17” sheet with a North pointing arrow shown on the plan. _____
- b) _____ The plot plan shall be up-to date and dated, and shall be no more than three years old. _____
- c) _____ The plot plan shall have the signature and the name of the preparer, with his/her/their seal. _____
- d) _____ The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property.
(NOTE: 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) _____ 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) _____ The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. _____
- g) _____ The plot plan shall include all proposed buildings, structures, or additions, marked as “PROPOSED,” together with all applicable dimensions and encroachments. _____
- h) _____ The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. _____
- i) _____ The plot plan shall indicate all parking spaces and lanes, with dimensions. _____

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

Shanna Moreau
Signature of Applicant(s)

8/2/22
Date

Shanna Moreau
Signature of Property Owner(s)

8/2/22
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)	
167-031	000	Shanna Moreau	128 Highland St Hudson NH 03051
167-032	000	Linda Tremblay	4 Bonnie Lane Hudson NH 03051
167-046	000	Bryan Parent Meaghan Parent	132 Highland St Hudson NH 03051
167-030	000	Liberty Utilities	Attn: Accs Payable Paul Kirch 15 Buttrick Rd Londonderry NH 03053
167-031	001	Sandra Jean	5A Lampron St Hudson NH 03051
167-031	002	Stephen Gilson Chanhassamone Gilson Gilson Family Trust	8B Lampron St Hudson NH 03051
167-052	000	Ausama Mohamed Ali Soukayna El Bouayadi	135 Highland St Hudson NH 03051
167-054	000	Bruce Daigle Bernadette Daigle	127 Highland St Hudson NH 03051

- 5B

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
167-038	000	Michael Peterson Sharon Peterson	122 Highland St Hudson NH 03051
167-055	000	Robert Brock Kathleen Brock	125 Highland St Hudson NH 03051
167-044	000	Kendall Reilly Reilly	5 Bonnie Lane Hudson NH 03051
167-056	000	Pamela Bisbing Bisbing Revocable Trust	123 Highland St Hudson NH 03051
167-053	000	Michael Livingston Terry Livingston Livingston Family Trust	129 Highland St Hudson NH 03051
167-026	000	Mark Ueaton	118 Highland St Hudson NH 03051
167-043	000	Michael Mulligan Darlene Conrad	7 Bonnie Lane Hudson NH 03051
167-047	000	Ronald Rousset Wini-Fred Rousset Rousset Inverside Trust	134 Highland St Hudson NH 03051
167-045	000	Evaristo Bizarro Maria Bizarro	3 Bonnie Lane Hudson NH 03051
		Liberty Utilities	Attn. Acct Payable Paul Kinch 15 Bottrick Rd Londonderry NH 03053-3305
		Leo Francoeur Francoeur Revocable Trust	6 Bonnie Lane 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 VII of HZO Section(s) 334-27 in order to permit the following:

Requesting a variance for a proposed installation of a 15ft x 30ft above ground pool to be located 10ft into the side yard setback, leaving 5ft where 15ft is required.

map 167 Lot 031-000, HZO Article VII Dimensional requirements § 334-27 Table of minimum dimensional requirements

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 will not be contrary to the public interest as I do not have any direct neighbors on that side of my home. You will not be able to see the pool from any of my neighbors homes as a 6ft vinyl fence is also being installed.

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.”)

I am not asking to completely remove the ordinance, I am asking for leniency to be able to place the pool 10 feet closer to my property line, leaving 5 feet where 15 feet is required.

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.)

EVERSOURCE shut down my pool installation in my back yard after my yard had been excavated. My pool installer moved my plan a few feet to accommodate for a hill, and inadvertently made the new location encroach over the easement line by a few feet. I am ever plik into this process, and a variance would allow this to not be a total loss.

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 pool will not be visible as we are also installing a 6ft vinyl fence. This project will add property value to my home, in turn adding property value to our neighborhood. I can't see a reason how it would diminish value in any way.

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

I have almost 1 acre of land but am only permitted to use/build on 10% of it. The property line ordinance in addition to the easement leaves me with very little yard area to enjoy. We spent 7 years and upwards of \$15k to remove trees and fix our yard in preparation for this project.

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

The easement on my property cuts off 90% of my backyard, leaving me with a very small area on the side of my yard to be able to use recreationally. Allowing this variance will allow my family to enjoy our home in the way we intended when purchasing. It is the only possible remaining option for the pool placement. We recently just learned that our side fence line is not our actual property line as well, leaving us even less space. The terrain makes the open area unusable as well.

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.

The easement which covers 90% of my property, I ~~am~~ only have a small area on the side of my home in which is usable. The 15ft property line setback requirement leaves my usable area, even smaller. I own .67 acres of land but am unable to change or build in my backyard at all due to the easement. The easement was incorrectly explained to me when I purchased my home and I was unaware of that. My only option is to place the pool in the side yard area, but this is being prevented due to the 15ft property line setback rule.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #22-064

July 25, 2022

Shanna Moreau
128 Highland St
Hudson NH 03051

Re: 128 Highland St Map 167 Lot 031-000
District: Residential Two (R-2)

Dear Shanna,

Your request: Can you relocate the 15 x 30 A/G pool on the side of property?

Zoning Review / Determination:

You would need a variance from the Zoning Board of Adjustment (ZBA) for §334-27 Table of Minimum Dimensional Requirements, as: the minimum side yard setback required is 15ft from property line, and your proposal would encroach into the setback.

Sincerely,

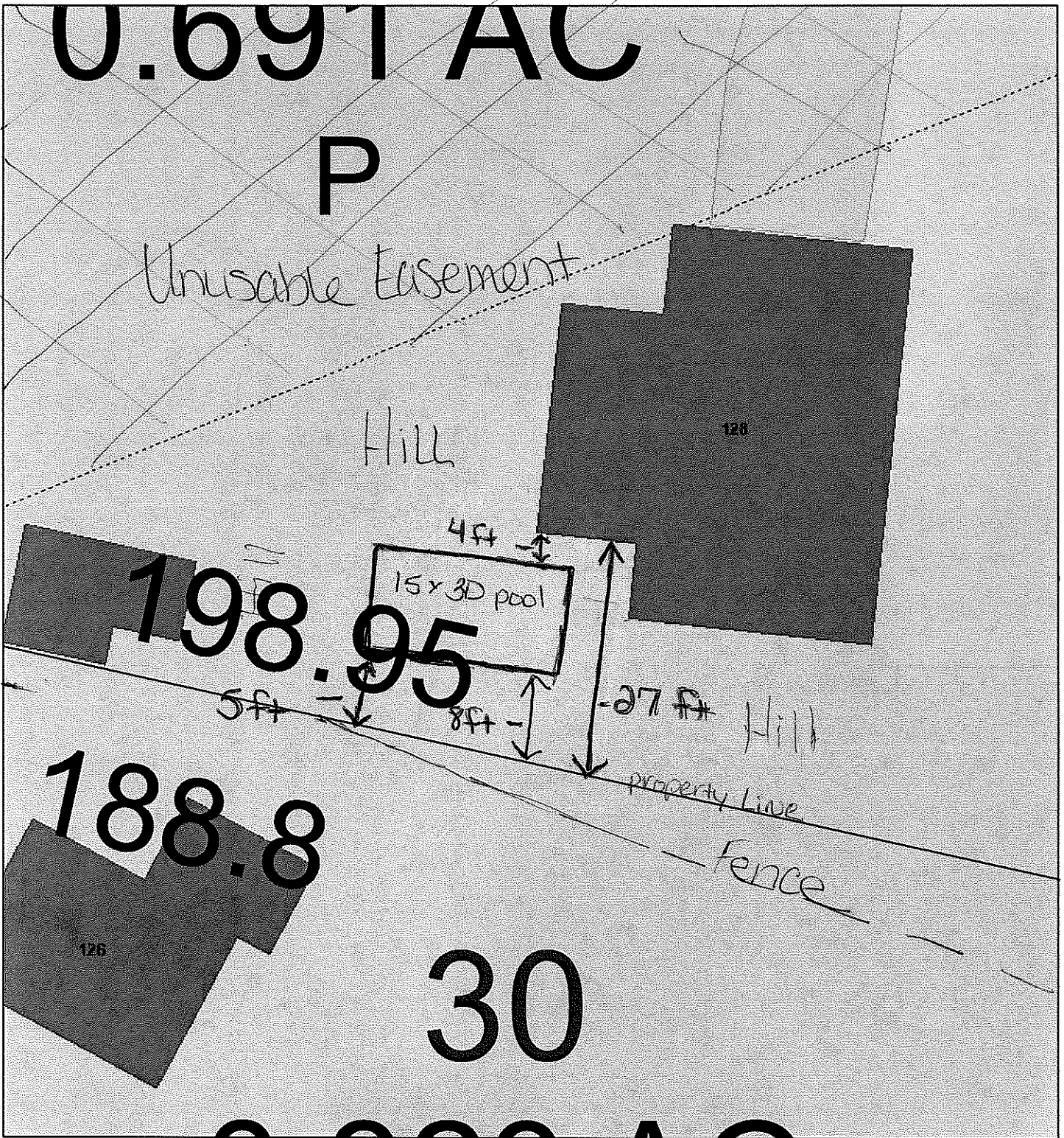
Bruce Buttrick

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

cc: Public File
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.

128 Highland Proposed Pool Location



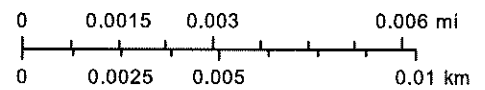
July 29, 2022

1:192

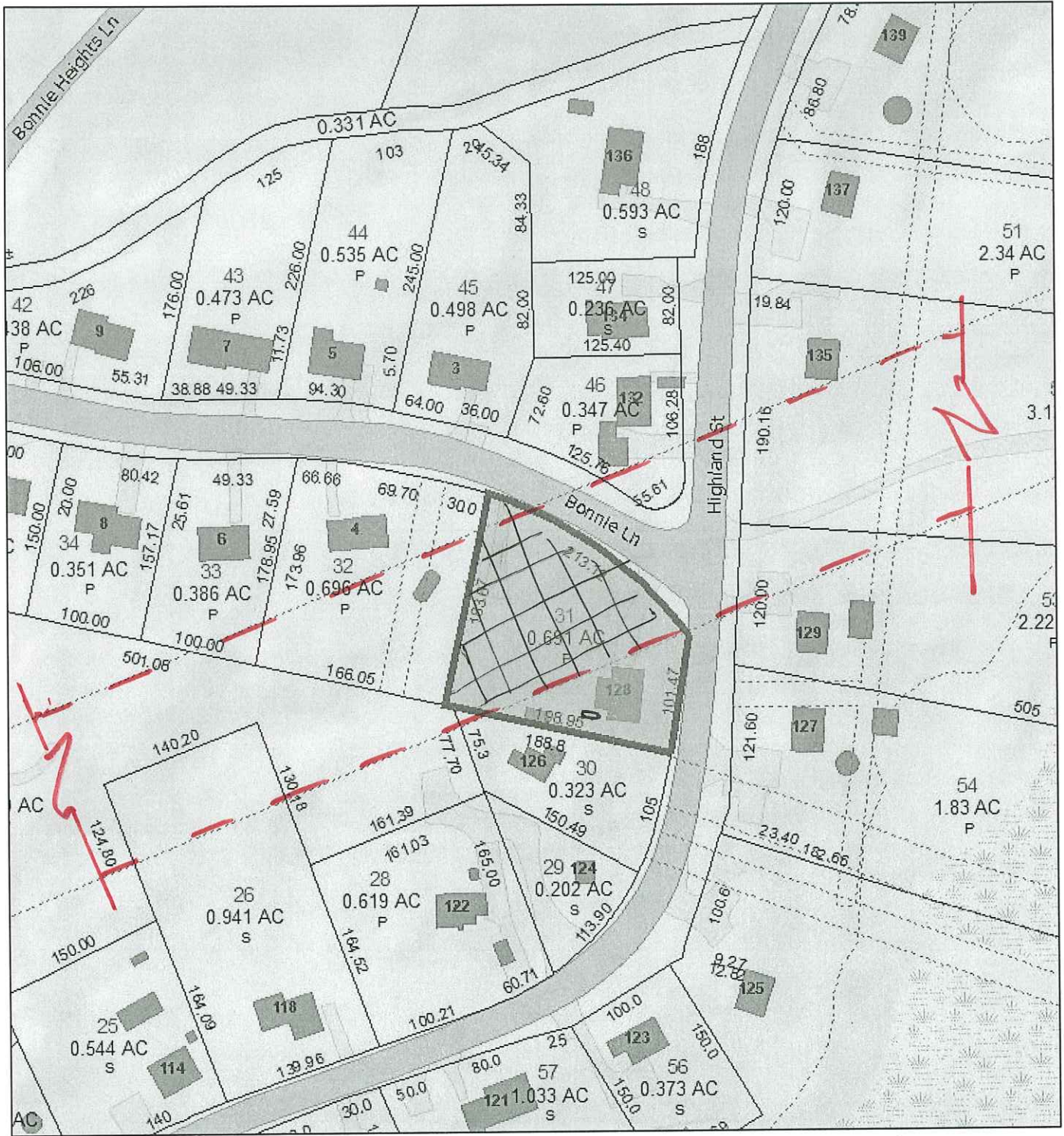
Legend

----- Easement_Lines

▭ Parcels



128 Highland St



July 25, 2022

Legend

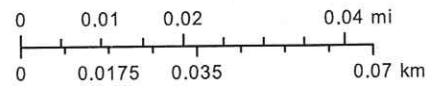
----- Easement_Lines

▭ Parcels



Unusable Easement

1:1,438



167 031 000
MAP LOT SUB

1 of 1 RESIDENTIAL
CARD

Hudson

Total Card / Total Parcel
APPRAISED: 253,300/ 253,300
USE VALUE: 253,300/ 253,300
ASSESSED: 253,300/ 253,300



Patriot Properties Inc.

PROPERTY LOCATION

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

OWNERSHIP

Owner 1:	JONES, SHANNA
Owner 2:	
Owner 3:	
Street 1:	128 HIGHLAND ST.
Street 2:	
Twn/City:	HUDSON
St/Prov:	NH
Postal:	03051

PREVIOUS OWNER

Owner 1:	MDR REHAB & DEVELOPMENT, LLC -
Owner 2:	-
Street 1:	PO BOX 653
Twn/City:	GOFFSTOWN
St/Prov:	NH
Postal:	03045

NARRATIVE DESCRIPTION

This parcel contains .691 ACRES of land mainly classified as ONE FAMILY with a SPLIT LEVEL Building built about 1974, having primarily VINYL Exterior and 1394 Square Feet, with 1 Unit, 1 Bath, 0 3/4 Bath, 1 HalfBath, 7 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	R2	RESD TWO		water	3	TOWN WATE
o				Sewer	2	TOWN SEWE
n				Electri		
Census:				Exmpt		
Flood Haz:	C					
D				Topo	2	ABV ST
s				Street		
t				Gas:		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1 %	Infl 2 %	Infl 3 %	Appraised Value	Alt Class %	Spec Land	J Code	Fact	Use Value	Notes
101	ONE FAMILY		0.691		SITE ACRE	SITE		0 110,000.	1.19	RE				EASEME	-5	LOCATIC	-5	Y151	0	90,073		90,100	POWERLINE

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
101	0.691	160,800	2,400	90,100	253,300
Total Card	0.691	160,800	2,400	90,100	253,300
Total Parcel	0.691	160,800	2,400	90,100	253,300
Source:	Market Adj	Cost	Total Value per SQ unit /Card: 181.71 /Parcel: 181.71		

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2022	101	JB	160,800	2400	.691	90,100	253,300	253,300	Year End Roll	5/24/2022
2021	101	FV	160,800	2400	.691	90,100	253,300	253,300	Year End Roll	9/27/2021
2021	101	JB	160,800	2400	.691	90,100	253,300	253,300	Year End Roll	5/12/2021
2020	101	FV	167,500	2400	.691	90,100	260,000	260,000	Year End Roll	8/27/2020
2020	101	JB	167,500	2400	.691	90,100	260,000	260,000	Year End Roll	5/6/2020
2019	101	FV	167,500	2400	.691	90,100	260,000	260,000	Year End Roll	9/16/2019
2019	101	JB	167,500	2400	.691	90,100	260,000	260,000	Year End Roll	5/8/2019
2018	101	FV	167,500	2400	.691	90,100	260,000	260,000	Year End Roll	8/27/2018

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Notes
MDR REHAB & DEV	8787-0028	1	8/31/2015	RESALE	235,000	No	No		
THE BANK OF NEW	8720-1253	1	12/29/2014	BANK TRANS	121,500	No	No		
MATTESON, JOHN	8696-2035	5	8/13/2014	FORECLOSURE	168,100	No	No		
MATTESON, KELLY	7917-0736	1	6/25/2005	FAMILY TRANS		No	No		
MATTESON, KELLY	7232-2971	2	4/20/2004	FAMILY TRANS		No	No		
THE LENDERS/MAS	5550-7810		5/25/1994		98,000	No	No		

BUILDING PERMITS

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

ACTIVITY INFORMATION

Date	Result	By	Name
2/19/2021	Info At Door	18	KRT1
2/19/2021	Measured	18	KRT1
10/28/2015	Sale Data V	12	TECH ASMNT
5/6/2015	Sale Data V	12	TECH ASMNT
6/17/2010	Measured	14	APPR TECH 4
9/3/2005	Measured	6	RB
7/20/2005	New Maps	1	CHIEF ASSESS
4/28/2001	Inspected	0	PATRIOT
4/10/2001	Left Notice	0	PATRIOT

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.69100 Total SF/SM: 30100 Parcel LUC: 101 ONE FAMILY Prime NB Desc: RES AVG Total: 90,073 Spl Credit Total: 90,100

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

Database: AssessPro - Hudson

amym

2022

EXTERIOR INFORMATION

Type:	18 - SPLIT LEVEL
Sty Ht:	1 - ONE STY
(Liv) Units:	1 Total: 1
Foundation:	1 - CONCRETE
Frame:	1 - WOOD
Prime Wall:	04 - VINYL
Sec Wall:	08 - BRICK VEN 10%
Roof Struct:	1 - GABLE
Roof Cover:	1 - ASPH SHING
Color:	GREEN
View / Desir:	

BATH FEATURES

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

OTHER FEATURES

Kits:	1	Rating:	AVERAGE
A Kits:		Rating:	
Frp1:	2	Rating:	GOOD
WSFlue:		Rating:	

CONDO INFORMATION

Grade:	C - AVERAGE		
Year Blt:	1974	Eff Yr Bit:	
Alt LUC:		Alt %:	
Jurisdct:		Fact:	
Const Mod:			
Lump Sum Adj:			

DEPRECIATION

Phys Cond:	GV - Good-VG	24.0%
Functional:		
Economic:	L - LOCATION	5.0%
Special:		
Override:		
Total:		27.8%

CALC SUMMARY

Basic \$ / SQ:	107.00
Size Adj:	1.14562416
Const Adj:	0.98490381
Adj \$ / SQ:	120.731
Other Features:	16750
Grade Factor:	1.00
NBHD Inf:	1.00000000
NBHD Mod:	
LUC Factor:	1.00
Adj Total:	222663
Depreciation:	61900
Depreciated Total:	160763

COMMENTS

5-FIX BTH.. 2/21 JS CLOSE TO POWER
LINES/STEEP IN REAR. NO CHG TO LAND ADJ..
EXT=G CHG COND TO GD/VG. SNOW= PATIO
EST FENCE=NO REAR EST.

RESIDENTIAL GRID

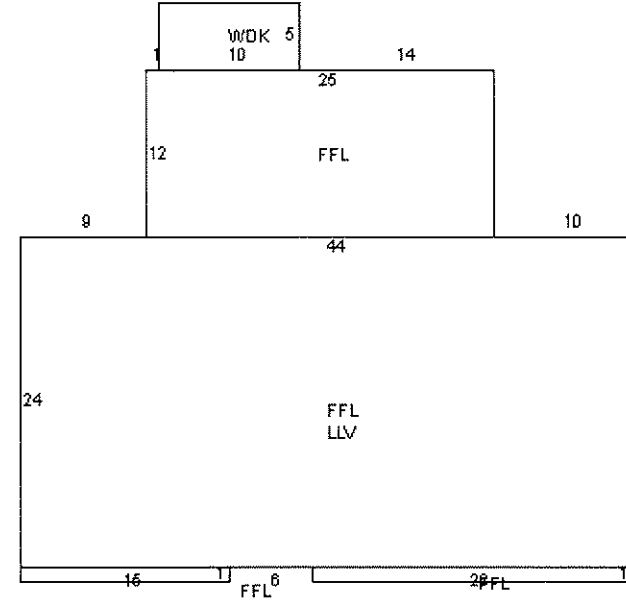
1st Res Grid:	Desc:	CONV	# Units:	1
Level:	FY LR DR D' K FR RR BR FB HB L O			
Other:				
Upper:				
Lvl 2:				
Lvl 1:				
Lower:				
Totals:	RMs:	7	BRs:	3
	Baths:	1	HB:	1

REMODELING

Exterior:	2015
Interior:	2015
Additions:	
Kitchen:	2015
Baths:	2015
Plumbing:	
Electric:	
Heating:	
General:	

RES BREAKDOWN

No Unit	RMS	BRS	FL
1	7	3	M
Totals			
1	7	3	

SKETCH**INTERIOR INFORMATION**

Avg Ht/Ft L:	STD		
Prim Int Wall:	1 - DRYWALL		
Sec Int Wall:			
Partition:	T - TYPICAL		
Prim Floors:	04 - CARPET		
Sec Floors:	06 - CERAMIC T 20%		
Bsmnt Fir:	12 - CONCRETE		
Subfloor:			
Bsmnt Gar:	2		
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:	

COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price

SUB AREA

Code	Description	Area - SQ	Rate - AV	Undepr Value	
FFL	FIRST FLOOR	1,394	120.730	168,299	
LLV	LOWER LEVEL	1,056	34.260	36,176	
WDK	WOOD DECK	50	28.760	1,438	
Net Sketched Area:		2,500	Total:	205,913	
Size Ad	1394	Gross Area	2500	FinArea	1394

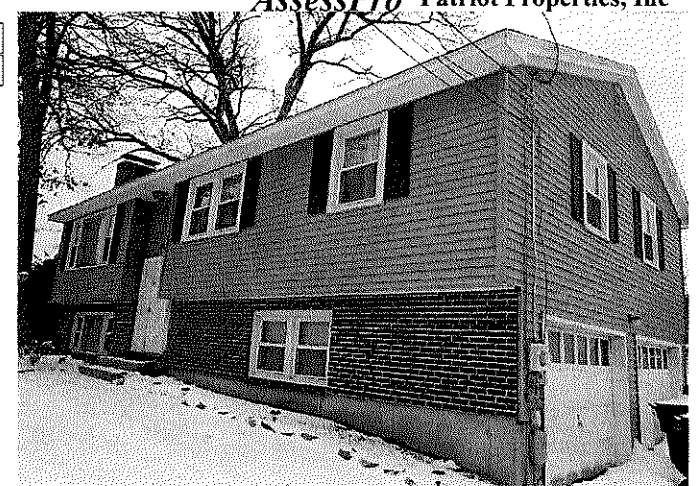
SUB AREA DETAIL

Sub Area	% Usbl	Descrip	% Type	Qu #	Ten
LLV	100	FLA		45	AV

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	JCodJFact	Juris. Value
2	SHED-WOOD	D Y	1	112x12	AV	GD	1985	23.26	T	40	101			2,000		2,000
02	SHED-NV	D Y	1	8X8	AV	GD	1985	0.00	T	25.6	101					
19	PATIO	D Y	1	19X13	FR	FR	1985	8.63	T	57.6	101			400		400

PARCEL ID 167-031-000**IMAGE***AssessPro* Patriot Properties, Inc

Printed
8/03/2022
10:10AM
Created
8/03/2022
9:49 AM

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

Receipt# 696,326
tgoodwyn

<u>Description</u>		<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>	
1.00	Zoning Application- 8/25/22 ZBA Meeting 128 Highland Street Map 167 Lot 031-000 Variance application	0.00	223.6000	0.00	
			Total:	223.60	
<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
Nicholas & Shanna Moreau	CHECK	CHECK # 243	223.60	0.00	223.60
			Total Due:		223.60
			Total Tendered:		223.60
			Total Change:		0.00
			Net Paid:		223.60



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 – July 28, 2022 as edited

The Hudson Zoning Board of Adjustment met on Thursday, July 28, 2022 at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH

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 Preamble into the record describing the procedure for the meeting.

Clerk Normand Martin took attendance. Members present were Gary Daddario (Regular/Chair), Gary Dearborn (Regular), Brian Etienne (Regular), Normand Martin (Alternate/Clerk), 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 the Regular Members voted

III. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

- Case 183-006 (07-28-22):** A **Rehearing** of the Variance granted on 04/28/2022 is being held by The Town of Hudson Zoning Board of Adjustment for **102 Central St., Hudson, NH**. Jesse M. Couillard, applicant/owner, submitted a revised Proposed Plot Plan dated March 28, 2022 with (revision 1 dated 6/1/22 and revision 2 dated 6/6/22) to replace and expand an existing non-conforming 12 ft. x 10 ft. deck as a breezeway and build an attached 2-stall, 24 ft. x 20 ft. 2-story garage addition and reconfigured driveway. The deck encroaches the front yard setback 12.5 feet leaving 17.5 feet and the garage encroaches the front yard setback 17.8 feet leaving 12.2 feet where 30 feet is required for both. [Map 183, Lot 006-000, Zoned Town Residence (TR); 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.]

Mr. Buttrick read the Case into the record, noted that the Variance was granted on 4/28/2022, that a Rehearing was requested on 5/26/2022 and referred to the Supplemental Meeting Folder for the Revised Plan and information regarding cemetery

46 setbacks, the applicable RSA 289:3 and email from Town Counsel that it is a State
47 Law that the ZBA cannot waive.

48

49 Jesse M. Couillard, Property Owner, sat at the Applicant's table with his wife, stated
50 that he had met with the Town Engineer when he applied for the Building Permit who
51 expressed concern with the short driveway and together they reconfigured the plan by
52 rotating the proposed garage building ninety degrees, utilize the second driveway as
53 the primary driveway to the lot and grass the existing approved driveway. Reference
54 was made to the plan with a revised date of 6/23/2022.

55

56 Mr. Couillard next addressed the criteria for the grating of a Variance and the
57 information shared included:

58

59 (1) *not contrary to public interest*

- 60 • The proposed addition is not contrary to public interest
- 61 • House was built in 1960 and has two front setbacks
- 62 • Proposed two-car garage with breezeway would bring positive value to all
63 homes in the neighborhood and should not impact the character of the
64 neighborhood nor impose any safety hazards or risks to the roadways,
65 general public or any health or pose any safety hazards

66 (2) *will observe the spirit of the Ordinance*

- 67 • Zoning Ordinance Section 334-2 sets the general purpose which include
68 promoting the most use of the land, conserving property values, maintaining
69 aesthetics and residential use compatible with the neighborhood
- 70 • Variance for this corner lot with a garage addition would allow an efficient
71 use of this portion of the lot as well as add square footage for additional tax
72 revenue that will increase property value and property values of other homes
73 in the neighborhood

74 (3) *substantial justice done*

- 75 • House is already a nonconforming structure on a corner lot with two (2)
76 front setbacks in an existing neighborhood leaving minimal building area
- 77 • Substantial justice done because there would be no adverse impact on the
78 general public
- 79 • Been a resident for 20 years at 102 Central Street and realize this is our
80 'forever' home
- 81 • As we continue to age, not having a garage will pose future hardship during
82 our harsh New England winters

83 (4) *not diminish surrounding property values*

- 84 • The proposed addition of a garage to an existing nonconforming building on
85 a corner lot with two (2) front setbacks in an existing neighborhood will
86 not diminish values of surrounding properties
- 87 • The lot can accommodate the addition of a garage without adverse impact on
88 the neighborhood
- 89 • Property values are generally enhanced with new construction

90 (5) *hardship*

- 91 • House was built in 1960, well before current setback requirements making
92 the house now a nonconforming structure

11

- 93 • Corner lot with two (2) front 30' setbacks not met – house is 23' from Central
94 Street and 17.5' from Vinton Street
95 • The lot also abuts Sunnyside Cemetery which imposes another restraint
96 with its 25' no construction setback
97 • Setbacks minimize the buildable area for this lot and cause the hardship
98 • A garage is a normal component of a house
99

100 Public Testimony opened at 7:21 PM. No one addressed the Board.

101
102 Mr. Etienne stated that the Board has already extensively discussed and made the
103 motion to grant the Variance based on the revised plan dated 6/23/2022. Mr. Nicolas
104 seconded the motion for the same reasons. Mr. Dearborn voiced opposition to the
105 motion noting that it would make the lot more non-conforming, that there are other
106 discrepancies on the property noting the sheds in the setback and that one of the
107 sheds, as well as the pool deck, impact the State imposed setback which the Board
108 would not be able to even consider an Equitable Waiver of Dimensional Requirement.
109 Mr. Buttrick noted that the upper shed is five feet (5') from the property line. Mr.
110 Etienne pointed out that is a State issue and not a Town issue and called a point of
111 order to call the vote.

112
113 Roll call vote was 4:1 with Mr. Dearborn opposed. Mr. Etienne stated that each of the
114 criteria have been satisfied and noted that there is no change in Use. Mr. Nicolas
115 agreed with Mr. Etienne noting that it is not contrary and that a garage is a normal
116 part of a home and will increase property values. Mr. Dearborn stated that the
117 request is contrary to public interest and conflicts with the thirty foot (30') setback
118 and does not observe the spirit of the Ordinance with the required setbacks and the
119 hardship criteria is not satisfied as there is no hardship from the land and there is
120 enough room on the property to place the garage out of the setback, even if it may not
121 be "convenient" to the property owners and not require a Variance and noted that a
122 two-story two-car garage is proposed. Mr. Pacocha stated that the request is not
123 contrary to public interest, does not conflict with the spirit of the Ordinance and
124 substantial justice is done with no harm to the public and that hardship is met with
125 all the setback requirements imposed on the lot since the house was built. Mr.
126 Daddario stated the amended/proposed plan is consistent with the neighborhood and
127 addresses the concern with a short driveway, that there is no threat to the public and
128 no harm to the public with the garage addition, noted that a garage adds value to a
129 home without diminishing values of other properties in the neighborhood and that
130 hardship is met with the two (2) front yard setbacks and the cemetery setback and to
131 move the garage totally out of the setback would be awkward for house access and
132 not, in his opinion, necessary.

133
134 Mr. Couillard thanked the Board and the Town Engineer. Mr. Daddario noted that 30-
135 day Appeal Period.

- 136
137 2. **Case 198-029-002 (07-28-22):** Don Dumont, Manager of DMT Realty LLC,
138 195R Central Street, Hudson, NH requests 2 (two) Variances for **4 C Street,**
139 **Hudson, NH** to reconfigure the existing lot with a proposed lot line adjustment
140 [Map 198, Lot 029-002; Zoned Business (B)] as follows:

- 141
142 a) A Use Variance for the construction of a single family home (after lot line
143 adjustment) in the Business Zone where it is not a permitted use. [HZO
144 Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses.] and;
145
146 b) A (size) Variance resulting in a reconfigured proposed 10,168 sqft lot area
147 where 30,000 sqft is required and proposed 124.47 feet frontage where 150
148 feet is required in the Business District. [HZO Article VII, Dimensional
149 Requirements; §334-27, Table of Minimum Dimensional Requirements.]
150

151 Mr. Buttrick read both Variances into the record, noted that the Board should make a
152 motion for each Variance separately and referenced his Staff report initialed
153 7/19/2022 noting that the lot is an existing non-conforming lot of record in the B
154 (Business) Zone for both lot size and frontage that the Applicant would like to
155 reconfigure as if it was in the TR (Town Residence) Zone to construct a single family
156 home.
157

158 Dillon Dumont introduced himself and Don Dumont, stated that the lot abuts the TR
159 Zone, that a Lot Line Adjustment (LLA) is required from the Planning Board (PB) and
160 addressed the criteria for the granting of a Variance. The information shared
161 included:
162

- 163 (1) *not contrary to public interest*
164 • The proposed lot and proposed Use are not contrary to public interest
165 • The proposed Use will maintain the character of the neighborhood
166 • The proposed single family residence will not impose any safety hazards or
167 risks to the roadways, general public or any health
168 (2) *will observe the spirit of the Ordinance*
169 • The entire neighborhood is made up of single family homes and some
170 duplexes
171 • The size of the lot is consistent with those in the neighborhood
172 • Upholding the Zoning Ordinance would alter the character of the
173 neighborhood
174 (3) *substantial justice done*
175 • The neighborhood abuts the TR Zone and is made up of small single family
176 lots
177 • Proposed lot size is compatible with the neighborhood
178 • It would harm the abutters if a business Use was placed on this parcel
179 • Substantial justice done because there would be no adverse impact on the
180 general public to add another single family to the neighborhood
181 (4) *not diminish surrounding property values*
182 • New construction of a single family home and keeping the character of the
183 neighborhood intact will increase property values
184 • The lot conforms with the neighborhood
185 (5) *hardship*
186 • This is a pre-existing non-conforming lot in the B Zone.
187 • Lot is surrounded by single family homes all with similar lot sizes

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- The neighborhood abuts the TR Zone and has always maintained that Use and lot size
 - By conforming to ZO Sections 334-21 & 334-27, the lot would alter the character of the neighborhood and could severely diminish surrounding property values
 - Literal enforcement of those ZO Sections would result in unnecessary hardship for the abutters

196 Mr. Dearborn asked if there would be any encroachments to any setbacks and Mr.

197 Dumont responded that all would be within the setbacks and added that the LLA

198 would create two (2) triangular lots with two (2) triangular building envelopes. Mr.

199 Thompson noted that the neighborhood contains small lots and the two (2) new lots

200 would be similar in size. ~~MMS. r~~ Roy asked the size of the proposed lot and Mr.

201 Dumont responded that it is approximately 1,900 SF (Square Feet). Mr. Thompson

202 asked the size of the buildable envelope and Mr. Dumont stated that it is

203 approximately half. Mr. Pacocha asked about a garage and Mr. Dumont responded

204 that an attached garage is part of the plan to avoid any encroachments in the future.

205 Mr. Dearborn asked Mr. Dumont if the two (2) houses being built on Highland Street

206 were his and Mr. Dumont confirmed and added that the house proposed for this lot

207 would be similar and noted that C street is a dead-end road.

208

209 Public Hearing opened at 7:56 PM. Mr. J. Bord (sp?) asked why the lot cannot become

210 part of the residential zone seeing as how all the abutters are residences and if there

211 was any guarantee that there would be no business operated from the house. Mr.

212 Daddario stated that the ZBA does not have the power to Rezone an area, that zones

213 are determined by the Planning Board and voted in by the Town. Being no one else to

214 address the Board, public Testimony closed at 7:58 PM.

215

216 Mr. Dearborn made the motion to grant the waiver for a residence as it is a good use of

217 the lot that matches the neighborhood and particularly there are no setback

218 encroachments. Mr. Etienne asked to have Google Maps accessed and noted that even

219 though there are several homes that became non-conforming when the Zone was

220 changed, granting another residence is contrary to the central business concept

221 proposed for this area of Town. Mr. Pacocha seconded the motion to grant the

222 Variance noting that it is not contrary to public interest, that it conforms to the

223 current neighborhood, that justice would be done to the Property Owner, that there is

224 no harm to the public and that the re-zoning has caused the hardship. Mr. Dearborn

225 concurred adding that it is not contrary and observes the spirit of the TR Zone, that

226 justice is done, that it is a good use of a small lot and will not diminish surrounding

227 property values. Mr. Etienne stated that he votes against the granting of this Variance

228 as it is contrary to public interest and does not observe the spirit of the Zoning

229 Ordinance to develop the business district in this area and noted that the transition

230 has to begin and noted that there is no hardship based on the land and that it could

231 be developed with a business use. Mr. Nicolas concurred with Mr. Etienne and voted

232 against the motion. Mr. Daddario voted to grant the motion as it is consistent with the

233 neighborhood and does not threaten the public, that it does not alter the character of

234 the existing neighborhood, that justice would be done to the Property Owner, that new

235 construction generally increases property values, that it is a pre-existing non-

236 conforming lot in a residential neighborhood, that all setbacks would be maintained,
237 that it is a reasonable use of the lot and that a business would be out of place.

238

239 Roll call vote was 3:2. Mr. Etienne and Mr. Nicolas opposed. Use Variance granted by
240 majority vote. The 30-day Appeal period was noted.

241

242 With regard to the size Variance, Mr. Dumont referred to his prior testimony. Public
243 Testimony opened at 8:15 PM. No one addressed the Board.

244

245 Mr. Etienne made the motion to grant the Variance for size and frontage as it is not
246 contrary to public interest and doesn't alter the neighborhood and observes the spirit
247 of the Ordinance and substantial justice would be done to the Property Owner, that
248 new construction increases property values and now that a Use Variance has been
249 granted, it is a good Use of the small lot. Mr. Dearborn seconded the motion,
250 concurred with Mr. Etienne and added that this lot is a small lot but no smaller than
251 what is traditionally found in a TR Zone. Mr. Nicolas concurred and added that the
252 size of the lot is its hardship. Both Mr. Pacocha and Mr. Daddario voted to grant for
253 the same reasons previously stated. Roll call vote was 5:0. Variance for reduced size
254 and frontage granted. The 30-day Appeal period was noted.

255

256 3. **Case 198-029-001 (07-28-22):** Don Dumont, Manager of Posey Investments
257 LLC, 195R Central Street, Hudson, NH requests 2 (two) Variances for **6 A**
258 **Street, Hudson, NH** to reconfigure the existing lot with a proposed lot line
259 adjustment [Map 198, Lot 029-001; Zoned Business (B)] as follows:

260

261 a) A Use Variance for the construction of a single family home (after lot line
262 adjustment) in the Business Zone where it is not a permitted use. [HZO
263 Article V, Permitted Uses; §334-21, Table of Permitted Principal Uses.] and;

264

265 b) A Variance resulting in a reconfigured proposed 10,525 sqft lot area where
266 30,000 sqft is required and proposed 130 feet frontage where 150 feet is
267 required in the Business District. [HZO Article VII, Dimensional
268 Requirements; §334-27, Table of Minimum Dimensional Requirements]

269

270 Mr. Buttrick read both Variances into the record, referenced his Staff Report initialed
271 7/19/22, noted that the lot is an existing non-conforming lot of record in the B
272 (Business) Zone for both lot size and frontage and abuts the TR Zone. The Applicant
273 seeks two (2) Variances to construct a single-family house as if it was in the TR (Town
274 Residence) Zone.

275

276 Dillon Dumont addressed the Board, stated that this is the other lot from the LLA,
277 that it abuts the TR Zone, that a single family residence is desired that would conform
278 to the Zoning Ordinance, that the two (2) Variances needed are because it is in the B
279 Zone and noted that the purpose of the Zoning Ordinance is to maintain the character
280 of the neighborhood, which is all residential. Mr. Dumont stated that his presentation
281 is identical to the other lot and asked the Board if he should repeat it. The consensus
282 was that there is no need as it is fresh in everyone's mind.

283

284 Public testimony opened at 8:29 PM. No one addressed the Board.

285

286 Mr. Pacocha made the motion to grant the Use Variance. Mr. Etienne seconded the
287 motion. On a roll call vote each Member referenced their reasoning as being the same
288 as the previous Variance. Vote was 5:0 to grant the Use Variance. The 30-day Appeal
289 period was noted.

290

291 Mr. Sakati stated that the Zoning Board (ZBA) should recommend to the Planning
292 Board (PB) to tidy up these discrepancies. Mr. Etienne stated that the PB is now
293 reviewing, agreed that the current neighborhood does not match the Zone and added
294 that the PB also considers the long term desire to expand the B Zone. Ms. Roy added
295 that was prescribed in the Town's Master Plan. Mr. Buttrick stated that these lots are
296 existing non-conforming lots because the Zone was changed to Business which
297 requires a greater lot size and frontage requirements and that he has a list of existing
298 residential neighborhoods caught in the arbitrary distance set from Lowell Road.

299

300 Mr. Dumont stated that his presentation is the same as that of the previous size
301 variation.

302

303 Public testimony opened at 8:39 PM. No one addressed the Board.

304

305 Mr. Nicolas made the motion to grant the Variance for reduced lot size and frontage.
306 Mr. Etienne seconded the motion. On a roll call vote each Member referenced their
307 reasoning as being the same as the previous Variance. Vote was 5:0 to grant the Use
308 Variance. The 30-day Appeal period was noted.

309

310 4. **Case 175-143-000 (07-28-22):** Esther J. Maturo, **57 Adelaide St., Hudson,**
311 **NH** requests 2 (two) Variances for a proposed installation of a 21 ft. diameter
312 above ground residential pool on an existing non-conforming lot with an
313 existing nonconforming use (single family) [Map 175, Lot 143-000; Zoned
314 Business (B)] as follows:

315

316 a) A Use Variance to install the pool in the Business district where it is not a
317 permitted use. [HZO Article V, Permitted Uses; §334-21, Table of Permitted
318 Principal Uses and HZO Article VIII, Nonconforming Uses, Structures and
319 Lots; §334-29 Extension or enlargement of nonconforming uses] and;

320

321 b) A Variance to locate the pool 7 feet in the side yard setback leaving 8 feet
322 where 15 feet is required. [HZO Article VII, Dimensional Requirements; §334-
323 27, Table of Minimum Dimensional Requirements]

324

325 Mr. Buttrick read both requests into the record and referenced his Staff Report
326 initialed 7/20/2022. Mr. Martin stated that he knows the Applicants and, seeing as
327 he is not voting, has decided not to recuse himself and to continue to Clerk.

328

329 Esther Maturo introduced herself, identified the location of her property as directly
330 behind the Dairy Queen, that she bought the property in 2018 that has had an in-
331 ground pool for over thirty (30) years but the pool was structurally damaged and there

332 was an issue with asbestos and in October 2021 it had a leak and the walls caved in.
333 They want to replace the pool with an above-ground pool and locate it where their
334 diving board used to be because they cannot place the above ground pool over the
335 filled-in in-ground pool because the land requires a few more years to 'settle' to be able
336 to support an above-ground pool and the back of her property slopes down to Dairy
337 Queen. It was also noted that the property fronts on two (2) streets.
338

339 Ms. Maturo addressed the criteria for the granting of a variance and the information
340 shared included:
341

342 (1) *not contrary to public interest*

- 343 • Request is not contrary to public interest
- 344 • Have had a pool for over thirty (30) years on property
- 345 • Proposal does not change current residential use of property nor does it
346 change or affect any in neighborhood
- 347 • The only change is the type of pool – above ground instead of in-ground – due
348 to inability to fix in-ground existing pool
- 349 • The impact into the setback leaves the same impact as others in this
350 residential neighborhood
- 351 • The encroachment into the setback doesn't encroach on any usable yard
352 space for neighbors and also keeps it out of view and does not affect curb
353 appeal
- 354 • The proposed will not impose any safety hazards or risks to the roadways,
355 general public or any health

356 (2) *will observe the spirit of the Ordinance*

- 357 • The spirit is to provide proper boundaries between businesses and their
358 customers
- 359 • Most of the neighborhood is residential in a Business Zone
- 360 • The proposed setback still provides sufficient space between properties to not
361 negatively impact use by either owner.

362 (3) *substantial justice done*

- 363 • The setbacks in the Residential Zone of neighbors is five feet (5'), but this
364 property is in the Business Zone due to the arbitrary distance from Ferry
365 Street when re-zoned
- 366 • Neighborhood abuts the TR Zone and is made up of small single family lots
- 367 • Proposed lot size is compatible with the neighborhood
- 368 • Variance will allow continued use of their land and pool that has been part
369 of the property for thirty plus (30+) years and since they moved in
- 370 • Substantial justice done with no adverse impact on the general public and
371 hidden from view to the neighborhood

372 (4) *not diminish surrounding property values*

- 373 • pool behind fence and not seen by neighbors or from the street and adds
374 value to their property which will have a positive impact on surrounding
375 properties
- 376 • The lot conforms with the neighborhood

377 (5) *hardship*

- 378 • This is a pre-existing non-conforming lot in the B Zone.
- 379 • Lot is surrounded by single family homes all with similar lot sizes
- 380 • The in-ground pool was in the center of the backyard for over 30 years

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- The in-ground pool was a wood walled asbestos paneled pool that does not meet current code laws and no pool contractor would repair it and it began to collapse
 - On October 2021 a contractor was hired to perform the asbestos mitigation and fill in the pool to prevent additional damage to the property
 - The filled-in in-ground pool is still settling and not stable enough to hold the weight of an above-ground pool
 - The back portion of property slops down to Dairy Queen and nothing can be built or placed there
 - There is no other location on the property for an above-ground pool and even though the proposed location encroaches the business setback requirement it is still far enough away so as not to interfere with the neighbor next door to enjoy their residential use of their property, and it will not be visible to anyone passing by on the road

396 Mr. Dearborn asked when the fill in for the in-ground pool would be ready to support and Ms. Maturo responded that it still needs a couple more years to stabilize the land.

397

398 Mr. Thompson stated that it does take years to settle and asked about the fence between the trailer and the property. Mr. Maturo stated that Dairy Queen built the fence and added that the wife of Dairy Queen used to live in their house. Mr. Daddario and Mr. Nicolas both commented that Dairy Queen is very busy with plenty of traffic twelve (12) hours a day. Mr. Pacocha questioned substantial justice as it refers to the five (5) foot setback for the lots across the street.

400

401

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404

405 Public testimony opened at 9:04 PM. No one was present to address the Board.

406

407 Mr. Pacocha made the motion to grant the Use Variance. Mr. Nicolas seconded the motion. Mr. Pacocha stated that it is another case of being Zoned wrong, the house was already built and land in residential use when the Zone changed, it is not contrary to public interest as there is no change to affect public interest, it is a reasonable use for a residence and will not decrease property values and that hardship is met by the shape and configuration of the lot as it limits where a pool could be located considering the slope in the back and being unable to place over in-ground pool until the land finished settling. Mr. Nicolas stated that the proposed use does not conflict with the character of the neighborhood, does not threaten public health and safety, that the spirit of the Ordinance will be observed and does not alter the character of the neighborhood, that the benefit to the owner outweighs any harm to the general public, that values of surrounding properties will not be diminished and that hardship exists by the setbacks of the Business Zone which are larger than the TR Zone that limit house and any attachments, that the land surface of the in-ground pool is not yet settled enough to hold the above ground pool and the land slopes in the back down to Dairy Queen. Roll call vote was taken.

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424 Mr. Dearborn voted to grant as it is not contrary to public interest, the pool would not be visible to abutters as it would be fenced in, would not alter the character of the neighborhood, that justice would be done by the granting of the Variance, that the land of the filled-in in-ground pool cannot yet be used for years which is a hardship and the land slopes down in the rear of the site.

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429

430 Mr. Daddario voted to grant the Variance as it is consistent with the character of the
431 neighborhood and does not harm the public, allows full use of current residential
432 property, should have no impact to surrounding property values, and that hardship is
433 met by it being a corner lot in a residential neighborhood with an unstable asbestos
434 remediation for center of backyard and slope at rear of property.

435
436 Mr. Etienne stated that public interest is not in conflict, that the residence was a
437 permitted use as late as 2008 as it was in the TR Zone, that the spirit and character of
438 the Ordinance met, that the house is already residential and the pool was previously
439 there, that surrounding property values are not likely to be affected and that this is a
440 very small lot with restrictions.

441
442 Roll call vote was 5:0. Variance to grant the pool in the Business Zone passed. The
443 30-day appeal period was noted.

444
445 With regard to the Variance to the side-yard setback, Mr. Maturo referred to her
446 previous testimony. Public testimony opened at 9:17 PM. No one addressed the
447 Board.

448
449 Mr. Etienne made the motion to grant the Variance locating the pool seven feet (7') into
450 the side-yard setback with the condition that once the land that filled in the in-ground
451 pool has settled, that the above-ground pool be moved out of the setback. Discussion
452 arose on the condition, why it was needed, who would enforce, timeline etc. and Mr.
453 Etienne withdrew the condition from his motion. Mr. Nicolas seconded the motion to
454 grant the Variance with no conditions.

455
456 Mr. Etienne spoke to his motion noting that public interest is maintained as the
457 character is maintained, that the spirit of the Ordinance is maintained and does not
458 threaten public health, that substantial justice is done as the property owners have
459 reasonable enjoyment without harming others, that this would not impact
460 surrounding property values, and that the lot is too small and the characteristics in
461 the abutting TR Zone holds a five foot (5') side yard setback.

462
463 Mr. Marcus spoke to his second stating that public interest is not harmed or
464 threatened, that the neighborhood will not be altered nor will it threaten safety and
465 welfare of the neighborhood, that it would not diminish surrounding property values,
466 and that the hardship is the property due to its size, shape and setbacks.

467
468 Roll call vote was 5:0.

469
470 Mr. Dearborn stated that the request does not alter the neighborhood or threaten
471 public health & safety, that substantial justice is done, that the pool would not be
472 visible to the public and should not impact surrounding property values add due to
473 the small size of the lot, the inability to place the above-ground pool over the filled-in
474 in-ground pool and the sloping land to the rear, there is very limited space to place the
475 above-ground pool. Mr. Pacocha concurred and added that a pool is a customary
476 accessory use to a residence. Mr. Daddario stated that it is consistent with the
477 character of the neighborhood, that there is no public harm, that justice for the
478 property owner outweighs any harm to the surrounding properties which would not

479 have their property values diminished by this request and the hardship is satisfied
480 with it being a corner lot with unstable asbestos remediation in the center of the
481 backyard and the slope of the land in the rest of the backyard.

482
483 The 30-day Appeal period was noted.

484
485 **IV. REQUEST FOR REHEARING:** None

486
487 No requests were presented for Board consideration.

488
489 **V. PUBLIC HEARING:** 2nd Reading of proposed ZBA Bylaws amendments

490
491 It was noted that there were no people in the audience.

492
493 Mr. Buttrick stated that and oversight was noted in §143-8.C(1) Public Hearing,
494 specifically to change “Clerk” to “Zoning Administrator” to align with the change made
495 in §143-5.C and align with Appendix B. It was also noted that there were three (3)
496 question marks (???) left in §143-8.C(12) that should be removed.

497
498 Mr. Nicolas made the motion to adopt/approve the ByLaws as presented and edited.
499 Mr. Etienne seconded the motion. Roll call vote was 5:0. ByLaws amended.

500
501 **VI. REVIEW OF MINUTES:** 06/23/22 edited Draft Minutes

502
503 Board reviewed the Edited Minutes. Motion made by Mr. Dearborn, seconded by Mr.
504 Nicolas and unanimously voted (5:0) to accept the Minutes as edited.

505
506 **VII. OTHER:** ZBA training/workshop

507
508 Mr. Buttrick stated that the Municipal Association offers free training, referenced
509 Town Counsel’s confidential email noting that the Decision Sheets should refer to the
510 motion when completed and asked the Board to advise what training they would be
511 interested in receiving and noted that there is a one-hour webinar scheduled
512 8/10/2022.

513
514 Mr. Buttrick stated that HB 1661 has been signed into Law and noted that it impacts
515 the Planning Board more than the ZBA.

516
517 Mr. Nicolas made the motion to adjourn, seconded by Mr. Etienne and unanimously
518 voted to adjourn the meeting. The 7/28/2022 ZBA meeting adjourned at 9:35 PM.

519
520 Respectfully submitted,
521 Louise Knee, recorder