

# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

### MEETING AGENDA – November 17, 2022 (Amended 11/8/22)

The Hudson Zoning Board of Adjustment will hold a meeting on Thursday, **November 17, 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. ATTENDANCE**

**IV. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:**

1. **Case 251-008 (11-17-22):** Kenneth L. MacGrath, 79 River Rd., Hudson, NH requests a Variance to build a proposed 2,395 SF building addition with a roof overhang which encroaches 3.1 feet into the side yard setback leaving 11.9 feet where 15 feet is required. [Map 251, Lot 008; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
2. **Case 150-001-001 (11-17-22):** Richard Drowne, Mgr. of Hathaway Home Builders, L.L.C., P.O. Box 187 Sandown, NH requests an Equitable Waiver of Dimensional Requirement at **82 A Greeley Street, Hudson, NH** for a 5-1/2" encroachment of a recently added bulkhead into the side yard setback leaving 14.54 feet where 15 feet is required. [Map 150 Lot 001-001; Zoned Residential Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements, RSA 674:33-a, Equitable Waiver of Dimensional Requirement.]

**V. REQUEST FOR REHEARING: None**

**VI. REVIEW OF MINUTES:**

10/13/22 edited Draft Minutes  
10/27/22 edited Draft Minutes

**VII. OTHER:**



Bruce Buttrick  
Zoning Administrator

# su | do | ku

© Puzzles by Pappocom

		6	3			8		
	1			5	8			9
					4			1
7		4	9					
6								7
					3	6		2
2			8					
8			6	3				4
		3			9	7		

Fill in the puzzle so that every row, every column and every 3x3 grid contains the digits 1 through 9. That means that no number is repeated in any row, column or grid. Shown at right is the answer to yesterday's puzzle.

2	6	8	3	7	1	9	4	5
3	4	1	2	5	9	6	7	8
9	7	5	6	4	8	2	3	1
8	5	9	1	3	6	4	2	7
4	1	3	7	2	5	8	6	9
7	2	6	8	9	4	1	5	3
6	8	2	5	1	3	7	9	4
5	9	7	4	8	2	3	1	6
1	3	4	9	6	7	5	8	2

## Legal Notice

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

By virtue of a Power of Sale contained in a certain mortgage given by **William J. Edwards, Shannon R. Edwards** ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for Quicken Loans Inc., dated November 7, 2016 and recorded in the Rockingham County Registry of Deeds in Book 5785, Page 120, (the "Mortgage"), which mortgage is held by Federal Home Loan Mortgage Corporation, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction  
on  
January 6, 2023  
at  
12:00 PM

Said sale being located on the mortgage premises and having a present address of 67 Dows Lane, Seabrook, Rockingham County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor(s)'s title see deed recorded with the Rockingham County Registry of Deeds in Book 5785, Page 117.

### NOTICE

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

The address of the mortgagee for service of process is 2 1/2 Beacon Street Merrimack County, Concord, NH 03301 and the name of the mortgagee's agent for service of process is CT Corporation System.

You can contact the New Hampshire Banking Department by e-mail at [nhd@banking.nh.gov](mailto:nhd@banking.nh.gov). For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of

the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

### TERMS OF SALE

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

Dated at Newton, Massachusetts, on November 2, 2022.

Federal Home Loan Mortgage Corporation  
By its Attorney,  
Lori Bolduc  
Harmon Law Offices, P.C.  
PO Box 610389  
Newton Highlands, MA 02461  
603-669-7963  
22374

(UL - Nov. 9, 16, 23)

## Public Notices

They're how you know!  
Public Notices help citizens to stay alert to what is happening in the community.

## Legal Notice

### Public Notice The Community College System of New Hampshire Request for Proposals for

### REAL ESTATE APPRAISAL SERVICES for Manchester Community College Property Consisting of Land in Bennington, NH Project Number MCC23 03A

Seeking bids from experienced and qualified Real Estate Appraisers. Description: This project consists of providing real estate appraisal services for a parcel of land in Bennington, NH. Electronic Bids per the RFP will be accepted by email to Matthew Moore at [memoore@ccsnh.edu](mailto:memoore@ccsnh.edu) until **Wednesday, November 23, 2022 at 2:00pm**. Details can be found at the Community College System of New Hampshire website at

<https://www.ccsnh.edu/about/ccsnh/bidding/rfp/>  
(UL - Nov. 7, 8, 9)

## WONDERWORD

By DAVID OUELLET

HOW TO PLAY: All the words listed below appear in the puzzle — horizontally, vertically, diagonally and even backward. Find them, circle each letter of the word and strike it off the list. The leftover letters spell the WONDERWORD.

YOGA MATS

Solution: 10 letters

L S D N A H S P A C E G N U L  
L I T E K N A L B E A C H C M  
O T G B C D Y R E B B U R I H  
R T P H D N O I T C A R T R T  
E I E I T O S T A N D N T B G  
C N N X L W T F O S G A R A N  
I G E F T A E T I I T E E F E  
T P I R G U T I S T K U N R L  
C A N E G O R E G U N C D D A  
A R I A C Y D E S H R E I I N  
R T T M E M O R Y L T F S T O  
P S A B A L A N C E T A A S S  
N O I H S U C T S W E A T C R  
F I C L A S S K C O L B E O E  
N G N I H C T E R T S E R H P

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11/9

Area, Balance, Beach, Blanket, Blocks, Body, Class, Clean, Cotton, Cushion, Design, Energy, Fabric, Feet, Fitness, Floor, Foam, Grip, Hands, Heat, Length, Lightweight, Lunge, Memory, Padding, Personal, Pilates, Practice, Rest, Roll, Rubber, Sitting, Soft, Space, Stand, Stick, Strap, Stretching, Studio, Surface, Sweat, Texture, Towel, Traction, Trend  
**Yesterday's Answer: Software**

## 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. Single letters, short words and words using an apostrophe can give you clues to locating vowels. Solution is accomplished by trial and error.

H Q H O Y C W Y J Z F R O J Z Q J K T  
R K C O Y C C H R O M K T Y C B H R O  
H ' T H C D B H R O Q K J , H ' V M F Z  
H ' T D J F W H R O T F V .

**Yesterday's Cryptoquip:** CELEBRATED DISCO SINGING GROUP WHOSE MEMBERS ALL WEAR FARMERS' OUTFITS: THE TILLAGE PEOPLE.

Today's Cryptoquip Clue: O equals G

## Bridge

Steve Becker

Defensive play can sometimes be hard work, requiring pinpoint accuracy to reach the desired goal — defeat of the contract.

As a case in point, consider this deal, where one slip by either East or West would have allowed South to make three notrump. But the defenders hit on every correct card for the first five tricks, leaving declarer absolutely helpless.

West started the ball rolling by leading the eight of hearts, which East correctly read as the highest card his partner held in the suit. On another deal, East's proper play to the first trick might be to withhold

the ace to avoid establishing two tricks for declarer. But here, East had more pressing business at hand — namely, to try to stop declarer from utilizing dummy's long diamond suit. So he took the ace of hearts and shifted to the eight of clubs, hoping to drive out dummy's ace before the diamonds could be established. South played the ten and West the jack, which declarer ducked.

It was now West's turn to make a sacrifice for the common cause, and he came through with flying colors by returning the club king! Once again declarer followed low from dummy, hoping that West could not continue clubs. But that hope went aglimmering when the club deuce dislodged the ace. South's only chance now was to find the ace of diamonds singleton, but it was not to be. East refused to take the ace on the first diamond lead, and declarer finished with only seven tricks — two spades, two hearts, two clubs and a diamond.

Of course, South would have gone down only one had he taken the second club lead with the ace, in effect conceding defeat. But that's the best he could have done against a relentless defense that never let up from the word "go."

### Tomorrow:

The Blackwood convention.

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## Crossword

Eugene Sheffer

### ACROSS

- 1 At once
- 4 Activist Parks
- 8 Missile shelter
- 12 "Selma" director DuVernay
- 13 Historic periods
- 14 Notion
- 15 Zero-star review
- 16 Seedy nightclub
- 18 Aquarium growth
- 20 Pouch
- 21 Gentle soul
- 24 Sacred song
- 28 Chamo-mile drinks
- 32 Butte's kin
- 33 Multi-purpose truck
- 34 Eyelid woes
- 36 — de mer
- 37 Flower part
- 39 Current Twitter subject

### DOWN

- 1 Wine valley
- 2 Ellipse
- 3 Dress designer Vera
- 4 Warms caller
- 46 Reflection
- 50 Men's styling aid
- 55 Actor Holbrook
- 56 Exceptional
- 57 Costa —
- 58 In the manner of
- 59 Molt
- 60 Texter's sign-off
- 61 Its cap. is Brussels

### ACROSS

- 23 Louisiana waterway
- 25 Office part-timer
- 26 Morales of "Ozark"
- 27 Body powder
- 28 "Be quiet!"
- 29 Words to Brutus
- 30 Film spool
- 31 Late-night host
- 35 Meyers
- 38 Defaced
- 40 Resistance unit
- 42 Tennis match division
- 45 Garrison
- 47 Melville captain
- 48 Powerful wind
- 49 Israeli carrier
- 50 Day divs.
- 51 "Feels so good!"
- 52 Anger
- 53 Little louse
- 54 Glacial

Solution time: 23 mins.

E	T	A	L	T	H	E	A	S	B	A
L	A	N	A	B	E	S	T	E	O	N
F	R	I	C	A	S	S	E	E	E	R
U	M	P	S	L	E	D	G	E		
A	S	S	N	S	G	T	L	L		
R	H	E	A	A	D	H	E	S	I	V
M	O	E	E	L	D	E	R	N	E	W
Y	O	S	E	M	I	T	E	O	G	R
A	M	I	D	V	I	S	A	S		
T	O	W	I	T	S	O	I	L		
A	V	I	T	E	N	N	E	S	S	E
Z	E	N	E	L	I	E	U	R	G	E
O	R	G	D	O	T	S	P	O	O	L

Yesterday's answer 11-9

1	2	3	4	5	6	7	8	9	10	11	
12			13					14			
15			16				17				
18			19			20					
		21		22	23		24		25	26	27
28	29	30				31		32			
33			34				35		36		
37			38		39				40		
41				42		43					
		44		45			46		47	48	49
50	51	52				53	54			55	
56				57					58		
59				60					61		

## Horoscope

Eugenia Last

**IF BORN ON THIS DATE:** Take the path of least resistance. Find your balance, strive for equality and be smart about budgeting for what you want to do with the rest of your life. Your numbers are 9, 17, 21, 28, 32, 36, 47.

**Birthdate of:** Jordan Bolger, 28; Eric Dane, 50; Susan Tedeschi, 52; Lou Ferrigno, 71.

### ARIES

(March 21-April 19)

Your input and help won't go unnoticed. How you help others will motivate you to build a service that is affordable for others and profitable for you.

### TAURUS

(April 20-May 20)

Abide by the rules and observe what others do or say. Consider whether partners are an asset or a liability and adjust how much you do for them.

### GEMINI

(May 21-June 20)

Don't let anger consume you. Ignore what others do, and don't share information that someone will use against you. An innovative approach to helping others will pay off.

### CANCER

(June 21-July 22)

A friendly approach will help you

get ahead. Mixing business with pleasure will allow you to build a solid reputation and connect with people who have something to contribute to your plans.

### LEO

(July 23-Aug. 22)

Note the changes around you. Don't let your responsibilities slip, and don't put up with those more interested in overindulgence than doing what's right.

### VIRGO

(Aug. 23-Sept. 22)

Refuse to let a relationship stand between you and your goals. Pay attention to your work and what superiors expect of you.

### LIBRA

(Sept. 23-Oct. 22)

You'll need a level head when dealing with money matters and what you can afford. Don't allow others to waste your time. Be smart.

### SCORPIO

(Oct. 23-Nov. 21)

Look at things differently, and you'll discover how to use your skills, experience and knowledge to infiltrate into areas of interest. Stick close to home.

### SAGITTARIUS

(Nov. 22-Dec. 21)

Be realistic about what you can do; it will make your life easier. Show discipline when dealing with expenses and those who share your space.

### CAPRICORN

(Dec. 22-Jan. 19)

Decide what you want to do next. A job description that offers a unique spin on how you use your skills will grab your attention. Embrace something new and exciting.

### AQUARIUS

(Jan. 20-Feb. 18)

Slow down and evaluate your situation. Stick to what matters to you instead of letting outside influences sway you in a direction that offers few benefits.

### PISCES

(Feb. 19-March 20)

Consider the cost of living and how to lower your overhead. Don't let emotions lead to anger and a feud. Focus on doing your own thing and giving others the freedom to do as they please.

## TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearings THURSDAY, NOVEMBER 17, 2022

The Hudson Zoning Board of Adjustment will hold a meeting on **Thursday, November 17, 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. Please enter by the ramp entrance on the right side. The following cases will be heard:

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

- Case 251-008 (11-17-22):** Kenneth L. MacGrath, 79 River Rd., Hudson, NH requests a Variance to build a proposed 2,395 SF building addition with a roof overhang which encroaches 3.1 feet into the side yard setback leaving 11.9 feet where 15 feet is required. [Map 251, Lot 008; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]
- Case 150-001-001 (11-17-22):** Richard Drowne, Mgr. of Hathaway Home Builders, L.L.C., P.O. Box 187 Sandown, NH requests an Equitable Waiver of Dimensional Requirement at 82 A Greeley Street, Hudson, NH for a 5-1/2" encroachment of a recently added bulkhead into the side yard setback leaving 14.54 feet where 15 feet is required. [Map 150 Lot 001-001; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements, RSA 674:33-a, Equitable Waiver of Dimensional Requirement.]

Bruce Buttrick, Zoning Administrator

## JUMBLE

Unscramble these Jumbles, one letter to each square, to form four ordinary words.

ZAGEL

PAHYP

NHREDC

LMYEDO

“ ”

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“ ”

### THAT SCRAMBLED WORD GAME

By David L. Hoyt and Jeff Knurek

You're in luck! We're restocking them right now.

I'm looking for a few aspens.

THE FAST-GROWING TREES WERE BACK BY ---

Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

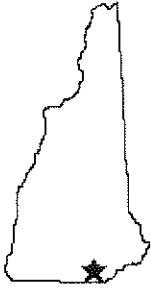
(Answers tomorrow)

Yesterday's Jumbles: SEEDY GOING PLURAL COUGAR

Answer: The sailboat's newest crew member was inexperienced and needed to — LEARN THE ROPES

## KidSpot

By Dan Thompson



# TOWN OF HUDSON

## Land Use Division

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



### Zoning Administrator Staff Report

Meeting Date: November 17, 2022

34  
11-8-22

**Case 251-008 (11-17-22):** Kenneth L. MacGrath, 79 River Rd., Hudson, NH requests a Variance to build a proposed 2,395 SF building addition with a roof overhang which encroaches 3.1 feet into the side yard setback leaving 11.9 feet where 15 feet is required. [Map 251, Lot 008; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

**Address:** 79 River Rd

**Zoning district:** General One (G-1)

#### Summary:

Applicant requests a variance to allow a building expansion/addition to encroach 3.1 ft into the 15 ft required side setback.

#### Property description:

Existing non-conforming lot of record, 152.25 ft of frontage where 200 ft is required and 1.732 Acres where 2.0 Acres required. This property is currently a manufacturing use.

#### LAND USE HISTORY:

Certificate of Occupancy #2005-00384 for 3,786 sqft commercial/warehouse bldg. issued 3/05/2008.

#### ASSESSING HISTORY:

Industrial - Warehouse

#### Town in-house review comments:

**Fire Dept:** No comments

**Town Engr:** No comments

**Town Planner:** Yes

**Attachments:**

**A:** Certificate of Occupancy #2005-00384 - Original Bldg.

**B:** As built Site Plan of Original Bldg #2005-00384.

**C:** Proposed Site Plan with proposed addition encroachment.

**D:** Proposed building plans and elevations of addition.

**E:** Town Planner In-House comment.

Town of Hudson, NH  
**Certificate of Occupancy**



Community Development Department  
12 School Street  
Hudson, NH 03051  
603-886-6005

**Owner, Lessee or Occupant:** Kenneth McGrath

**Location of Work:** 79 River Road  
(No. and Street) (Unit or Building)

**Desc of Work:** Construct a 3,786 square foot Commercial/Warehouse building. Must comply with all regulations imposed by the Planning Board.

**Map\Lot:** 251-008-000 **IBC Bldg Code Edition:** 2000  
**District:** G-1  
**Permit(s):** 2005-00384  
**Use Group:** F-1  
**Design Occupant Load(s):** 0 **Fire Sprinkler System Required:** NO  
**Min. Type Constr:** WOOD

This is to certify that Kenneth McGrath has/have obtained all final inspections and has been found to substantially conform to all regulations and codes and is hereby approved for occupancy and use, as limited or otherwise noted below.

This Certificate of Occupancy is issued prior to occupancy. Any change of occupant, use or modification to the structure shall require a new Certificate of Occupancy.

The following items must be satisfactorily addressed prior to release of the \$5,000 bond.

1. Front parking lot (approx. 90 ft. X 40 ft.) is not constructed; when complete, it requires the construction of 6. 10 ft. X 20 ft. parking spaces and 1 HP parking space.
2. The existing propane tank is located in front of the building; this tank is shown on the Site Plan as being located immediately abutting the southerly border of the front parking lot.
3. Landscaping remains incomplete, as well as the installation of a stockade fence along the rear half of the abutting property to the north.

This Certificate of Occupancy is issued prior to occupancy. Any change of occupant, use or modification to the structure shall require a new Certificate of Occupancy.

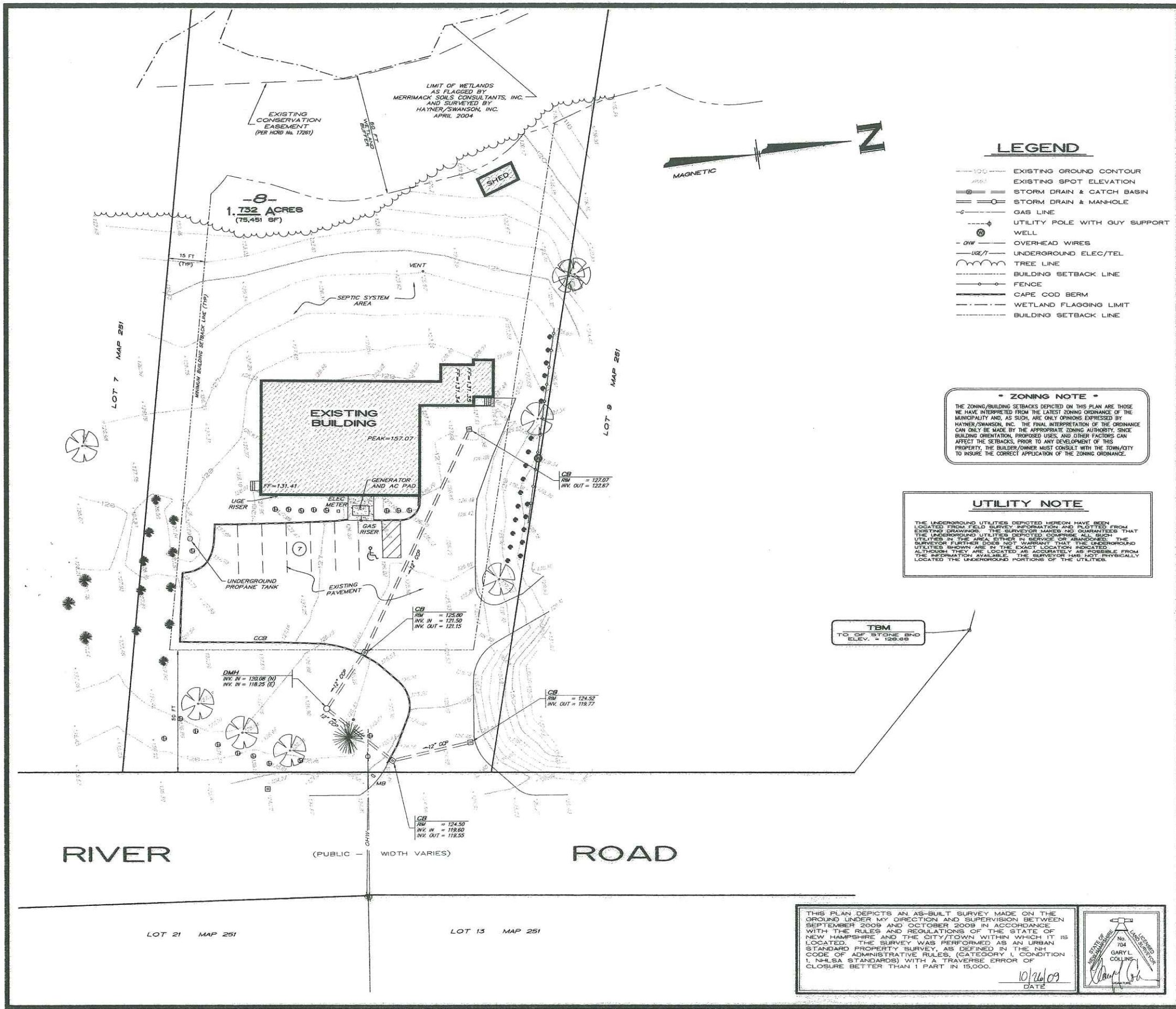
*All OUTSTANDING ITEMS LISTED ABOVE ARE NOW COMPLETE.*

*Jim Chey 11-12-09*

**Date of Issue:** 3/05/2008

**Signed:** William A. O'Connell





- LEGEND**
- EXISTING GROUND CONTOUR
  - EXISTING SPOT ELEVATION
  - STORM DRAIN & CATCH BASIN
  - STORM DRAIN & MANHOLE
  - GAS LINE
  - UTILITY POLE WITH GUY SUPPORT
  - WELL
  - OVERHEAD WIRES
  - UNDERGROUND ELEC/TEL
  - TREE LINE
  - BUILDING SETBACK LINE
  - FENCE
  - CAPE COD BERM
  - WETLAND FLAGGING LIMIT
  - BUILDING SETBACK LINE

**\* ZONING NOTE \***

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

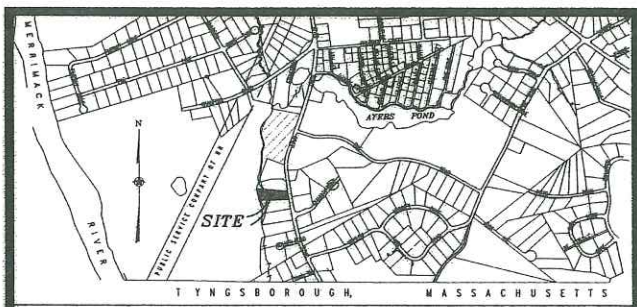
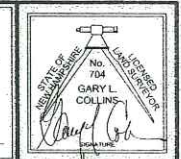
**UTILITY NOTE**

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

**TBM**  
TO OF STONE BND  
ELEV. = 128.68

THIS PLAN DEPICTS AN AS-BUILT SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION BETWEEN SEPTEMBER 2009 AND OCTOBER 2009 IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE STATE OF NEW HAMPSHIRE AND THE CITY/TOWN WITHIN WHICH IT IS LOCATED. THE SURVEY WAS PERFORMED AS AN URBAN STANDARD PROPERTY SURVEY, AS DEFINED IN THE NH CODE OF ADMINISTRATIVE RULES, (CATEGORY I, CONDITION 1, NHLSA STANDARDS) WITH A TRAVERSE ERROR OF CLOSURE BETTER THAN 1 PART IN 15,000.

10/26/09  
DATE



VICINITY MAP

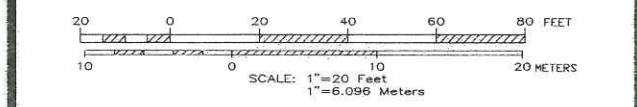
- PLAN REFERENCE:**
- MASTER SITE PLAN (LOT 8, MAP 251) MACGRATH SITE PLAN, PROPOSED TESTING FACILITY, 79 RIVER ROAD, HUDSON, NEW HAMPSHIRE, PREPARED FOR/RECORD OWNER, KENNETH L. MACGRATH, SCALE 1" = 40', DATED 22 OCTOBER 2004 WITH REVISIONS THRU 02/22/05 AND PREPARED BY THIS OFFICE RECORDED: HCRD - PLAN No. 33839

- NOTES:**
- TOTAL SITE AREA: 1.732 ACRES (75,451 SF)  
-FRONTAGE 152.25 FT ON RIVER ROAD
  - PRESENT ZONING: G1; GENERAL  
MINIMUM LOT REQUIREMENTS:  
-AREA 2 ACRE  
-FRONTAGE 200 FT  
MINIMUM BUILDING SETBACK REQUIREMENTS:  
-FRONT YARD 50 FT  
-SIDE YARD 15 FT  
-REAR YARD 15 FT
  - LOT NUMBERS REFER TO THE TOWN OF HUDSON ASSESSORS MAP 251.
  - SITE IS SERVICED BY PRIVATE WELL AND SEPTIC SYSTEM.
  - FOR COMPLETE BOUNDARY AND SITE INFORMATION SEE PLAN REFERENCE No. 1 AND PLANS ON FILE WITH THE TOWN OF HUDSON.
  - PRESENT OWNER OF RECORD:  
LOT 8, MAP 251  
KENNETH L. MACGRATH  
20 BALDWIN ROAD  
MILFORD, NH 03055  
VOL. 7202, PG. 478

No.	DATE	REVISION	BY

AS-BUILT PLAN  
(LOT 8, MAP 251)  
**79 RIVER ROAD**  
HUDSON, NEW HAMPSHIRE

PREPARED FOR/RECORD OWNER:  
**KENNETH L. MACGRATH**  
20 BALDWIN ROAD MILFORD, NEW HAMPSHIRE 03055 (603) 673-2046



20 OCTOBER 2009

**HSI** Hayner/Swanson, Inc.  
Civil Engineers/Land Surveyors  
Three Congress Street, Nashua, New Hampshire 03062-3301  
Tel (603) 883-2057 Fax (603) 883-5057  
www.haynerswanson.com

FIELD BOOK: 1165	DRAWING NAME: 4824/A22	4824	1 OF 1
DRAWING LOCATION: C:\4824\DWG		File Number	Sheet

MAP 251

Lot 8

B

ZONING SUMMARY TABLE GENERAL ONE (G-1) DISTRICT		
ITEM	REQUIRED	PROPOSED
MINIMUM LOT AREA	87,120 SF	75,424 SF <sup>1</sup>
MINIMUM FRONTAGE	200 FEET	152.35 FEET <sup>2</sup>
MINIMUM FRONT SETBACK	50 FEET	112.6 FEET
MINIMUM SIDE SETBACK	15 FEET	11.9 FEET*
MINIMUM REAR SETBACK	15 FEET	210.6 FEET
MAXIMUM BUILDING HEIGHT	50 FEET <sup>1</sup>	<50 FEET

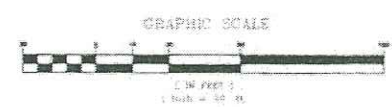
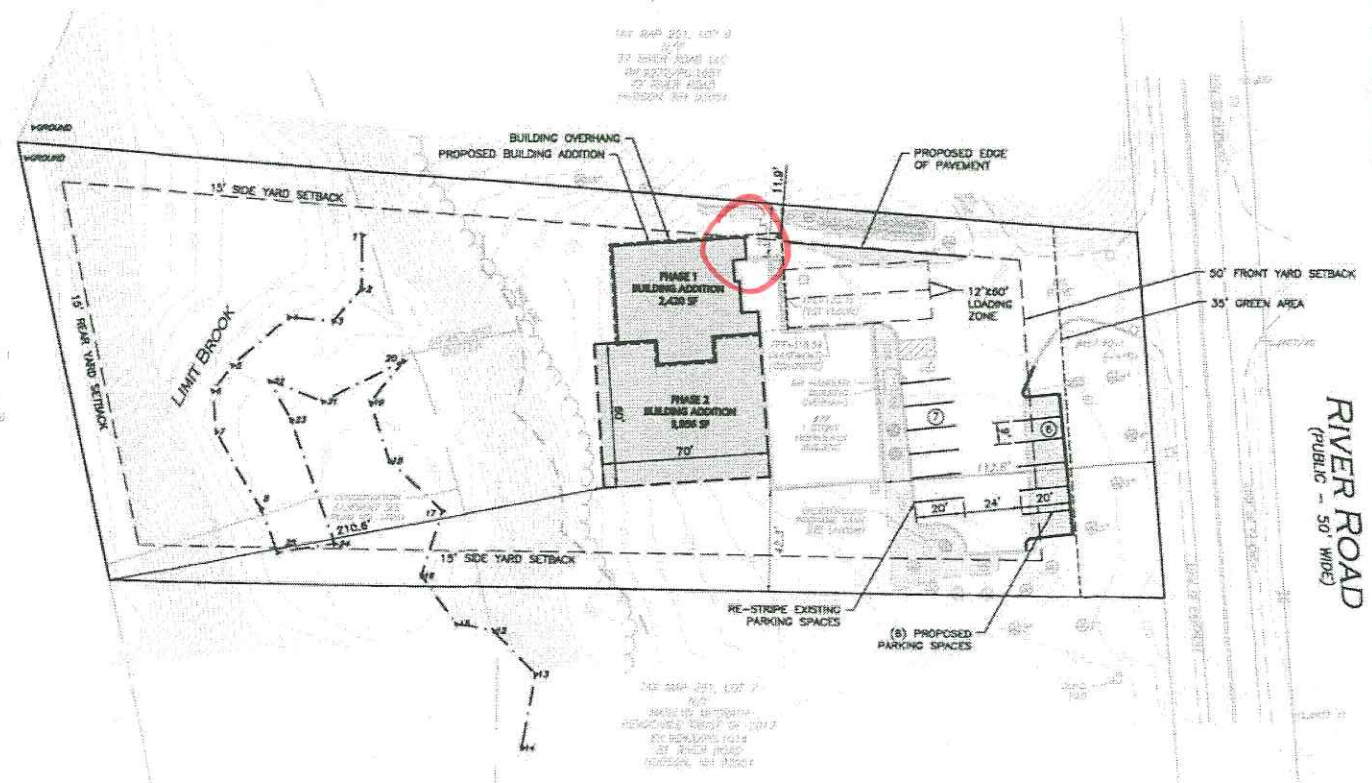
\*VARIANCE IS REQUIRED  
ZONING SUMMARY TABLE NOTES:  
1. MAXIMUM ALLOWED OCCUPIABLE BUILDING HEIGHT IS 50 FEET FOR AREAS OF BUILDINGS USED EXCLUSIVELY FOR MANUFACTURING, WAREHOUSE, DISTRIBUTION, AND OFFICE SPACE ANCILLARY TO THE PRINCIPAL USE, SECTION 334-14A.  
2. EXISTING DIMENSION TO REMAIN.

OFF-STREET PARKING SUMMARY TABLE				
USE	CALCULATION	REQUIRED	PROPOSED	

INDUSTRIAL 12 EMPLOYEES TOTAL (8 EXISTING EMPLOYEES 4 NEW EMPLOYEES)	0.75 SPACES PER EMPLOYEE OF COMBINED TWO LARGEST SUCCESSIVE SHIFTS 0.75 X 12 EMPLOYEES = 9 SPACES	9	13	
---	---	---	----	--

NOTES:  
1. PARKING SUMMARY TABLE PER HUDSON SITE PLAN REGULATIONS.  
2. PARKING SPACES SHALL BE 10' X 20'. (P.B. MAY ALLOW 9'X18')  
3. DRIVE AISLE WIDTH MINIMUM SHALL BE 24' WITH 90° PARKING STALLS ADJACENT.  
4. ADA SPACES REQUIRED:  
(1 - 25) TOTAL PARKING SPACES PROVIDED REQUIRES 1 ADA SPACES, 1 BEING VAN ACCESSIBLE.  
PROVIDED: 1 ADA SPACES, 1 BEING VAN ACCESSIBLE

LEGEND	
BUILDING	
CURB	
PARKING STRIP	
SNOW STORAGE	
PROPOSED PAVEMENT	
SETBACK LINE	
PARKING COUNT	13



**ISSUED FOR  
CLIENT REVIEW**  
SEPTEMBER 13, 2023

PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV DATE DESCRIPTION  
APPLICANT/OWNER:  
CORE COMPLIANCE TESTING SERVICES  
79 RIVER ROAD  
HUDSON, NH 03051

PROJECT:  
**79 RIVER ROAD  
HUDSON, NH**

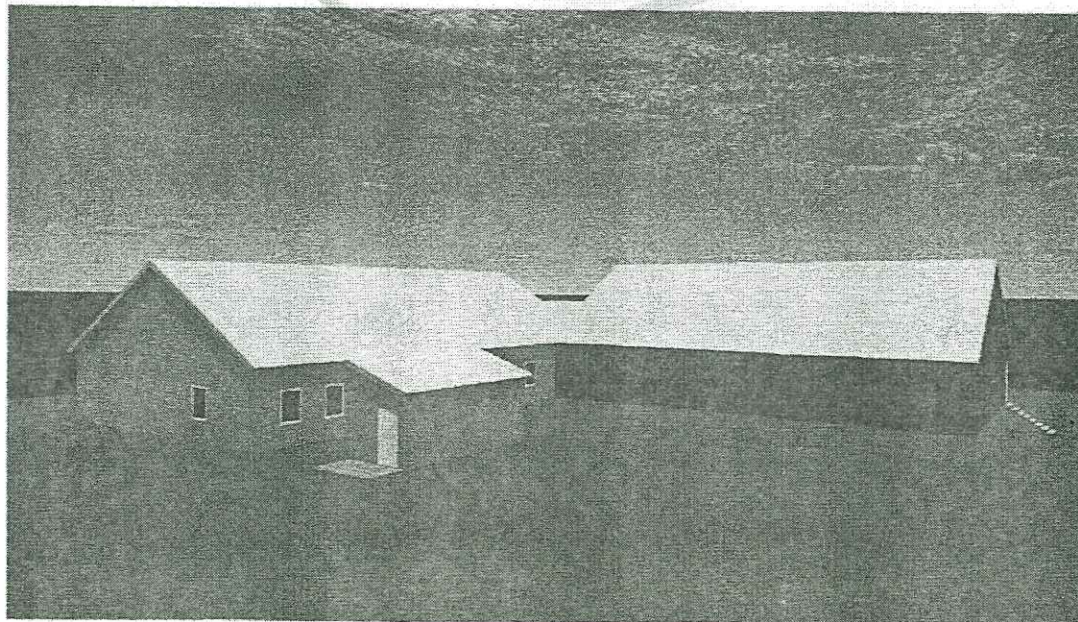
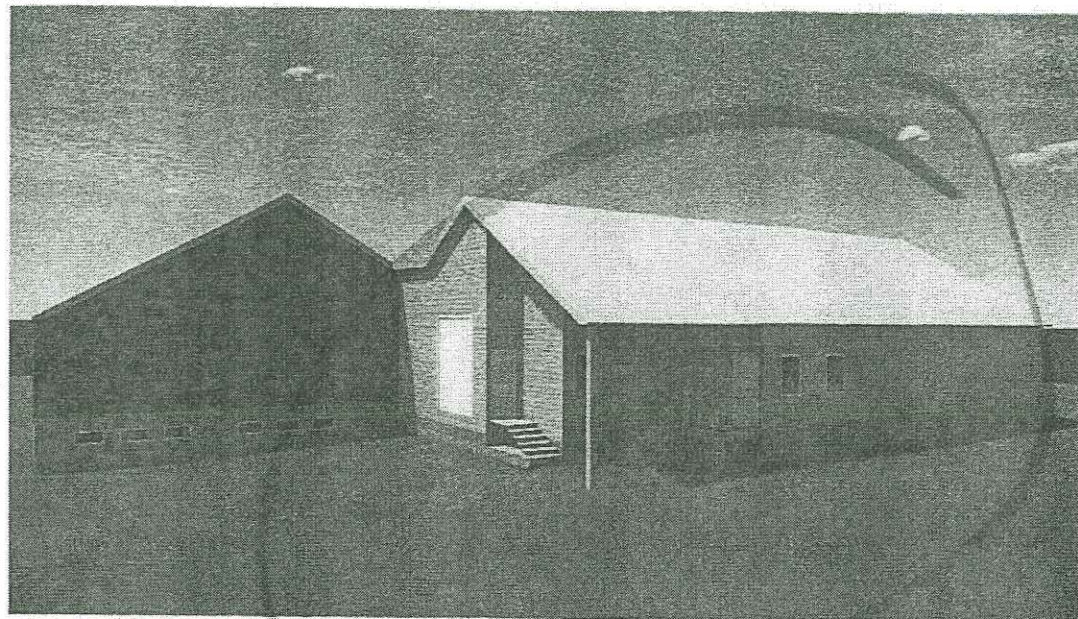
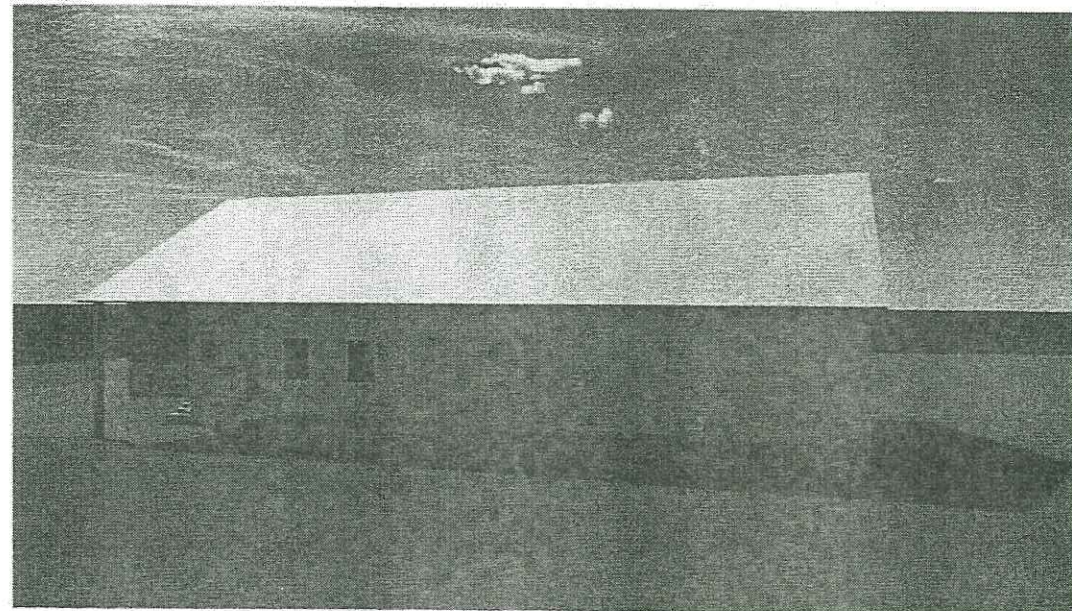
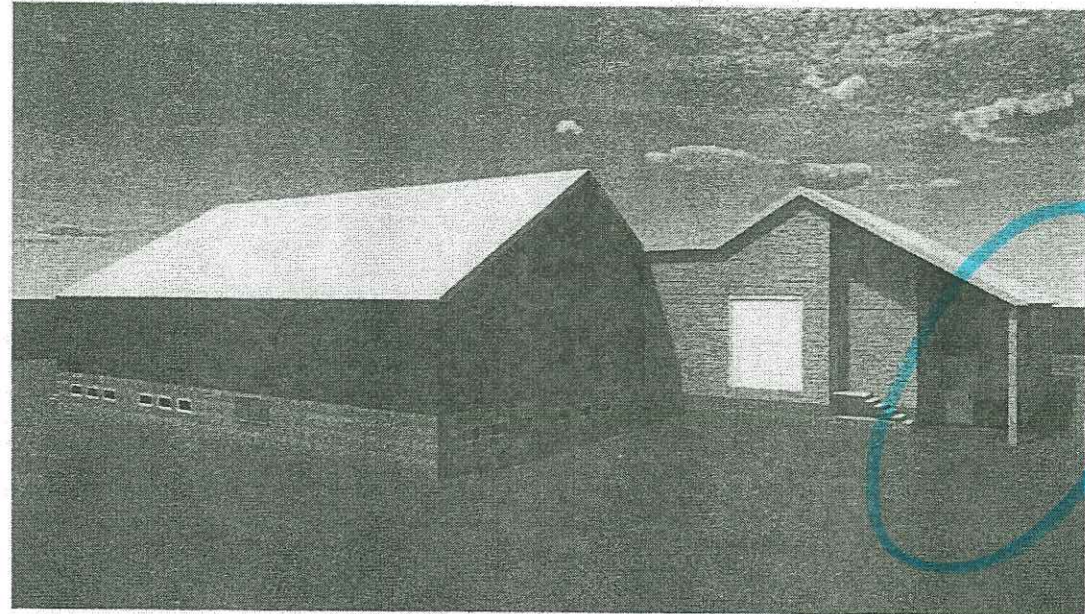
PROJECT NO. 3163-01 DATE: TBD  
SCALE: 1" = 30' DWG. NAME: C3163-01  
DESIGNED BY: SM CHECKED BY: SM

PREPARED BY:  
**ALLEN & MAJOR  
ASSOCIATES, INC.**  
civil engineering • land surveying  
environmental consulting • landscape architecture  
www.allenmajor.com  
400 HALEYVILLE ROAD  
MANCHESTER, NH 03105  
TEL: (603) 827-4400  
FAX: (603) 827-4301

WORCESTER, MA • LAKEVILLE, MA • MANCHESTER, NH  
THIS DRAWING HAS BEEN PREPARED IN DIGITAL FORMAT. CLIENTS REPRESENTATIVE OR CONSULTANTS MAY BE PROVIDED COPIES OF DRAWINGS AND SPECIFICATIONS FOR HIS/HERS INFORMATION AND/OR SPECIFIC USE ON THIS PROJECT. DUE TO THE POTENTIAL THAT THE PROVIDED INFORMATION MAY BE MODIFIED UNINTENTIONALLY OR OTHERWISE, ALLEN & MAJOR ASSOCIATES, INC. MAY REMOVE ALL INDICATION OF THE DOCUMENT'S AUTHORITY ON THE DIGITAL MEDIA. PRINTED REPRESENTATIONS OR PORTABLE DOCUMENT FORMAT OF THE DRAWINGS AND SPECIFICATIONS ISSUED SHALL BE THE ONLY RECORD COPIES OF ALLEN & MAJOR ASSOCIATES, INC.'S WORK PRODUCT.

DRAWING TITLE: LAYOUT & MATERIALS PLAN  
SHEET NO.: C-102

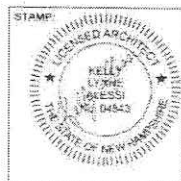




**TEAM ENGINEERING**  
82 Palomino Lane  
Suite 503  
Bedford, NH 03110-6448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION:	DATE:
PERMIT	07/1/2022

- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services

Addition

PROPERTY: 79 River Road  
Hudson, NH 03051

SHEET TITLE: EXTERIOR RENDERINGS

**A200**

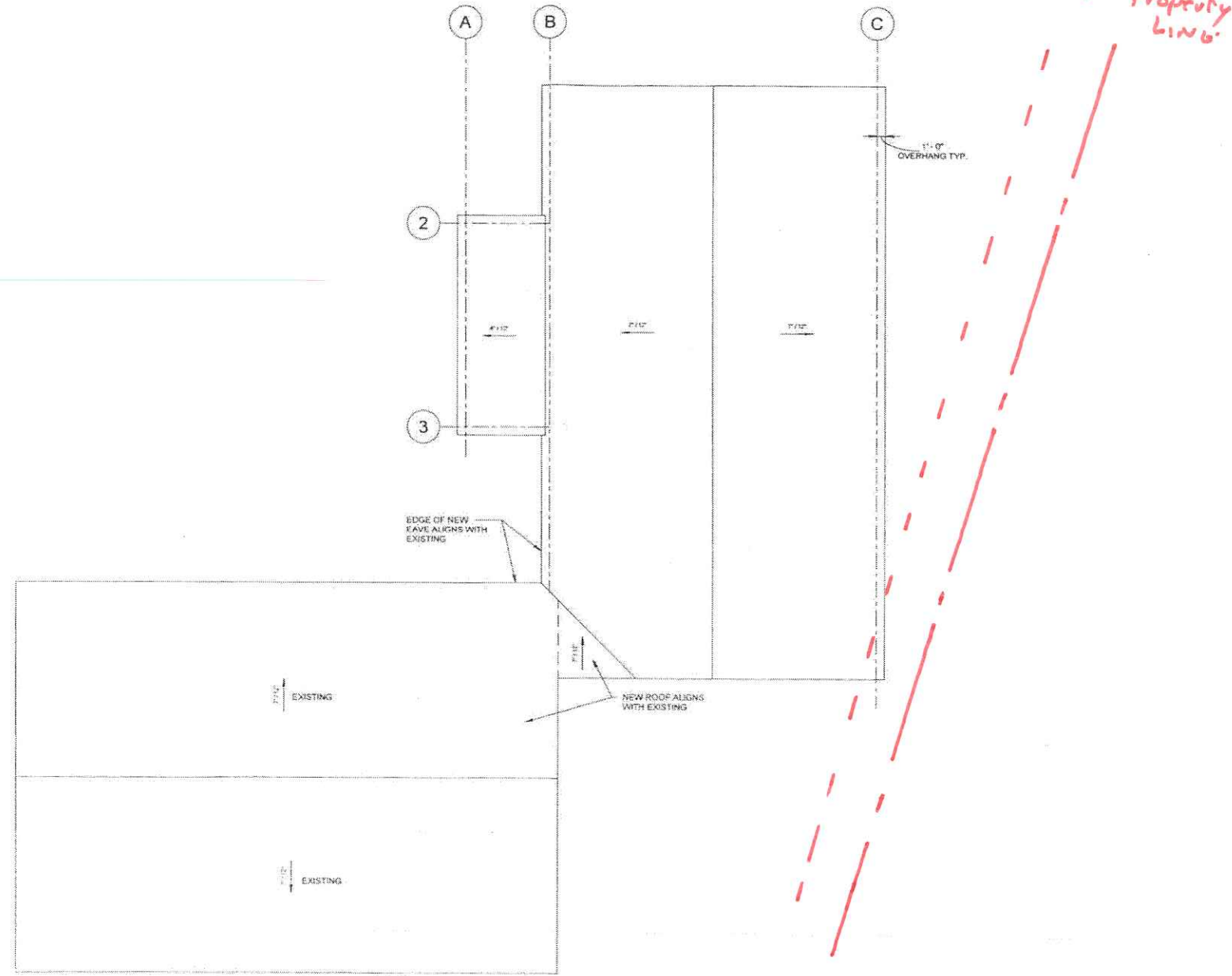
SHEET: 3 of 21  
TE PROJECT NO: 21-466  
DWG: KA CHK JT

D.



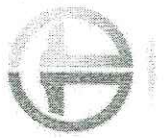
M:\Client\Drawings\A103-499 Core Compliance Testing Hudson Addition Design\Plans & Specs\Core Compliance Testing Services 79 River Rd Hudson NH 31-499.dwg

7/12/2022 11:42:28 PM



1 OVERALL ROOF PLAN  
A103 SCALE: 1/8" = 1'-0"

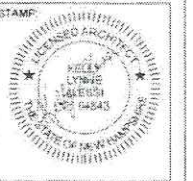
Team ENGINEERING  
Building Inspection & Design



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Phone: (603) 497-3137  
www.MyTeamEngineering.com

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PERMIT	07/11/2022

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- RFD
- PERMIT
- CONSTRUCTION

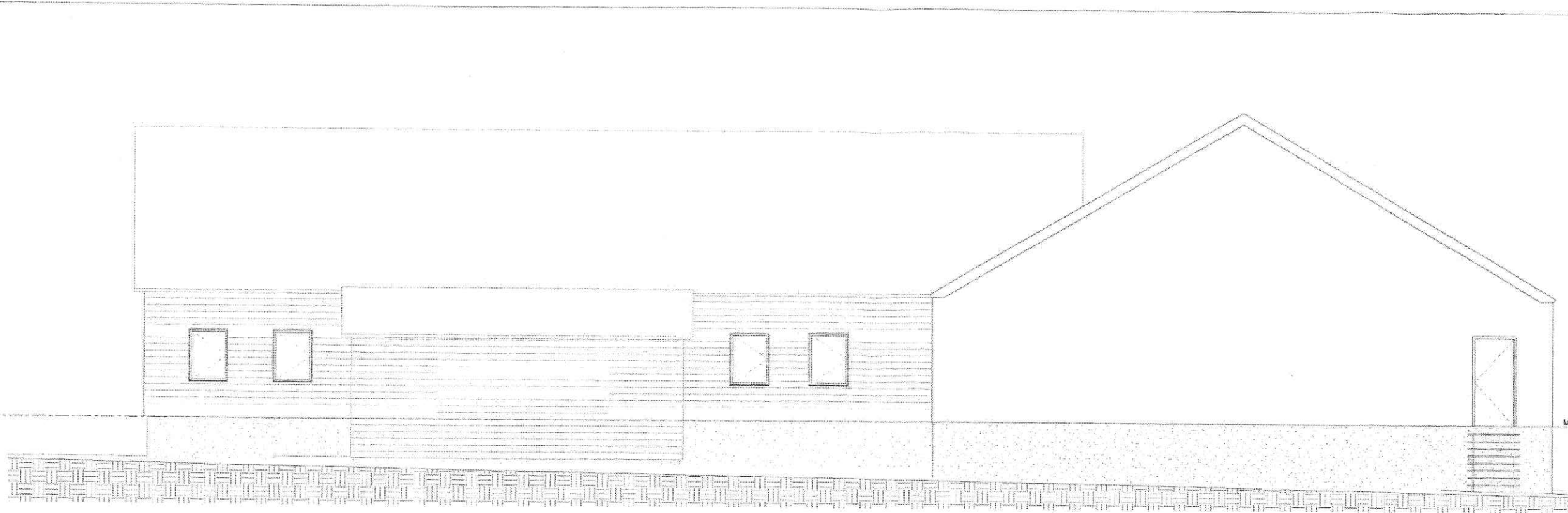


CLIENT:  
Core Compliance  
Testing Services  
c/o Ken MacCrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
HUDSON, NH 03051  
SHEET TITLE: OVERALL ROOF PLAN

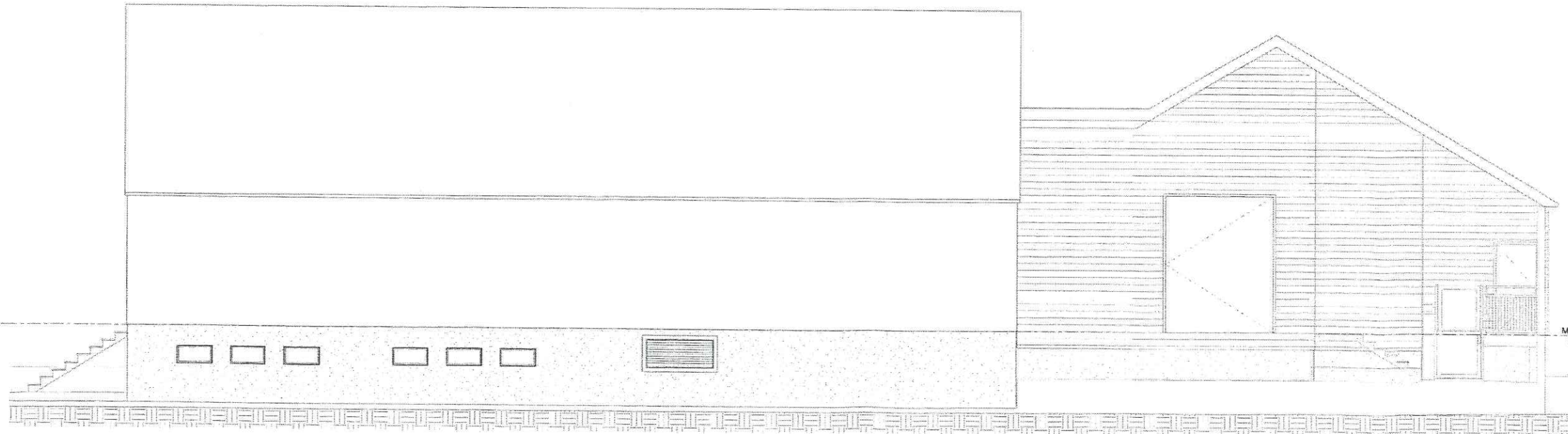
A103  
SHEET: 2 of 2  
PROJECT NO.: 31-499  
DWG: KA | CHK: JT

D<sub>2</sub>



MAIN LEVEL  
EL 100'-0"

1 WEST ELEVATION  
A202 SCALE: 1/4" = 1'-0"



MAIN LEVEL  
EL 100'-0"

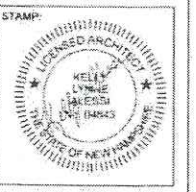
2 SOUTH ELEVATION  
A202 SCALE: 1/4" = 1'-0"



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REVISION	DATE
PERMIT	07/11/2022

- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



CLIENT  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

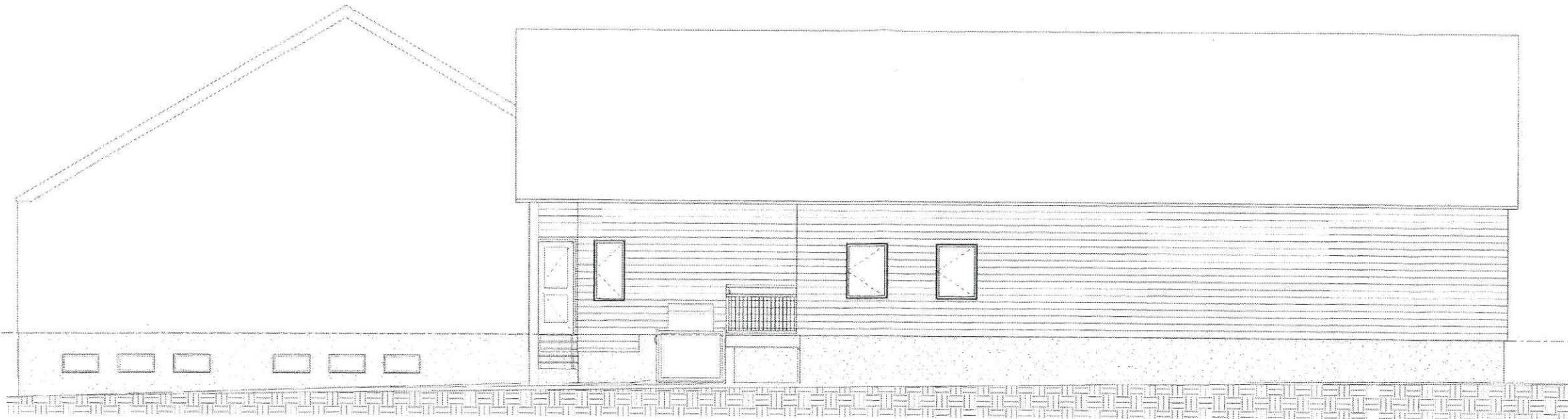
Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: BUILDING ELEVATIONS

A202  
SHEET 10 of 21  
TE PROJECT NO 21-496  
DWG: KA CHK: JT

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7/12/2021 10:42 AM M:\Client Drawings\A201-406 Core Compliance Testing Hudson Addition Design\Plans & Specifications\Compliance Testing Services 79 River Rd Hudson NH 21-409.rvt



1 EAST ELEVATION  
SCALE: 1/4" = 1'-0"

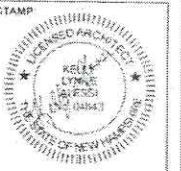
MAIN LEVEL  
EL 100'-0"



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REVISION:	DATE:
PERMIT	07/11/2022

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- APPROVAL
- BID
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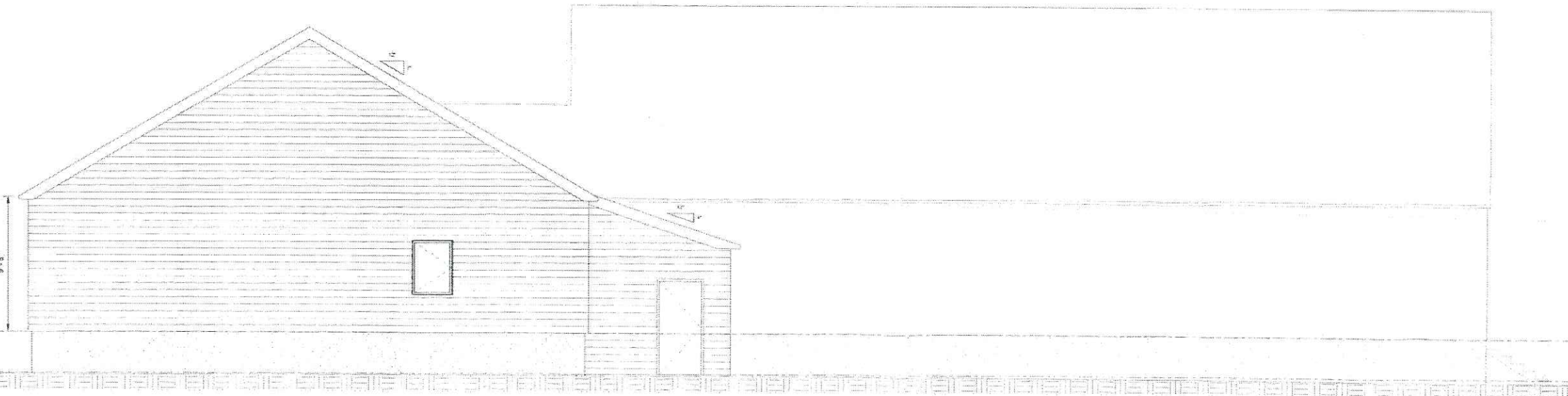


CLIENT:  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: BUILDING ELEVATIONS

A201  
SHEET: 9 of 21  
PROJECT NO.: 21-409  
DWG: RA | CHK: JT

D4

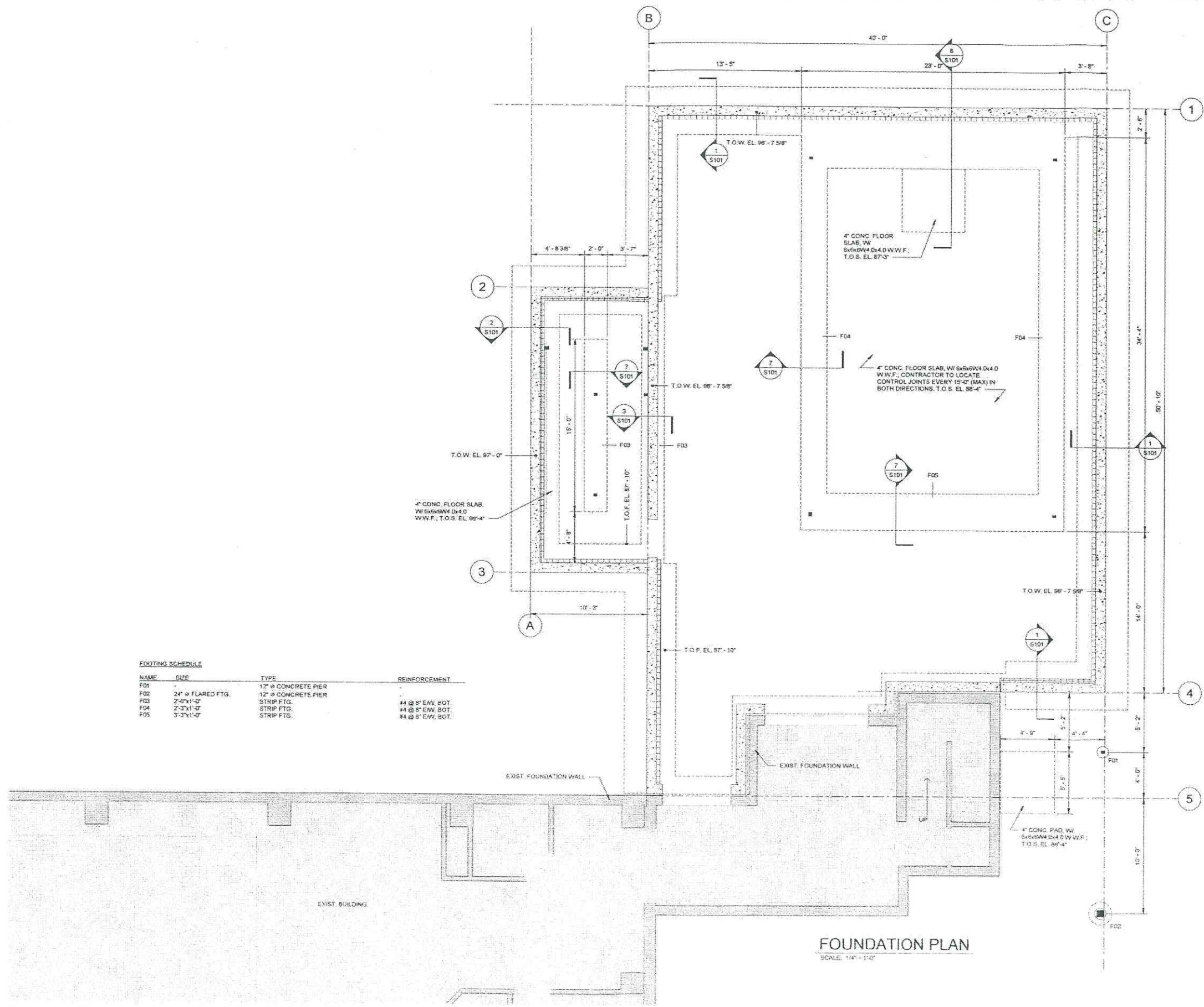


2 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"

MAIN LEVEL  
EL 100'-0"

LANDING  
EL 97'-1"

7/12/2022 1:44:12 PM M:\Client\DiscAccess\21-466 Core Compliance Testing Hudson Addition Daylight\Plan & Specs\Core Compliance Testing Services 79 River Rd Hudson NH 21-466.rvt



FOOTING SCHEDULE			
NAME	SIZE	TYPE	REINFORCEMENT
F01	-	12" Ø CONCRETE PIER	-
F02	24" Ø FLARED FTG.	12" Ø CONCRETE PIER	-
F03	2'-0"x1'-0"	STRIP FTG.	#4 @ 8" EAV. BOT.
F04	2'-3"x1'-0"	STRIP FTG.	#4 @ 8" EAV. BOT.
F05	3'-3"x1'-0"	STRIP FTG.	#4 @ 8" EAV. BOT.

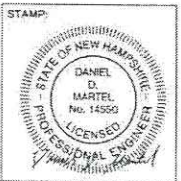
**FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"



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Bedford, NH 03110-6448  
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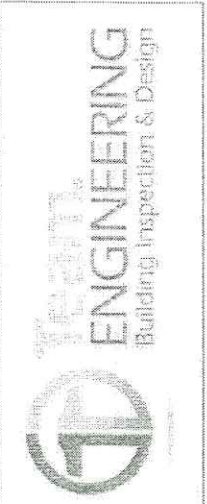
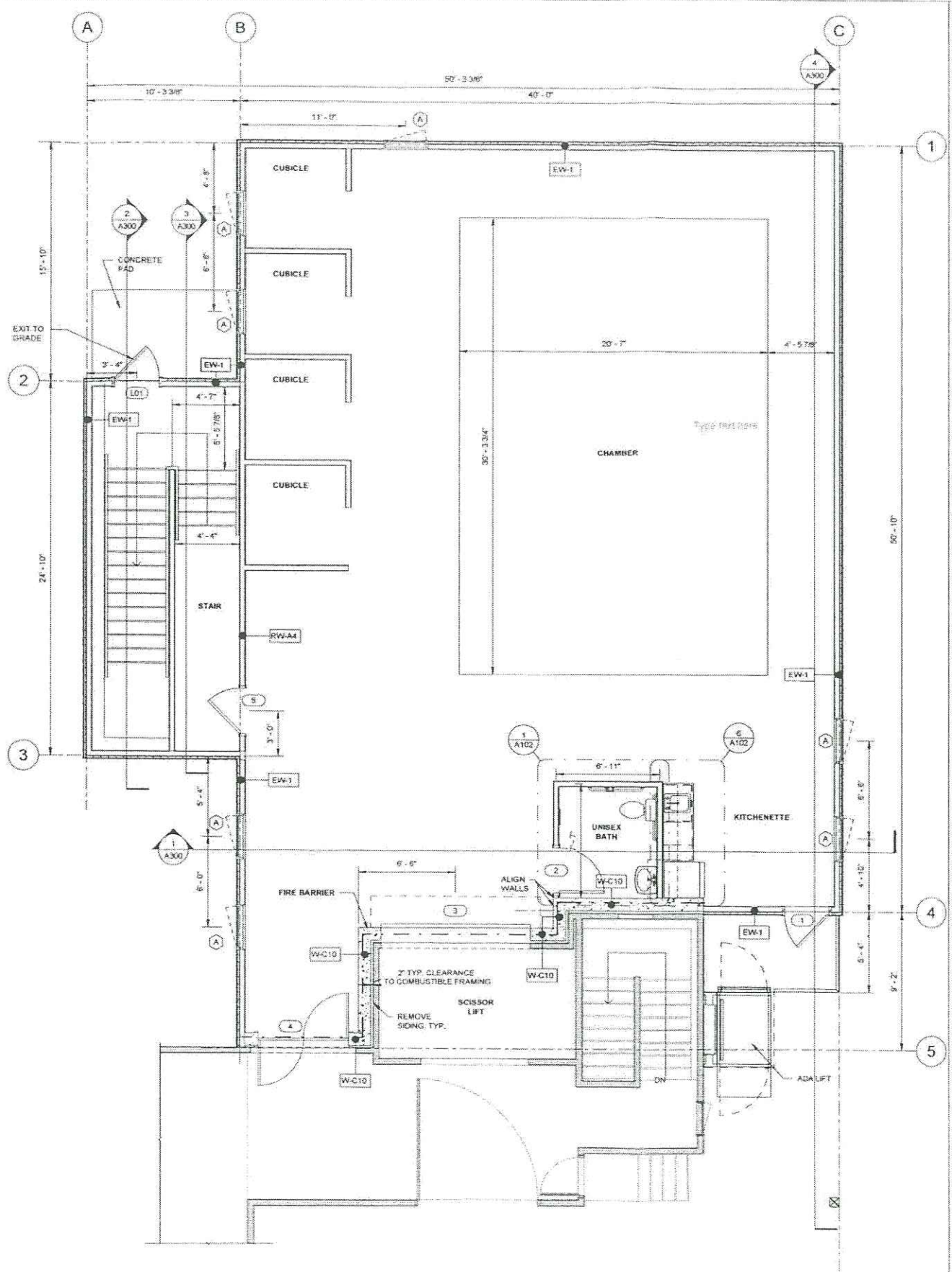
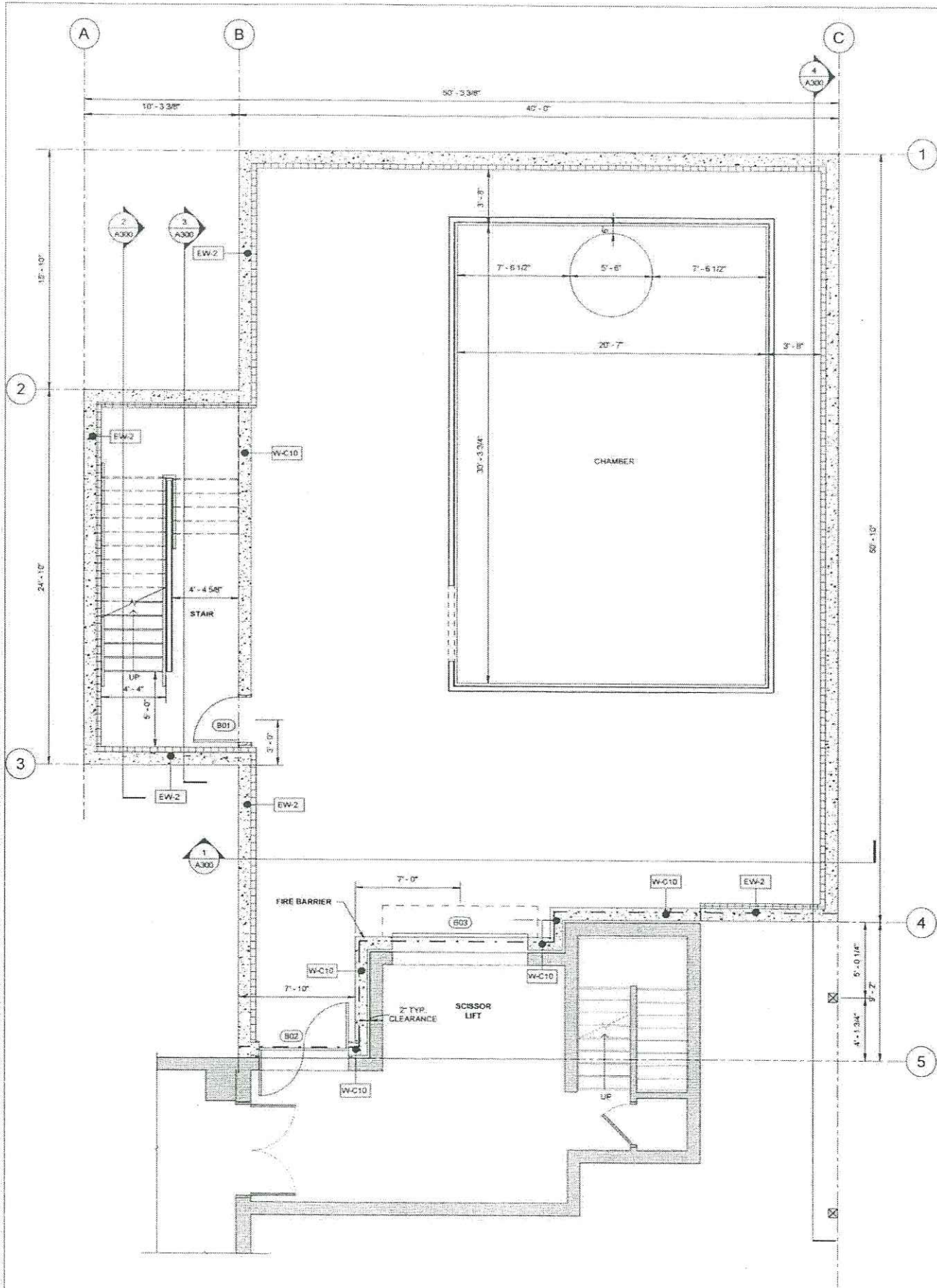
**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
HUDSON, NH 03051  
SHEET TITLE: **FOUNDATION PLAN**

**S100**  
SHEET: 15 of 21  
TE PROJECT NO: 21-466  
DWG: BI | CHK: DM

*DS*

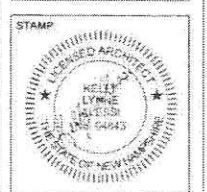
7/13/2022 1:45:20 PM; M:\Client Documents\01-488 Core Compliance Testing Hudson Addition Design\Plan & Specifications\Compliance Testing Services 79 River Rd Hudson NH 21-488.rvt



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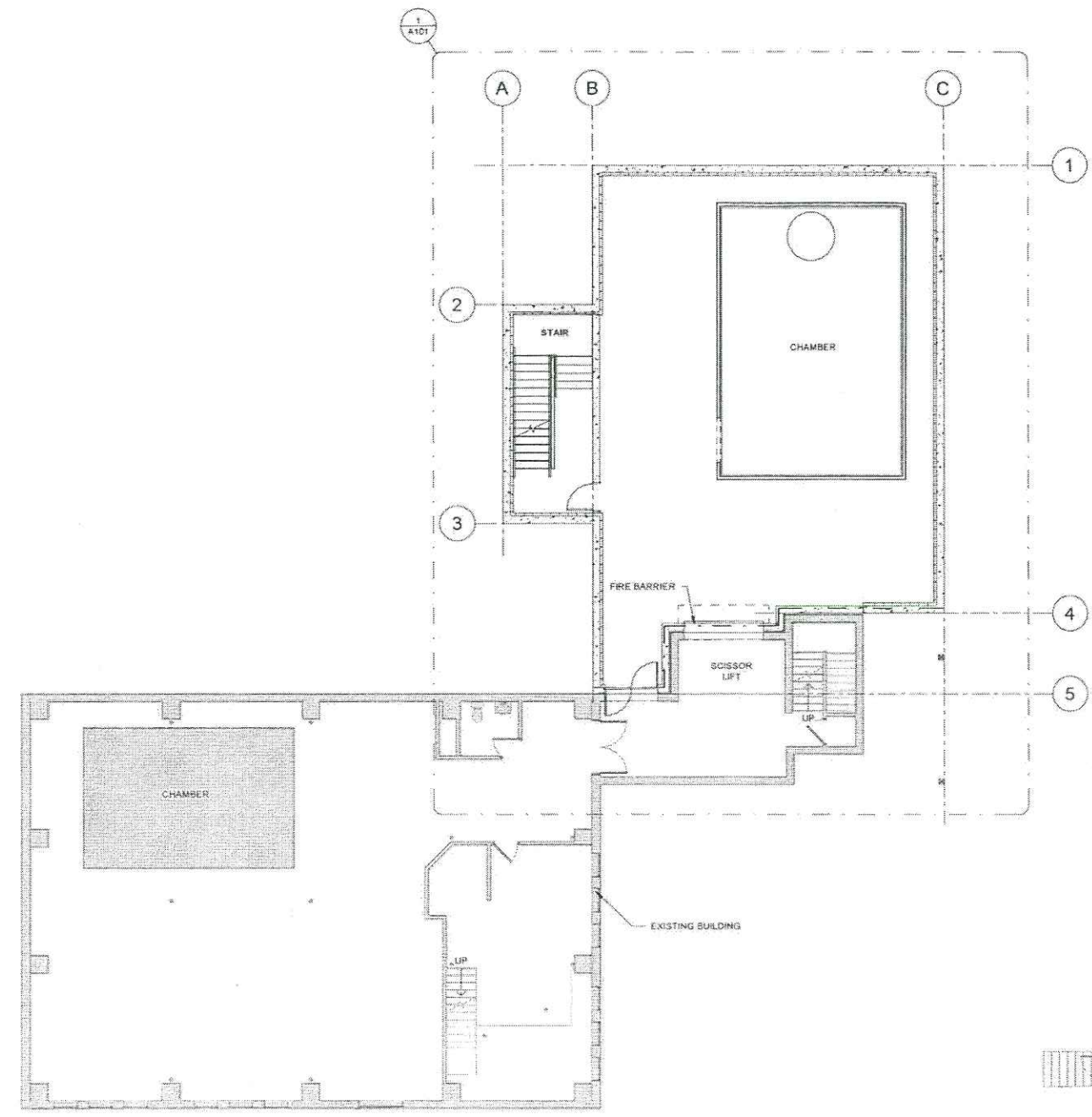


**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

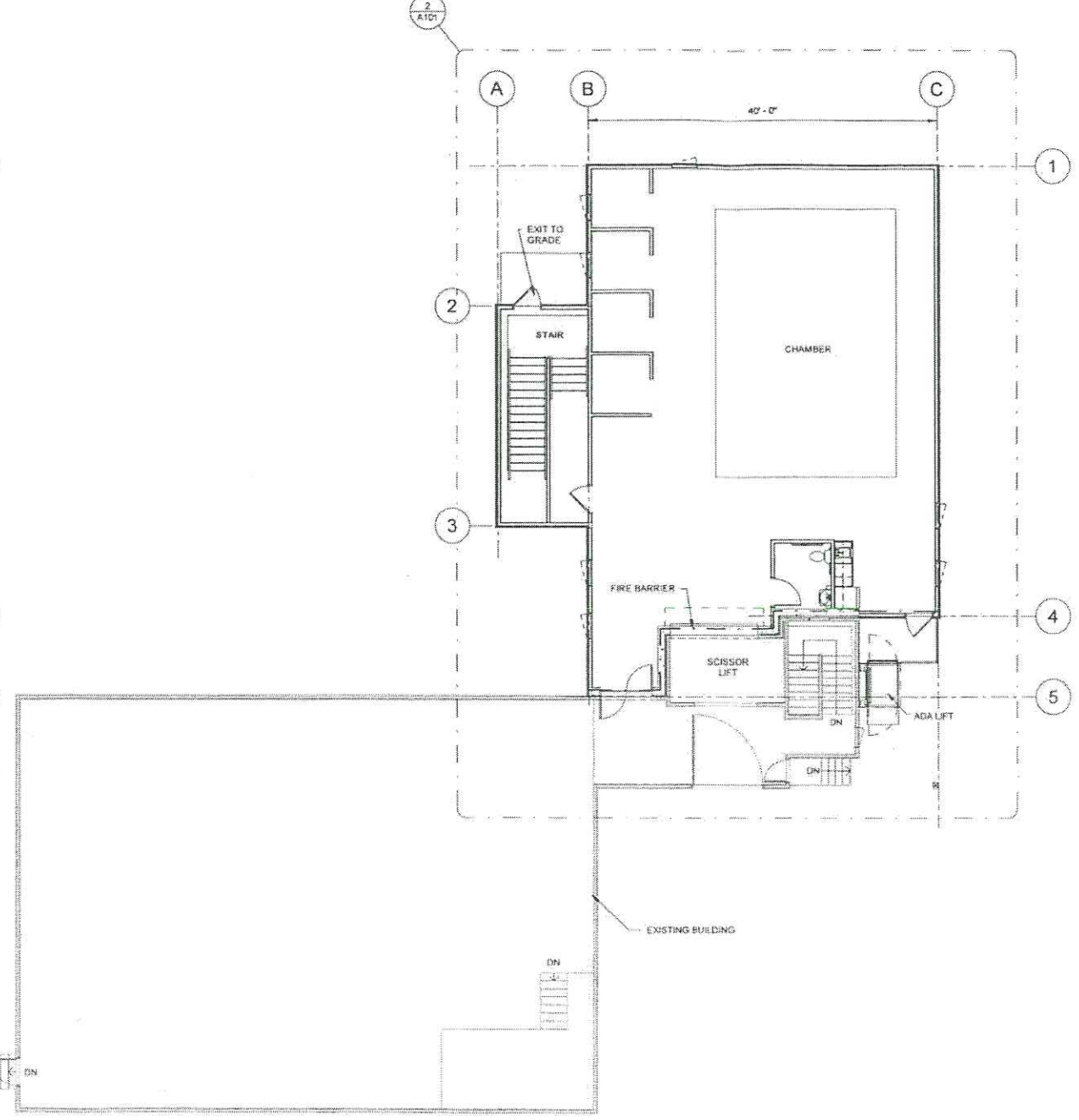
**Core Compliance Testing Services**  
Addition  
PROPERTY: 79 RIVER ROAD  
HUDSON, NH 03051  
SHEET TITLE: **ENLARGED PROPOSED FLOOR PLAN**  
**A101**  
SHEET 5 of 21  
TE PROJECT NO. 21-488  
DWG. KA CHK. JT



7/10/2022 1:43:09 PM \\allstate\docs\m\21-458 Core Compliance Testing Hudson Addition Design\Plans & Specs\Core Compliance Testing Services 79 River Rd Hudson NH 21-458.dwg

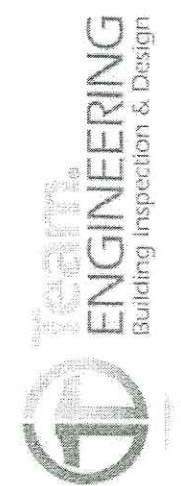


**1** PROPOSED BASEMENT PLAN  
A100 SCALE: 1/8" = 1'-0"



**2** PROPOSED MAIN LEVEL FLOOR PLAN  
A100 SCALE: 1/8" = 1'-0"

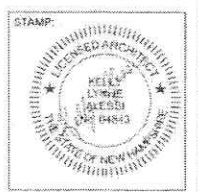
GENERAL PLAN NOTES	FLOOR PLAN LEGEND
1. DO NOT SCALE DRAWINGS. CONTACT ARCHITECT FOR ANY DISCREPANCY OR QUESTION PRIOR TO COMMENCING WITH ANY WORK.	STRUCTURAL GRID LINE
2. THE CONTRACTOR SHALL PROVIDE BLOCKING FOR ALL MILLWORK, MECHANICAL FIXTURES, PLUMBING FIXTURES AND ELECTRICAL DEVICES AS REQUIRED.	NEW CONSTRUCTION
3. ALL LUMBER IN DIRECT CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED INCLUDING ALL SILL PLATES FOR WOOD STUD WALLS.	EXISTING CONSTRUCTION
4. GC SHALL REVIEW PRIOR TO INSTALLATION ANY CONFLICT OF ENGINEERING TRADE DEVICES (I.E. FIRE ALARM STROBES) WITH ARCHITECTURAL DETAILS AND BRING THOSE DISCREPANCIES TO THE ARCHITECT FOR REVIEW.	NEW DOOR
5. ALL DIMENSIONS AT NEW WALLS ARE TO OUTSIDE FACE OF STUD, CENTER OF WALL, FACE OF CONCRETE, FACE OF MASONRY, OR CENTER OF OPENING, U.N.D.	EXISTING DOOR
6. COORDINATE MISC. STEEL REQUIREMENTS FOR MOUNTING/HANGING OWNER SUPPLIED EQUIPMENT.	
7. UNLESS OTHERWISE NOTED ALL DOOR/ROOF OPENINGS SHALL BE LOCATED 4" FROM NEAREST ADJACENT WALL, OR CENTERED ON THE WALL WITHIN THE ROOM THAT IS BEING ACCESSED.	
8. REFER TO ADDS FOR GENERAL WALL, FLOOR AND ROOF ASSEMBLIES. REFER TO U.L. LISTINGS FOR THE SPECIFIED REQUIREMENTS OF EACH ASSEMBLY AS WELL AS THE SPECIFIC REQUIREMENTS FOR PIPE AND DUCT PENETRATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING ALL U.L. REQUIREMENTS.	
9. FIRE STOPPING AND/OR FIRE DAMPERS REQUIRED AT ALL PENETRATIONS THROUGH RATED WALLS AND/OR FLOORING/CEILING ASSEMBLIES.	



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Bedford, NH 03110-8448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION:	DATE:
PERMIT	07/11/2022

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- BID
- PERMIT
- CONSTRUCTION



CLIENT:  
**Core Compliance Testing Services**  
c/o Ken MacCraith  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
HUDSON, NH 03051  
SHEET TITLE  
**OVERALL PROPOSED FLOOR PLANS**

**A100**  
SHEET: 4 of 5  
PROJECT NO: 21-458  
DWS: KA    CME: JT

D7

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

**REQUEST FOR REVIEW/COMMENTS:**

Case: 251-008 (VARIANCE)

Property Location: 79 River Road

*For Town Use*

Plan Routing Date: 10/21/2022 Reply requested by: 10/25/2022 ZBA Hearing Date: 11/17/2022

I have no comments  I have comments (see below)

BG Name: Brian Groth Date: 10/24/2022  
(Initials)

DEPT:  Town Engineer  Fire/Health Department  Town Planner

The applicant submitted a site plan application for the proposed building addition with the Planning Board in conjunction with this application. At this time, a Planning Board hearing date has not been determined.

**E**





TOWN OF HUDSON

APPLICATION FOR A VARIANCE

OCT 19 2022

Zoning Department

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 251-008 (11-17-22)

Date Filed 10/19/22

Name of Applicant Ken McGrath Map: 251 Lot: 8 Zoning District: G-1 (76)

Telephone Number (Home) 603 673-2046 (Work) 603 889-5545

Mailing Address 20 Baldwin Road, Milford, NH 03055

Owner Ken McGrath

Location of Property 79 River Road  
(Street Address)

Ken McGrath Signature of Applicant Date 9/14/2022

Ken McGrath Signature of Property-Owner(s) Date 9/14/2022

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: 10/19/22

COST:

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

<u>6</u> Abutter Notice:		
Direct Abutters x Certified postage rate	\$ <u>4.60</u> =	\$ <u>27.60</u>
<u>5</u> Indirect Abutters x First Class postage rate	\$ <u>0.60</u> =	\$ <u>3.00</u>
<b>Total amount due:</b>		<b>\$ <u>215.60</u></b>

Amt. received: \$ 215.60

Receipt No.: 703,781

Received by: (TSC)

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<br>Initials ~ |   | Staff<br>Initials   |
|-------------------------|---|---------------------|
| <u>AM</u>               | Please review the application with the Zoning Administrator or staff.   | <u>TG</u>           |
| <u>KM</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 <del>10 (ten)</del> <b>single-sided</b> copies of the assembled application packet. (Paper clips, no staples) <u>13</u>  | <u>TG</u>           |
| <u>AM</u>               | A separate application shall be submitted for each request, with a separate application fee for each request i.e. <u>Variance</u> , Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.   | <u>TG</u>           |
| #4 <u>KM</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).<br>(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>KM</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:<br><a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a><br>(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 - pending</u> |
| <u>KM</u>               | <b>GIS LOCATION PLAN:</b> Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief.<br>A copy of the GIS map can be obtained by visiting the town website:<br><a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a>   | <u>EB</u>           |
| <u>KM</u>               | Provide a copy of all <b>single sided pages</b> of the assessor's card.<br>(NOTE: these copies are available from the Assessor's Office)  | <u>TG</u>           |
| <u>AM</u>               | A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.  | <u>BB</u>           |
| <u>KM</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 BB</u>       |

**CERTIFIED PLOT PLAN:**

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

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

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

*Ken MacArthur*  
Signature of Applicant(s)

9/22/2022  
Date

*Ken MacArthur*  
Signature of Property Owner(s)

9/22/2022  
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)

*Nashua RPC.org*

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
251	1	*Include Applicant & Owner(s) <i>Facility Finance/</i> BAE SYSTEMS <i>NNH01-6C1</i>	P.O. Box 868, Nashua, NH 03060
251	8	Ken McGrath (applicant & owner)	20 Baldwin Rd. Milford, NH 03055
251	7	Marilyn McGrath, TR.; <i>McGrath Revocable Trst of 2017</i>	81 River Road, Hudson, NH 03051
<del>251</del>	<del>013</del>	<del>Storage Sense</del>	<del>84 River Road, Hudson</del>
251	013	84 River Road LLC	55 High Street Pittsfield, NH 03263
251	9	77 River Road LLC	79 River Road, Hudson, NH 03051
251	014	Everest Co. Inc.	P.O. Box 1950 Auburn, ME 04211-1900

*Added*  
*(TB)*

**ALL INDIRECT ABUTTERS WITHIN 200 FEET**

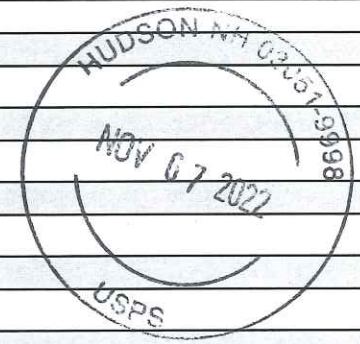
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. For indirect abutting properties being under a condominium or other collective 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)

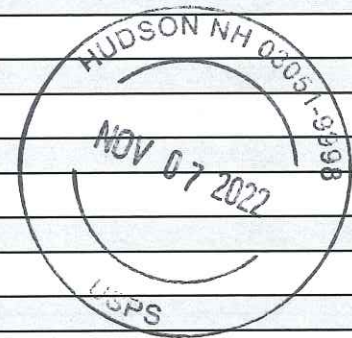
*Nashua RPC org (16)*

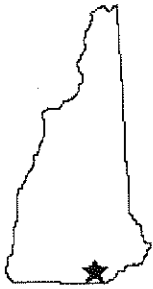
MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
251	<del>010</del> 006	<i>A and J Stateline Realty Trust</i> Ajit Patel Trustee and Jagruti Trustee	83 River Road Hudson, NH
<i>Sublots 3-5, 9-14</i> 251	010	Donald Nicolls, Trust TR. <i>(16) 75 River Road Realty Trust</i>	70 Bridge Street Pelham, NH 03076
<del>251</del>	<del>014</del>	<del>Everest Co., Inc.</del>	<del>P.O. Box 1900 Andover, ME 04411-1900</del>
251	010-001	Kopelman, Matthew	P.O. Box 610407 Newton, MA 02461
251	010-002	Kopelman, Marjory + Robert	P.O. Box 610407 Newton, MA 02461
251	010-006-008	Kopelman, Robert	P.O. Box 610407 Newton, MA 02461
	<i>Sublots 5</i>		

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 251-008 79 River Road Map 251/Lot 008-000	Variance 1 of 1
	<b>ARTICLE NUMBER</b>	<b>Name of Addressee, Street, and post office address</b>	<b>11/17/2022 ZBA Meeting</b>	
1	7021 0350 0001 9800 5560	KEN MACGRATH 20 BALDWIN ROAD, MILFORD, NH 03055	APPLICANT/OWNER NOTICE MAILED	
2	7021 0350 0001 9800 5577	BAE SYSTEMS; FACILITY FINANCE/NNH01-6C1 P.O. BOX 868, NASHUA, NH 03060	ABUTTER NOTICE MAILED	
3	7021 0350 0001 9800 5584	MCGRATH MARILYN E., TR.; MCGRATH REVOCABLE TRST OF 2017 81 RIVER ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	7021 0350 0001 9800 5591	77 RIVER ROAD, LLC 79 RIVER RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	7021 0350 0001 9800 5607	84 RIVER ROAD LLC 55 HIGH ST., PITTSFIELD, NH 03263	ABUTTER NOTICE MAILED	
6	7021 0350 0001 9800 5614	EVEREST CO. INC. P.O. BOX 1900, AUBURN, ME 04211-1900	ABUTTER NOTICE MAILED	
7				
8				
9				
10				
11				
	<b>Total Number of pieces listed by sender 6</b>	<b>Total number of pieces rec'vd at Post Office</b> 6	<b>Postmaster (receiving Employee)</b> Paula Angeli	



SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - FIRST CLASS MAIL	Case# 251-008 79 River Road Map 251/Lot 008-000 Variance 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	11/17/2022 ZBA Meeting
1	Mailed First Class	PATEL, AJIT & JAGRUTI, TRUSTEES; A AND J STATELINE REALTY TRUST	ABUTTER NOTICE MAILED
		83 RIVER ROAD, HUDSON, NH 03051	
2	Mailed First Class	NICOLLS, DONALD, TR.; 75 RIVER ROAD REALTY TRUST	ABUTTER NOTICE MAILED
		70 BRIDGE ST., PELHAM, NH 03076	
3	Mailed First Class	KOPELMAN, MATTHEW	ABUTTER NOTICE MAILED
		PO BOX 610407, NEWTON, MA 02461	
4	Mailed First Class	KOPELMAN, MARCY & ROBERT	ABUTTER NOTICE MAILED
		PO BOX 610407, NEWTON, MA 02461	
5	Mailed First Class	KOPELMAN, ROBERT	ABUTTER NOTICE MAILED
		PO BOX 610407, NEWTON, MA 02461	
6			
7			
8			
9			
10			
11			
	Total # of pieces listed by sender 5	Total # of pieces rec'vd at Post Office 5	Postmaster (receiving Employee) <i>Paula Angelli</i>





# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

November 7, 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, **11/17/2022** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

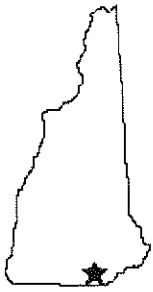
**Case 251-008 (11-17-22): Kenneth L. MacGrath, 79 River Rd., Hudson, NH requests a Variance to build a proposed 2,395 SF building addition with a roof overhang which encroaches 3.1 feet into the side yard setback leaving 11.9 feet where 15 feet is required. [Map 251, Lot 008; Zoned General-One (G-1); HZO Article VII, Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]**

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

Respectfully,

Bruce Buttrick  
Zoning Administrator





# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

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

November 7, 2022

### ABUTTER NOTIFICATION

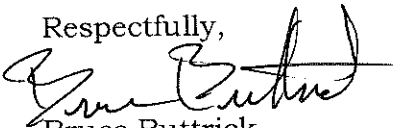
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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal. If you are unable to attend, you may also mail or email your comments prior to the ZBA meeting. Submit written comments by mail to ZBA c/o Bruce Buttrick, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov). In either instance, include your full name, address and the case you wish to make your comment.

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

Respectfully,

  
Bruce Buttrick  
Zoning Administrator

APPLICATION FOR A VARIANCE

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

See attached.

**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*

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.”)

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

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

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

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

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

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

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

*See attached.*

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

*See attached.*

B. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance.

**Page 6: Facts Supporting This Request:**

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

The requested variance is to allow for the roof overhang of the proposed building which will extend 3.1 ft. into the property line setback, leaving 11.9 ft. remaining. We own the abutting property.

**Page 7: Facts Supporting This Request:**

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

The proposed building is in an area where the only direct visibility would be from the property at 77 River Road, which is property that we own.

It will not alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public and it does not violate the basic zoning objectives of the Zoning Ordinance. As stated follows:

A variance would be considered contrary to the public interest if it unduly and to a marked degree violated the basic zoning objectives of the Zoning Ordinance. This variance will not alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public.

The requested variance is to allow for the roof overhang of the proposed building which will extend 3.1 ft. into the property line setback, leaving 11.9 ft. remaining. We own the abutting property.

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

The overhang does not infringe on the abutter's property.

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

It would allow us to maintain the current building design, which was done with a specific intent and function in mind.

*RM 10/24/2022*

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

The proposed building is in an area where the only direct visibility would be from the property at 77 River Road, which is property that we own.

**Page 8: Facts Supporting This Request (continued):**

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

A1. The proposed building is an addition to the existing building. The design and placement was done to accommodate the loading dock, scissor lift, and handicap accessible entrance.

A2. The building overhang issue does not impact any of our abutters; it is a cosmetic issue rather than a property infringement issue.



# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #22-123

September 28, 2022

Ken MacGrath  
20 Baldwin Road  
Milford, NH 03055

Re: 79 River Rd      Map 251 Lot 008-000  
District:              **General One (G-1)**

**Zoning Review / Determination:** Based on your submitted plans, it appears to depict a portion of the addition as encroachment into side yard setback. You would need a Variance from the Zoning Board of Adjustment from the Table of Minimum Dimensional Requirements §334-27.

You can find the Variance application online (link):  
[https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning/code\\_enforcement/page/1751/cdd-zn-variance-rev\\_07-21-21.pdf](https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning/code_enforcement/page/1751/cdd-zn-variance-rev_07-21-21.pdf)

Application instruction/info (link):  
[https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning\\_board\\_of\\_adjustment/page/51563/zoning\\_application\\_instructions-rev\\_07-22-21.pdf](https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning_board_of_adjustment/page/51563/zoning_application_instructions-rev_07-22-21.pdf)

Sincerely,

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

cc: Public Folder  
B. Groth – Town Planner  
File

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

Property Location: 79 RIVER RD  
 Vision ID: 11 Account #: 7305

Parcel ID: 251/008/000/1  
 Bldg #: 1

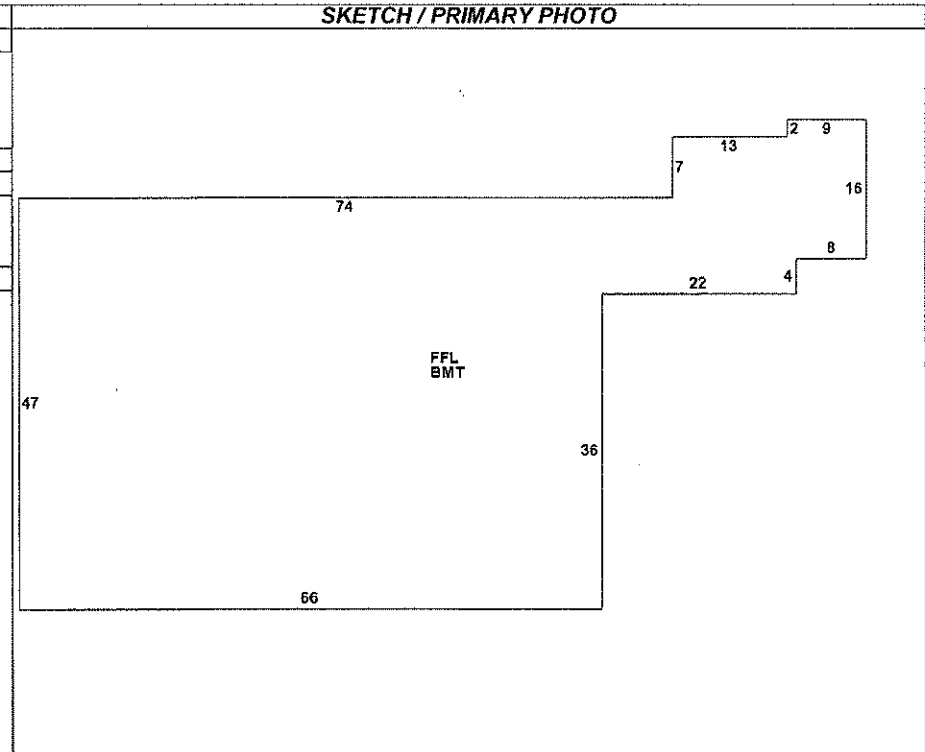
Bldg Name:  
 Card #: 1 of 1

LUC: 4010  
 Print Date: 10/18/2022 10:20:49

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Model	94	Com/Ind	% Sprinkler		
Style:	45	Indus. Warehse	Frame	06	
Grade	C	Average	Foundation	06	
Stories:	1		<b>MIXED USE</b>		
# of Units	1		Code	Description	Percentage
Wall Height	12.00		4010	IND WAREHSE	100
Exterior Wall 1	22	Steel			0
Exterior Wall 2					0
Roof Structure	01	Gable	<b>COST / MARKET VALUATION</b>		
Roof Cover	14	Corregated	RCN		291,565
Interior Wall 1	05	Minimal	Year Built		2006
Interior Wall 2			Effective Year Built		2002
Interior Floor 1	12	Concrete	Depreciation Code		AV
Interior Floor 2			Remodel Rating		
Heat Fuel	02	Gas	Year Remodeled		
Heat Type	15	Hvac	Depreciation %		20
2nd Heat Type			Functional Obsol		15
AC Percent	100		External Obsol		10
Heat/AC			Trend Factor		1.000
Full Baths	0		Condition		
Half Baths	1		Condition %		
3/4 Baths	0		Percent Good		55
Baths/Plumbing	02	AVERAGE	RCNLD		160,400
Kitchens	0		Dep % Ovr		
Kitchen Rating			Dep Ovr Comment		
Rooms/Partition	L	Light	Misc Imp Ovr		
Ceiling/Wall			Misc Imp Ovr Comment		
Bath Rating			Cost to Cure Ovr		
% Comn Wall	0.00		Cost to Cure Ovr Comment		
% Heated	100				
# Heat Systems	1				
% Sprinkler					

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	UOM	Unit Price	Yr Blt	Cond.	% Gd	Assd. Value
LIFT	Automotive Lift	B	1	UNITS	7260.00	2007	AV	55	4,000
PAVASP	Asphalt Paving	L	3,200	UNITS	2.00	2010	AV	60	3,800
XFGFB	Good Fin. Bmt	B	2,858	SQ. FT	45.00	2006	AV	55	70,700

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	3,572	893	16.33	58,313
FFL	First Floor, Finished	3,572	3,572	3,572	65.30	233,252
Total SQFT / Sketched Area / Eff Area		3,572	7,144	4,465	<b>Total Value</b>	291,565





Property Location: 79 RIVER RD  
 Vision ID: 11 Account #: 7305

Parcel ID: 251/008/000/1  
 Bldg #: 1

Bldg Name:  
 Card #: 1 of 1

LUC: 4010  
 Print Date: 10/18/2022 10:20:49

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
MACGRATH, KENNETH L.  20 BALDWIN ROAD  MILFORD NH 03055		Nbhd		Nbhd Name		Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
		IG		Ind-General		2022	4010	235,100	2022	4010	203,700	2021	4010	203,700
		TOPO		UTILITIES			4010	253,000		4010	192,200		4010	192,200
		01	Level	09	Priv Water		4010	3,800		4010	8,800		4010	8,800
				00	Septic									
						Total	491,900		Total	404,700		Total	404,700	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
MACGRATH, KENNETH L.		7202	0478	11-10-2003	U	V	0	38	Grantor: MACGRATH, MARILYN E.	Appraised Bldg. Value (Card)			160,400
MACGRATH, MARILYN E.		5654	698	09-05-1995	U	V		99	Grantor: MACGRATH ESTATE	Appraised Xf (B) Value (Bldg)			74,700
MACGRATH ESTATE		5253	0150	05-03-1991	Q	V	0	00	Grantor: N/A	Appraised Ob (B) Value (Bldg)			3,800
										Appraised Land Value (Bldg)			253,000
										Special Land Value			0
										Total Appraised Parcel Value			491,900
										Valuation Method			C

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				TOTAL	
Parcel ID	251-008-000			Description	Code	Appraised	Assessed		
Zoning	G1:GENERAL ONE			BLDG	4010	235,100	235,100		
Flood Hazard	AE			LAND	4010	253,000	253,000		
Neigh/Abut1	GM			OB	4010	3,800	3,800		
Neigh/Abut2				Total		491,900	491,900		
Neigh/Abut3		PREV	0001-0004-0003						
GIS ID	251-008-000	Assoc Pid#							

NOTES		VISIT / CHANGE HISTORY					
2005 PLAN 33839 APPROVED AS VIABLE LIGHT AND HARDWARE ARE PLASTIC. EXT WL-CORRUG		Date	Id	Type	Is	Cd	Purpost/Result
INDUSTRIAL SITE/FUNC=BMT/BLDG =ALL FIBE See Parcel Notes for full comment		05-16-2022	24			45	Field Review
RGLASS BEAMS, WALLS, ROOF/3-5-08 RECEIVE		11-15-2019	18			03	Meas/Inspect
D CO/ PARKING LOT REMAINS TO BE DONE FOR		06-19-2017	09			45	Field Review
2009, RECK, S-B 90X40-JM11/19 DBA:CORE		02-24-2017	07			80	Income And Expense Requ
COMPLIANCE TESTING SERVICES (OWNER)FRAME		04-25-2008	01			82	Permit Review
		05-04-2007	09			03	Meas/Inspect
		05-04-2007	09			2	2
		04-06-2006	01			03	Meas/Inspect

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit	Description	Amount	Status	Applicant	SQ ft	Comments	
2015-01176	11-23-2015	SI	Signs	3,000	C			Visit Notes: 2'4"x6";	
2005-384	04-01-2005	FD	Foundation	250,000	C				

LAND LINE VALUATION SECTION															
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acreage Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment		Notes	Land Value
1	4010	IND WAREHSE	Site	1.000	AC	260,000	1.00	E	1.00	IG	1.00	Wet/Low	0.90		234,000
1	4010	IND WAREHSE	Comm Exces	0.732	AC	26,000	1.00	0	1.00	IG	1.00				19,000
Total Card Land Units:				1.732	AC	Parcel Total Land Area:				1.732	AC	Total Land Value:		253,000	

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

# 79 River Rd (Map/Lot 251-008-000)



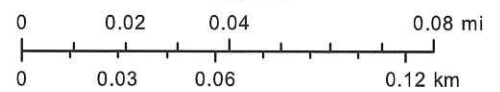
October 19, 2022

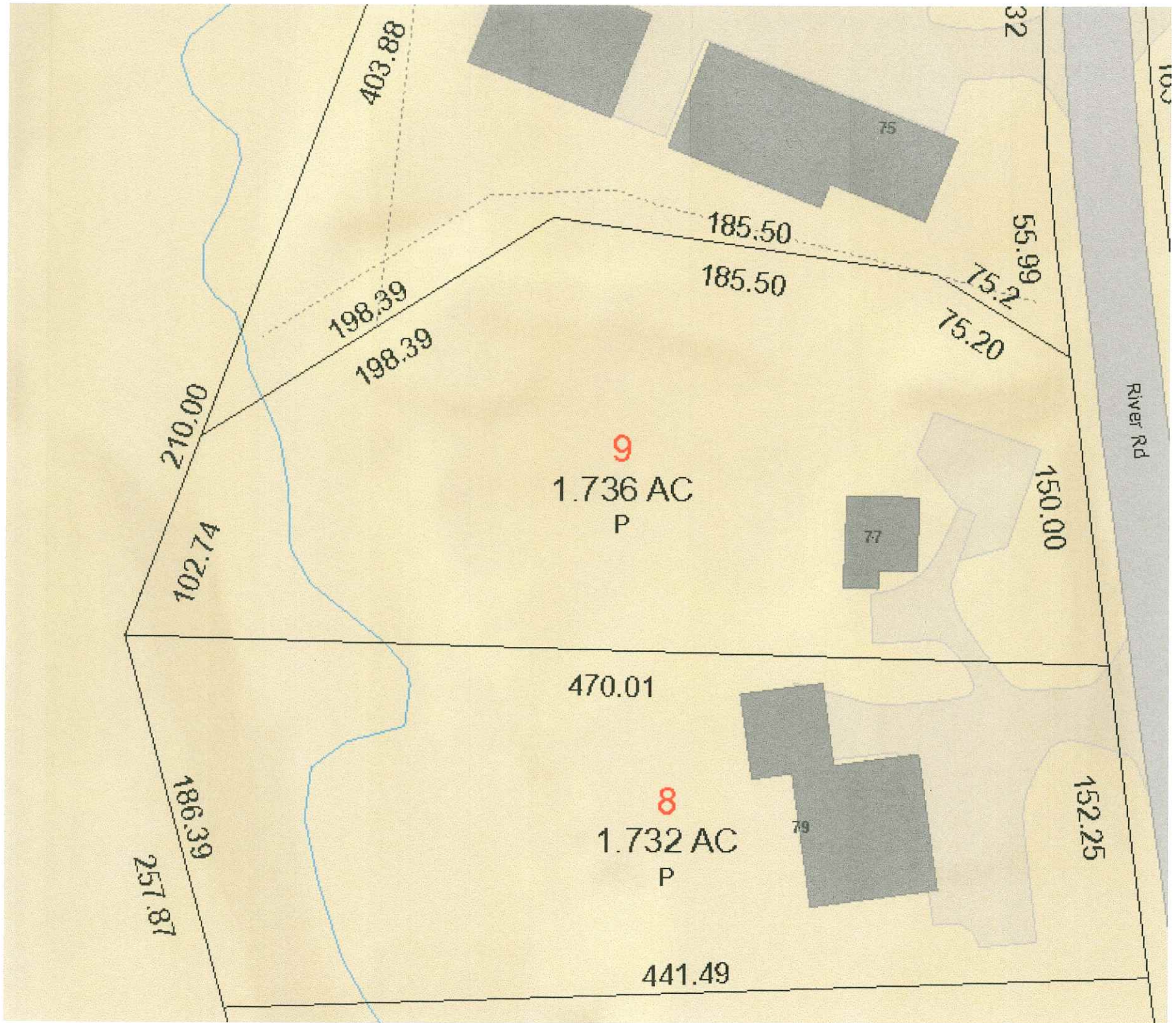
Legend

----- Easement\_Lines

▭ Parcels

1:2,348







Planning Department

**TEAM ENGINEERING**  
82 Palomino Lane  
Suite 503  
Bedford, NH 03110-6448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION:	DATE:
SKA-1	10/18/2022

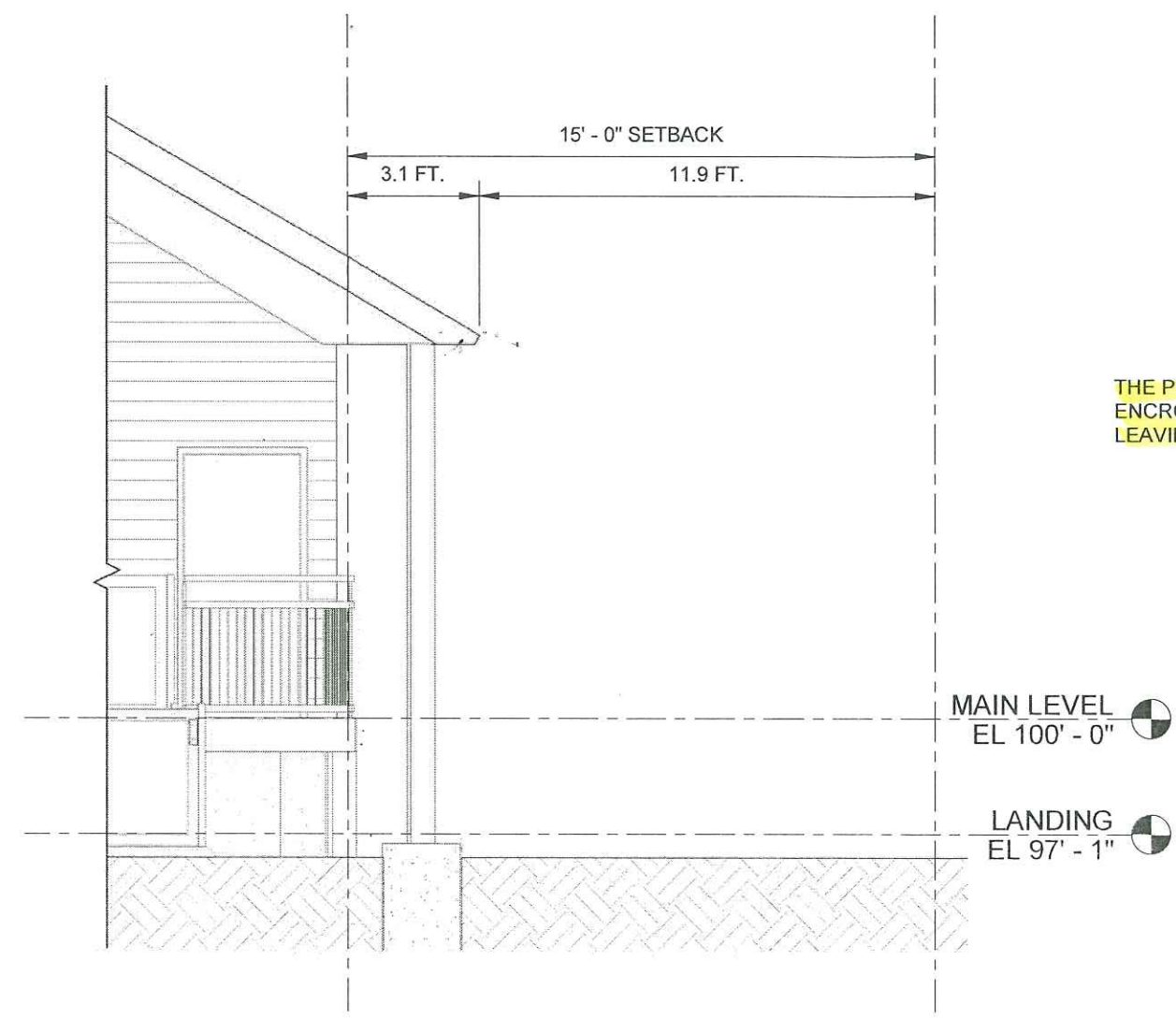
STAMP:

CLIENT/OWNER:  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

PROPERTY:  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition

SECTION AT SETBACK



THE PROPOSED ROOF OVERHANG ENCROACHES 3.1 FT. INTO REQUIRED SETBACK, LEAVING 11.9 FT. WHERE 15' - 0" IS REQUIRED.

1 SECTION  
SKA-1 SCALE: 1/4" = 1'-0"

**SKA-1**

SHEET:            of  
TE PROJECT NO.: 21-466  
DWG: Author    CHK: Checker

**From:** Stephen Mayer <smayer@allenmajor.com>  
**Sent:** Tuesday, October 18, 2022 1:40 PM  
**To:** Buttrick, Bruce  
**Cc:** Ken MacGrath; Goodwyn, Tracy; Core Compliance Testing  
**Subject:** RE: ZBA application  
**Attachments:** 03 C-101\_Layout & Materials Plan.pdf; 03 C-101\_Layout & Materials Plan-sm markup.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Hi Bruce,  
Attached is a PDF of the Layout & Materials Plan, which was submitted. This shows the overhang 11.9' from the property line. I've also attached a marked-up version which highlights the property line in magenta, the 15' setback line in yellow, and the building overhang line in green. I hope this helps. Let me know if you have any more comments.

Thanks,  
Steve

**Allen & Major Associates, Inc.**  
**Office:** 603-627-5500 x 9412 | **Cell:** 781-325-4830 | **Direct:** 781-305-9412  
[www.allenmajor.com](http://www.allenmajor.com)  
Follow us on [LinkedIn](#) | [Instagram](#) | [Twitter](#)

**From:** Buttrick, Bruce <bbuttrick@hudsonnh.gov>  
**Sent:** Tuesday, October 18, 2022 1:29 PM  
**To:** Stephen Mayer <smayer@allenmajor.com>  
**Cc:** Ken MacGrath <KenM@CoreComplianceTesting.com>; Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>; Core Compliance Testing <Hilarym@corecompliancetesting.com>  
**Subject:** RE: ZBA application

You don't often get email from [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov). [Learn why this is important](#)

Steve,  
This is great!

Last request is to see a copy of your "stamped" site plan, to see these numbers are on that.

Thank-you,

Bruce

**From:** Stephen Mayer <smayer@allenmajor.com>  
**Sent:** Tuesday, October 18, 2022 12:53 PM  
**To:** Buttrick, Bruce <bbuttrick@hudsonnh.gov>  
**Cc:** Ken MacGrath <KenM@CoreComplianceTesting.com>; Goodwyn, Tracy <tgoodwyn@hudsonnh.gov>; Core Compliance Testing <Hilarym@corecompliancetesting.com>

**Subject:** RE: ZBA application

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

Bruce,  
Please see attached from the architect and let me know if you have any comments or questions.

Thanks,  
Steve

**Allen & Major Associates, Inc.**  
**Office:** 603-627-5500 x 9412 | **Cell:** 781-325-4830 | **Direct:** 781-305-9412  
[www.allenmajor.com](http://www.allenmajor.com)  
Follow us on [LinkedIn](#) | [Instagram](#) | [Twitter](#)

**From:** Buttrick, Bruce <[bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov)>  
**Sent:** Tuesday, October 18, 2022 10:28 AM  
**To:** Stephen Mayer <[smayer@allenmajor.com](mailto:smayer@allenmajor.com)>  
**Cc:** Ken MacGrath <[KenM@CoreComplianceTesting.com](mailto:KenM@CoreComplianceTesting.com)>; Goodwyn, Tracy <[tgoodwyn@hudsonnh.gov](mailto:tgoodwyn@hudsonnh.gov)>  
**Subject:** ZBA application

You don't often get email from [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov). [Learn why this is important](#)


Steve,  
Can you have a drawing/sketch (architectural (south) elevation) depict the setback line/dimensions (I know it runs at an uneven bias to the Building), that shows the encroachment detail with dimensions.

And include wording,  
Such as: *"the proposed roof (overhang) encroaches ("x" feet/inches) into required setback, leaving ("Y" feet/inches) where 15'-0" is required"?*

Thank-you,

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



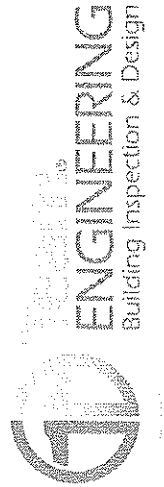






# Core Compliance Testing Services

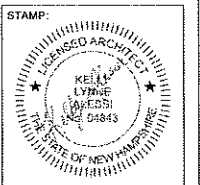
79 River Road, Hudson, NH



**TEAM ENGINEERING**  
82 Palomino Lane  
Suite 503  
Bedford, NH 03110-6448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION	DATE
PERMIT	07/11/2022

- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: COVER

**A000**  
SHEET: 1 of 21  
TE PROJECT NO.: 21-469  
DWG: KA CHK: JT

## GENERAL NOTES

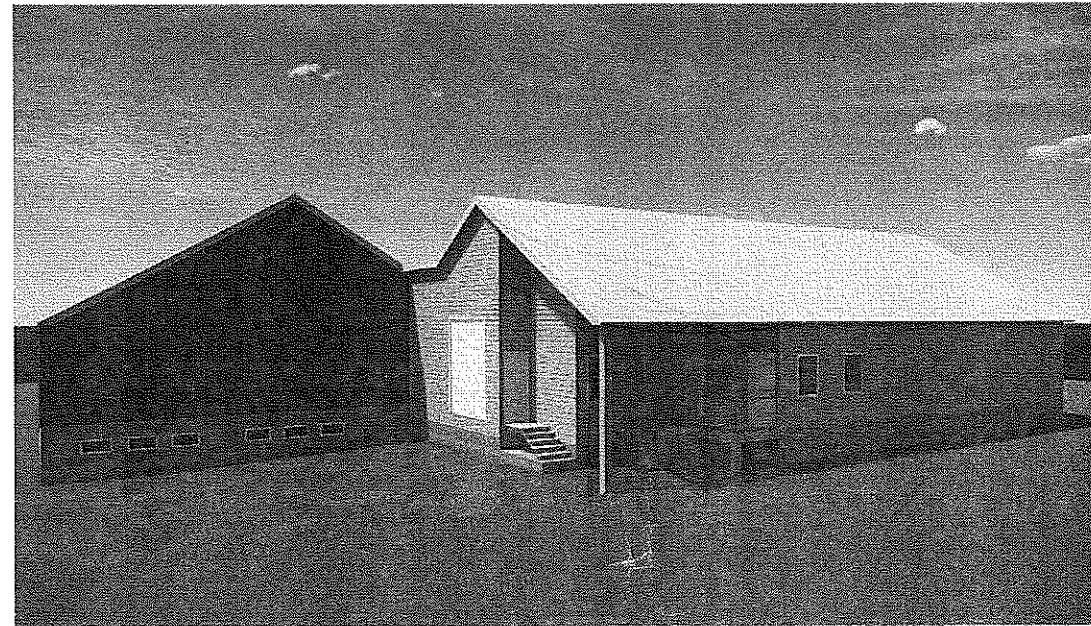
- ALL DIMENSIONS AND CONDITIONS MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE STRUCTURAL ENGINEER BEFORE PROCEEDING.
- UNLESS OTHERWISE NOTED, DETAILS SHOWN ON ANY DRAWINGS ARE TO BE CONSIDERED TYPICAL FOR ALL SIMILAR CONDITIONS.
- IN THE EVENT OF A CONFLICT BETWEEN PLANS, SPECIFICATIONS, AND DETAILS, THE ENGINEER OF RECORD SHALL BE NOTIFIED IMMEDIATELY FOR CONSULTATION. IF CONDITIONS AT THE SITE ARE DIFFERENT THAN SHOWN, THE ENGINEER OF RECORD SHALL BE NOTIFIED BEFORE ANY WORK IS PROCEEDED WITH.
- TEAM ENGINEERING ASSUMES NO LIABILITY AS A RESULT OF ANY CHANGES OR NON-COMFORMANCE WITH THESE PLANS EXCEPT UPON THE WRITTEN APPROVAL OF THE DESIGNER OR ENGINEER OF RECORD.
- TEAM ENGINEERING ASSUMES NO LIABILITY FOR WORK PERFORMED WITHOUT AN ACCEPTABLE PROGRAM OF TESTING AND INSPECTION AS APPROVED BY THE ENGINEER OF RECORD.
- REPRODUCTION OF ARCHITECTURAL PLANS AND/OR STRUCTURAL DRAWINGS FOR SHOP DRAWINGS IS NOT PERMITTED.
- SECTIONS, DETAILS, NOTES, METHODS, OR MATERIALS SHOWN AND/OR NOTED ON ANY PLAN, SECTION, OR ELEVATION SHALL APPLY TO ALL OTHER SIMILAR LOCATIONS UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND BRACING REQUIRED DURING CONSTRUCTION. TEMPORARY SUPPORTS REQUIRED FOR STABILITY DURING ALL INTERMEDIATE STAGES OF CONSTRUCTION SHALL BE REMOVED AFTER CONSTRUCTION AND ARE THE RESPONSIBILITY OF THE CONTRACTOR.

## SHEET LIST

Sheet x Of	Sheet Number	Sheet Name
1	A000	COVER
2	A003	ASSEMBLIES
3	A004	WINDOW AND DOOR SCHEDULES
4	A100	OVERALL PROPOSED FLOOR PLANS
5	A101	ENLARGED PROPOSED FLOOR PLAN
6	A102	BATHROOM & KITCHENETTE PLANS & ELEVATIONS
7	A103	OVERALL ROOF PLAN
8	A200	EXTERIOR RENDERINGS
9	A201	BUILDING ELEVATIONS
10	A202	BUILDING ELEVATIONS
11	A300	BUILDING SECTIONS
12	A400	DETAILS
13	A401	DETAILS
14	S000	STRUCTURAL NOTES
15	S100	FOUNDATION PLAN
16	S101	FOUNDATION DETAILS
17	S200	FRAMING PLAN
18	S201	ROOF FRAMING PLAN
19	S300	BRACED WALL PLANS
20	S400	DETAILS
21	S401	DETAILS

## BUILDING RENDERING

(NOT TO SCALE)



## ABBREVIATIONS

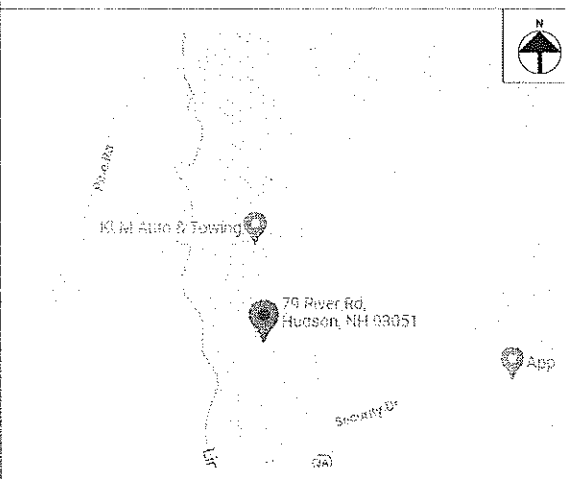
∠	ANGLE	LBS	POUNDS (WEIGHT)
±	APPROX. DIMENSION	LW	LIGHT WEIGHT
⊖	CENTERLINE	MAX.	MAXIMUM
∅	DIAMETER	MECH	MECHANICAL
AC	AIR CONDITIONING	MIN.	MINIMUM
A.H.J.	AUTH. HAVING JURISDICTION	MISC.	MISCELLANEOUS
APPROX.	APPROXIMATE	NOM	NOMINAL
BOT.	BOTTOM	N.T.S.	NOT TO SCALE
CANT.	CANTILEVER	O.C.	ON-CENTER
CFS	COLD FORMED STEEL	PSF	POUNDS PER SQ. FT
CJ	CONTROL JOINT OR CONST. JOINT	PSI	POUNDS PER SQ. INCH
CMU	CONCRETE MASONRY UNIT	PT	PRESSURE TREATED
CONT.	CONTINUOUS	RA	RETURN AIR
COL.	COLUMN	R	RADIUS
DIA.	DIAMETER	REF	REFERENCE
DM.	DIMENSION	REINF.	REINFORCE
DWG.	DRAWING	REQ.	REQUIRED
E/F	EACH FACE	REV.	REVISION/REVISED
EL.	ELEVATION	RD	ROOF DRAIN
EW	EACH WAY	R.O.	ROUGH OPENING
EXIST.	EXISTING	RTU	ROOF TOP UNIT
EXT.	EXTERIOR	SIM.	SIMILAR
FD	FLOOR DRAIN	SS	STAINLESS STEEL
FF	FINISHED FLOOR	STD	STANDARD
FND	FOUNDATION	T&B	TOP & BOTTOM
FTG	FOOTING	T.O.	TOP OF
GA	GAUGE	T.O.F.	TOP OF FOOTING
GALV	GALVANIZED	T.O.S.	TOP OF SLAB
GYP	GYPSON	T.O.W.	TOP OF WALL
HR	HEADER	TYP.	TYPICAL
HW	HOT WATER TANK	U.N.O.	UNLESS NOTED OTHERWISE
I.D.	INSIDE DIAMETER	V.I.F.	VERIFY IN FIELD
INT.	INTERIOR	W.W.F.	WELDED WIRE FABRIC

## SYMBOLS

	REFERENCE NUMBER BUILDING SECTION DRAWING SHEET		REFERENCE NUMBER ELEVATION DRAWING SHEET
	REFERENCE NUMBER DETAIL DRAWING SHEET		NORTH ARROW
	MOMENT CONNECTION		WINDOW TAG
	POST/COLUMN DOWN		DOOR TAG
	POST/COLUMN ABOVE		WALL TYPE TAG

## VICINITY MAP

(NOT TO SCALE)



## PROJECT DIRECTORY

**ARCHITECT/DESIGNER**  
Kelly Alessi, R.A., LEED AP  
Team Engineering  
82 Palomino Lane, Suite 503  
Bedford, NH 03110

**STRUCTURAL ENGINEER**  
Dan Marlet, P.E.  
Team Engineering  
82 Palomino Lane, Suite 503  
Bedford, NH 03110

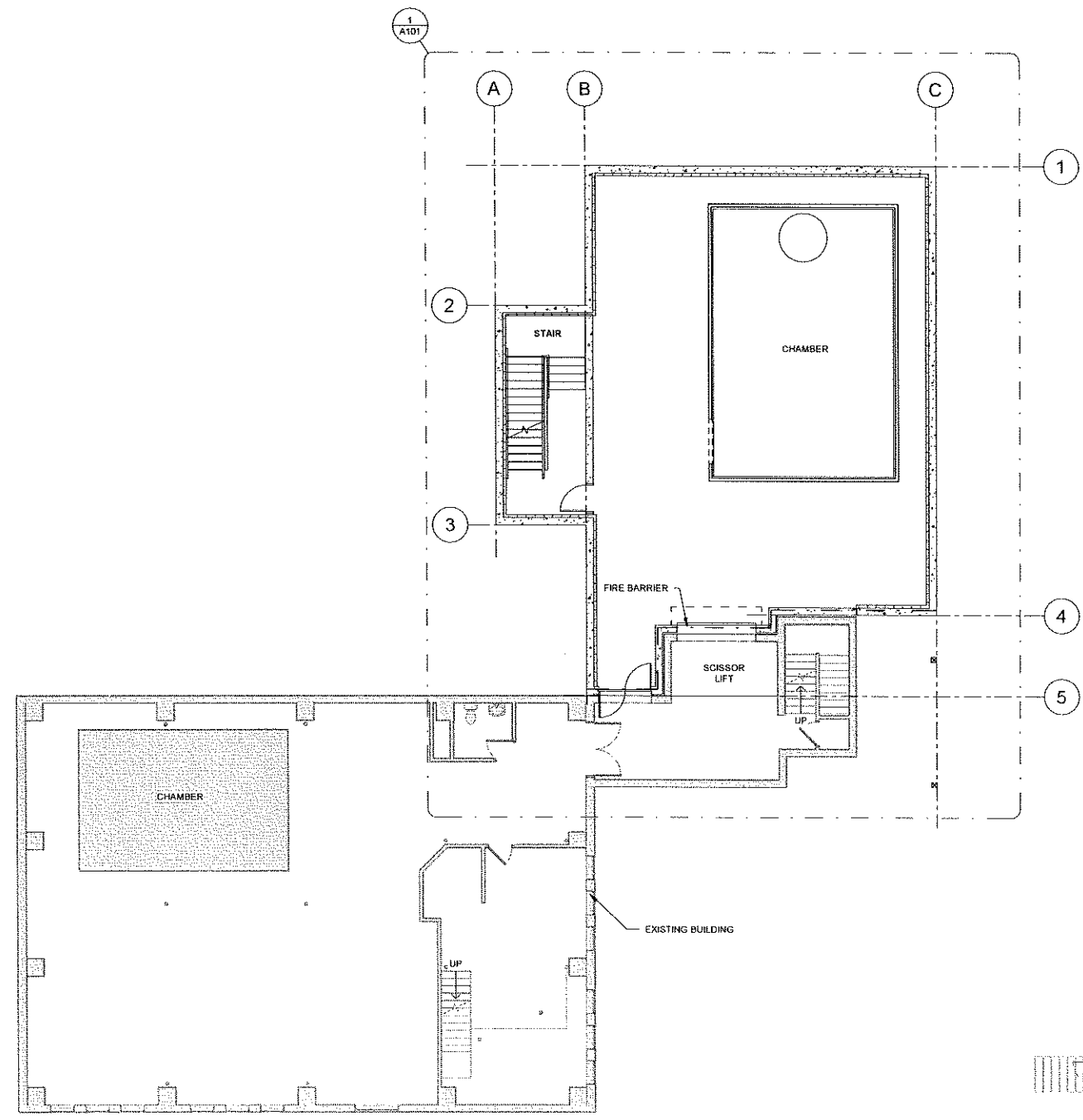
## APPLICABLE BUILDING CODES

- INTERNATIONAL BUILDING CODE 2015
- INTERNATIONAL RESIDENTIAL CODE 2015
- INTERNATIONAL EXISTING BUILDING CODE 2015
- INTERNATIONAL ENERGY CONSERVATION CODE 2015
- INTERNATIONAL MECHANICAL CODE 2015
- INTERNATIONAL PLUMBING CODE 2015
- NATIONAL FIRE PROTECTION ASSOCIATION 101, LIFE SAFETY CODE 2015
- CODE OF MASSACHUSETTS REGULATIONS 780
- OTHER: \_\_\_\_\_
- OTHER: \_\_\_\_\_

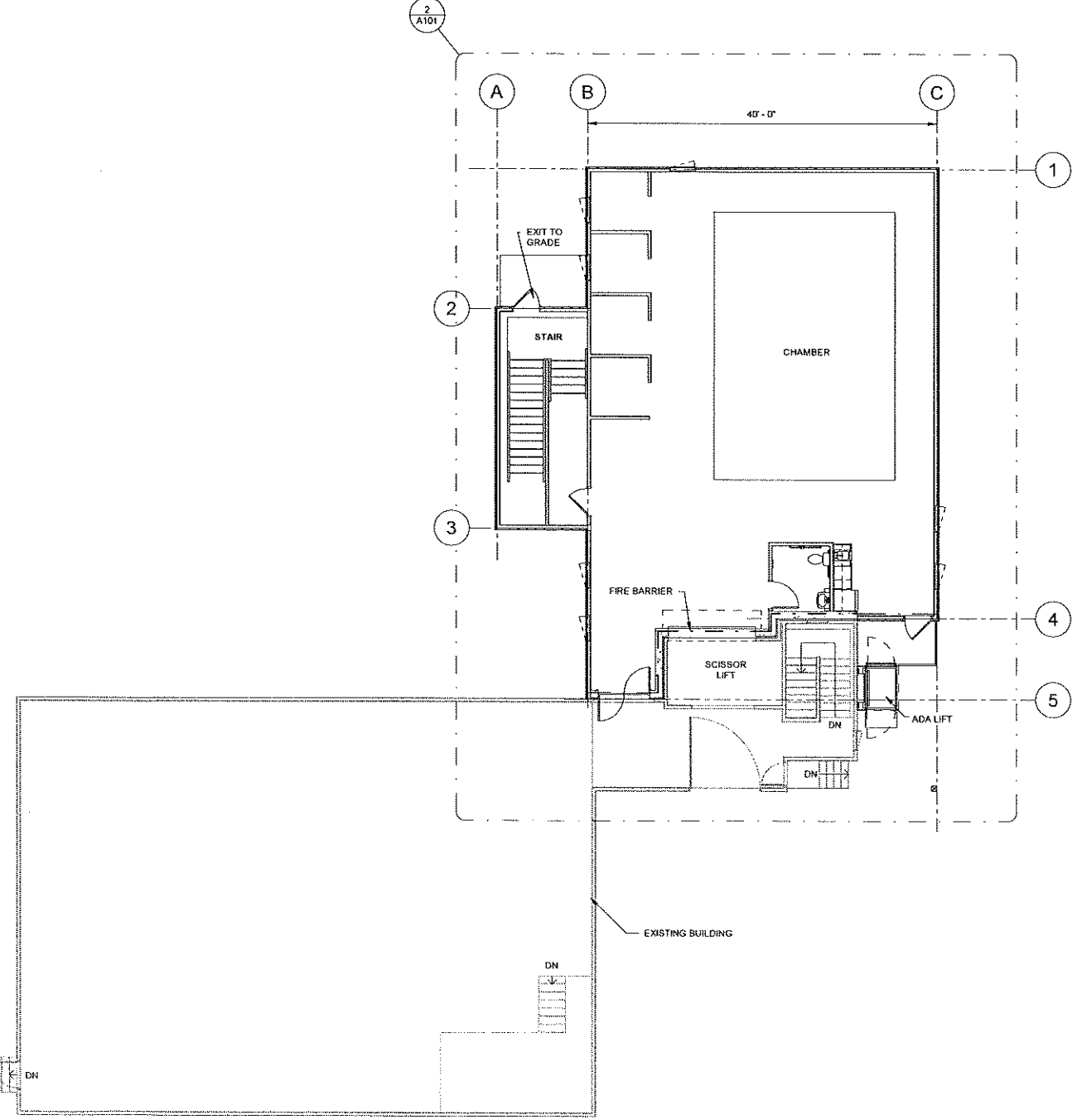
## PROJECT PARAMETERS

- |   |   |
|---|---|
| <input type="checkbox"/> NEW BUILDING                 | <input type="checkbox"/> NEW CONSTRUCTION BUILDING            |
| <input checked="" type="checkbox"/> EXISTING BUILDING | <input checked="" type="checkbox"/> NEW CONSTRUCTION ADDITION |
| <input type="checkbox"/> OTHER: _____                 | <input type="checkbox"/> RENOVATION                           |
|   | <input type="checkbox"/> REPAIRS                              |
|   | <input type="checkbox"/> OTHER: _____                         |

7/12/2022 1:40:08 PM M:\Client\Drawings\21-486 Core Compliance Testing Hudson Addition Design\Plans & Specs\Core Compliance Testing Services\79 River Rd Hudson NH 21-486.rvt



1 PROPOSED BASEMENT PLAN  
SCALE: 1/8" = 1'-0"



2 PROPOSED MAIN LEVEL FLOOR PLAN  
SCALE: 1/8" = 1'-0"

- GENERAL PLAN NOTES**
- DO NOT SCALE DRAWINGS. CONTACT ARCHITECT FOR ANY DISCREPANCY OR QUESTION PRIOR TO COMMENCING WITH ANY WORK.
  - THE CONTRACTOR SHALL PROVIDE BLOCKING FOR ALL MILLWORK, MECHANICAL FIXTURES, PLUMBING FIXTURES AND ELECTRICAL DEVICES AS REQUIRED.
  - ALL LUMBER IN DIRECT CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED INCLUDING ALL SILL PLATES FOR WOOD STUD WALLS.
  - GC SHALL REVIEW PRIOR TO INSTALLATION ANY CONFLICT OF ENGINEERING TRADE DEVICES (I.E. FIRE ALARM STROBES) WITH ARCHITECTURAL DETAILS AND BRING THOSE DISCREPANCIES TO THE ARCHITECT FOR REVIEW.
  - ALL DIMENSIONS AT NEW WALLS ARE TO OUTSIDE FACE OF STUD, CENTER OF WALL, FACE OF CONCRETE, FACE OF MASONRY, OR CENTER OF OPENING, E.T.C.
  - COORDINATE MISC. STEEL REQUIREMENTS FOR MOUNTING / HANGING OWNER SUPPLIED EQUIPMENT.
  - UNLESS OTHERWISE NOTED ALL DOOR ROUGH OPENINGS SHALL BE LOCATED 4" FROM NEAREST ADJACENT WALL, OR CENTERED ON THE WALL WITHIN THE ROOM THAT IS BEING ACCESSED.
  - REFER TO ADS FOR GENERAL WALL, FLOOR, AND ROOF ASSEMBLIES. REFER TO U.L. LISTINGS FOR THE SPECIFIED REQUIREMENTS OF EACH ASSEMBLY AS WELL AS THE SPECIFIC REQUIREMENTS FOR PIPE AND DUCT PENETRATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING ALL U.L. REQUIREMENTS.
  - FIRE STOPPING AND/OR FIRE DAMPERS REQUIRED AT ALL PENETRATIONS THROUGH RATED WALLS AND/OR FLOOR/CEILING ASSEMBLIES.

**FLOOR PLAN LEGEND**

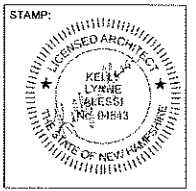
	STRUCTURAL GRID LINE
	NEW CONSTRUCTION
	EXISTING CONSTRUCTION
	NEW DOOR
	EXISTING DOOR



**TEAM ENGINEERING**  
82 Palomino Lane  
Suite 503  
Bedford, NH 03110-6448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION	DATE
PERMIT	07/11/2022

- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



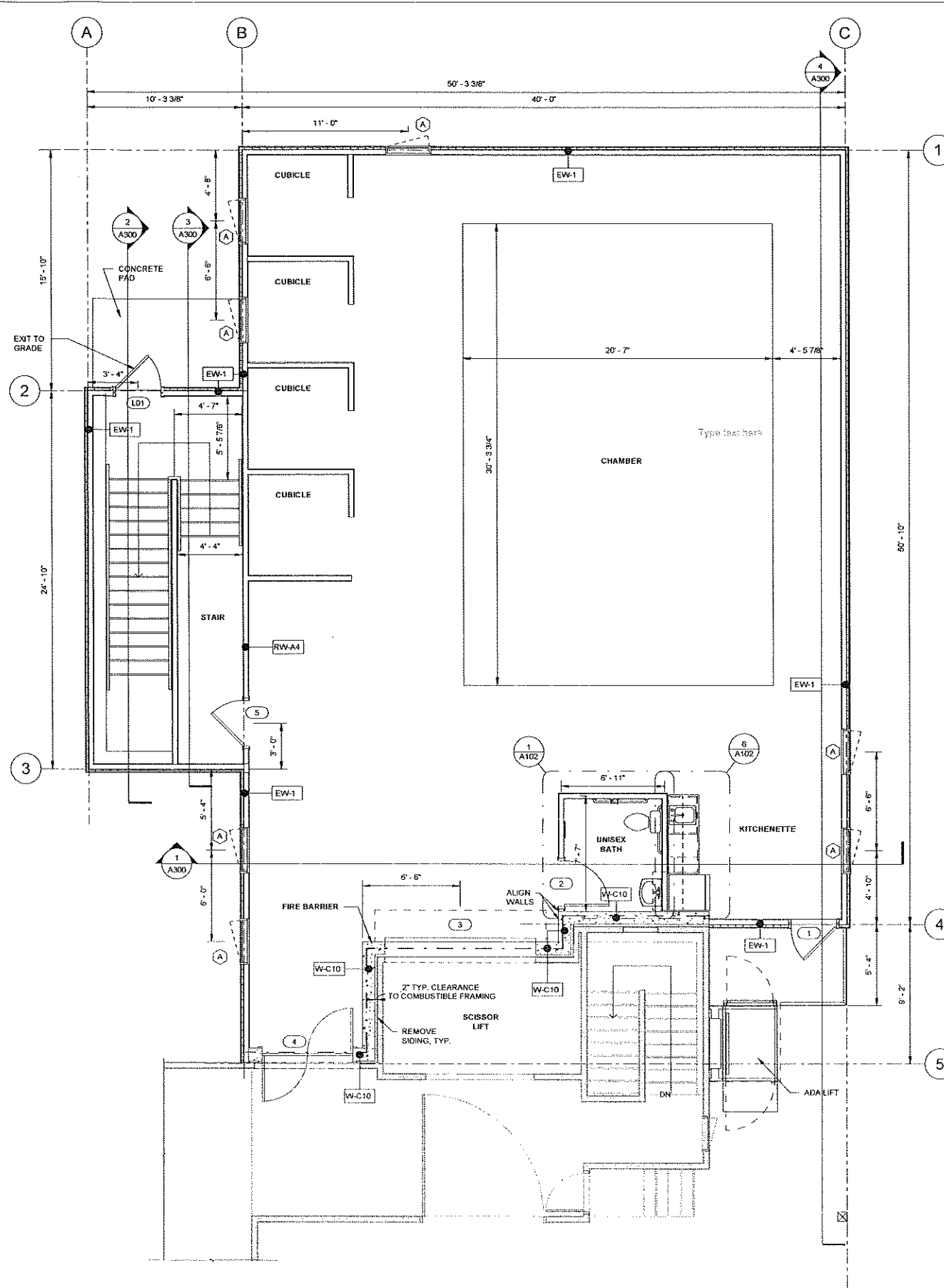
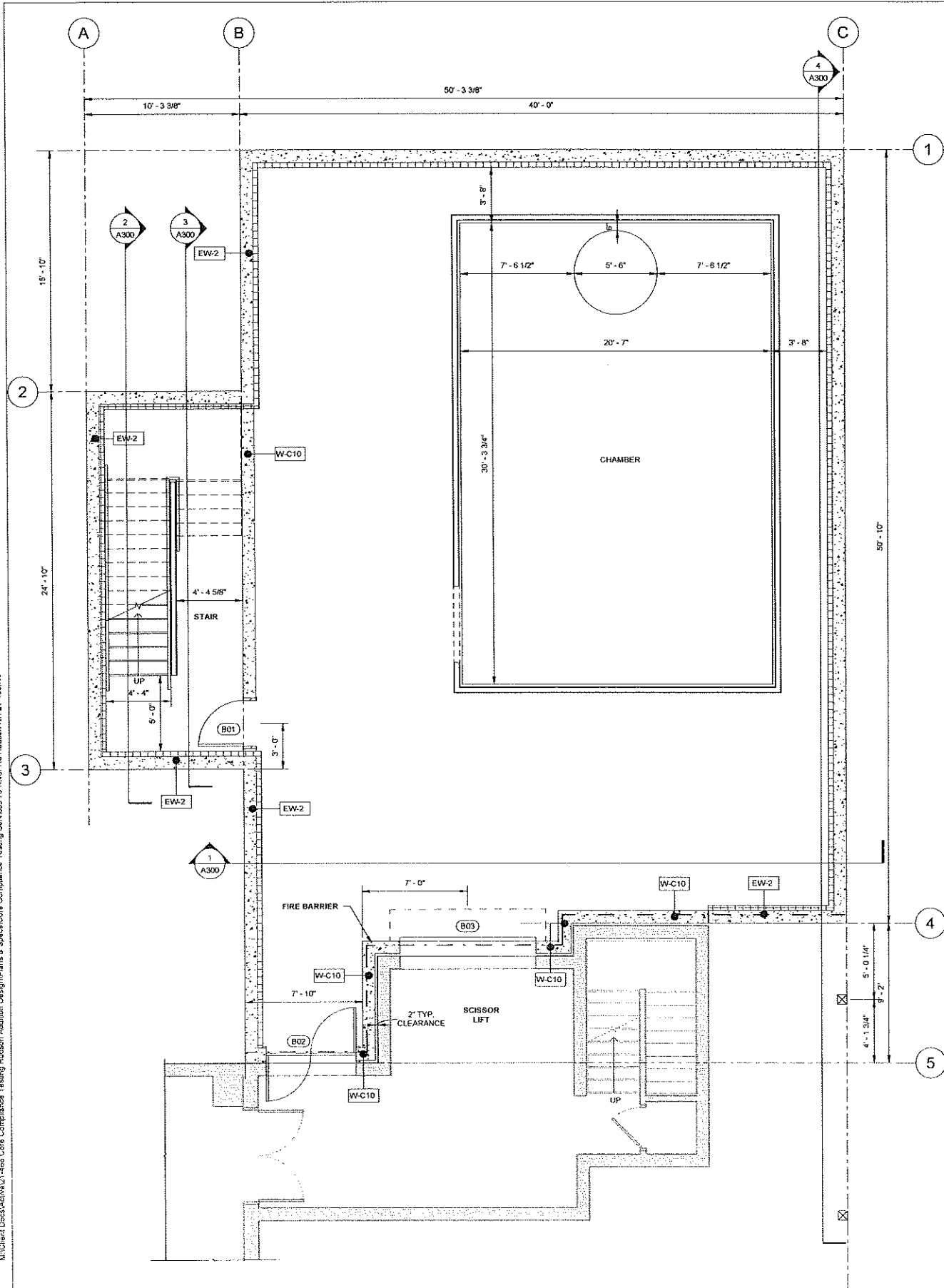
**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: OVERALL PROPOSED FLOOR PLANS

**A100**  
SHEET: 4 of 21  
TE PROJECT NO.: 21-486  
DWG: KA | CHK: JT



7/13/2022 1:45:20 PM M:\Client\Des\Activ\21-466 Core Compliance Testing Hudson Addition Design\Plans & Specs\Core Compliance Testing Services 79 River Rd Hudson, NH 21-466.rvt



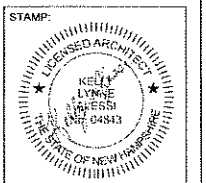
**ENGINEERING**  
Building Inspection & Design



**TEAM ENGINEERING**  
82 Palomino Lane  
Suite 503  
Bedford, NH 03110-6448  
Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION:	DATE:
PERMIT	07/11/2022

- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION

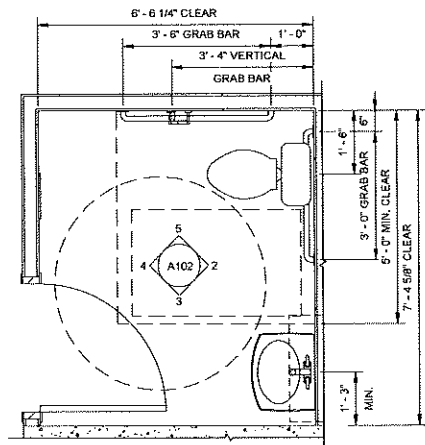


**CLIENT:** Core Compliance Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

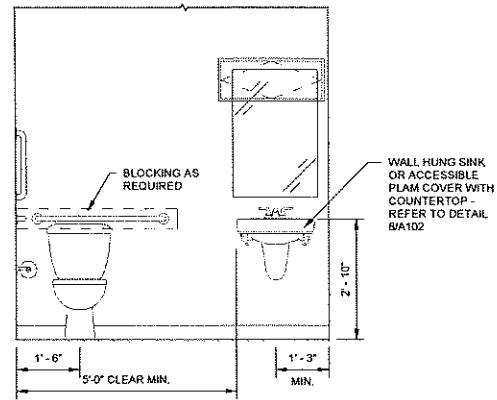
Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
**ENLARGED PROPOSED FLOOR PLAN**

**A101**  
SHEET: 2 of 21  
PROJECT NO.: 21-466  
DWG: KA | CHK: JT

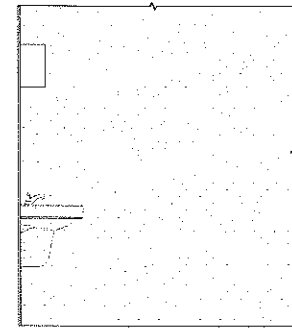




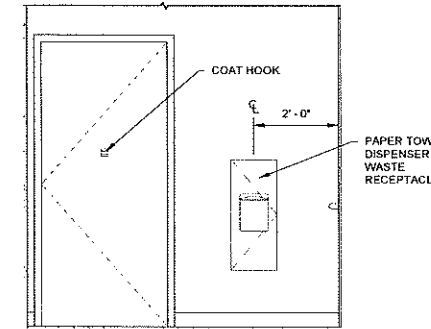
1 UNISEX BATH PLAN  
A102 SCALE: 1/2" = 1'-0"



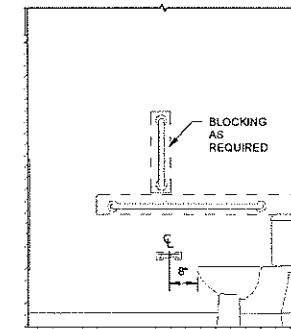
2 ELEVATION  
A102 SCALE: 1/2" = 1'-0"



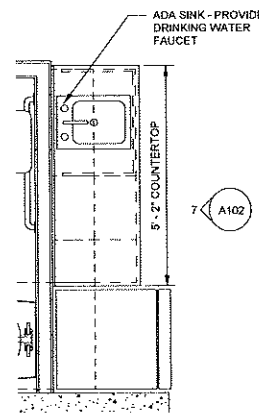
3 ELEVATION  
A102 SCALE: 1/2" = 1'-0"



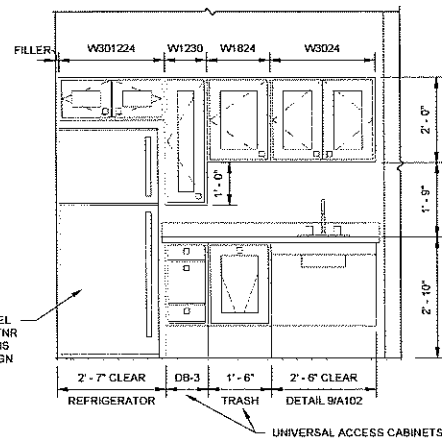
4 ELEVATION  
A102 SCALE: 1/2" = 1'-0"



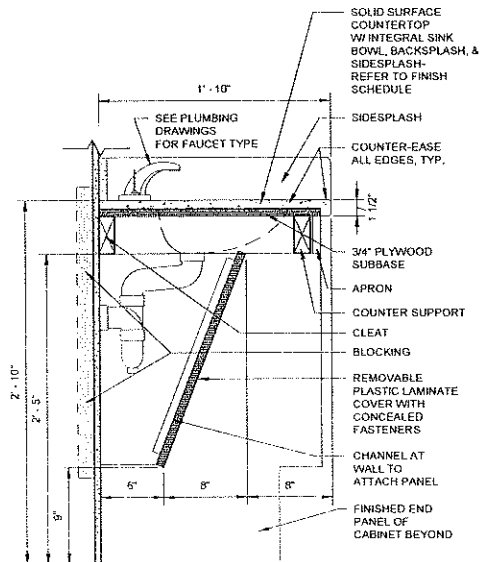
5 ELEVATION  
A102 SCALE: 1/2" = 1'-0"



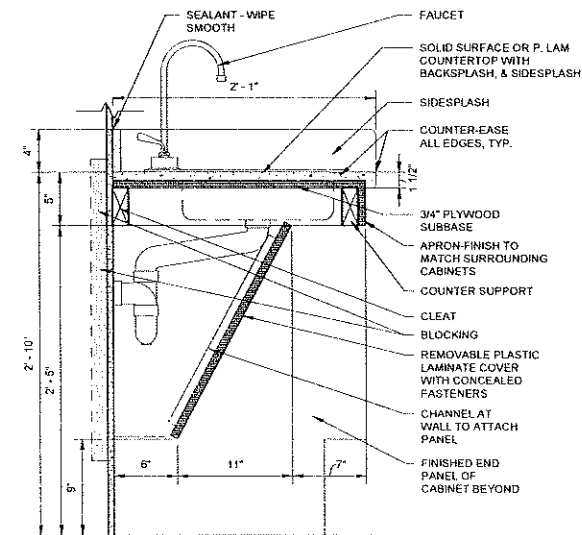
6 KITCHENETTE PLAN  
A102 SCALE: 1/2" = 1'-0"



7 ELEVATION  
A102 SCALE: 1/2" = 1'-0"

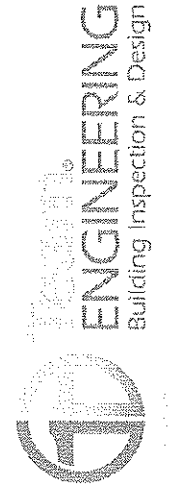
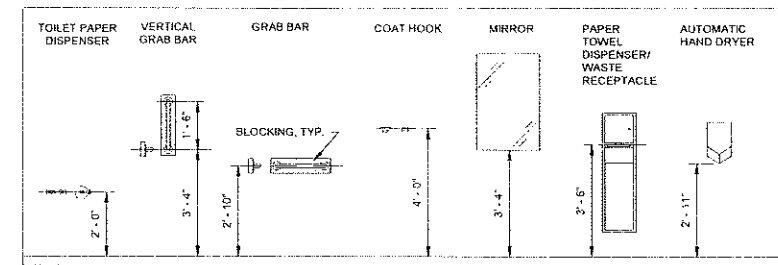


8 SINK DETAIL OPTION  
A102 SCALE: 1 1/2" = 1'-0"



9 KITCHEN SINK DETAIL  
A102 SCALE: 1 1/2" = 1'-0"

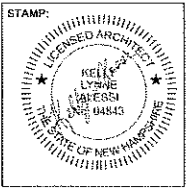
- GENERAL BATH NOTES:**
1. ALL DIMENSIONS ARE CLEAR DIMENSIONS FROM FINISHED FACE OF WALL TO FINISHED FACE OF WALL OR FIXTURE CENTERLINE UNLESS OTHERWISE NOTED.
  2. ALL EXPOSED PIPING (THAT IS NOT ENCLOSED WITHIN A VANITY OR OTHERWISE PROTECTED) IS TO BE INSULATED.
  3. ALL BLOCKING, OTHER THAN THAT REQUIRED WITHIN SHOWER/TUB ENCLOSURES, BY CONTRACTOR.
- BLOCKING TYPE AS FOLLOWS:**
- A. WHERE BLOCKING IS REQUIRED WITHIN NON-COMBUSTIBLE CONSTRUCTION, PROVIDE A 20 GA. CONTINUOUS METAL PLATE OR AT CONTRACTORS OPTION PROVIDE FIRE RETARDANT TREAT WOOD BLOCKING.
  - B. WHERE BLOCKING IS REQUIRED OVER RESILIENT CHANNELS, PROVIDE 20 GA. CONTINUOUS METAL PLATE.
4. ALL BLOCKING SHALL BE ADEQUATE TO SATISFY LOADING STANDARDS OF AT LEAST 250 LBS. PER APPLICABLE CODES.
  5. PROVIDE BACKSPLASH AND SIDESPLASHES AS REQUIRED OF MATERIAL TO MATCH COUNTERTOPS UNLESS OTHERWISE NOTED.
  6. PROVIDE ADEQUATE BLOCKING TO ALLOW FOR SINKS TO BE RELOCATED VERTICALLY ALONG WALL WITHOUT STRUCTURAL CHANGES.
  7. FLOORING TO CONTINUE UNDER ALL REMOVABLE BASE CABINETS.
  8. WHERE PLAM IS SURFACE FINISH - PROVIDE ON ALL EXPOSED SURFACES.



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Phone: (603) 497-3137  
www.MyTeamEngineering.com

REVISION	DATE
PERMIT	07/11/2022

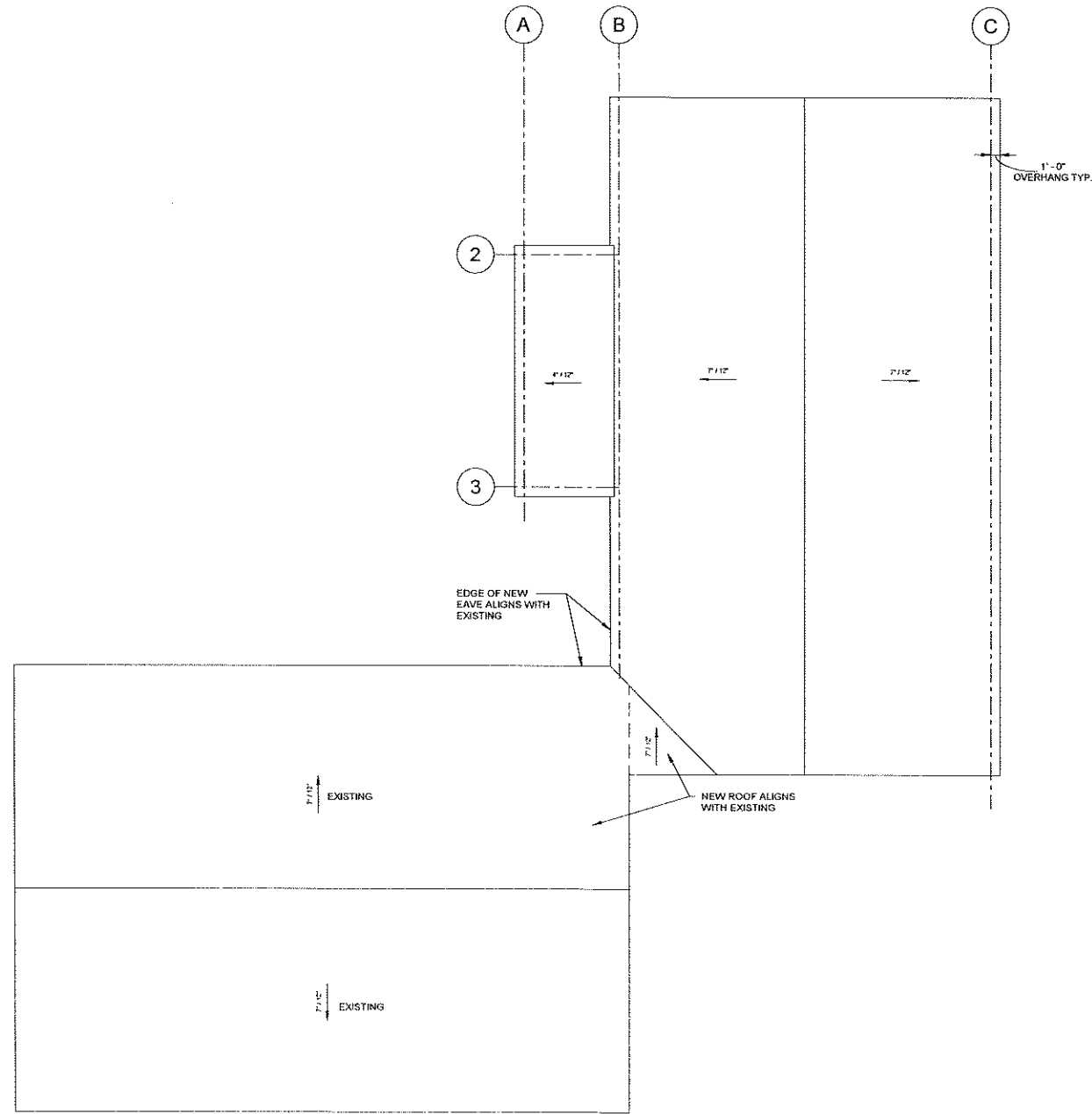
- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



CLIENT:  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE  
**BATHROOM & KITCHENETTE  
PLANS & ELEVATIONS**

**A102**  
SHEET: 6 of 21  
PROJECT NO.: 21-466  
DWG: KA CHK: JT



1 OVERALL ROOF PLAN  
 A103 SCALE: 1/8" = 1'-0"

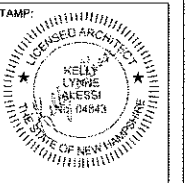
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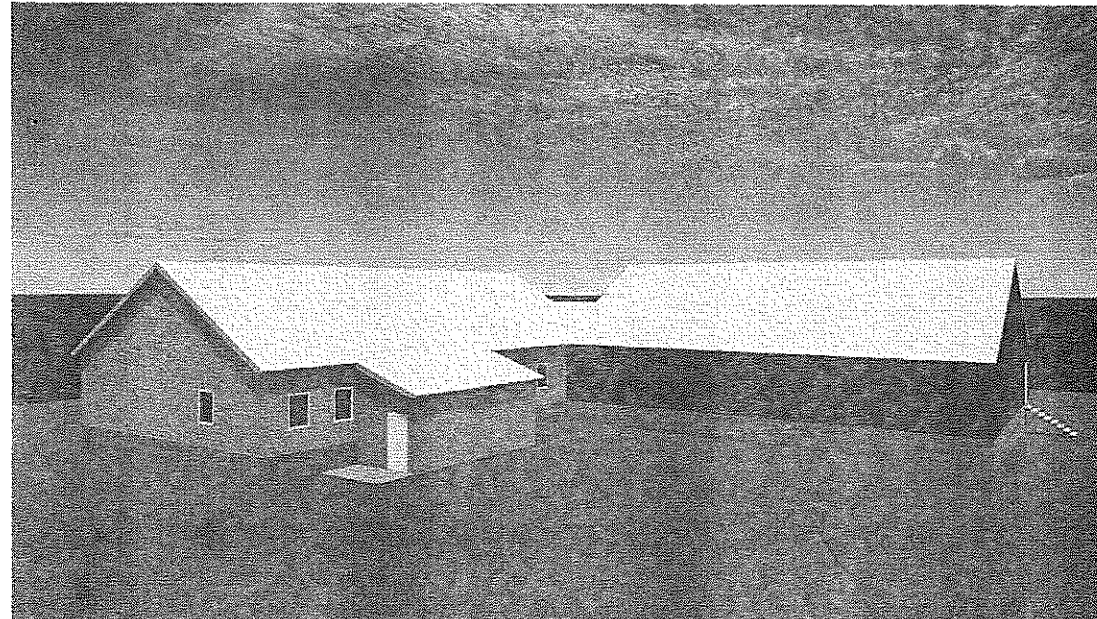
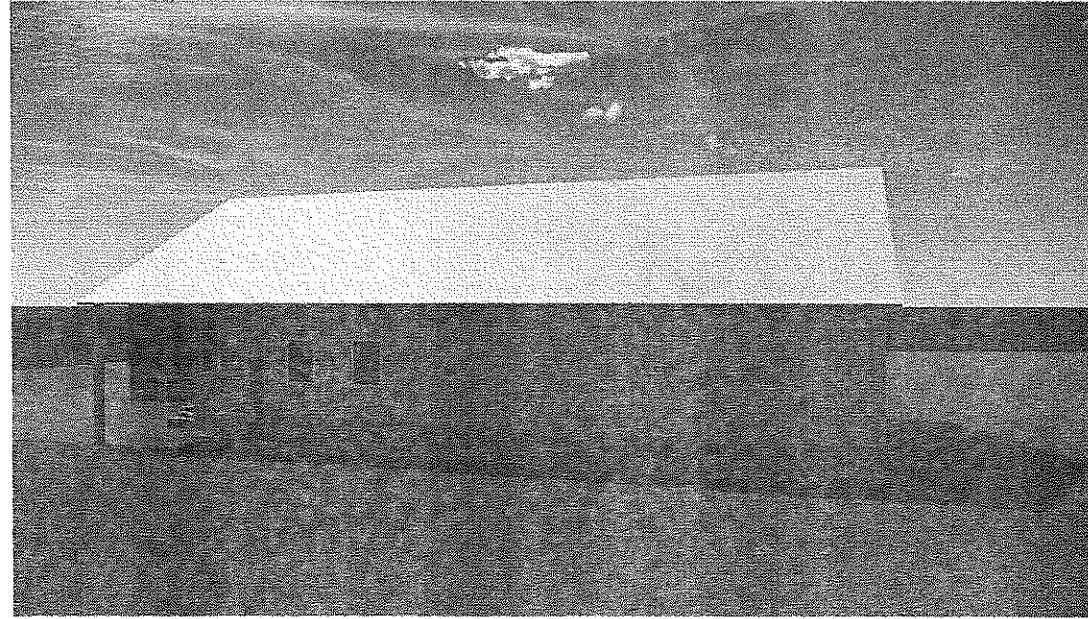
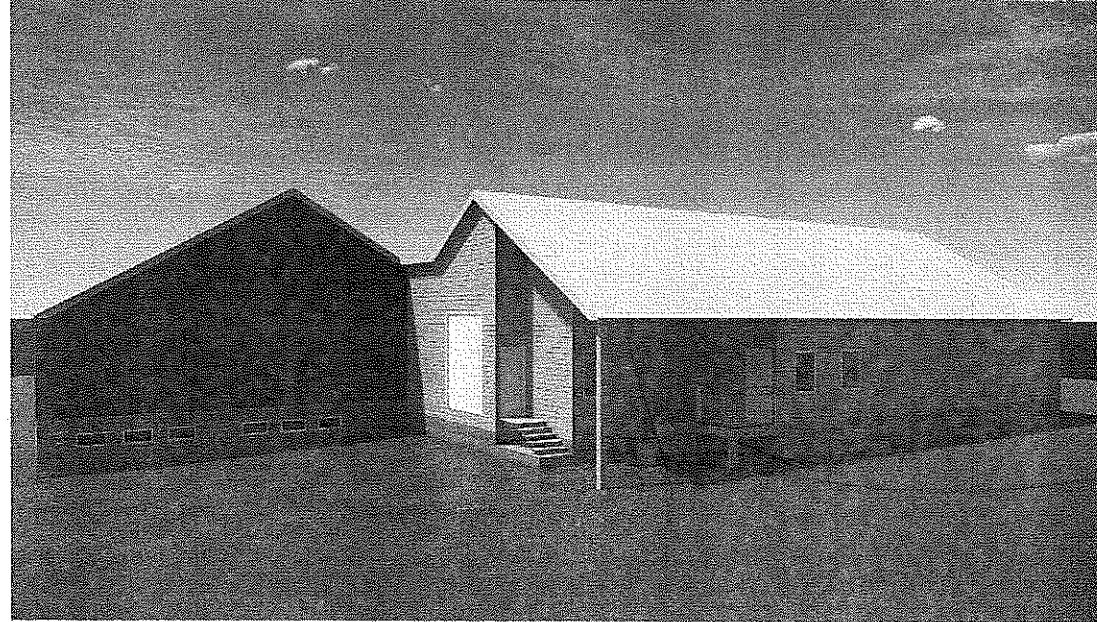
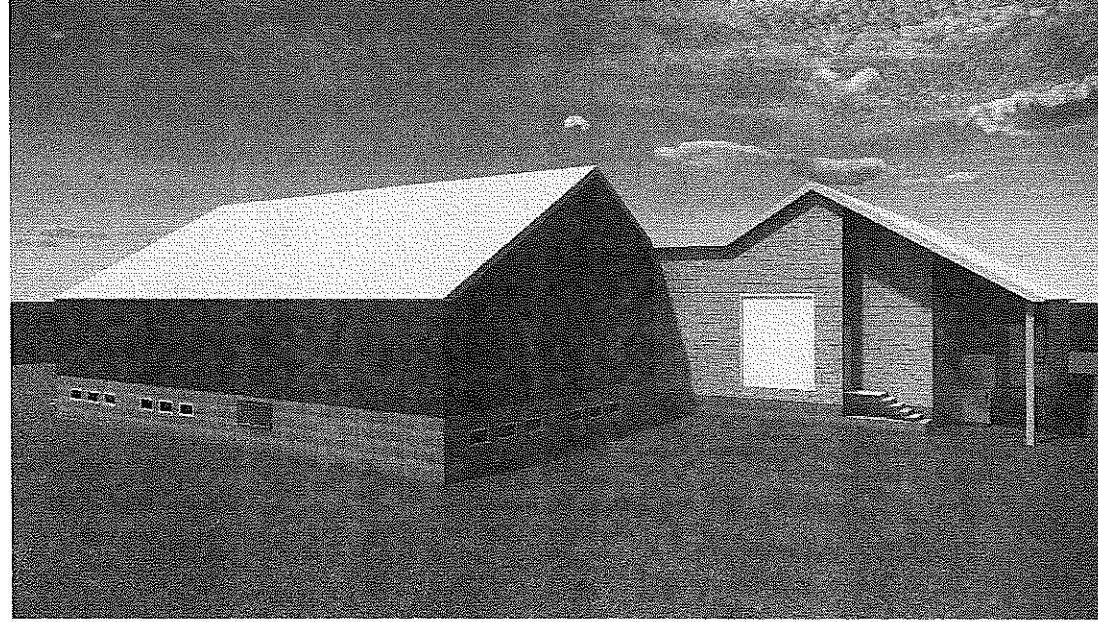
- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



**CLIENT:**  
 Core Compliance  
 Testing Services  
 c/o Ken MacGrath  
 79 River Road  
 Hudson, NH 03051

Core Compliance Testing Services  
 Addition  
 PROPERTY: 79 River Road  
 Hudson, NH 03051  
 SHEET TITLE: OVERALL ROOF PLAN

**A103**  
 SHEET: 7 of 21  
 TE PROJECT NO.: 21-466  
 DWG: KA CHK: JT



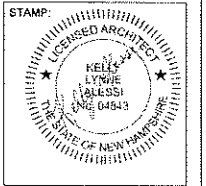
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Hudson, NH 03051

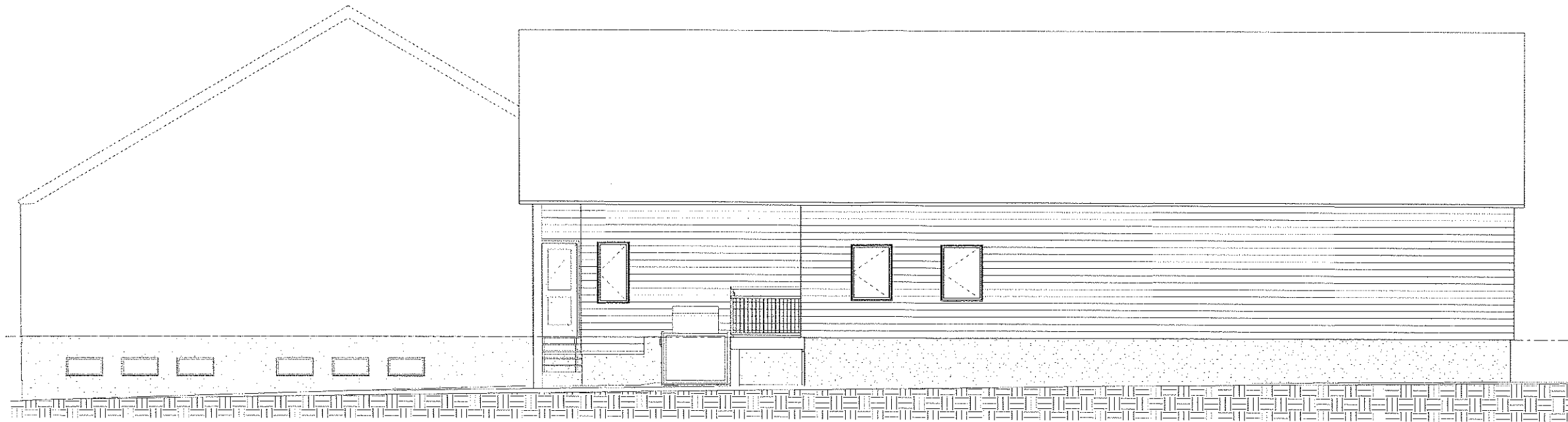
Core Compliance Testing Services  
Addition

PROPERTY: 79 River Road  
Hudson, NH 03051

SHEET TITLE: EXTERIOR RENDERINGS

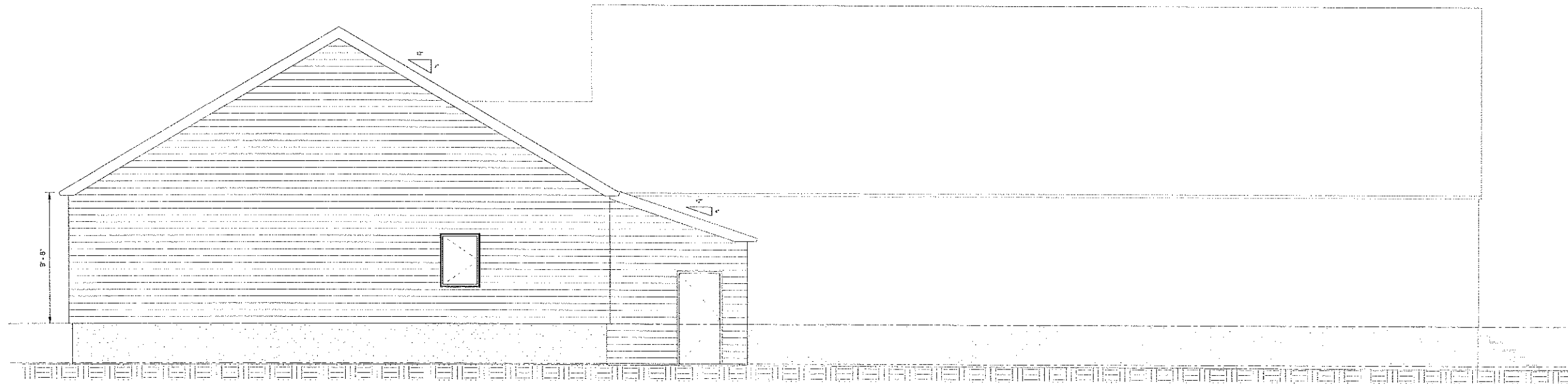
**A200**  
SHEET: 6 of 21  
TE PROJECT NO.: 21-466  
DWG: KA CHK: JT

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MAIN LEVEL  
EL 100'-0"

1 EAST ELEVATION  
A201 SCALE: 1/4" = 1'-0"



MAIN LEVEL  
EL 100'-0"

LANDING  
EL 97'-1"

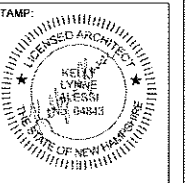
2 NORTH ELEVATION  
A201 SCALE: 1/4" = 1'-0"



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- APPROVAL
- BID
- PERMIT
- CONSTRUCTION



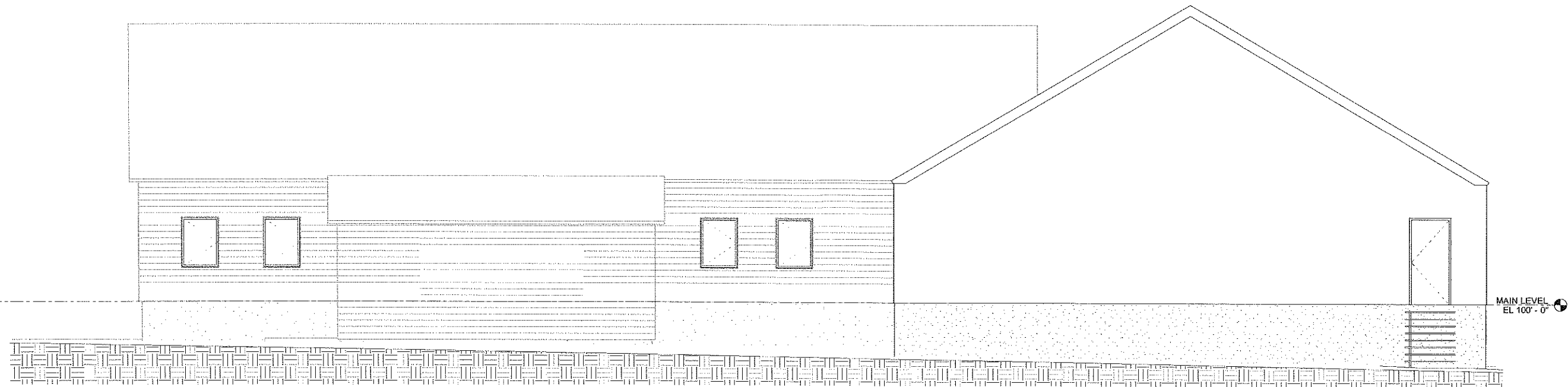
CLIENT:  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: BUILDING ELEVATIONS

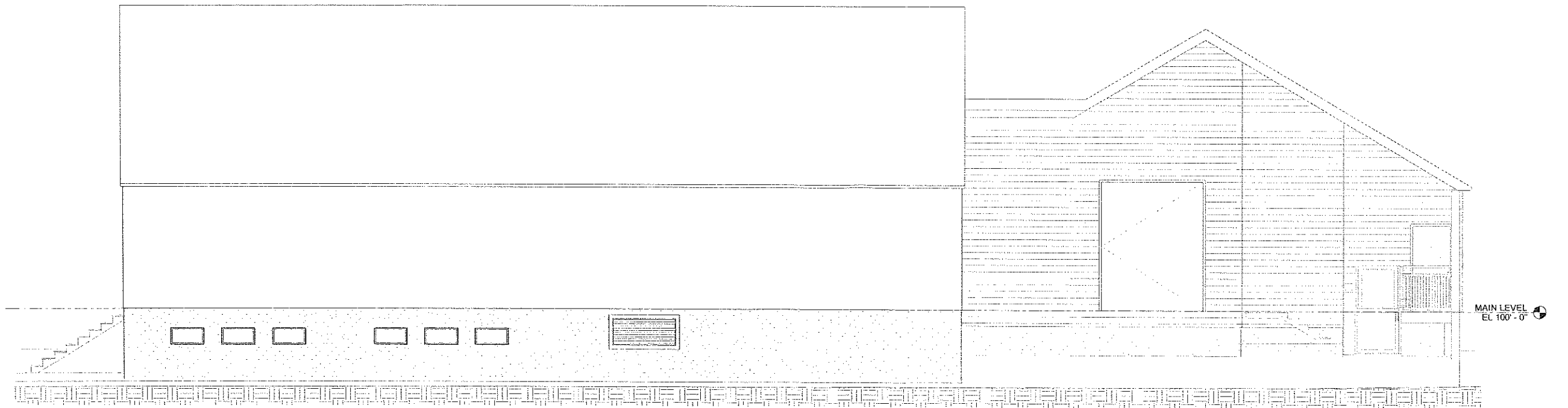
A201  
SHEET: 9 of 21  
PROJECT NO.: 21-466  
DWG: KA CHK: JT



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1 WEST ELEVATION  
SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

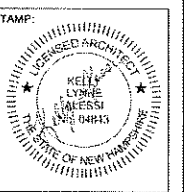
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REVISION:	DATE:
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- DRAFT
- APPROVAL
- BID
- PERMIT
- CONSTRUCTION

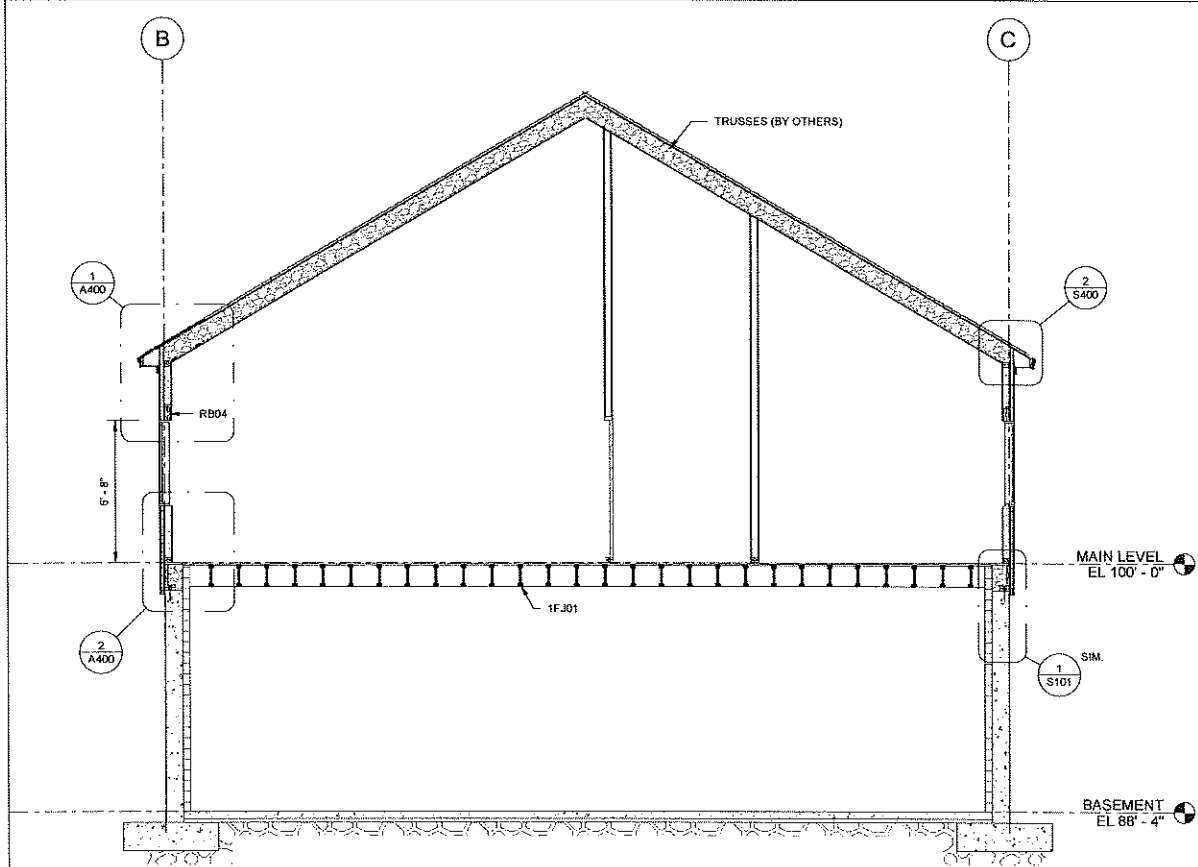


**CLIENT:**  
Core Compliance  
Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

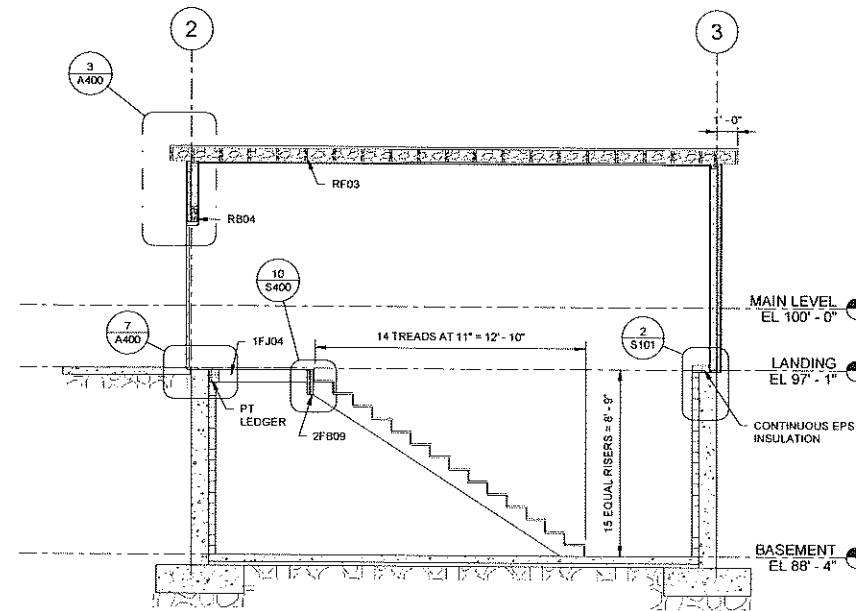
Core Compliance Testing Services  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: BUILDING ELEVATIONS

**A202**  
SHEET: 10 of 21  
PROJECT NO.: 21-466  
DWG: KA CHK: JT

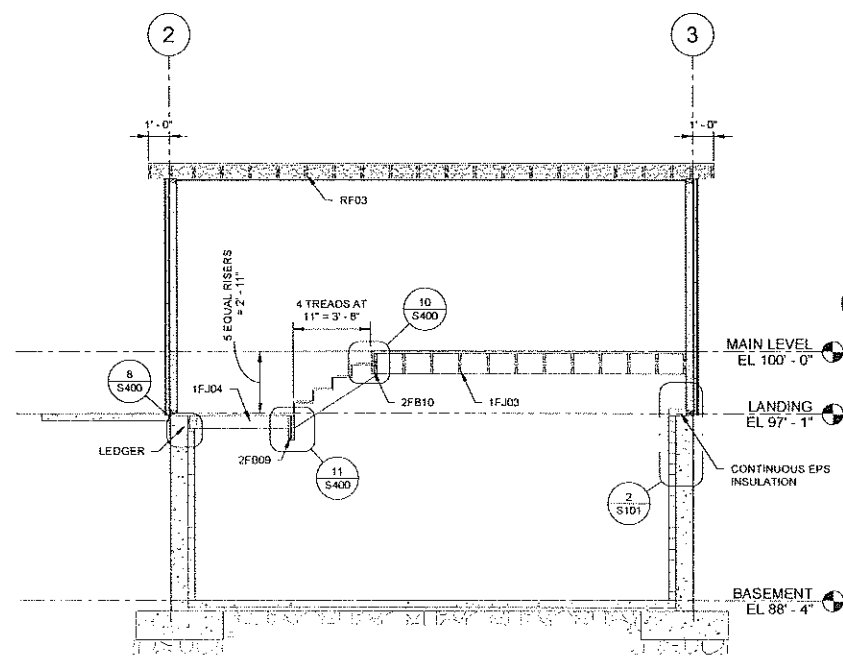
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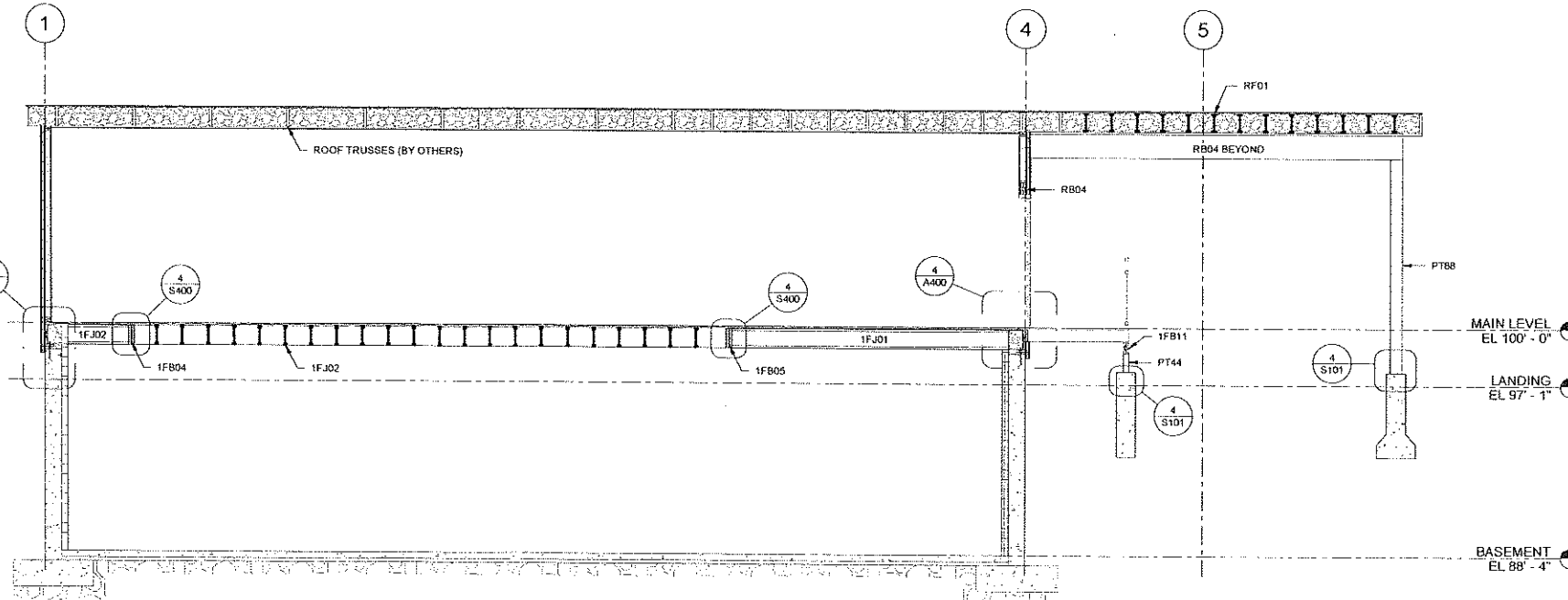
**1 BUILDING SECTION**  
A300 SCALE: 1/4" = 1'-0"



**2 BUILDING SECTION**  
A300 SCALE: 1/4" = 1'-0"



**3 BUILDING SECTION**  
A300 SCALE: 1/4" = 1'-0"



**4 BUILDING SECTION**  
A300 SCALE: 1/4" = 1'-0"

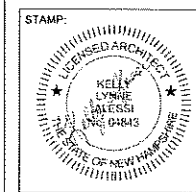
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REVISION:	DATE:
PERMIT	07/11/2022

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- CONSTRUCTION

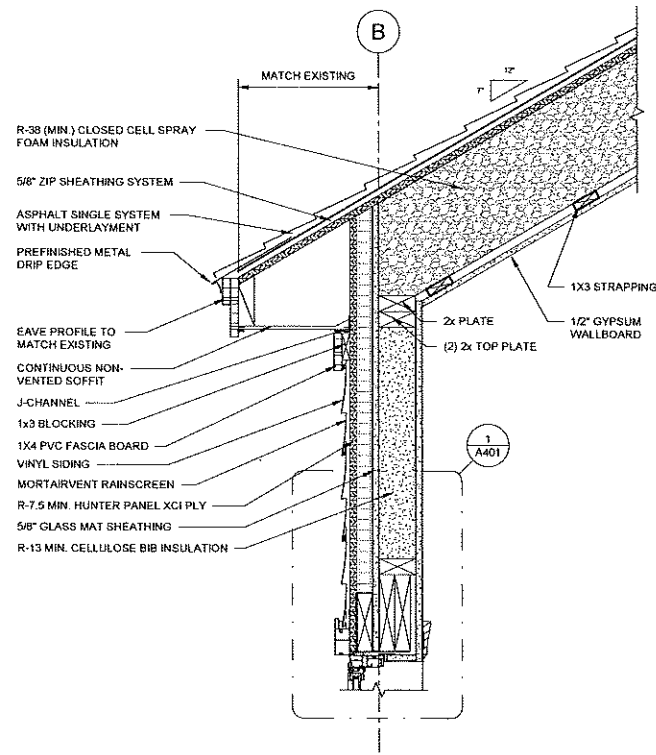


**CLIENT:**  
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c/o Ken MacGrah  
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Hudson, NH 03051

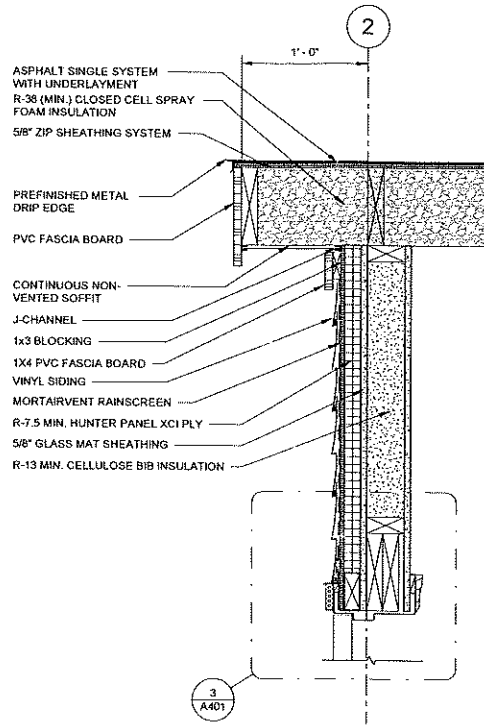
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Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
SHEET TITLE: **BUILDING SECTIONS**

**A300**  
SHEET: 11 of 21  
PROJECT NO.: 21-466  
DWG: KA CHK: JT

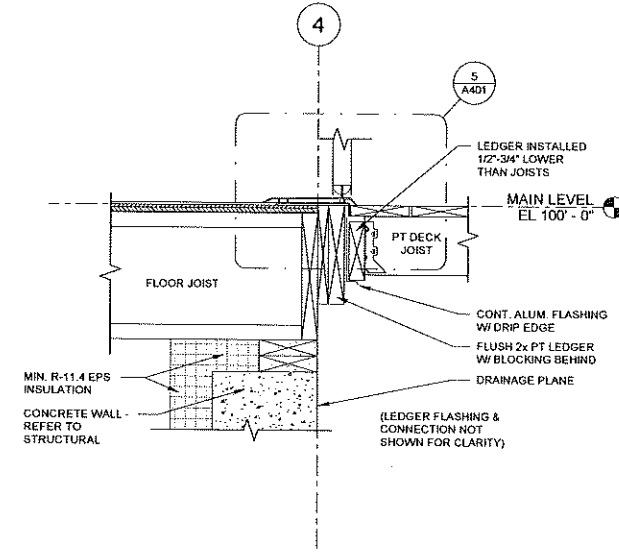
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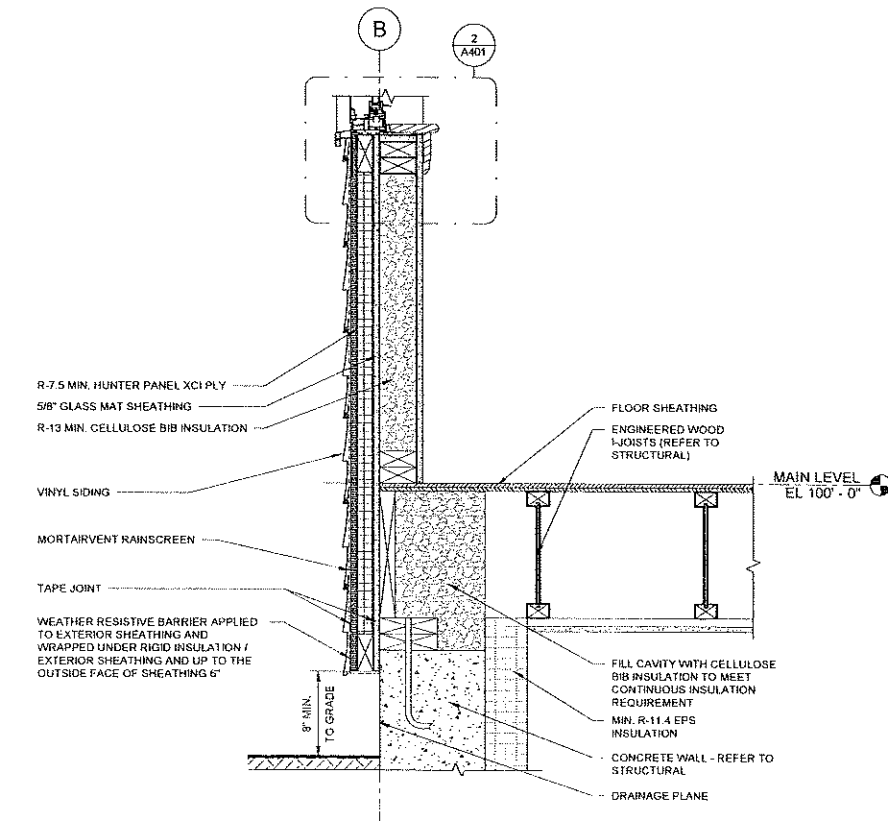
**1** DETAIL  
A400 SCALE: 1 1/2" = 1'-0"



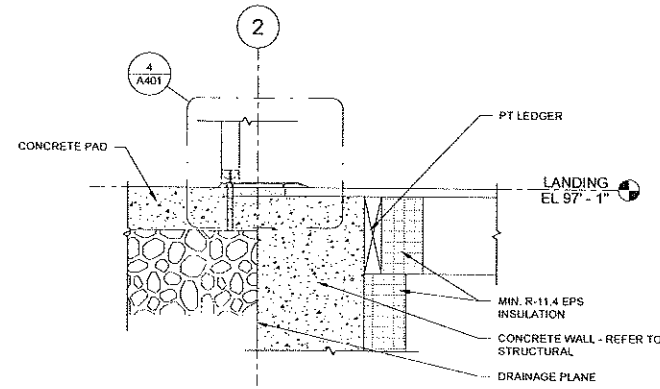
**2** DETAIL  
A400 SCALE: 1 1/2" = 1'-0"



**3** DETAIL  
A400 SCALE: 1 1/2" = 1'-0"



**4** DETAIL  
A400 SCALE: 1 1/2" = 1'-0"



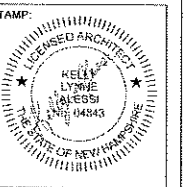
**5** DETAIL  
A400 SCALE: 1 1/2" = 1'-0"



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**CLIENT:**  
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Testing Services  
c/o Ken MacGrath  
79 River Road  
Hudson, NH 03051

**Core Compliance Testing Services**  
Addition  
PROPERTY: 79 River Road  
Hudson, NH 03051  
**DETAILS**  
SHEET  
TITLE

**A400**  
SHEET: 12 of 21  
TE PROJECT NO.: 21-466  
DWG: KA CHK JT

Printed  
 10/19/2022  
 2:26PM  
 Created  
 10/19/2022  
 2:21 PM

# Transaction Receipt

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

Receipt# 703,781  
 tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application- 11/17/22 ZBA Mtg 79 River Rd Map/Lot 251-008-000 Variance Application	0.00	251.6000	0.00
			Total:	251.60

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
MACGRATH/HILARY	CREDIT	5083	251.60	0.00	251.60

Total Due:	251.60
Convenience Fee:	7.42
Total Tendered:	259.02
Total Change:	0.00
Net Paid:	259.02



# TOWN OF HUDSON

## Land Use Division

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



### Zoning Administrator Staff Report

Meeting Date: November 17, 2022 *BOZ 11-18-22*

**Case 150-001-001 (11-17-22):** Richard Drowne, Mgr. of Hathaway Home Builders, L.L.C., P.O. Box 187 Sandown, NH requests an Equitable Waiver of Dimensional Requirement at **82 A Greeley Street, Hudson, NH** for a 5-1/2" encroachment of a recently added bulkhead into the side yard setback leaving 14.54 feet where 15 feet is required. [Map 150 Lot 001-001; Zoned Residential Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements, RSA 674:33-a, Equitable Waiver of Dimensional Requirement.]

**Address:** 82 A Greeley St

**Zoning district:** Residential Two (R-2)

#### Summary:

Applicant requests an equitable waiver of dimensional requirement to encroach 5 -1/2" into the 15 ft required side setback, for a recently added bulkhead to an ongoing building permit.

#### Property description:

Existing conforming lot of record. The existing duplex had a fire which destroyed the structure. There is a current permit (foundation only) issued, for a rebuild for a two family. Department policy is for certified foundation plan be submitted prior to a full building permit be issued. The bolt-on bulkhead was discovered with the certified plot plan. Bulkheads are not exempt from the building setback requirements.

#### LAND USE HISTORY:

Foundation permit #2022-00944 issued 8/13/22.

Z.O. Definition: Building line and Building setback.

#### ASSESSING HISTORY:

Two family

#### Attachments:

**A:** Foundation permit # 2022-00944-1-FD.

**B:** Zoning Ordinance §334-6 Definitions of Building line and Building setback.

**C:** 6-13-22 site plan submitted with permit # 2022-00944 application.

**D:** 11-3-22 certified plot plan showing the encroachment.



Town of Hudson, NH  
**FOUNDATION ONLY**  
 Hudson Fire - Inspectional Services Division  
 12 School Street  
 Hudson, NH 03051  
 603-886-6005

Permit Number  
 2022-00944-1-FD  
 Date of Issue  
 8/31/2022  
 Expiration Date  
 2/27/2023

Owner: KARAGU, LEE M. GATHUA-KARUGU, PASCALINA W.

Applicant: Hathaway Home Builders

Location of Work: 82 GREELEY ST A  
 (No. and Street) (Unit or Building)

Description of Work: single family ranch duplex with 3 bedroom, 1.5 bath.

ZONING DATA: District: Map\Lot: 150-001-001

CONTRACTOR: Hathaway Home Builders 603-231-4738

**REMARKS:**

A CERTIFIED FOUNDATION PLAN IS REQUIRED PRIOR TO ISSUANCE OF A FRAMING PERMIT

**• Building Permit Issuance Conditions are as follows:**

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

**INSPECTION APPROVALS**

Building \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_

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

Constr Cost: \$345,000	Permit Fee: \$676.40	Check No.:	Cash: \$0.00
------------------------	----------------------	------------	--------------

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

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

		8/31/2022
Code Official	Permit Holder	Date



**I. WIND GENERATOR.**

**ANTENNA**

The radiating system used to perform or achieve (transmit and/or receive) a desired communication or telecommunication service.

**APPLICANT**

The person, persons, corporation or other legal entity, or their assigns, applying for a VARIANCE, SPECIAL EXCEPTION or APPEAL OF ADMINISTRATIVE DECISION.

**AWNING**

A cover or appurtenance that is permanent, retractable, temporary or portable in nature and is attached to and wholly supported by a building or other structure.

**AWNING SIGN**

A sign painted on or attached flat or flush against the surface of the awning, but not extending above, below or beyond the awning or attached to the underside.

B

**BANNER SIGN**

A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frames. Flags and insignias containing only markings of any government, corporation or business are not considered "banners" and are defined separately as "flags."

**BEST MANAGEMENT PRACTICE**

The standard described in the current of Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire prepared by United States Department of Agriculture Soil Conservation Services.

[Amended 3-10-2020 ATM, Art. No. 2]

**BMP**

See "BEST MANAGEMENT PRACTICE."

**BOARD, ZBA or ZONING BOARD OF ADJUSTMENT**

Unless otherwise specified, "BOARD" or "ZONING BOARD OF ADJUSTMENT" means the Town of Hudson, NH, ZONING BOARD OF ADJUSTMENT as appointed by the Town Selectmen.

**BOG**

A wetland distinguished by stunted evergreen trees and shrubs, the presence of peat deposits and/or highly acidic soil and/or water conditions as defined in the New Hampshire Code of Administrative Rules issued by the New Hampshire Wetlands Board.

[Amended 3-10-2020 ATM, Art. No. 2]

**BUFFER**

The protected upland areas adjacent to wetlands and surface waters in the Wetlands Conservation Overlay District.

[Amended 3-10-2020 ATM, Art. No. 2]

**BUILDING**

Any structure used or intended for supporting or sheltering any use of occupancy.

[Added 3-9-2021]

**BUILDING CERTIFICATE**

A certificate obtained from the Planning Board entitling the holder to obtain one building permit for one dwelling unit. Dwelling units, as defined in this article, include single-family homes and duplexes on individual lots, as well as individual condominium units and apartments in multifamily structures shown on approved site plans. A building certificate is valid for a period of two years from the date of issuance, by which time it must be redeemed for a building permit, or expire.<sup>[2]</sup>

**BUILDING, ACCESSORY**

A building in which a use that is customarily incidental and subordinate to that of the principal use is being conducted, including temporary or portable structures.

[Added 3-9-2021]

**BUILDING, ATTACHED**

A building having any portion of one or more walls or roof in common with adjoining buildings.

**BUILDING, DETACHED**

A building not sharing any walls or portions of any walls or roof with adjoining buildings.

**BUILDING LINE**

The perimeter of that portion of a building nearest a property line, but excluding open steps, terraces, cornices and other ornamental features projecting from the building of structure.

[Added 3-9-2021]

B<sub>1</sub>

**BUILDING, PRINCIPAL**

A building in which a principal use is being conducted.

[Amended 3-9-2021]

**BUILDING SETBACK**

The minimum required distance between the property line and the building line.

[Amended 3-9-2021]

**BUILDING SIGN**

Any sign affixed, mounted, attached to or painted onto the exterior of a building, including awnings, canopies, roof-mounted and projecting signs.

C

**CANOPY**

A temporary or permanent covered structure, the primary purpose of which is to shield the area beneath it from the elements, and which is supported by posts, poles, columns or other elements directly on or into the ground.

**CAR CANOPY**

A freestanding, lightweight structure used to house vehicles and constructed of tube framing and is partially covered by a canvas, polyethylene or other woven or nonwoven fabric or sheeting cover. This type of structure typically has no side walls and can be easily disassembled and moved. See also "CANOPY."

**CARE FACILITIES**

See NH RSAs.

- A. DAY-CARE NURSERY.
- B. CHILD DAY CARE.
- C. CHILD DAY-CARE AGENCY.
- D. FAMILY DAY-CARE HOME.
- E. FAMILY GROUP DAY-CARE HOME.
- F. GROUP CHILD DAY-CARE CENTER.
- G. NIGHT-CARE AGENCY.
- H. PRESCHOOL PROGRAM.
- I. RESIDENCE.

**CERTIFIED SOILS SCIENTIST**

A professional soils scientist currently certified by the state of New Hampshire pursuant to New Hampshire state statutes and licensed to practice in the state.

[Added 3-10-2020 ATM, Art. No. 2]

**CERTIFIED WETLANDS SCIENTIST**

A person qualified to delineate wetland boundaries and prepare wetland maps who is currently certified by the State of New Hampshire Board of Natural Scientists, as defined by RSA 310-A:76, II-a.

[Added 3-10-2020 ATM, Art. No. 2]

**CHILD DAY CARE**

The care and supervision of a child away from the child's home and apart from the child's parents.

**CHILD DAY-CARE AGENCY**

Any person, corporation, partnership, voluntary association or other organization, either established for profit or otherwise, which regularly receives for child day care one or more children, unrelated to the operator or staff of the agency. The total number of hours in which a child may remain in child day care shall not exceed 13 hours per day, except in emergencies. The types of child day-care agencies are defined as follows:

**A. PRESCHOOL PROGRAM**

A child day-care agency providing care and a structured program for children three years of age and older who are not attending a full-day school program. The total amount of hours a child may be enrolled in a preschool program shall not exceed five hours per day.

**CERTIFIED SOILS SCIENTIST**

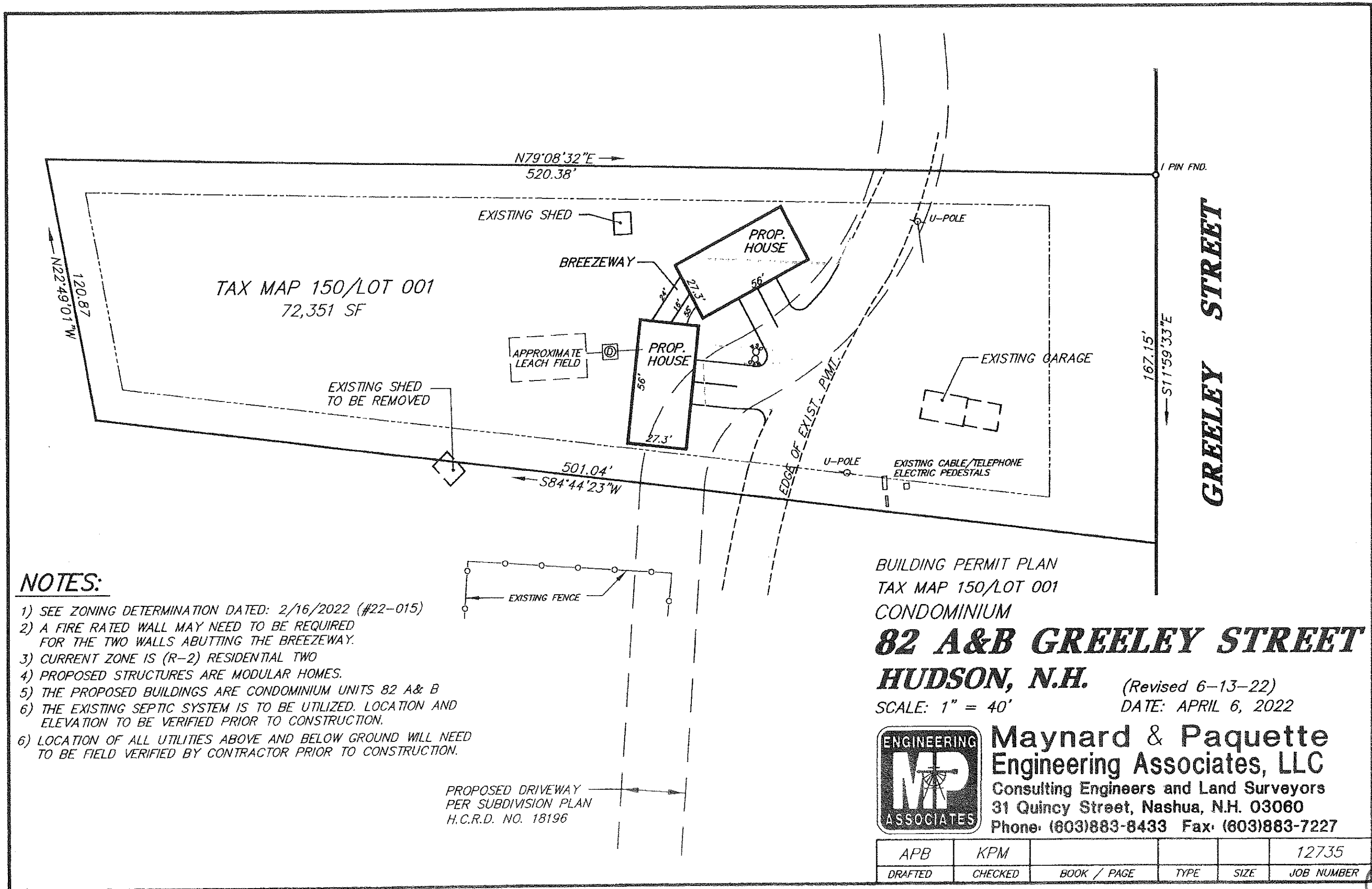
A professional soils scientist certified by the State of New Hampshire pursuant to New Hampshire state statutes and licensed to practice in the state.

**CERTIFIED WETLANDS SCIENTIST**

A professional wetland scientist certified by the State of New Hampshire pursuant to New Hampshire state statutes and licensed to practice in the state.

B2





TAX MAP 150/LOT 001  
72,351 SF

GREELEY STREET

**NOTES:**

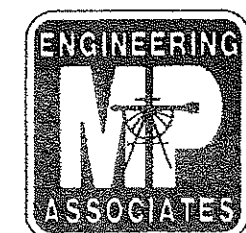
- 1) SEE ZONING DETERMINATION DATED: 2/16/2022 (#22-015)
- 2) A FIRE RATED WALL MAY NEED TO BE REQUIRED FOR THE TWO WALLS ABUTTING THE BREEZEWAY.
- 3) CURRENT ZONE IS (R-2) RESIDENTIAL TWO
- 4) PROPOSED STRUCTURES ARE MODULAR HOMES.
- 5) THE PROPOSED BUILDINGS ARE CONDOMINIUM UNITS 82 A & B
- 6) THE EXISTING SEPTIC SYSTEM IS TO BE UTILIZED. LOCATION AND ELEVATION TO BE VERIFIED PRIOR TO CONSTRUCTION.
- 6) LOCATION OF ALL UTILITIES ABOVE AND BELOW GROUND WILL NEED TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.

BUILDING PERMIT PLAN  
TAX MAP 150/LOT 001  
CONDOMINIUM

**82 A&B GREELEY STREET  
HUDSON, N.H.**

(Revised 6-13-22)  
DATE: APRIL 6, 2022

SCALE: 1" = 40'

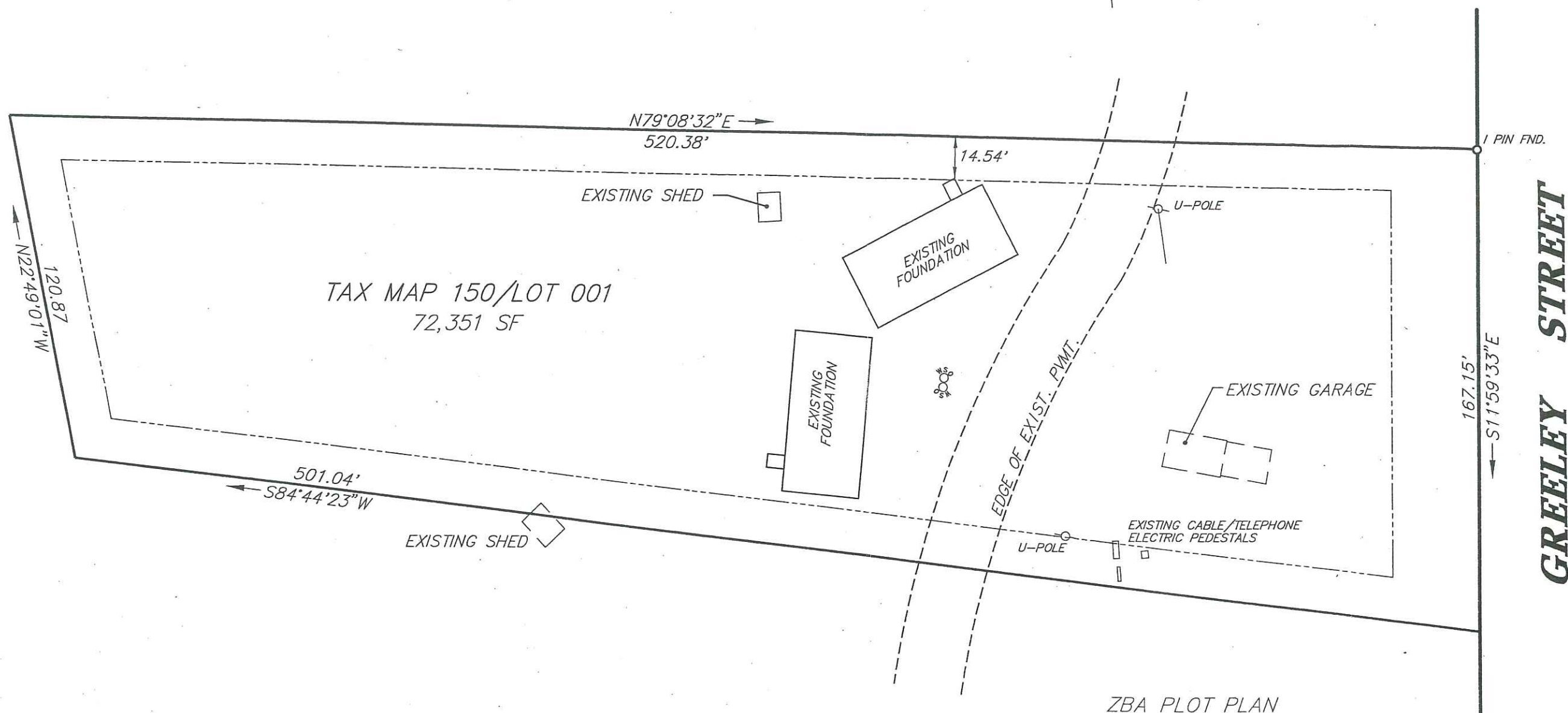


**Maynard & Paquette  
Engineering Associates, LLC**  
Consulting Engineers and Land Surveyors  
31 Quincy Street, Nashua, N.H. 03060  
Phone: (603)883-8433 Fax: (603)883-7227

PROPOSED DRIVEWAY  
PER SUBDIVISION PLAN  
H.C.R.D. NO. 18196

APB	KPM				12735
DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER





**GREELEY STREET**

1. THE PURPOSE OF THIS PLAN IS TO SEEK A VARIANCE FOR SIDE YARD SETBACK. 15 FOOT SIDE YARD WHERE AN EXISTING BULKHEAD ENCROACHES 5.5 INCHES INTO THE SETBACK.

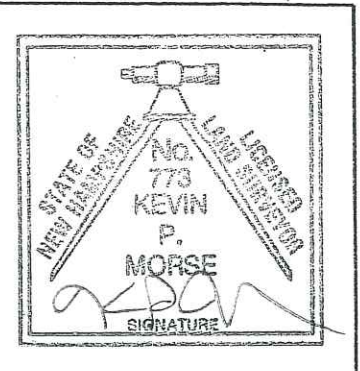
ZBA PLOT PLAN  
TAX MAP 150/LOT 001

**82 A&B GREELEY STREET  
HUDSON, N.H.**

SCALE: 1" = 40'

DATE: NOVEMBER 3, 2022

I CERTIFY THAT THE FOUNDATIONS WERE LOCATED AS SHOWN ON OCTOBER 25, 2022.



**Maynard & Paquette  
Engineering Associates, LLC**  
Consulting Engineers and Land Surveyors  
31 Quincy Street, Nashua, N.H. 03060  
Phone: (603)883-8433 Fax: (603)883-7227

APB	KPM				12735
DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER





APPLICATION FOR AN EQUITABLE WAIVER

NOV 08 2022

11-8-22  
76  
Zoning Department

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 150-001-001 (11-17-22)

Date Filed 11/8/22

Name of Applicant Richard Droune, Mgr  $\rightarrow$  HARTAWAY HOME BUILDER Map: 150 Lot: 001 <sup>sublots 1 & 2</sup> Zoning District: R-2

Telephone Number (Home) 603 887-3300 (Work) 603-231-4738

Mailing Address PO BOX 187 SANDOWN NH 03873

Owner Rene Davost and Lee Karvay

Location of Property 82A + 82B Greeley ST. Hudson NH  
(Street Address)

Richard Droune Hartaway Home Builder LLC 11/7/2022  
Signature of Applicant Date

Rene Davost 11/7/2022  
Signature of Property Owner(s) Date

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

If you are not the property owner, you must provide written documentation signed by the property owner(s) to confirm that the property owner(s) are allowing you to speak/represent on his/ her/ their behalf or that you have permission to seek the described Equitable Waiver.

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

Date received: 11/8/22

**COST:**

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

<u>10</u>	Abutter Notice:		
	Direct Abutters x Certified postage rate	\$ <u>4.60</u> =	\$ <u>46.00</u>
<u>4</u>	Indirect Abutters x First Class postage rate	\$ <u>0.60</u> =	\$ <u>2.40</u>
<b>Total amount due:</b>			\$ <u>233.40</u>

Amt. received: \$ 233.40

Receipt No.: 705,914

Received by: (76)

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

Engineering      Fire Dept.      Health Officer      Planner      Other

Equitable Waiver for Dimensional Requirements  
Hudson New Hampshire

November 10, 2022

This Letter is to confirm that the Property owners listed below are allowing Hathaway Home Builders and Richard Drowne to represent their behalf and to seek The Equitable Waiver Dimensional Requirements for 82 A and 82 B Greeley Street.



Lee Karugu

Date 11-8-22



Reno Devost

Date 11-8-22

# TOWN OF HUDSON, NH

## Application Checklist

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

Applicant Initials		Staff Initials
_____	Please review the application with the Zoning Administrator or staff.	TG
<u>RD</u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with <b>10 (ten) single-sided</b> copies of the assembled application packet. (Paper clips, no staples)	TG
<u>N/A</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.	TG
<u>RD</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.)	TG
<u>RD</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a> (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	TG pending review
<u>N/A</u>	<b>GIS LOCATION PLAN:</b> Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a>	TG missing
<u>RD</u>	Provide a copy of all <b>single sided pages</b> of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	TG
<u>RD</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	TG
<u>N/A</u>	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.	N/A



**ALL DIRECT ABUTTERS**

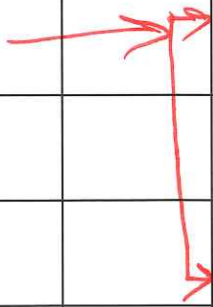
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For 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
159	023	*Include Applicant & Owner(s) DOUGLAS WEBSTER	194 Highland St Hudson 03051
159	022	EMILEA LAPLANTE	192 Highland St Hudson 03051
159	021	WAYNE DUFRESNE	190 Highland St Hudson 03051
159	020	KEVIN R. DREW TR.	188 Highland St Hudson 03051
149	-002	SUNSHINE RIVE CONDO ASSOCIATION	9 SUNSHINE DRIVE Hudson 03051
150	002-001	ARTHUR SULLIVAN	84A Greeley St. Hudson 03051
150	002-002	Georgia Flynn	84B Greeley St Hudson 03051
159	24	JOAN ZINKAWICH TR.	79 Greeley St Hudson 03051
		Richard Drowne, Mgr. Hathaway Home Builders, L.L.C., P.O. Box 187 Sandown, NH 03873	
		KARAGU, LEE M. GATHUA-KARUGU, PASCALINA W. 82A GREELEY STREET HUDSON, NH 03051	DEVOST, RENO DEVOST, DEBRA A. 82B GREELEY STREET HUDSON, NH 03051

(16)

Added



Added



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
159	19	PATRICIA BAINES TR.	186 Highland St Hudson 03051
150	003-001	ZHOU DENG ZHENG	4 Paula Circle Hudson NH. 03051
150	003-002	DANA MARGARET MAILLO	868 Greeley St Hudson 03051
150	013	Brook Industries Inc	1471 Methuen St Dracut MA 01826
		Applicant	PO Box 187 Sandown 03873
		owner	82A Greeley St Hudson 03051
		owner	82B Greeley St Hudson 03051

Moved to Direct List - pg 4.

Richard Drowne, Mgr.  
Hathaway Home Builders, L.L.C.,  
P.O. Box 187  
Sandown, NH 03873

*Applicant*

KARAGU, LEE M.  
GATHUA-KARUGU, PASCALINA W.  
82A GREELEY STREET  
HUDSON, NH 03051

*owner*

LAPLANTE, EMILE A.  
LAPLANTE, VALERIE R.  
192 HIGHLAND STREET  
HUDSON, NH 03051

DEVOST, RENO  
DEVOST, DEBRA A.  
82B GREELEY STREET  
HUDSON, NH 03051

*owner*

DUFRESNE, WAYNE  
190 HIGHLAND ST  
HUDSON, NH 03051

DREW, KEVIN R. & LAURI A., TRSTS  
DREW FAMILY TRUST  
188 HIGHLAND ST.  
HUDSON, NH 03051

SUNSHINE DRIVE CONDO ASSOC  
5,6,9,10,11,12,13,14,15=OWN  
9 SUNSHINE DR  
HUDSON, NH 03051

SULLIVAN, ARTHUR  
SULLIVAN, JANICE  
84A GREELEY ST  
HUDSON, NH 03051

FLYNN, GEORGIA L.  
84B GREELEY ST  
HUDSON, NH 03051

ZINKAWICH, JOAN P., TR.  
ZINKAWICH REVOCABLE TRUST  
79 GREELEY STREET  
HUDSON, NH 03051

WEBSTER, DOUGLAS  
WEBSTER, LINDA  
194 HIGHLAND STREET  
HUDSON, NH 03051

*Direct Abutter Notices*  
*Mailing Labels*

BAINES, PATRICIA M., TR.  
BAINES REVOCABLE TRUST  
186 HIGHLAND STREET  
HUDSON, NH 03051

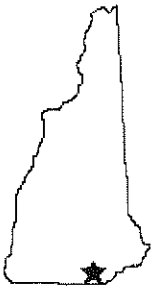
ZHENG, ZHOU DENG  
ZHENG, YUE YUN  
4 PAULA CIRCLE  
HUDSON, NH 03051

MALLOY, DANA MARGARET  
86B GREELEY ST.  
HUDSON, NH 03051

BROX INDUSTRIES, INC.  
1471 METHUEN STREET  
DRACUT, MA 01826

Indirect Abutter Notice  
Mailing Labels





# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

---

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

November 8, 2022

### APPLICANT NOTIFICATION

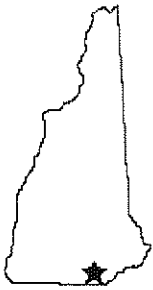
You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on Thursday, **11/17/2022** starting at **7:00 P.M.**, Town Hall, 12 School Street, Hudson, NH, in the Community Development Paul Buxton Meeting Room.

**Case 150-001-001 (11-17-22): Richard Drowne, Mgr. of Hathaway Home Builders, L.L.C., P.O. Box 187 Sandown, NH requests an Equitable Waiver of Dimensional Requirement at 82 A Greeley Street, Hudson, NH for a 5-1/2" encroachment of a recently added bulkhead into the side yard setback leaving 14.54 feet where 15 feet is required. [Map 150 Lot 001-001; Zoned Residential-Two (R-2); HZO Article VII, Dimensional Requirements, §334-27, Table of Minimum Dimensional Requirements, RSA 674:33-a, Equitable Waiver of Dimensional Requirement.]**

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

Respectfully,

Bruce Buttrick  
Zoning Administrator



# TOWN OF HUDSON

## Zoning Board of Adjustment



Gary M. Daddario, Chairman

Kara Roy, Selectmen Liaison

---

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

November 8, 2022

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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting for the purpose of providing information or comments on the proposal. If you are unable to attend, you may also mail or email your comments prior to the ZBA meeting. Submit written comments by mail to ZBA c/o Bruce Buttrick, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: [bbuttrick@hudsonnh.gov](mailto:bbuttrick@hudsonnh.gov). In either instance, include your full name, address and the case you wish to make your comment.

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

Respectfully,

Bruce Buttrick  
Zoning Administrator

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

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

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

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

The Bulkhead location had to be moved 12" due to ledge. The surveyor noted the set back violation when doing the foundation certification after the foundation was backfilled. It appears that one of the pre set stakes showing the 15' set back had been knocked down and reset up incorrectly.

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

The 15' FT SET BACK WAS STAKED OUT BY THE SURVEYOR PRIOR TO COMMENCEMENT OF EXCAVATION AND FOUNDATION WORK, THE MISTAKE WAS CAUSED BY ONE OF THE STAKES BEING KNOCKED DOWN PRIOR TO THE BULKHEAD INSTALLATION AND THEN BEING REPLACED MISTAKENLY IN A DIFFERENT POSITION.

- (c) **NO NUISANCE.** Please explain how the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property; and

THIS 5 1/2" TRIANGLE ENCROACHMENT ON THE 15' FT SET BACK ON ONE CORNER OF THE PRECAST BULKHEAD WILL NOT CONSTITUTE A PUBLIC NUISANCE OR DIMINISH THE VALUE OF SURROUNDING PROPERTY.

- (d) **HIGH CORRECTION COST.** Please explain how that due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

THE COST TO EXCAVATE AND DEMOLISH THE EXISTING BULKHEAD AND PREPARE AND FIND A SMALL PRECAST OR BUILD FROM SCRATCH A NEW SMALLER BULKHEAD WOULD BE A SUBSTANTIAL COST AND WOULD FAR OUTWEIGH THE PUBLIC BENEFIT GAINED.



Richard Drowne &lt;rdrowne@hathawayhomebuilders.com&gt;

**82 Greeley St - bulkhead encroachment into the setback**

2 messages

**Buttrick, Bruce** <bbuttrick@hudsonnh.gov>

Wed, Nov 2, 2022 at 2:43 PM

To: "rdrowne@hathawayhomebuilders.com" &lt;rdrowne@hathawayhomebuilders.com&gt;

Cc: "Abair, Raymond" &lt;rabair@hudsonnh.gov&gt;, "Hebert, David" &lt;dhebert@hudsonnh.gov&gt;, "Goodwyn, Tracy" &lt;tgoodwyn@hudsonnh.gov&gt;

**Richard,**

It looks like you'll need to apply for an "Equitable Waiver of Dimension" from the ZBA.

**674:33-a Equitable Waiver of Dimensional Requirement. –**

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

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

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

(c) That the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property; and

(d) That due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

I attach the link for the ZBA application:

[https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning/code\\_enforcement/page/1711/cdd-zn-equitable-waiver-rev\\_07-22-21.pdf](https://www.hudsonnh.gov/sites/default/files/fileattachments/zoning/code_enforcement/page/1711/cdd-zn-equitable-waiver-rev_07-22-21.pdf)

**Bruce****Bruce Buttrick***Zoning and Code Enforcement*



Property Location: 82 A GREELEY ST  
 Vision ID: 4226 Account #: 6774

Parcel ID: 150/001/001//  
 Bldg #: 1

Card Address:  
 Card #: 1 of 1

LUC: 1060  
 Print Date: 11/8/2022 10:10:42 A

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
KARAGU, LEE M.		RE	Residential Average		2022	1060	144,200	2022	1021	129,700	2021	1021	128,800
GATHUA-KARUGU, PASCALINA W.		TOPO	UTILITIES			1060	16,500		1021	75,400		1021	75,400
82A GREELEY STREET									1021	400			
HUDSON NH 03051							Total 160,700		Total	112,600		Total	205,500

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
KARAGU, LEE M.		8604 2739	09-17-2013	U	I	0	38	Grantor: KARAGU, LEE, Grantor: KALANTZAKOS, NICHOLAS	Appraised Bldg. Value (Card)				0
KARAGU, LEE		5112 1127	06-09-1989	Q	I	121,800	00		Appraised Xf (B) Value (Bldg)				0
									Appraised Ob (B) Value (Bldg)				16,500
									Appraised Land Value (Bldg)				144,200
									Special Land Value				0
									Total Appraised Parcel Value				160,700
									Valuation Method				C
									Total Appraised Parcel Value				160,700

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				
Parcel ID	Zoning	Flood Hazard	Description	Code	Assessed	Assessed	
150-001-001	GD:GENERAL DIST	C	LAND	1060	144,200	144,200	
			OB	1060	16,500	16,500	
			Total		160,700	160,700	
Neigh/Abut1			Total Appraised Parcel Value				160,700
Neigh/Abut2			Valuation Method				C
Neigh/Abut3			Total Appraised Parcel Value				160,700
GIS ID 150-001-CDX			Total Appraised Parcel Value				160,700

NOTES		VISIT / CHANGE HISTORY			
		Date	Id	Cd	Purpost/Result
CONDEX		07-15-2022	27	45	Field Review
TEMP CARPORT=NV		05-18-2022	21	15	Permit Visit
12-09-21 fire/TOTAL LOSS					
/check 4/22 for HOUSE					
7/22 TEMP MH ON SITE					

BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments
2022-00372	04-19-2022	DM		25,900	O	Pete Cherico		Full demo two story dwelling
2021-01343-3-	01-13-2022	TI		0	C	Rymes	0	Install two above ground propane tanks (120 ea) temporary
2021-01343-2-	01-13-2022	WA		0	C	Emergency Temp Hous	0	New 5/8" Water Meter to replace meter damaged in fire. Meter to be temporarily connecte
2021-01343-1-	12-28-2021	PLMG		1,500	C	John Reynolds		Water distribution system and temporary sewer
2021-01343	12-27-2021	MH	Manufactured Ho	5,200	C	Emergency Temp Hous	0	Temporary placement of 12 x 56 ft. HUD 3 bedroom 1 bath for estimated 9-12 months after
2021-01336	12-21-2021	ELEC		700	C	KARAGU LEE M. GAT	0	Temporary electrical service w/o7376582
2007-385	09-26-2007	RO	Roof	300	C			Repair Water Damage On Porch Roof Line;

LAND LINE VALUATION SECTION															
B #	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment		Notes	Land Value
1	1060	AC LND IMP	Condo Site	0.830 AC	170,000		1.13	5	1.00	RE	1.00	Topo	0.95		144,200
Total Card Land Units:				0.830 AC	Parcel Total Land Area:				0.830	AC	Total Land Value:				144,200

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

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO						
Element	Cd	Description	Element	Cd	Description							
Model	00	Vacant	Avg Ht/FL			No Sketch						
Stories:	94	Accessory Bldg	Extra Kitchens									
Style:			Add Kitchen Ra									
Grade:			<b>COST / MARKET VALUATION</b>									
(Liv) Units			Building Value New									
Exterior Wall 1			Year Built									
Roof Structure			Effective Year Built									
Roof Cover			Depreciation Code									
Frame			Remodel Rating									
Foundation			Year Remodeled									
Interior Wall 1			Depreciation %									
Interior Floor 1			Functional Obsol									
Heat Fuel			External Obsol									
Heat Type			Trend Factor	1.000								
# Heat Systems			Condition	NC								
AC Percent			Condition %	0								
Total Rooms			Percent Good									
Bedrooms			RCNLD									
Full Baths			Dep % Ovr									
3/4 Baths			Dep Ovr Comment									
Half Baths			Misc Imp Ovr									
Extra Fixtures			Misc Imp Ovr Comment									
Kitchens			Cost to Cure Ovr									
Kitchen Rating			Cost to Cure Ovr Comment									
Bath Rating			<b>OB - OUTBUILDING &amp; YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)</b>									
Half Bath Rating			Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd.	% G	Assd. Value
Bsmt Garage			LNT0	Lean-To	L	128	UNITS	7.19	2021	AV	60	600
Fireplace(s)			SHEDNV	Shed No Value - Less Than 1	L	80	UNITS	0.00	1990	AV	60	0
Fireplace Rating			FOUND	Foundation	L	1	UNITS	26500.	1985	AV	60	15,900
WS Flues			<b>BUILDING SUB-AREA SUMMARY SECTION</b>									
Color			Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
Avg Ht/FL												
Extra Kitchens												
					Total Liv Area/Gr. Area/Eff Are	0	0	0	TotalValue	0		

Property Location: 82 B GREELEY ST  
 Vision ID: 4227 Account #: 8408

Parcel ID: 150/001/002/1  
 Bldg #: 1

Card Address:  
 Card #: 1 of 1

LUC: 1060  
 Print Date: 11/8/2022 10:11:14 A

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)										
DEVOST, RENO DEVOST, DEBRAA. 82B GREELEY STREET  HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed			
		RE	Residential Average		2022	1060	144,200	2022	1021	106,500	2021	1021	106,000			
		TOPO	UTILITIES			1060	27,000		1021	75,400		1021	75,400			
									1021	14,400		1021	16,000			
Total						171,200	Total						126,600	Total		196,300

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
DEVOST, RENO		5438 0686	06-01-1993	U	I	63,904	40	Grantor: DIME SAVINGS BANK Grantor: HUFF, JOHN Grantor: N/A Grantor: N/A	Appraised Bldg. Value (Card)			0
DIME SAVINGS BANK		5399 0925	12-30-1992	U	I	57,470	40		Appraised Xf (B) Value (Bldg)			0
HUFF, JOHN		5162 0254	01-11-1990	Q	I	0	00		Appraised Ob (B) Value (Bldg)			27,000
UNKNOWN		5080 84	01-01-1989	Q	I	120,000	00		Appraised Land Value (Bldg)			144,200
									Special Land Value			0
									Total Appraised Parcel Value			171,200
									Valuation Method			C
									Total Appraised Parcel Value			171,200

SUPPLEMENTAL DATA			CURRENT ASSESSMENT						
Parcel ID	150-001-002	PREV 0030-0025-011B Assoc Pid#	Description	Code	Assessed	Assessed			
Zoning	GD:GENERAL DIST		LAND	1060	144,200	144,200			
Flood Hazard	C		OB	1060	27,000	27,000			
Neigh/Abut1					Total	171,200	171,200		
Neigh/Abut2							Total Appraised Parcel Value	171,200	
Neigh/Abut3								Valuation Method	C
GIS ID	150-001-CDX							Total Appraised Parcel Value	171,200

NOTES				VISIT / CHANGE HISTORY			
CONDEX FIRE 12/09/21 TOTAL LOSS NC=0 CK FOR HOUSE 4/23 7/22 TEMP MH ON SITE				Date	Id	Cd	Purpost/Result
				07-15-2022	27	45	Field Review
				05-18-2022	21	15	Permit Visit

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments	
2022-00373	04-19-2022	DM		25,900	O	DEVOST, RENO DEV Rymes		Demo full residence two story 1 unit	
2021-01342-3-	01-13-2022	TI		0	C		0	Install two above ground tanks (120 ea) temporary	
2021-01342-2-	01-13-2022	WA		0	C		0	New 5/8" Water Meter to replace meter damaged in fire. Meter to be temporarily connecte	
2021-01342-1-	12-28-2021	PLMG		1,500	C	John Reynolds		Water distribution system and temporary sewer	
2021-01342	12-27-2021	MH	Manufactured Ho	4,800	C	DEVOST RENO DEV	0	Temporary placement of 12 x 48 HUD 2 bedroom 1 bathroom for estimated 9-12 months aft	
2021-01337	12-21-2021	ELEC		700	C	DEVOST RENO DEV	0	Temporary electrical service c/o 7369092	
2010-00498	09-20-2010	SH	Shed	0	C			Note Shed Permit Appears To Be Detached Garage.;	

LAND LINE VALUATION SECTION																		
B #	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value		
1	1060	AC LND IMP	Condo Site	0.830	AC	170,000		1.13	5	1.00	RE	1.00	Topo	0.95		0.95		144,200
Total Card Land Units:				0.830 AC		Parcel Total Land Area:				0.830		AC		Total Land Value:		144,200		

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



# 82 A Greeley Street (Map/Lot 150-001-001)



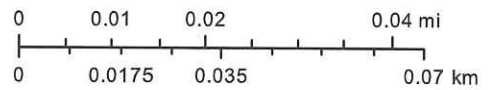
November 9, 2022

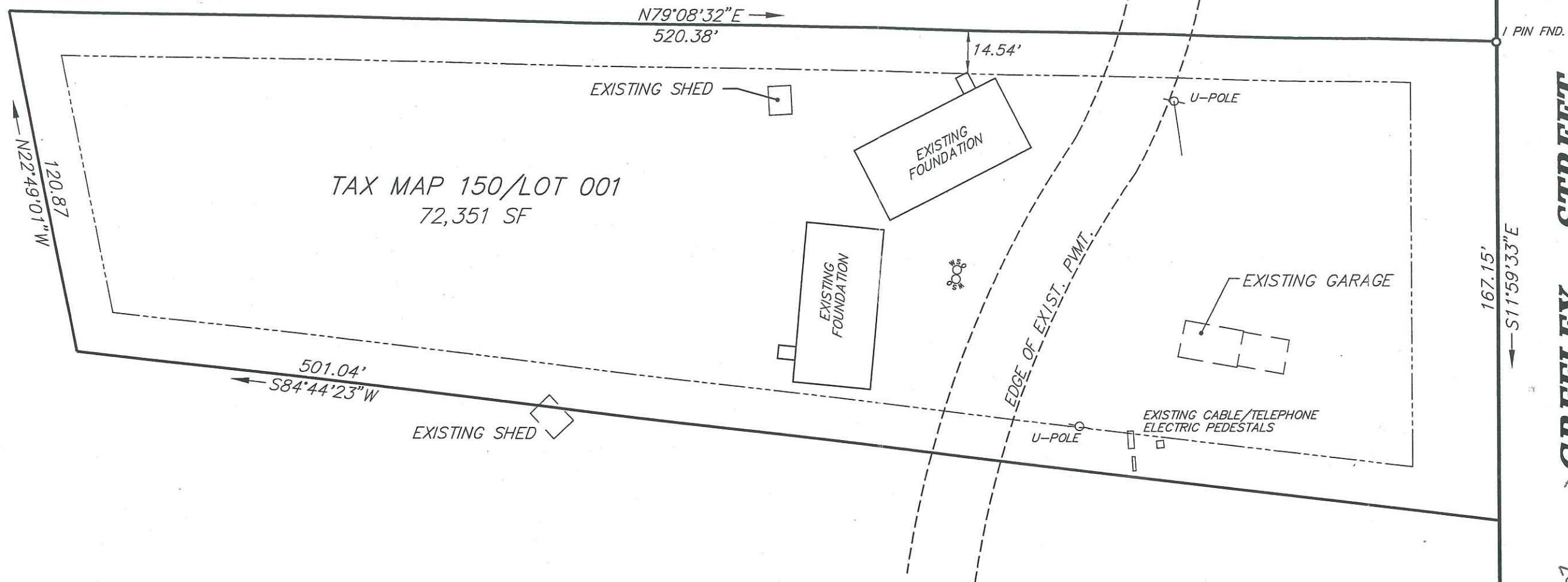
1:1,311

Legend

----- Easement\_Lines

▭ Parcels





TAX MAP 150/LOT 001  
72,351 SF

**GREELEY STREET**

TOWN OF HUDSON  
NOV 08 2022  
Zoning Department

1. THE PURPOSE OF THIS PLAN IS TO SEEK A VARIANCE FOR SIDE YARD SETBACK. 15 FOOT SIDE YARD WHERE AN EXISTING BULKHEAD ENCROACHES 5.5 INCHES INTO THE SETBACK.

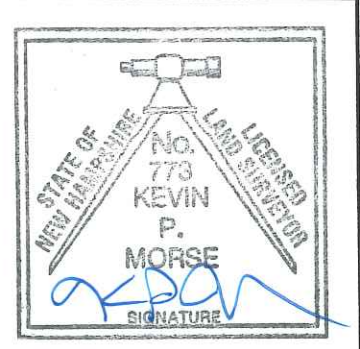
ZBA PLOT PLAN  
TAX MAP 150/LOT 001  
**82 A&B GREELEY STREET**  
**HUDSON, N.H.**

SCALE: 1" = 40'      DATE: NOVEMBER 3, 2022

**ENGINEERING**  
**MP**  
**ASSOCIATES**

**Maynard & Paquette**  
Engineering Associates, LLC  
Consulting Engineers and Land Surveyors  
31 Quincy Street, Nashua, N.H. 03060  
Phone: (603)883-8433 Fax: (603)883-7227

I CERTIFY THAT THE FOUNDATIONS WERE LOCATED AS SHOWN ON OCTOBER 25, 2022.



APB	KPM				12735
DRAFTED	CHECKED	BOOK / PAGE	TYPE	SIZE	JOB NUMBER

Printed  
11/08/2022  
12:00PM  
Created  
11/08/2022  
11:41 AM

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

Receipt# 705,914  
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-11/17/22 ZBA Mtg 82 A Greeley Street Map/Lot 150-001-001 EQ Wvr Dim Req	0.00	233.4000	0.00
			Total:	233.40

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Hathaway Home Builders, LLC	CHECK	CHECK # 19026	233.40	0.00	233.40
			Total Due:		233.40
			Total Tendered:		233.40
			Total Change:		0.00
			Net Paid:		233.40

**HATHAWAY HOME BUILDERS, LLC**

**19026**



# 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

### WORKSHOP MEETING MINUTES – October 13, 2022 - draft

#### I. CALL TO ORDER 7:04pm

#### II. PLEDGE OF ALLEGIANCE

Mr. Daddario called the meeting to order at 7:01 PM, invited everyone to join in the Pledge of Allegiance and took attendance.

Members present were Gary Daddario (Regular/Chair), Tim Lanphear (Alternate), Jim Pacocha (Regular/Vice Chair), and Edward Thompson (Alternate). Also present were Bruce Buttrick, Zoning Administrator, Louise Knee, Recorder (remote) and Kara Roy, Selectman Liaison. Excused were Brian Etienne (Regular), Normand Martin (Alternate/Clerk), Marcus Nicolas (Regular) and Dean Sakati (Alternate).

At 7:02 PM Board went into non-public session for legal consult. At 7:04 PM, Board resumed meeting

#### III. ZBA TRAINING/WORKSHOP:

Stephen C. Buckley, Legal Services Counsel from the NH Municipal Association has scheduled an On-Demand presentation: *ZBA Decision Making Process* for the ZBA training. Steve will also touch upon the new requirements resulting from the recent passage of House Bill 1661 and what local Land Use Boards need to know.

Mr. Buckley was introduced and welcomed. Mr. Buckley distributed a print out of the power point presentation and invited questions during the presentation. The information shared and discussed included:

- The Right-to-Know (RTK) comes from the NH Constitution and is covered in RSA 91-A
- The role of the ZBA was established in the 1920s
- A public meeting constitutes a gathering of 3 Members



- 42 ○ A public meeting requires public notice, public access and minutes  
43 prepared and accessible to the public  
44 ○ Draft Minutes are **not** required to be posted, but do need to be  
45 available within a timely fashion as per RSA  
46 ○ Members should avoid any and every discussion on an open case  
47 before the Board – and that includes telephone conversations,  
48 texting – in fact, any and all social media  
49 ● Conflict of interest  
50 ○ See Ethics in RSA 673:14 and 500-A:12  
51 ○ If recusing, should leave the Board table and not participate in any  
52 Board discussion but can address the Board during intake of  
53 public testimony  
54 ○ If you are an indirect abutter and if you are directly affected, then  
55 you have ‘standing’ and should recuse yourself  
56 ● Recusal versus Abstain  
57 ○ There’s never a good reason to abstain  
58 ○ If a case goes to Court and the vote was 2:2:1, the Court infers the  
59 abstaining vote to have been in favor of the motion which in [affect](#)  
60 [effect](#) makes the vote 3:2  
61 ○ Can stipulate ‘no abstaining’ in the Board’s Rules for Procedure  
62 ● The effect of an Appeal to the ZBA places the decision into abeyance until  
63 [the](#) ZBA reviews and decides  
64 ○ The requestor of an appeal need not be present for the Board to  
65 determine whether to hear the appeal as it is based on submitted  
66 facts of record, notice of error or new information to be considered  
67 ● Every ZBA Notice of Decision (NOD) decision must be based on Findings  
68 of Fact  
69 ○ Historically, only required to give the reason(s) why a request was  
70 denied – specific to which criteria failed  
71 ○ HB 1661 now requires, as of 8/23/2022, that the Findings of  
72 Facts must also be stated for the granting of [an Approval a motion](#)  
73 ○ Findings of Facts also justifies condition(s) as applied to a motion  
74 [\(Decision\)](#)  
75 ○ Board can specify whether [the](#) denial is “with” or “without  
76 prejudice”  
77 ○ “Without prejudice” means the same plan could be resubmitted to  
78 the Board  
79 ○ “With prejudice” means a new/different plan must be submitted  
80 ○ Remember, every Case is unique and considered individually  
81 applied to a motion  
82 ○ There is no real need to consider “setting a precedence”  
83 ● Developments of Regional Impact ([DRI](#)) can be the result of size,  
84 proximity, emissions, aquifers, schools, waste etc. [RSA 36:55 is specific](#)  
85 [as to what constitutes DRI.](#)  
86 ● Cumulative Impact versus Setting Precedent

- 87           ○ Closely related but not identical – every Case is unique and time  
88           changes impact  
89           ○ Example: Variance is valid for 2 years and if not  
90           exercised/activated, it expires – a resubmission for the same  
91           variance cannot be extended without review because Zoning may  
92           have changed and/or the cumulative effect in a region may be  
93           different  
94       • Decisions and Decision Sheets  
95           ○ There doesn't seem to be enough time for Members to complete,  
96           without rushing, during the meeting – one possibility is to continue  
97           to the next meeting (not practical) or Chairman can announce the  
98           reason for the delay and wait before continuing  
99           ○ Chairman should ask each Member during the meeting their  
100           determination on each criteria – this also helps to determine if  
101           conditions/stipulations are needed  
102           ○ But Hudson ZBA elected a Vertical Voting method (per Member not  
103           per Criteria) – no problem – by asking each Member during  
104           meeting may help in the completion of the Decision Sheets and  
105           each Member votes according to their determination on each  
106           criteria  
107           ○ Vertical / Horizontal decision making is specified in the Board's  
108           Rules of Procedure and if a voting method change is elected, must  
109           wait 60 days before implementing (per RSA)  
110       • ZBA Handbook (2021 edition from the NH Department of Business and  
111           Economic Affairs) – keep it handy – every Member has one  
112  
113

114 Board thanked Mr. Buckley.  
115

116  
117 **IV. ADJOURN 9:10pm**  
118

119  
120  
121 Respectfully submitted,  
122 Louise Knee, Recorder



# TOWN OF HUDSON

## Zoning Board of Adjustment

Gary M. Daddario, Chairman      Kara Roy, Selectmen Liaison

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

### MEETING MINUTES – October 27, 2022 – as edited

The Hudson Zoning Board of Adjustment met on Thursday, October 27, 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**
- III. **ATTENDANCE**

Chairman Daddario called the meeting to order at 7:01 PM, invited everyone to stand and join in the Pledge of Allegiance, and read the Preamble (Exhibit A in the Board’s Bylaws) regarding the procedure and process of the meeting.

Members present were Brian Etienne (Regular), Gary Daddario (Regular/Chair), Tim Lanphear (Alternate), Normand Martin (Regular/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. All Members were present and Regular Members voted.

#### IV. **PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:**

1. **Case 181-001-001 (10-27-22):** George Hurd, Member of Tumpney Hurd Clegg, LLC, **25 Webster St., Hudson, NH** requests a Variance to allow for the subdivision of four (4) lots, with frontage along a proposed private street, instead of frontage along a public (Class V or better) street. [Map 181, Lot 001-001; Zoned Town Residence (TR); HZO Article II, Terminology; §334-6, Definitions – Frontage, and HZO Article VII, Dimensional Requirements; §334-27.1 D, General Requirements]

Mr. Buttrick read the Case into the record, referred to his Staff Report initialed 10/18/2022, noted it has conditional subdivision approval from the Planning Board (PB) as per it’s 9/9/2022 Notice of Approval with thirteen (13) stipulations of which Stipulation #12 pertains to the obtainment of a Variance from the Zoning Board for the creation of lots without the required frontage on a Class V or better road but on a

Not Official until reviewed, approved and signed.

As edited [BB, GD, NM]

44 Private Road. Mr. Buttrick also noted that In-House Review comments were received  
45 from the Town Engineer.

46

47 Mr. Martin stated that, in the spirit of full disclosure, he knows Robert Clegg, has  
48 served with him on the Budget Committee and feels capable and unbiased to sit on  
49 the Case but would recuse himself if anyone on the Board thinks it would be prudent.  
50 No one asked for his recusal.

51

52 Mr. Nicolas asked to have the GIS overview of the lot displayed to ascertain whether he  
53 is an indirect abutter. He is not, therefore, no need to recuse himself.

54

55 Colin Jean of Colin Jean Attorney at Law, LLC, introduced himself as representing the  
56 Property Owner, Tumpney Hurd Clegg, LLC, and Michael Grainger, LLS, of MJ  
57 Grainger Engineering, Inc., who sat at the Applicant's table and noted that both  
58 Robert Clegg and George Hurd were also in attendance.

59

60 Atty. Jean stated that this project is similar to the Lee Way Lane project in that they  
61 are seeking to create four (4) lots fronting on a private road that would connect to  
62 Webster Street in the TR (Town Residence) Zone. The Planning Board (PB)  
63 conditionally approved the four-lot subdivision of the 62,596 SF (Square Foot) lot from  
64 a private road contingent upon receiving this Variance to front the new lots on a  
65 private road ending in a cul-de-sac. Each lot would be serviced by Municipal water  
66 and sewer-sewer and have underground utilities. The proposed private road would be  
67 paved and be twenty-four feet (24') wide with a thirty-foot (30') ROW (Right of Way) and  
68 the lots would meet all current Zoning standards. The lot had already been purchased  
69 and significant engineering work performed prior to the discovery of needing this  
70 Variance.

71

72 Atty. Jean addressed the criteria necessary for the granting of a Variance and the  
73 information shared included:

74

75 (1) *not contrary to public interest*

76 • The proposed lots would meet all the necessary Zoning requirements  
77 regarding area and setbacks and the proposed roadway would adequately  
78 meet the safety and access requirements

79 • The landowner would remain liable for the maintenance and upkeep of the  
80 private way, thereby relieving the Town of future expense or liability  
81 regarding the (private) roadway.

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

83 • Spirit of Ordinance observed as the private roadway will be maintained and  
84 remain the responsibility of the lot owners

85 • Accessibility to fire, police and emergency vehicles would be adequately  
86 provided with the 24' wide roadway and 30' ROW

87 • A dDocument to indemnify the Town from any present or future liability  
88 regarding the maintenance and upkeep of the private road and any  
89 associated utilities will be filed at the Hillsborough County Registry of Deeds

90

(3) *substantial justice done*

Not Official until reviewed, approved and signed.

As edited [BB, GD, NM]

- 91 • Substantial justice would be done to the Property Owner without posing any  
 92 harm to the general public or the Town and would have no negative  
 93 impact to public safety, welfare or have any adverse impact on the public  
 94 • The proposed four (4) lots will have at least 90' of frontage, as is required in  
 95 the TR Zone and as if fronting on a Class V ~~road~~ Road and will satisfy all  
 96 other zoning requirements and would be consistent with the  
 97 neighborhood  
 98 • The proposed private way/road would adequately service the new homes  
 99 with appropriate access to emergency and service vehicles  
 100 (4) *not diminish surrounding property values*  
 101 • The allowance of the proposed relief would not diminish the values of the  
 102 surrounding properties  
 103 • The subject Town Residence zoning of this well established neighborhood  
 104 would not suffer any negative impact from the addition of four (4) new  
 105 houses, all of which would meet Zoning requirements as if they fronted  
 106 on a Class V/public road  
 107 • The proposed use of frontage on a private way is similar to other projects  
 108 (Lee Wway ~~L~~ane) and there appears to be no evidence of diminished  
 109 values of surrounding properties  
 110 (5) *hardship*  
 111 • Relief requested, in allowing property frontage to be measured along the  
 112 proposed private way would provide fair and reasonable relief from an  
 113 unnecessary hardship  
 114 • Subject Ordinance (334-7.1) was likely intended to assure and ensure that  
 115 proper and safe distance access to residential lots could be carried out by  
 116 fire, police, rescue and service vehicles  
 117 • The proposed 4 lot residences, each with at least the frontage required in the  
 118 TR Zone and meeting all area and setback requirements, would be  
 119 serviced by a 24' wide paved roadway with a 30' ROW  
 120 • The fact that the Applicant/Owner will retain all responsibility for the  
 121 upkeep and maintenance of the private way via a document filed at the  
 122 Registry of Deeds that will also include relieving the Town of any present  
 123 ofand future liabilities associated with the road, further demonstrates  
 124 that the restriction applied to the property does not serve the purpose of  
 125 the restriction in a fair and reasonable way.  
 126 • The application of the Ordinance, ~~in light of~~ considering the proposed  
 127 betterments and assurances, would impose an unnecessary hardship to  
 128 the owner  
 129 • The 25 Webster Street parcel being proposed as a 4 lot residential  
 130 subdivision, with a private road from Webster Street, will accommodate  
 131 all Town and Zoning requirements ~~of-if~~ the requested relief from the  
 132 necessity of frontage being required on a public way is allowed  
 133 • The special conditions associated with the property are singularly related to  
 134 the spirit and intent of the Ordinance imposing the restriction  
 135 • The proposed use ~~d~~ is reasonable because the intended restrictions of the  
 136 Ordinance have been addressed and remedied ~~so-as~~ to allow relief  
 137 without diminishing the intent of the Ordinance.

Not Official until reviewed, approved and signed.

As edited [BB, GD, NM]

- 138 • To limit the use of the property to the existing frontage on Webster Street  
139 would limit the practical and efficient use of the property because of a  
140 special condition that no longer exists if the requested relief is granted by  
141 way of allowing lot frontage to be measured from an adequately  
142 constructed private road
- 143 • The proposed use of the property in the TR Zone, given the special  
144 conditions associated with the frontage requirements, is both reasonable  
145 and consistent with the intent of the Ordinance.  
146

147 In response to Mr. Martin's question, Atty. Jean stated that the private road would be  
148 co-owned by the homeowners of the four (4) lots who would assume full responsibility  
149 and liability for maintenance (present and future) and indemnify the Town of Hudson  
150 from liability and that both will be memorialized in an Association of Lot Owners to be  
151 will filed at the Registry of Deeds. Mr. Buttrick stated that requirement is #9 of PB's  
152 condition of subdivision approval requires that a Notice of Limits of Municipal  
153 Responsibility and Liability be created. Mr. Daddario noted that PB condition #11  
154 requires that Deeds of the four (4) lots be noted as having fractional ownership of the  
155 private road and questioned whether these requirements, and the filing of it at the  
156 Registry of Deeds, should be a condition of ZBA motion as well. Mr. Buttrick noted  
157 that the four (4) comments on the Town Engineer's In-House Review dated  
158 10.07/2022. Mr. Etienne stated that the project underwent Planning Board (PB)  
159 review and asked if Bylaws for the Homeowners Association would be prepared. Atty.  
160 Jean confirmed that there will be a road easement for the Association.  
161

162 Mr. Pacocha asked to have the overview of the Lee Wway development posted which  
163 showed that it too contained a private roadway, and asked if it to had received a  
164 Variance. Mr. Buttrick stated that when he did his review on the Lee Wayis-project, it  
165 was presented to be a public roadway but somewhere in PB's review process the road  
166 was changed to a private way without his knowledge and he had no opportunity to  
167 review or comment. Mr. Sakati ~~stated that~~asked if Lee Wway Lane then had not  
168 received ~~an~~not Variance would it then be considered non-compliant? Mr. Etienne  
169 stated that to rectify, perhaps it could proceed with obtaining an Equitable Waiver.  
170

171 Mr. Thompson stated that the sewer is to be private until it hits Webster Street and  
172 questioned the water. Atty. Jean responded that the Town preferred it to be Municipal  
173 and that is why there is a need for an easement for the water line. Mr. Buttrick noted  
174 that the plan identifies a hydrant at the end of the proposed cul-de-sac.  
175

176 Mr. Thompson questioned the dimensions of the private road and proposed ROW  
177 setback and expressed concern that the lot at 18 Baker Street could be impacted  
178 during construction of the cul-de-sack. Mr. Buttrick stated that the width of the  
179 proposed private roadway is to be twenty-four feet (24') with a thirty-foot ROW where  
180 regulations require fifty feet (50') and noted that the back lot line of 18 Baker Street  
181 would be in the ROW setback.  
182

183 Mr. Martin asked if Tax Map 181 Lot 001 would be assigned for all four (4) lots. It was  
184 noted that Map 181-001-001 would be the parent lot for the subdivision. Mr. Pacocha  
185 questioned the internal overlapping blocks identified on Lot 001-001. Mr. Grainger

186 stated that one of the dashed lines represents the setback for Webster Street and  
187 another represents the current edge of pavement and the rectangle represents the  
188 proposed building envelope. Atty. Jean added that the existing building (Lot 001-000)  
189 was once a dental office with a parking lot.

190  
191 Mr. Pacocha made the motion to grant the Variance with no stipulations as the  
192 variance criteria were satisfactorily addressed and satisfied, noting that the request is  
193 not contrary to public interest, does observe the spirit of the Ordinance, that justice  
194 would be done to the property-owner, that diminishment of surrounding property  
195 values should not occur and that the land presented hardship. Mr. Etienne seconded  
196 the motion noting that it is not contrary to public interest, that additional housing is  
197 needed in Town, that the spirit of the Ordinance has been met as it is in a residential  
198 neighborhood, that justice is being done as the additional homes is solving a problem,  
199 that the addition of high quality houses to the neighborhood should have a positive  
200 impact on surrounding property values, lots in the TR Zone tend to be oddly shaped,  
201 the Applicant worked with the PB and there is challenging terrain.

202  
203 Mr. Nicolas agreed noting that there is no conflict to public interest, no harm to the  
204 general public, that hardship criteria is met by the layout of the land and that the  
205 private road is to be maintained by the lot owners with no liability to the Town. Mr.  
206 Martin agreed noting that the land satisfied the hardship criteria and added that the  
207 proposed project is a proper and good use. Mr. Daddario stated that the criteria have  
208 been satisfied, that the development is consistent with the neighborhood and poses no  
209 harm to the public, that the lots comply with all Zoning requirements except frontage  
210 on a public way, that justice is done to the property owner at no cost to the public,  
211 that surrounding property values should not be adversely affected, that the land  
212 presents the hardship and added that three of the four proposed lots of this large  
213 parcel would be land-locked to access to a public way.

214  
215 Roll call vote was 5:0. Variance granted without stipulations. The 30-day appeal  
216 period was noted.

217  
218 **V. REQUEST FOR REHEARING:**

219  
220 No requests were received for Board consideration.

221  
222 **VI. REVIEW OF MINUTES:**

223  
224 08/25/22 edited Draft Minutes

225 Motion made by Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to  
226 approve the 8/25/2022 Minutes as edited.

227  
228 09/22/22 edited Draft Minutes

229 Mr. Thompson provided additional edits to Line 156, 346 and 358. Motion made by  
230 Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to approve the  
231 9/22/2022 Minutes as edited and amended.

232  
233 10/13/22 edited Draft Minutes

Not Official until reviewed, approved and signed.

As edited [BB, GD, NM]

234 Motion made by Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to table  
235 review of the 10/13/2022 edited Minutes.

236  
237  
238

239 **IX.VII. OTHER:**

240

241 Town Engineer Comment RE- ZBA 9/22/22 Decision Stipulation

242 Concern read into the record. Comment made that there was no intent to bypass the  
243 fact that Town Staff has final approval or to give the impression that the developer's  
244 engineer has final say. Mr. Daddario stated that should the Board decide that the  
245 applicant's engineer review/oversight is needed, that a statement should also be  
246 added noting that that the Town's Engineer has final say.

247 Recap/discussion- ZBA Workshop- ZBA Decision Making Process

248 Mr. Buttrick thought the workshop was beneficial and noted that he emailed the link  
249 so that Members who could not attend could review the recording of it.

250 Updated Member List

251 Mr. Buttrick stated that the Norm Martin is now a Regular Member and that the  
252 Selectmen has appointed Christian-Tristan Dion to be a new Alternate Member.

253

254 Zoning Ordinance (ZO)

255 Mr. Martin asked if an updated Zoning Ordinance would be printed with the results  
256 from the March Town Vote. Mr. Buttrick responded that he has not heard of a  
257 publication date and noted that the Ordinance on the Town's web site includes the  
258 results of the March Town Vote.

259

260 Mr. Etienne stated that updates to the Zoning Ordinance ~~was~~were discussed at the  
261 Planning Board meeting last night and he instructed them to contact Mr. Buttrick as  
262 he keeps a tally of what frequently appears before the ZBA.

263

264 Mr. Buttrick confirmed that he keeps a running tally and noted that in the past there  
265 was a ZORC Committee - Zoning Ordinance Review Committee - comprised of three  
266 (3) Planning Board Members and three (3) Zoning Board Members who met from July  
267 to September to prepare and present possible ZO amendments for PB consideration  
268 and pursuit. Mr. Buttrick stated that last year, the PB did acknowledge the prudence  
269 to reduce the setback for lots in the TR Zone that now allows sheds to be placed five  
270 feet (5') from the property line.

271

272 Mr. Buttrick suggested that split zone lots should be addressed as there are no  
273 provisions for them in the ZO and no direction as to which zone criteria/specifics  
274 should apply. Mr. Etienne stated definitions would be important too.

275

276

277 Motion made by Mr. Etienne, seconded by Mr. Nicolas and unanimously voted to  
278 adjourn the meeting. The 10/27/2022 ZBA meeting adjourned at 8:11 PM

279



280 Respectfully submitted,  
281 Louise Knee, Recorder

As Edited