



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

MEETING AGENDA – March 27, 2025

The Hudson Zoning Board of Adjustment will hold a meeting on **Thursday, March 27, 2025**, 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. Please enter by the ramp entrance at right side.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ATTENDANCE

IV. SEATING OF ALTERNATES

V. PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:

1. **Case 197-177 (03-27-25):** William J. Coyne, 22 Fairway View Lane, Norton, MA requests a Variance for **8 Spruce Street, Hudson, NH** to reconstruct & expand a previous approx. 4 ft. x 5 ft. front stair structure to a current 6 ft. x 8 ft. deck where a nonconforming structure may not be altered or expanded, except by variance. The new deck encroaches the front yard setback 2.5 feet leaving 27.5 feet where 30 feet is required. [Map 197, Lot 177, Sublot-000; Zoned Town Residence (TR); HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

VI. REQUEST FOR REHEARING: (Board Discussion Only, No Public Input)

1. **Case 245-012 (01-23-2025):** Bradford Baker Sr., 23 Fairway Drive, Hudson, NH by and through its counsel, Gottesman & Hollis, P.A requests a rehearing of an Equitable Waiver of Dimensional Requirement, a request which was denied on 01/23/2025 by the Zoning Board of Adjustment. The request was to allow a newly built detached 41.3 ft. x 39.6 ft. metal garage on a cast-in-place concrete foundation to remain which encroaches both the side and front yard setbacks leaving 13 feet and 22.3 feet respectively where 15 feet and 30 feet are required. [Map 245, Lot 012, Sublot-000; Zoned Residential-One (R-1); HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and NH RSA 674:33-a.I., Equitable Waiver of Dimensional Requirement.]


VII. REVIEW OF MINUTES:

02/27/2025 edited draft Meeting Minutes

VIII. OTHER BUSINESS:

- Save the date for the NH Office of Planning and Development's **Spring 2025 Planning and Zoning Online Conference, Saturday, May 10, 8:45 AM - 3:30 PM**. Each session will be recorded and available after conference. The cost is free. **Registration Opens: April 4**

IX. ADJOURNMENT:


Chris Sullivan, Zoning Administrator

Posted: Town Hall, Town Website, Library, Post Office – March 14, 2025

su | do | ku

© Puzzles by Pappocom

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

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.

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

Legal Notice

NH Department of Administrative Services - Division of Public Works Design and Construction

Is seeking firms interested in offering professional Architectural and Engineering Services. Interested firms should visit our website at <https://www.das.nh.gov/publicworks/PWcurrentrequests.aspx> for more information and directions to submit "Letters of Interest and Qualifications". Letters of Interest and Qualifications must be received by Friday, April 4, 2025. (UL - Mar. 19, 20, 21)

Legal Notice

STATE OF NEW HAMPSHIRE LIQUOR COMMISSION INVITATION TO SUBMIT PROPOSAL FOR: ADVERTISING AND MARKETING SERVICES

The NHLC seeks to procure services for professional advertising and marketing services. The deliverables and the NHLC's requirements are set forth in a Request for Proposal (RFP) document. Responses must be in compliance with the RFP's specifications. The RFP can be obtained by contacting Janet Donnelly via email only at janet.m.donnelly@liquor.nh.gov, or by downloading it at: <https://gov.liquorandwine.utlets.com/>. Additional information, including but not limited to Addendums to the RFP, responses to vendor inquiries, and changes to RFP event dates or deadlines, will also be posted as separate links under this public notice posting. Inquiries must be received no later than 2:00 PM on Wednesday, March 26, 2025. Completed proposals must be returned to the Liquor Commission no later than 2:00 PM on Monday, April 21, 2025. (UL - Mar. 18, 19, 20)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain Mortgage given by **Wesley A. Green** ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for New FED Mortgage Corp., dated May 25, 2021 and recorded in the Rockingham County Registry of Deeds in Book 6282, Page 2516, (the "Mortgage"), which mortgage is held by PennyMac Loan Services, LLC, 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 May 9, 2025 at 12:00 PM. Said sale being located on the mortgaged premises and having a present address of 37 Geisser Road a/k/a 37 Geisser Lane, Hampstead, 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 6282, Page 2514. 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, 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 nhbd@banking.nh.gov. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call. The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the 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 Fifteen Thousand (\$15,000.00) 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 March 10, 2025. PennyMac Loan Services, LLC By its Attorney, Autumn Sarzana Harmon Law Offices, P.C. PO Box 610389 Newton Highlands, MA 02461 617-558-0500 27295 (UL - Mar. 19, 26; Apr. 2)

TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearing THURSDAY, MARCH 27, 2025

The Hudson Zoning Board of Adjustment will hold a public meeting on **Thursday, March 27, 2025 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 (please enter by ramp entrance at right side). PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD: **Case 197-177 (03-27-25):** William J. Coyne, 22 Fairway View Lane, Norton, MA requests a Variance for **8 Spruce Street, Hudson, NH** to reconstruct & expand a previous approx. 4 ft. x 5 ft. front stair structure to a current 6 ft. x 8 ft. deck where a nonconforming structure may not be altered or expanded, except by variance. The new deck encroaches the front yard setback 2.5 feet leaving 27.5 feet where 30 feet is required. [Map 197, Lot 177, Sublot-000; Zoned Town Residence (TR); HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.] Chris Sullivan, Zoning Administrator

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.

ALL KINDS OF ONIONS

Solution: 8 letters

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

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3/19

Bermuda, Braise, Chives, Cook, Culinary, Farm, Garnish, Green, Grocery, Grow, Harvest, Hot Dog, Ingredient, Kitchen, Maui, Nachos, Onion Rings, Papery, Pearl, Peel, Pickled, Pizza, Plant, Raw, Recipe, Roast, Round, Salad, Sandwich, Sauce, Scallion, Shish Kabob, Soup, Spicy, Stir-fry, Storage, Summer, Taco, Torpedo, Vidalia, Water, Welsh, White Yesterday's Answer: Schedule

Cryptoquip

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

XZJR PMYKU EMY PJKK HLUN'

WMCAN OCJU ZJNRLKE JTU

XLRZ NMAC KLTCN NHLWWCU?

PYONMOE OZEACN.

Yesterday's Cryptoquip: IF THERE WERE A REGULATION ABOUT THE PREPARATION OF CABBAGE SALAD, WOULD IT BE COLE'S LAW?

Today's Cryptoquip Clue: P equals C

Bridge

Steve Becker

The great majority of mistakes made in bridge are of the common garden variety. A player who errs usually knows better than to commit the particular error he makes, but for some inexplicable reason, he takes his eye off the ball at the critical moment.

Consider this deal where South failed to make three notrump in a fairly routine hand. West led the jack of hearts. Declarer won East's king with the ace and returned the club queen. West went up with the king and led the ten of

hearts, forcing out the queen. South now had to go down one, whatever he did next. In practice, he tried the jack of clubs, but West won with the ace and cashed three heart tricks to put a quick end to the proceedings.

Declarer would have made the contract had he taken the simple precaution of ducking East's king of hearts at trick one. He should have realized that if East had another heart to lead, the defense could score at most two hearts and two clubs to hold him to nine tricks, while if East did not have another heart to lead, the contract could not be stopped regardless of what other suit East returned.

The only combination of cards that could prevent South from getting home safely was for West to have five hearts and the A-K of clubs. South should therefore have ducked the king of hearts at trick one to protect against this possibility. There was no good reason to take the king, and a very good reason not to take it.

Tomorrow:

Not all equals are equal.

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Crossword

Eugene Sheffer

ACROSS

1 Online guffaw
4 Used a chair
7 Venus de —
8 Swiss math-ematician
10 Chutney fruit
11 Houston base-ballers
13 Does something in a novel way
16 Small batteries
17 Step
18 French pronoun
19 Passion
20 Tries the espresso
21 Ruhr Valley city
23 Holiday seasons
25 Neural trans-mitter
26 Contra-dict
27 Tavern
28 Hairnet

30 Scribble (down)
33 Wins big at a casino
36 Tuna type
37 Argue against
38 Adoles-cents
39 Yaks
40 Catchall abbr.
41 "Let You Love Me" singer Rita

DOWN

1 Queues
2 "Three Sisters"
3 Quick glance

4 Japanese menu item
5 Modify session
6 School
7 Kate of "House of Cards"
8 Really annoy
9 Rent sharer
10 CEO's deg.
12 Feeds the pigs
14 Jazz great
15 Insult, slangily
19 QVC alter-native

20 Devious
21 Outlying commu-nity
22 "Amen!"
23 "Last Christ-mas" actress Michelle
24 Endure
25 NYPD alert
26 Indulges, with "on"
28 Type of trap-shooting
29 "Bye Bye Bye" band
30 "Star Wars" villain
31 Burden
32 B'way show purchase
34 Pulitzer winner James
35 Smokey — (U.S Forest Service symbol)

Solution time: 23 mins.

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

Yesterday's answer 3-19

	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
33			34					35	
	36						37		
		38					39		
			40				41		

Horoscope

Eugenia Last

IF BORN ON THIS DATE: Change is up to you. Participation is your path to discovery, managing your finances, health and legal matters, and implementing a balance between work and play. Your numbers are 4, 11, 19, 25, 34, 41, 46.

Birthdate of: AJ Lee, 38; Bruce Willis, 70; Glenn Close, 78; Ursula Andress, 89.

ARIES

(March 21-April 19)

Surround yourself with people who can pick up where you lack. Personal improvements, love, romance and socializing are in the stars.

TAURUS

(April 20-May 20)

Stay focused on finishing what you start. The less interference, the better; sit in an isolated corner and do your thing. Put the bulldozer away and let your subtleness prevail.

GEMINI

(May 21-June 20)

Live and learn. You'll gain ground using complimentary words to entice others to pitch in and help. Do what's best for the tribe.

CANCER

(June 21-July 22)

Apply your wisdom, experience and understanding to whatever you

do, and you'll gain respect and admiration. Interactions will bring you closer to the ones that can help you get ahead.

LEO

(July 23-Aug. 22)

Channel your mindset to learning, updating and engaging in relationships with plenty to offer. Change is only worthwhile if it's beneficial to reaching your goal. Romance and self-improvement are favored.

VIRGO

(Aug. 23-Sept. 22)

Count your pennies and rule out purchases you cannot afford. Going into debt for the wrong reasons will lead to stress. Barter when an expert is required.

LIBRA

(Sept. 23-Oct. 22)

A chipper attitude will draw attention. Let your charm lead the way, approach anyone you feel can contribute and make your desires a reality.

SCORPIO

(Oct. 23-Nov. 21)

A social or networking event will give you the platform to charm others into your sphere and recruit the best of the best to ensure you get the desired results.

SAGITTARIUS

(Nov. 22-Dec. 21)

Emotions will be close to the surface. Stick to the truth, say what you think and feel, and let your gestures and actions lead the way to solidarity.

CAPRICORN

(Dec. 22-Jan. 19)

Mix business with pleasure, and you'll gain ground. How you make others feel will determine who gives back the most. Take the road less traveled.

AQUARIUS

(Jan. 20-Feb. 18)

You know the rules and have the power to bring about change. Put a plan in place and share what you want to do with those who matter to you.

PISCES

(Feb. 19-March 20)

Take a break, release yourself from responsibilities and give yourself a chance to rejuvenate. The result will boost your energy levels, confidence and productivity.

JUMBLE

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

SEQTU

RSIKB

DHRIEN

AATNOS

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

(Answers tomorrow)

Yesterday's Jumbles: EERIE SPELL ASPECT EVOLVE

Answer: When she slept on the top bunk at her friend's house, it was a — SLEEPOVER

THAT SCRAMBLED WORD GAME

By David L. Hoyt and Jeff Knurek

We need to go over next year's line. These gloves look comfortable.

Kids are going to love these mittens.

THE GLOVE AND MITTEN FACTORY EMPLOYEES MET TO DISCUSS THE ---

3/19

©2025 ANDREWS MCMEEL SYNDICATION

KidSpot

By Dan Thompson

3-19

Carnival games

Can you figure out which carnival game each girl or boy is helping with? No helper's name contains any letters of the game he or she is helping with.

Helpers:

Lucy
Bailey
David

ANS: LUCY=DUCK POND, DAVID=FORTUNETELLER, BAILEY=RING TOSS.

Duck Pond	Helper
Fortuneteller	Helper
Ring Toss	Helper



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: February 27, 2025

CJS
3/13/25

Case 197-177 (03-27-25): William J. Coyne, 22 Fairway View Lane, Norton, MA requests a Variance for **8 Spruce Street, Hudson, NH** to reconstruct & expand a previous approx. 4 ft. x 5 ft. front stair structure to a current 6 ft. x 8 ft. deck altered or expanded, except by variance. The new deck encroaches the front yard setback 2.5 feet leaving 27.5 feet where 30 feet is required. [Map 197, Lot 177, Sublot-000; Zoned Town Residence (TR); HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

ADDRESS: 8 Spruce Street
Map 197, Lot 177-000

ZONING DISTRICT: Town Residence (TR)

Relief Requested: HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.

PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing lot of record. The lot is 13,068 sq. ft. where 10,000 sq. ft. is required. The lot is classified as a single-family residence. There is an existing dwelling that was constructed in 1962. The front deck was allowed to be constructed for safety reasons.

HISTORY/ATTACHMENTS

PLANS:

*See Application

BUILDING PERMITS:

A: BP # 2024 01140 Renovate Basemen
B: BP # 2024 01188 6x8' Front Porch
C: BP # 2024 01203 10x10' Back Deck

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

D: Zoning Determination 24-090 Building Permit Denial #2024 01188 – 10-15-34

AERIAL / PHOTOS

Aerials (2024) 8 Spruce Street



IN-HOUSE COMMENTS:

E: Town Engineer: No comments (3-4-25)
F: Inspectional Services/Fire Dept.:
No Comment (3-4-25)
G: Associate Town Planner:
No comments (3-5-25)



Town of Hudson, NH
Building Permit

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

Permit Number
2024-01140
Date of Issue
10/03/2024
Expiration Date
4/01/2025

Owner: COYNE, WILLIAM J.

Applicant: COYNE, WILLIAM J.

Location of Work: 8 SPRUCE ST
(No. and Street) (Unit or Building)

Description of Work: Renovation and finished basement.
Elec. 2024-01101
Plumb 2024-01125

ZONING DATA: District: Map\Lot: 197-177-000

CONTRACTOR: Owner

REMARKS:

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

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

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

INSPECTION APPROVALS

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

Permit Holder: COYNE, WILLIAM J.

(Taking Responsibility for the Work)

Company/Affiliation: Owner

Job Site Phone Number:

Constr Cost: \$80,000 **Permit Fee:** \$211.20 **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.

Raymond Abair
Code Official

Permit Holder

10/03/2024
Date



Town of Hudson, NH
Building Permit

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

Permit Number

2024-01188

Date of Issue

10/17/2024

Expiration Date

4/15/2025

Owner: COYNE, WILLIAM J.

Applicant: COYNE, WILLIAM J.

Location of Work: 8 SPRUCE ST
(No. and Street)

(Unit or Building)

Description of Work: New front deck 8' x 6'

ZONING DATA: District: TR

Map\Lot: 197-177-000

CONTRACTOR: Owner

REMARKS:

DECK PERMIT

- All work shall conform to the currently adopted State Building code and State Fire Code
- 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 shall be retained on the job site.
- When applicable, Separate permits are required for electrical work
- Work shall be started within 6(six) months from the date of permit issuance.
- Pier depths shall be dug to at least 48" deep or pinned to ledge.
- Hold down tension devices are required to be installed per code and will need to be visible for inspection

INSPECTION APPROVALS

Pier Depth	_____ / _____	Date	_____
Framing	_____ / _____	Date	_____
Final	_____ / _____	Date	_____
Other	_____ / _____	Date	_____

Permit Holder: COYNE, WILLIAM J.

(Taking Responsibility for the Work)

Company/Affiliation: Owner

Job Site Phone Number:

Constr Cost:	\$3,000	Permit Fee:	\$40.00	Check No.: +	Cash:	\$0.00
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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.

Raymond Abair
Code Official

Permit Holder

10/17/2024
Date



Town of Hudson, NH
Building Permit

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

Permit Number

2024-01203

Date of Issue

10/17/2024

Expiration Date

4/15/2025

Owner: COYNE, WILLIAM J.

Applicant: COYNE, WILLIAM J.

Location of Work: 8 SPRUCE ST
(No. and Street) (Unit or Building)

Description of Work: Back deck 10' x 10'.

ZONING DATA: District: TR Map\Lot: 197-177-000

REMARKS:

DECK PERMIT

- All work shall conform to the currently adopted State Building code and State Fire Code
- 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.
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- Hold down tension devices are required to be installed per code and will need to be visible for inspection

INSPECTION APPROVALS

Pier Depth	_____ / _____	Date	_____
Framing	_____ / _____	Date	_____
Final	_____ / _____	Date	_____
Other	_____ / _____	Date	_____

Permit Holder: COYNE, WILLIAM J.

(Taking Responsibility for the Work)

Company/Affiliation: Owner

Job Site Phone Number:

Constr Cost:	\$3,000	Permit Fee:	\$40.00	Check No.:	Cash:	\$0.00
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The Permit Card Shall be Posted and Visible From the Street During Construction

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Raymond Abair
Code Official

Permit Holder

10/17/2024
Date



D

TOWN OF HUDSON

Land Use Division



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

Zoning Determination 24-090 Building Permit Denial #2024-01188

October 15, 2024

Sent by 1st Class Mail

William Coyne
8 Spruce St
Hudson, NH 03051

Re: **8 Spruce St, Map 197 Lot 177-000**
District: Town Residence (TR)

Dear Mr. Coyne


Zoning Review / Determination:

After reviewing your building permit #2024-01188 for the 6'x8 front porch I had to deny your building permit. The new porch is being constructed within the front setback. Your parcel is an existing non-conforming. The lot is 13,068 sq. ft. where 10,000. ft. is required. The new porch is being constructed in the 30' front yard setback. The construction of the porch would expand the existing non-conforming structure.

Expanding the size of the front porch would require a **variance from HZO §334-31A Alteration and Expansion of Nonconforming Structures**. "A non-conforming structure may not be altered or expanded, except by variance."

Please Note: To be able to apply for a variance you will need to obtain a certified plot plan from a land surveyor licensed in New Hampshire.

Sincerely,


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

Cc:
Public Folder
Brooke Dubowik (Planning Admin. Aide)
Inspectional Services
File

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



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

REQUEST FOR REVIEW/COMMENTS:

Case: 197-177 (03-27-25) **(VARIANCE)**

Property Location: 8 Spruce Street

For Town Use

Plan Routing Date: 03/04/2025 Reply requested by: 03/10/2025 ZBA Hearing Date: 03/27/2025

☒ I have no comments ☐ I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 03/04/2025
(Initials)

DEPT. ☒ Town Engineer ☐ Fire/Health Department ☐ Associate Town Planner

F

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

REQUEST FOR REVIEW/COMMENTS:

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Property Location: 8 Spruce Street

For Town Use

Plan Routing Date: 03/04/2025 Reply requested by: 03/10/2025 ZBA Hearing Date: 03/27/2025

☒ I have no comments ☐ I have comments (see below)

DRH Name: David R Hebert Date: 03/04/2025
(Initials)

DEPT: ☐ Town Engineer ☒ Fire/Health Department ☐ Associate Town Planner

G

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

REQUEST FOR REVIEW/COMMENTS:

Case: 197-177 (03-27-25) **(VARIANCE)**

Property Location: 8 Spruce Street

For Town Use

Plan Routing Date: 03/04/2025 Reply requested by: 03/10/2025 ZBA Hearing Date: 03/27/2025

☒ I have no comments ☐ I have comments (see below)

BWG _____ Name: Benjamin Witham-Gradert Date: 03/05/2025
(Initials)

DEPT: ☐ Town Engineer ☐ Fire/Health Department ☒ Associate Town Planner

**HUDSON ZONING BOARD OF ADJUSTMENT
Variance Decision Work Sheet (Rev 4-17-23)**

On **03/27/2025**, the Zoning Board of Adjustment heard **Case 197-177**, being a case brought by **William J. Coyne, 22 Fairway View Lane, Norton, MA** requesting a **Variance** for **8 Spruce Street, Hudson, NH** to reconstruct & expand a previous approx. 4 ft. x 5 ft. front stair structure to a current 6 ft. x 8 ft. deck where a nonconforming structure may not be altered or expanded, except by variance. The new deck encroaches the front yard setback 2.5 feet leaving 27.5 feet where 30 feet is required. [Map 197, Lot 177, Sublot-000; Zoned Town Residence (TR); HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements.]

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

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

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

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

Y	N	4. The proposed use will not diminish the values of surrounding properties.
<hr/>		
<hr/>		

(Continue-next page-Hardship Criteria)

**HUDSON ZONING BOARD OF ADJUSTMENT
Variance Decision Work Sheet (Rev 4-17-23)**

(Continued)

Y
N
N/A

5.

A. The Applicant established that literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. "Unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

(1) No fair and substantial relationship exist between the general public purposes of the ordinance provision and the specific application of that provision to the property; **and**

(2) The proposed use is a reasonable one.

Y
N

B. Alternatively, if the criteria above (5.A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Member Decision: _____

Signed: _____

Sitting member of the Hudson ZBA

_____ Date

Print name: _____

Stipulations: _____

APPLICATION FOR A VARIANCE

MAR 03 2025
LAND USE DIVISION
ZONING DEPT.

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 197-177(03-27-25)

Date Filed 3/3/25

Name of Applicant William S Payne Map: 1A3 Lot: 147 Zoning District: TR

Telephone Number (Home) 508 638-8722 (Work) 508 638-8722

Mailing Address 22 Fairway View Lane Norwot Mass 02766

Owner William S Payne

Location of Property 8 Spruce St Hudson New Hampshire
(Street Address)

William S Payne
Signature of Applicant

Feb 26th 2025
Date

William S Payne
Signature of Property-Owner(s)

Feb 26th 2025
Date

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

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

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

Date received: 3/3/25

COST:

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

Abutter Notice:

10 Direct Abutters x Certified postage rate \$ 5.58 = \$ 55.80

13 Indirect Abutters x First Class postage rate \$ 0.73 = \$ 9.49

Total amount due: \$ 250.29

Amt. received: \$ 250.29

Receipt No.: 810,623

Received by: (TSG)

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

Visa
CC

TOWN OF HUDSON, NH

Variance Application Checklist

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

Applicant Initials		Staff Initials
<u>WC</u>	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>CJS</u>
<u>WC</u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TB</u> <u>3/3/25</u>
<u>WC</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>CJS</u>
<u>WC</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>CWJ</u>
<u>WC</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>CJS</u>
<u>WC</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>CJ</u>
<u>WC</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>CJS</u>
<u>WC</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>AS</u>
<u>W/A</u>	If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or N (circle one). If yes, submit an application to the Planning Board.	<u>NA</u>

CERTIFIED PLOT PLAN:

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

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

- | | | |
|--------------|---|------------|
| a) <u>vc</u> | The plot plan shall be drawn to scale on an 8 ½" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan. | <u>CJS</u> |
| b) <u>✓</u> | The plot plan shall be up-to date and dated, and shall be no more than three years old. | <u>CJS</u> |
| c) <u>✓</u> | The plot plan shall have the signature and the name of the preparer, with his/her/their seal. | <u>CJS</u> |
| d) <u>✓</u> | The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property.
(NOTE: A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use) | <u>CJS</u> |
| e) <u>✓</u> | The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.) | <u>CJS</u> |
| f) <u>✓</u> | The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments. | <u>CJS</u> |
| g) <u>✓</u> | The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments. | <u>CJS</u> |
| h) <u>✓</u> | The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance. | <u>CJS</u> |
| i) <u>✓</u> | The plot plan shall indicate all parking spaces and lanes, with dimensions. | <u>CJS</u> |

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

Will J. Gagnier
Signature of Applicant(s)

27 Feb 2025
Date

Will J. Gagnier
Signature of Property Owner(s)

27 Feb 2025
Date

ALL DIRECT ABUTTERS

List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For abutting properties being under a condominium or other collective form of ownership, list the mailing address of the officers of the collective or association only. If at the time of your hearing, any applicable property owner is found not to have been notified because your lists are incorrect or incomplete, the Zoning Board will defer your hearing to a later date following notification of such abutters.

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
		<i>*Include Applicant & Owner(s)</i> DAVID B THOMPSON	
197-170-000		FAYE PLAMONDON	11 SPRUCE ST Hudson
197-171-000		Maurice P Arson	9 SPRUCE ST Hudson
		John J CATANZARO	
197-172-000		MARY ANN Palanzaro	7 SPRUCE ST Hudson
		MICHAEL A BUELETTE	
197-173-000		TAMMY A BUELETTE	5 Spruce st Hudson
		Richard L Garland	
197-174-000		Raymond C Garland	3 SPRUCE ST Hudson
		CONSTANCE J PLAMONDON	
197-176-000		PLAMONDON Family Trust	6 SPRUCE ST Hudson
		LORIELLEN TR GRANDE	
197-178-000		Duchewse Two family Trust	10 Spruce st Hudson
		Scott D Purcell	
197-187-001		Cassandra Purcell	10 Linden st Hudson
		Kevin P Colburn	
197-187-002		Kristine V Colburn	12 Linden st Hudson
<i>76</i> 197	177-000	William J. Coyne (owner)	22 Fairway View Lane Norton, MA 02766-1147
"	"	"	8 Spruce st. Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
197-147-000		WILLIAM J SQUEGLIA 4 Hemlock St	4 Hemlock St Hudson
197-148-000		BRENDA A BARTEAU	6 Hemlock St Hudson
197-149-000		DAVID PATSOS MICHAEL PATSOS	8 Hemlock St Hudson
197-150-000		MARY ANN JENKINS LAURANCE J JENKINS	10 Hemlock St Hudson
197-151-000		Stephen W Rogers Wancy C Rogers	12 Hemlock St Hudson
197-175-000		John E BOYARDON Alicia A BOYARDON	4 Spruce St Hudson
197-179-000		Jose m Mansinho ADELIA m MANSINHO	12 Spruce St Hudson
197-186-001		Phillip A Pitsios Mary Ann Pitsios	6 Linden St Hudson
197-186-002		Lee D MITCHELL THERESA m LEE	8 Linden St Hudson
197-188-001		Anthony L Volis Roberly m Volis	13 Linden St Hudson
197-188-002		David E Manning	9 Linden St Hudson
197-190-001		Kevin Cannon KEVIN KERRIE GRULLA	5 Linden St Hudson
197-190-002		Richard P METIVIER Robin A METIVIER	7 Linden St Hudson

USPS-Verified Mail

SENDER:		US POSTAL SERVICE - CERTIFIED MAIL	Case# 197-177 VARIANCE 8 Spruce Street., Hudson, NH 03051 Map 197, Lot 177, Sublot-000 (1 of 1)
TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		Name of Addressee, Street, and post office address	03/27/2025 ZBA Meeting
1	ARTICLE NUMBER 9589 0710 5270 2409 0630 10	COYNE, WILLIAM J. 8 SPRUCE STREET, HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	Mailed first class (courtesy)	COYNE, WILLIAM J. 22 FAIRWAY VIEW LANE, NORTON, MA 02766-1147	APPLICANT/OWNER NOTICE MAILED
3	9589 0710 5270 2409 0630 27	THOMPSON, DAVID B.; THOMPSON, FAYE PLAMONDON 11 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 2409 0630 34	ANSON, MAUREEN P. TRUSTEE 9 SPRUCE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	9589 0710 5270 2409 0630 41	CATANZARO, JOHN J.; CATANZARO, MARYANN 7 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	9589 0710 5270 2409 0630 58	OUELLETTE, MICHAEL A. SR., TR.; OUELLETTE, TAMMY A., TR. 5 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	9589 0710 5270 2409 0630 65	GARLAND, RICHARD L.; GARLAND, RAYANNE C. 3 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	9589 0710 5270 2409 0630 72	PLAMONDON, CONSTANCE I., TR.; PLAMONDON FAMILY REV TRUST 6 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	9589 0710 5270 2409 0630 89	GRANDE, LORIELLEN, TR.; DUCHESNE TWO FAMILY TRUST 10 SPRUCE ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	9589 0710 5270 2409 0630 96	PURCELL, SCOTT D.; PURCELL, CASSANDRA 10 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
11	9589 0710 5270 2409 0630 02	COLBURN, KEVIN P., TR.; COLBURN, KRISTINE V.H., TR. 12 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
Total Number of pieces listed by sender 11		Total number of pieces rec'd at Post Office	Postmaster (receiving Employee)

USPS-First Class Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE CLASS MAIL	Case# 197-177 VARIANCE 8 Spruce Street., Hudson, NH 03051 Map 197, Lot 177, Sublot-000 (1 of 1)
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	03/27/2025 ZBA Meeting
1	Mailed First Class	SQUEGLIA, WILLIAM J. 4 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	BARITEAU, BRENDA A. 6 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	Mailed First Class	PATSOS, DAVID; PATSOS, MICHAEL 8 HEMLOCK ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	Mailed First Class	JENKINS, MARY ANN; JENKINS, LAWRENCE J. 10 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	Mailed First Class	ROGERS, STEPHEN W.; ROGERS, NANCY C. 12 HEMLOCK STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	Mailed First Class	BOURDON, JOHN E.; BOURDON, ALICIA A. 4 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	Mailed First Class	MANSINHO, JOSE M.; MANSINHO, ADELIA M. 12 SPRUCE STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	Mailed First Class	PITSIOS, PHILLIP A.; PITSIOS, MARY ANN 6 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	LEE, DIMITRI; LEE, THERESA M. 8 LINDEN ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	VOLIS, ANTHONY L.; VOLIS, ROBERTA M. 13 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
11	Mailed First Class	MANNING, DAVID E. 9 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
12	Mailed First Class	CANNON, KEVIN; GRELLA, KERRIE 5 LINDEN ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
13	Mailed First Class	METIVIER, RICHARD P., LF ESTATE; METIVIER, ROBIN A. 7 LINDEN STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
	Total Number of pieces listed by sender 13	Total number of pieces rec'd at Post Office 13	Postmaster (receiving Employee)



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

March 14, 2025

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, March 27, 2025 starting at 7:00 P.M.** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH. Please enter by the ramp entrance at right side.

Case 197-177 (03-27-25): William J. Coyne, 22 Fairway View Lane, Norton, MA requests a Variance for 8 Spruce Street, Hudson, NH to reconstruct & expand a previous approx. 4 ft. x 5 ft. front stair structure to a current 6 ft. x 8 ft. deck where a nonconforming structure may not be altered or expanded, except by variance. The new deck encroaches the front yard setback 2.5 feet leaving 27.5 feet where 30 feet is required. [Map 197, Lot 177, Sublot-000; Zoned Town Residence (TR); HZO Article VIII: Nonconforming Uses, Structures and Lots; §334-31 A., Alteration and expansion of nonconforming structures and 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,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

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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 to provide 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 Chris Sullivan, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: csullivan@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 or in the Land Use Department located at the Hudson Town Hall.

Respectfully,

Chris Sullivan
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article VIII, VII of HZO Section(s) ~~334-31~~, 334-27 in order to permit the following:

Requesting the front deck to be widened from the current size to 6^{ft} from front door and 8' wide materials will be composite lumber. The wider width will enhance the visibility and safety of the front entry.

FACTS SUPPORTING THIS REQUEST:

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

I.(a) "The Zoning Board of Adjustment shall have the power to:

(2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:

- (A) The variance will not be contrary to the public interest;
- (B) The spirit of the ordinance is observed;
- (C) Substantial justice is done;
- (D) The values of surrounding properties are not diminished; and
- (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

(b)(1) For purposes of this subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (A) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
- (B) The proposed use is a reasonable one.

(2) If the criteria in subparagraph (1) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

(3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

FACTS SUPPORTING THIS REQUEST:

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

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

INCREASING THE SAFETY OF THE DECK WITHOUT CHANGING
THE CHARACTER OF THE NEIGHBORHOOD AND THE HOUSE

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.”)

NOT CHANGING THE DEPTH

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

THE WIDER DECK WILL ALLOW ~~BETTER~~ BETTER ACCESSIBILITY
FOR A MOBILITY CHALLENGED RESIDENT WITH ANY
AMBULATORY CARE

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

THE UPDATED CURB APPEAL HELPS THE LOOK OF THE
NEIGHBORHOOD WHICH WILL INCREASE HOME VALUES

FACTS SUPPORTING THIS REQUEST: (Continued)

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

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

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

THE DECK WIDTH WOULD MAKE IT EXTREMELY HARD
FOR AN OLDER PERSON TO GET IN AND OUT OF HOUSE
OLD DECK WAS ALL ROTTEN WOOD AND CRACKED
AND HAS SUNK INTO GROUND

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

THE WIDTH OF PROPOSED DECK WILL MAKE
FOR A SAFER USABLE SPACE

- 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.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination 24-090 Building Permit Denial #2024-01188

October 15, 2024

Sent by 1st Class Mail

William Coyne
8 Spruce St
Hudson, NH 03051

Re: 8 Spruce St. Map 197 Lot 177-000
District: Town Residence (TR)

Dear Mr. Coyne

Zoning Review and Determination

After reviewing your building permit # 2024-01188 for the 6x8 front porch I had to deny your building permit. The new porch is being constructed within the front setback. Your parcel is an existing non-conforming. The lot is 13,068 sq. ft. where 10,000. sq. ft. is required. The new porch is being constructed in the 30' front yard setback. The construction of the porch would expand the existing non-conforming structure.

Expanding the size of the front porch would require a variance from **HZO Article VIII §334-31 Alteration and Expansion of Nonconforming Structures**. A non-conforming structure may not be altered or expanded, except by variance."

Please Note: To be able to apply for a variance you will need to obtain a certified plot plan from a land surveyor licensed in New Hampshire'.

Sincerely,

Chris Sullivan
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
csullivan@hudsonnh.gov
Cc:
Public Folder
Brooke Dubowik (Planning Admin.)
Inspectional Services
File

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

CURRENT OWNER			ASSESSING NEIGHBORHOOD		PREVIOUS ASSESSMENTS (HISTORY)						
COYNE, WILLIAM J. 8 SPRUCE ST HUDSON NH 03051	Nbhd	Nbhd Name	Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
	RE	Residential Average	2024	1010	199,600	2024	1010	199,600	2023	1010	199,600
	TOPO	UTILITIES		1010	128,200		1010	128,200		1010	128,200
	Level	Town Water									
		Town Sewer									
			Total		327,800	Total		327,800	Total		327,800

RECORD OF OWNERSHIP			BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY	
COYNE, WILLIAM J.			9762	2483	03-15-2024	U	I	200,000	81	Appraised Bldg. Value (Card)	179,600
ARMSTRONG, DONALD S.			2638	59	09-11-1978	Q	I	0	00		
										Appraised Xf (B) Value (Bldg)	20,000
										Appraised Ob (B) Value (Bldg)	0
										Appraised Land Value (Bldg)	128,200
										Special Land Value	0
										Total Appraised Parcel Value	327,800
										Valuation Method	C

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Special Land Value		0
Parcel ID	197-177-000	PREV 0045-0153-0000 Assoc Pid#	Descript	Code		Appraised	Assessed	Total Appraised Parcel Value	327,800
Zoning	TR:Town Residential		BLDG	1010		199,600	199,600	Valuation Method	C
Flood Hazard	C		LAND	1010		128,200	128,200		
Neigh/Abut1									
Neigh/Abut2									
Neigh/Abut3									
GIS ID	197-177-000				Total:	327,800	327,800	Total Appraised Parcel Value	327,800

NOTES				VISIT / CHANGE HISTORY			
6/19 EXT FAIR REMOVE PATIO=NV=COND				Date	Id	Cd	Purpost/Result
				07-11-2022	26	45	Field Review
				06-04-2019	19	02	Measured
				11-17-2011	14	02	Measured
				07-16-2007	10	03	Meas/Inspect
				01-09-2006	01	71	Acreage Adjustment From New Map
				02-26-2001	00	03	Meas/Inspect
				01-14-1991	02	14	Inspected

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments	
2024-01125	09-30-2024	PL		9,200	O	McGarvey Plumbing & Safeguard Electric		Plumbing for remodel Kitchen, bathroom and electrical for whole residence. w/o 18872547.	
2024-01101	09-24-2024	EL		18,000	O				

LAND LINE VALUATION SECTION																			
B #	Land Use Code	Description	Land Type	Land Units		Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment					Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	0.304	AC	170,000		2.48	5	1.00	RE	1.00						128,200	
Total Card Land Units:				0.304 AC		Parcel Total Land Area:				0.304		AC		Total Land Value:			128,200		
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.																			

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

Property Location: 8 SPRUCE ST
Vision ID: 6273 Account #: 5224

Parcel ID: 197/177/000/1
Bldg #: 1

Card Address:
Card #: 1 of 1

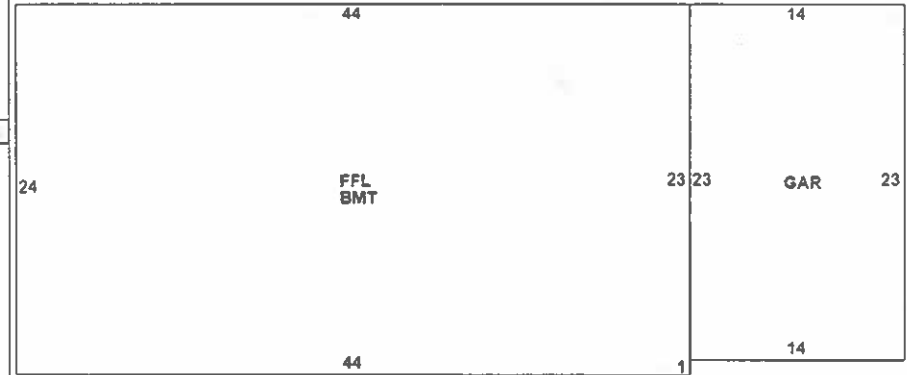
LUC: 1010
Print Date: 10/17/2024 8:11:50 A

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Model	01	Residential	Avg Ht/FL	8	
Stories:	1		Extra Kitchens	0	
Style:	01	Ranch	Add Kitchen Ra		
Grade:	C	Average			
(Liv) Units	1				
Exterior Wall 1	01	Wood Shingle			
Roof Structure	01	Gable			
Roof Cover	01	Asphalt Shingle			
Frame	01	Wood			
Foundation	01	Concrete			
Interior Wall 1	01	Drywall			
Interior Floor 1	04	Carpet			
Heat Fuel	02	Gas			
Heat Type	01	Forced Air			
# Heat Systems	1				
AC Percent	0				
Total Rooms	5				
Bedrooms	2				
Full Baths	1				
3/4 Baths	0				
Half Baths	0				
Extra Fixtures	0				
Kitchens	1				
Kitchen Rating	AV	Average			
Bath Rating	AV	Average			
Half Bath Rating					
Bsmt Garage	0				
Fireplace(s)	0				
Fireplace Rating					
WS Flues	0				
Color	BROWN				
Avg Ht/FL	8				
Extra Kitchens	0				

COST / MARKET VALUATION

Building Value New	256,616
Year Built	1962
Effective Year Built	1992
Depreciation Code	FR
Remodel Rating	
Year Remodeled	
Depreciation %	30
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	70
RCNLD	179,600
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

SKETCH / PRIMARY PHOTO



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd.	% G	Assd. Value
XFRM	Rec Room, Fin, BMT	B	634	SQ. FT	45.00	1962	AV	70	20,000

BUILDING SUB-AREA SUMMARY SECTION

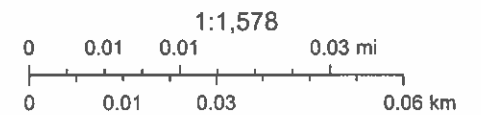
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	1,056	264	44.77	47,276
FFL	First Floor, Finished	1,056	1,056	1,056	179.08	189,104
GAR	Garage	0	322	113	62.84	20,236
Total Liv Area/Gr. Area/Eff Are		1,056	2,434	1,433	Total Value	256,616

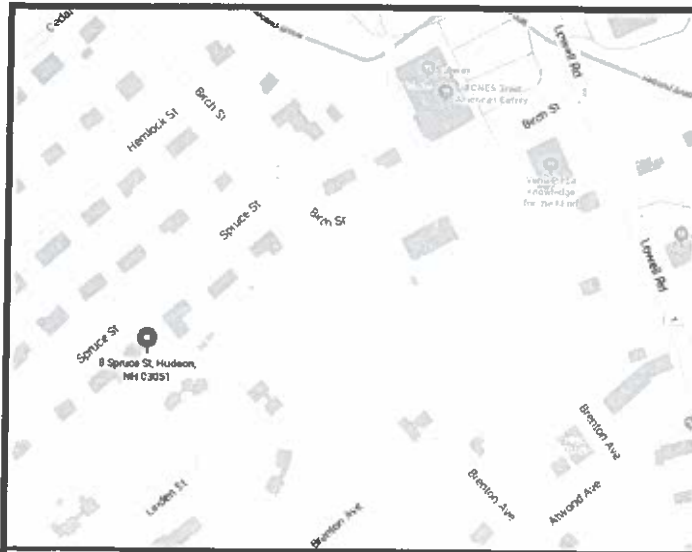


8 Spruce St

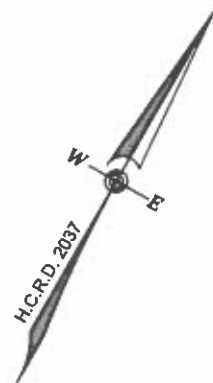


2/26/2025

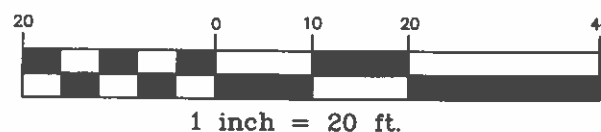
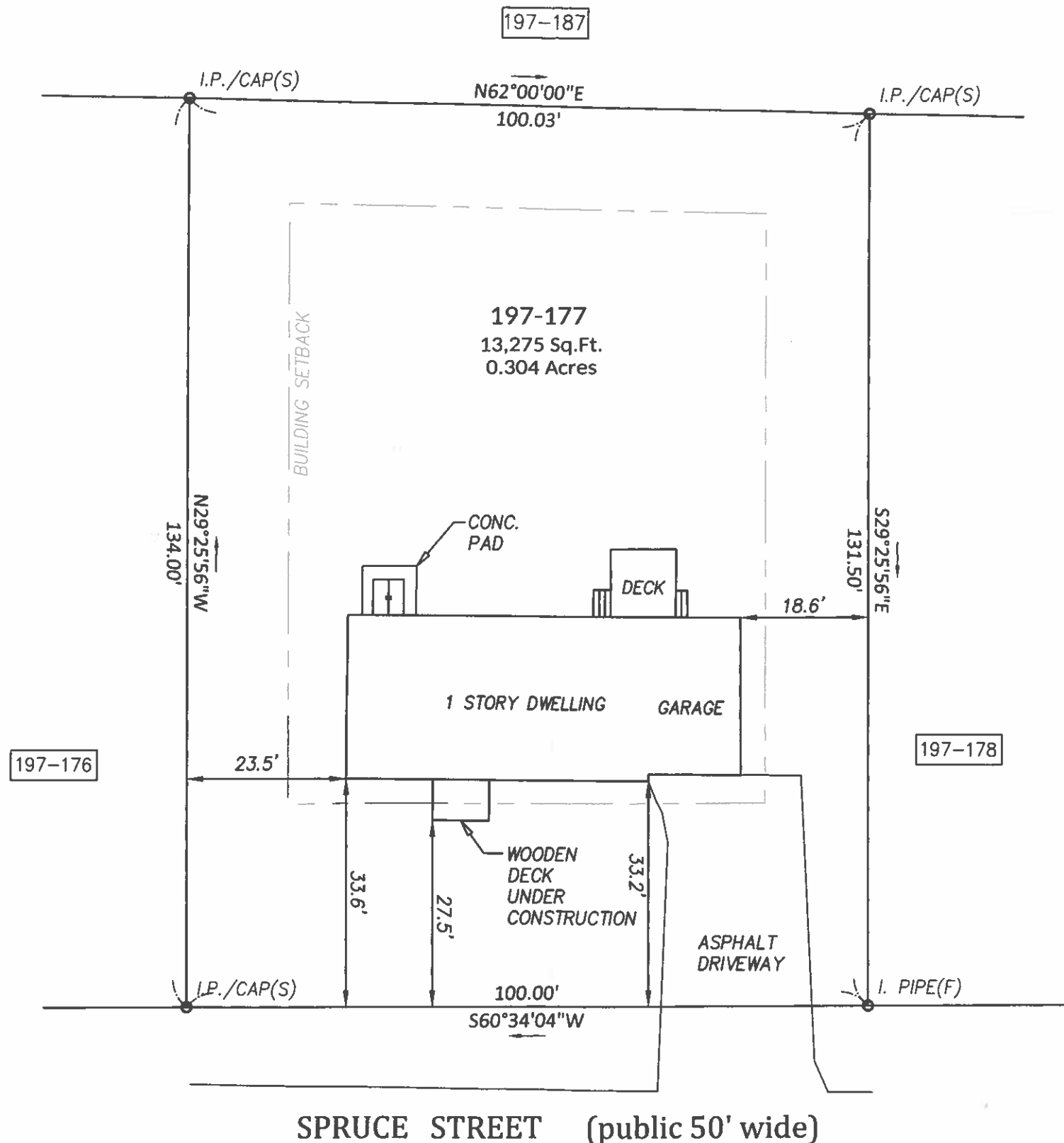
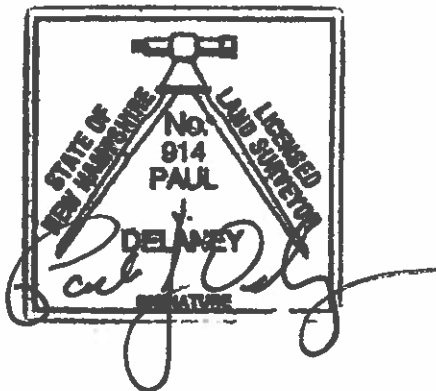




VICINITY MAP



I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED BY THIS OFFICE DURING DECEMBER, 2024 IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR REAL PROPERTY SURVEYS, CLASSIFICATION "U" - "URBAN SURVEY" SET FORTH IN ADMINISTRATIVE RULES LAN 502 & 503, ADOPTED 8/1/88 AMENDED 9/9/03 BY THE STATE OF NH UNDER RSA 310-A:58 AND 541-A.



NOTES:

1. SUBJECT PARCEL LOCATION:
8 SPRUCE STREET
HUDSON, NH
TAX MAP 197 LOT 177
2. RECORD OWNER:
WILLIAM COYNE
8 SPRUCE STREET
HUDSON, NH
3. HILLSBOROUGH COUNTY REGISTRY REFERENCES:
DEED BOOK: 9762 PAGE: 2483
PLAN NUMBER: 2037
4. THE PURPOSE OF THIS PLAN IS TO DEPICT THE LOCATION OF A WOODEN DECK AT THE FRONT ENTRANCE TO THE EXISTING DWELLING ON THE SUBJECT LOT.
5. ZONE: TOWN RESIDENTIAL
BUILDING SETBACKS:
FRONT: 30'
SIDE AND REAR: 15'
6. THE SUBJECT PARCEL IS NOT LOCATED IN A FLOOD HAZARD ZONE ACCORDING TO THE F.I.R.M. MAP FOR THE TOWN OF HUDSON, COUNTY OF HILLSBOROUGH MAP NO. 33011C0518D EFFECTIVE DATE OF 9/25/2009.

Certified Plot Plan

Tax Map 197 Lot 177



8 Spruce Street
Hudson, NH

MAR 03 2025

LAND USE DIVISION
ZONING DEPT.

prepared for

William Coyne
8 Spruce Street
Hudson, NH



www.gatecitysurvey.com

Gate City Survey

Land Surveying & Civil Engineering

1 Tara Boulevard - Suite 200 - Nashua, NH 03062 Tel: 603-882-4655

Project: 24530 Scale: 1" = 20' Date: 12/12/2024 SHEET: 1 OF 1

Printed
3/03/2025
1:35PM
Created
3/03/2025
1:23 PM

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

Receipt# 810,623
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application 3/27/25 ZBA Meeting 8 Spruce Street Map 197 Lot 177-000 Zone TR Variance Application	0.00	250.2900	0.00
			Total:	250.29

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
COYNE/WILLIAM	CREDIT	0582	250.29	0.00	250.29

Total Due:	250.29
Convenience Fee:	7.38
Total Tendered:	257.67
Total Change:	0.00
Net Paid:	257.67

SERVICE CHARGE NOTICE

Credit and Debit card payments are processed by Invoice Cloud. Invoice Cloud is a third-party payment provider, operating under an agreement with the Town of Hudson to process credit and debit card payment on your behalf.

You will be charged \$2.95 for any transaction total \$100.00 or less or a service fee of 2.95% of your total balance over \$100.00. The 2.95% service charge is added to your payment and will appear as a separate item on your credit card statement. The service charge is not a fee assessed by your institution. The Service Charge is not refundable, even if the payment to which it relates is cancelled, refunded, credited or charged back.

BY USING THIS SERVICE AND AGREE TO PAY THE SERVICE CHARGE.

SIGNED: Will J. Coyne DATE: Mar 3 2025 Type: MC Visa Amex

HUDSON ZONING BOARD OF ADJUSTMENT

REHEARING REQUEST WORKSHEET

Per RSA 677:2. Motion for Rehearing of Board of Adjustment...

Within 30 days after any order or decision of the zoning board of adjustment... any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing in respect to any matter determined in the action or proceeding, or covered or included in the order, specifying in the motion for rehearing the ground therefor; and the board of adjustment...may grant such rehearing if in its opinion good reason therefor is stated in the motion...

Per RSA 677:3.II. Rehearing by Board of Adjustment...

Upon the filing of a motion for a rehearing, the board of adjustment...shall within 30 days either grant or deny the application, or suspend the order or decision complained of pending further consideration...

On 03/27/2025, the Hudson Zoning Board of Adjustment received a **Rehearing Request** for **Case 245-012**, brought by Bradford Baker Sr., 23 Fairway Drive, Hudson, NH by and through its counsel, Gottesman & Hollis, P.A requests a **rehearing of an Equitable Waiver of Dimensional Requirement**, a request which was denied on 01/23/2025 by the Zoning Board of Adjustment. The request was to allow a newly built detached 41.3 ft. x 39.6 ft. metal garage on a cast-in-place concrete foundation to remain which encroaches both the side and front yard setbacks leaving 13 feet and 22.3 feet respectively where 15 feet and 30 feet are required. [Map 245, Lot 012, Sublot-000; Zoned Residential-One (R-1); HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements and NH RSA 674:33-a.I., Equitable Waiver of Dimensional Requirement.]

Members sitting on the Zoning Board of Adjustment for this Request for Rehearing are to vote to determine if any below applies (more than one may apply):

Y N The applicant presented new evidence not available at the first hearing.
(Does the request for rehearing contain any new information not presented
or available to the Board at the original Public Hearing?) Please explain.

AND/OR,

Y N The Zoning Board of Adjustment made an error in law, or was unlawful,
or unreasonable in making their previous decision regarding this case.
(Did the Board fail to completely address each of the points of law required
for the Special Exception and/or Variance?) Please explain.

AND/OR,

Y N There was a procedural error. This includes improper notice, denying
someone the right to be heard, etc. Please explain.

AND/OR,

Y N Good reason is stated in the applicant's Motion. Please explain.

Motion for Rehearing is (select one): **Granted** _____ **Denied** _____

Signed: _____ Date: _____
 Sitting Member of the Hudson ZBA

Print name: _____

APPLICATION FOR A REQUEST FOR A REHEARING

TOWN OF HUDSON
New Hampshire
03051

FEB 21 2025
LAND USE DIVISION
ZONING DEPT.

Zoning Board of Adjustment
Town of Hudson

Case No. 245-012

Date of Hearing 01-23-2025

Location of Property 23 Fairway Drive, Hudson, NH 03051 Map: 245 Lot: 12

Applicant Bradford M Baker Sr.

Telephone Number (Home) 6178956144 (Work) _____

Mailing Address 23 Fairway Drive, Hudson, NH 03051



Signature of Applicant

2-21-2025

Date

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

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

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

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

Received by: TSG

Date: 2/21/25

REQUEST FOR A REHEARING

Please indicate your reasons to support your request for a rehearing below or you may submit a letter to the Zoning Board of Adjustments setting forth the grounds on which it is claimed the decision is unlawful or unreasonable. Your reasons should show new evidence not available at the first hearing or show that the Zoning Board of Adjustment made an error in law in making their previous decision regarding this case. (Use additional copies of this page if necessary)

1. See attached letter

2.

3.

4.

5.

BRADFORD BAKER, SR.
23 FAIRWAY DR.
HUDSON, NH 03051

February 21, 2025

Via hand-delivery

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

Dear Chairman,

I, Bradford Baker, Sr., hereby authorize Gottesman & Hollis, P.A. to represent me, owner of 23 Fairway Dr. Hudson, NH in my application for rehearing of denied equitable waivers and the presentation to the Zoning Board of Adjustment thereof.

Thank you,


Bradford Baker, Sr.

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

Application for Equitable Waiver for 23 Fairway Dr. Hudson
Case #245-012
Case Decided January 23, 2025

January 21, 2025

**REQUEST AND MOTION FOR RECONSIDERATION AND REHEARING
PURSUANT TO NH RSA 677:2**

NOW COMES, Bradford Baker Sr. (the “Applicant”), by and through his attorneys, Gottesman & Hollis P.A., request reconsideration and a rehearing of the above-captioned case involving an equitable waiver of dimensional requirements to allow garage and concrete pad to remain in the front yard setback with 22.3 feet where 30 feet is required and in the side yard setback with 13 feet where 15 feet is required (collectively the “Equitable Waiver”), and in support thereof, state as follows:

1. The Equitable Waiver was presented to the Zoning Board of Adjustment of the Town of Hudson (the “Board”) at its meeting on January 23, 2025, at which time the Board voted to deny the Equitable Waiver.
2. The Board voted 3-1 to deny the Equitable Waiver.
3. After significant public testimony, the Board deliberated; and found that “it was not found too late”, “it was not an innocent mistake” and “it is a nuisance to the neighborhood” and “that there is a high correction cost”.
4. The Board found as facts that “it was installed without a building permit”, “there was a failure to inquire” and that “it is too close to the street”
5. The decision to deny the Equitable Waiver was unlawful and unreasonable as follows:
 - a. The vote was 3-1 whereby the Board determined the Applicant did not satisfy all four of the statutory criteria for granting an equitable waiver under NH RSA 674:33-a.
 - b. The minutes of the Board’s deliberation state that “it was not found too late” as it was “installed without a building permit”, “it was not an innocent mistake” “there was a failure to inquire” and “it is a nuisance to the neighborhood” “it is too close to the street”.

- c. NH RSA 674:33-a sets forth the criteria that the Board must find to grant an equitable waiver. NH RSA 674:33-a, I(a) states as follows “that the violation was not noticed or discovered by an owner... municipal official, until after a structure in violation has been substantially completed...” See *Dietz v. Town of Tuftonboro*, 171 N.H. 614 (2019). In this instance, the violation of the encroachment was not found until the foundation pad was completed and the anchors and building arches had been erected. According to the International Building Code, the definition of substantially complete is the stage in construction where work is sufficiently finished to allow the owner to occupy or utilize the building for its intended purpose. In this case, the outstanding work is to install the doors and finishing touches, but the Applicant is currently storing vehicles and materials out of the weather, as its intended purpose. While the Applicant incorrectly proceeded with the construction of the structure prior to the Town’s requirement of a certified plot plan; the issue here is not the structure itself, but rather that approximately 151 square feet (73 sf in the front and 151 sf along the side) of the overall 1,521 square feet of the structure is within the setbacks. This encroachment, was in fact discovered after the Applicant obtained a certified plot plan and realized that the contractor did not follow the surveyed pins correctly, but such realization was after the structure was substantially complete. The Board did not find any facts contrary as to this criteria, other than stating “it was not discovered too late” and “would have been discovered sooner if the process had been followed”. The Board incorrectly emphasized when the mistake “could” have been discovered rather than when it was actually discovered which was after the foundation was poured and the structure had been erected. Even if the structure had not been erected, the foundation had been poured and the Applicant would have come to the Board for the same relief, as the cost to remediate even just the foundation is significant. The Applicant provided sufficient explanation as to the timing of the discovery of the encroachment to the Board at the time of the hearing.
- d. Pursuant to NH RSA 674:33-a, I(b), the second requirement for an equitable waiver is “that the violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation or bad faith on part of any owner, owner’s agent or representation, but rather a good faith error in measurement or calculation made by an owner or owner’s agent...” (emphasis added). *Dietz v. Town of Tuftonboro*, 171 N.H. 614 (2019). The law requires the Applicant show that a good faith error in measurement or calculation. *Id.* The Applicant hired a surveyor to layout the location of the structure to comply with the Town of Hudson Zoning requirements. However, the contractor misread the pins and poured the foundation in the incorrect location as shown on the certified plot plan. The Applicant hired professionals to ensure that the measurements were correct; however, there was a mistake in the reading of the pins which lead to the structure encroaching in the setbacks. While the side of the structure is encroaching along the side yard setback, it seems the testimony of the Board and neighbors was more concerned with the

front yard encroachment. However, the structure and foundation are not constructed square to the street, the entire front of the structure is not encroaching in the front yard setback; only an area of approximately 73 square feet is in the front yard setback (see the attached highlighted certified plot plan attached hereto as **Exhibit A**). During the hearing there was significant testimony that the Board and neighbors thought the structure is too close to the road, but there was no clarification that only a small portion of the front of the structure is located in the setback. During its deliberations, the Board stated “it was installed without a building permit and there was a failure to inquire” but did not find any facts as to why this was not a mistake in calculation. While the Applicant accepted at the hearing that he did not obtain the second portion of the building permit prior to the erection of the arches, the foundation had already been poured pursuant to a lawful permit and the result is the same, an encroachment within the setback due to a contractor’s error with significant costs to the Application to remediate. The Applicant provided testimony that the location of the structure was a miscalculation by the contractor, that it was not ignorance of the law, failure to inquire or a bad faith failure to obey the setback requirements of the Town of Hudson.

- e. The third criteria of an equitable waiver is “the 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”. *Dietz v. Town of Tuftonboro*, 171 N.H. 614 (2019). In the minutes of the Board’s deliberations there is no findings of nuisance. The minutes simply state “it is a nuisance to the neighborhood”, “it is a nuisance to the immediate neighbors and is too close to the street”; however, there is no finding of fact describing the encroachments as a nuisance nor an explanation as to why the encroachment would diminish the value of other property in the area. The Town of Hudson Zoning Ordinance defines Public Nuisance as “any use that may endanger health, safety, peace or enjoyment of the community or a neighborhood due to the emission of smoke, fumes, particulates, noise, vibration, radiation, visual blight or any other condition”. The NH Supreme Court has held that “a private nuisance exists when an activity substantially and unreasonably interferes with the use and enjoyment of another’s property. To constitute a nuisance ... activity must cause harm that exceeds the customary interferences a land user suffers in an organized society, and be an appreciable and tangible interference with a property interest.... Thus, ... needed to allege sufficient facts to demonstrate that the Town substantially and unreasonably interfered with the use and enjoyment of their property.” See *Morrissey v. Town of Lyme*, 162 N.H. 777 (2011). A garage is a permitted use in the zone, a permitted use with a total of 151 square feet of encroachment does not rise to the level of a public or private nuisance. During the hearing the Board asked staff the purpose of setbacks, to which it was stated “to allow access to backyards and that there is separation between neighbors”. The location of the garage allows sufficient access to the backyard of the property and leaves

space between the neighbors. Further, the Application is working with an engineer and can provide evidence that the encroachment does not impact the safety or site distances on the road. There is no evidence in the record to support the finding that the encroachment endangers health, safety, peace and enjoyment of the community or neighborhood due to any emissions; further, the encroachment does not substantially and unreasonably interfere with the use and enjoyment of others use of their property. Furthermore, attached hereto as **Exhibit B** is a letter from J. Chet Rogers, LLC detailing why the encroachments do not rise to the level of nuisance nor would there be a diminishment of value of the surrounding property.

- f. Finally, the last criteria for an equitable wavier is that 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. *Dietz v. Town of Tuftonboro*, 171 N.H. 614 (2019). The Board found in favor of the Applicant that there would be a high cost of correction.
6. The decision of the Zoning Board of Adjustment of the Town of Hudson as to the Equitable Waivers was unlawful, unjust, unreasonable and contrary to the evidence submitted of record.
7. The Zoning Board of Adjustment should grant a rehearing for the purpose of consideration of the application under the proper criteria as outlined in this request.

WHEREFORE, the Applicant requests that the Zoning Board of Adjustment reconsider its decisions of January 23, 2025, in the within captioned matter and grant the within motion for rehearing and schedule a new hearing on this matter at its earliest opportunity.

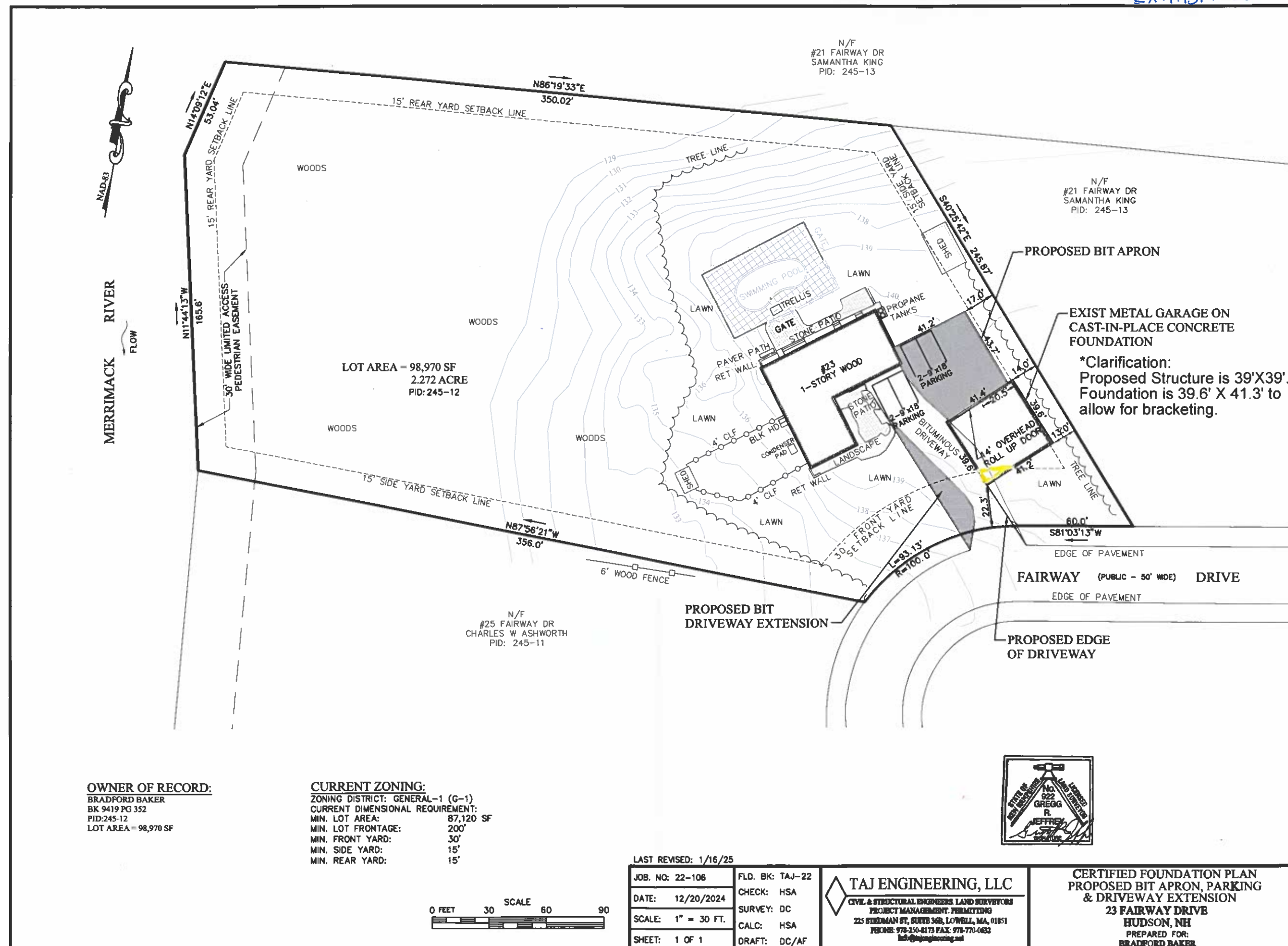
Respectfully submitted,

Bradford Baker, Sr.
By and through his attorneys,

GOTTESMAN & HOLLIS P.A.

Dated: February 21, 2025

By: /s/ Elizabeth M. Hartigan
Elizabeth M. Hartigan
39 East Pearl Street
Nashua, NH 03060
Direct Dial: (603) 318-0449
Main Number: (603) 889-5959 ext. 205
Email: ehartigan@nh-lawyers.com
NH Bar #268484



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Maine Certified General-MECG-2590
Massachusetts Certified General-MACG-103344
www.chetrogers.com www.conservationappraisal.com

Tel: (603) 722-0663
Fax: (603) 546-7776
Email: chet@chetrogers.com

February 20, 2025

Elizabeth Hartigan, Esquire
Gottesman & Hollis, PA
39 East Pearl Street
Nashua, NH 03060

RE: 23 Fairway Drive, Hudson, New Hampshire

Dear Attorney Hartigan:

In response to your recent request, I am pleased to submit my analysis with regards to the above captioned property for a request for rehearing on a denied equitable waiver to allow a newly built detached 41.3 foot by 39.6 foot metal garage on a cast-in-place concrete foundation to remain which encroaches on both the side and front yard setbacks.

I have not performed any services regarding the Subject property within the past three years, as an appraiser or in any other capacity.

The site and abutting sites were inspected and photographed on February 18, 2025. I have reviewed and analyzed the January 23, 2025, Zoning Board information packet with associated documentation, draft minutes of said meeting, the Hudson zoning ordinance, and MLS records. With exception of the industrial property behind the Subject property, surrounding properties consist entirely of residential uses.

Background:

Subject parcel is an irregularly-shaped lot identified on Hudson Tax Map 245 Lot 12 Sublot 0, situated on 2.28 acres with frontage on the north side of Fairway Drive, with improvements thereon (i.e., one-story, ranch-style, single-family residence with swimming pool and two sheds). Subject site is situated in the Residential 1 (R-1) zone. The owner proposed constructing a 39 foot by 41 foot detached garage, and a Building Permit was issued on October 19, 2023 for a foundation only (i.e., garage pad).¹ The owner's proposed plan was allowed by right, and it met all zoning requirements including accessory use as a garage and minimum dimensional requirements.

¹ Permit #: 2023-00728-1-FD

Town officials report that said Foundation Only Permit is classified as “Active” and no other permits have been issued for the property. Inspectional Services/Fire Department said that the structure (i.e., metal frame) was built without a Building Permit, and noted a certified foundation plan is required prior to the issuance of a Building Permit. Following construction of the garage pad, the owner was notified that the location of the foundation encroaches into the side yard setback leaving 13 feet where 15 feet is required, and it encroaches into the front yard setback leaving 22 feet where 30 feet is required. Additionally, an order was issued to the owner to make changes to the design of the structure so that it fits into the appearance of the neighborhood or supply drawings that show it meets the ordinance.²

On January 23, 2025, the Zoning Board denied the owner’s request for an Equitable Waiver of Dimensional Requirement. The Zoning Board has the authority to grant an equitable waiver from the requirement if the Board makes all of the following findings: Discovered Too Late, Innocent Mistake, No Nuisance, and High Correction Cost.

Diminution of Value Analysis:

I have been asked to opine on the “No Nuisance” finding, specifically to evaluate the encroachments into the side- and front-yard setbacks and provide an opinion whether said encroachments constitute a diminution of value to surrounding properties. There are three factors that have the potential for impacting market value on this and abutting properties – use, noise, and view – and I review each of these factors and their application to the Subject property below:

Use

According to Hudson’s Zoning Ordinance, accessory uses permitted by right in the R-1 zone include:

- Traditional secondary accessory uses and structures, including garages, toolsheds, parking areas, recreational facilities, outdoor in-ground swimming pools and other customary uses and structures, and
- Garaging or parking of one light commercial vehicle

Accessory uses allowed by special exception in this zone include:

- Home occupation
- Family day-care home
- Sales from vending machines where secondary to, and developed as a part of, a residential subdivision or site plan

The owner has attested that the garage, albeit large, is strictly for residential use to house vehicles and large equipment for the property which extends down to the Merrimack River. He added that he leases commercial property in town for his business needs.

²² In response to a complaint referencing a violation of Article 111 §334-16 — C (1)— Building Permits where the Condition of Issuance is predicated on a structure having a “reasonable appearance...in keeping with the neighborhood”

Noise

I expect the usual number of exterior noises from vehicles entering and exiting the garage to be consistent with that in typical residential neighborhoods. The design of the garage whereby the garage doors face the rear would likely dampen any effects of increased noise, directing the sound towards the interior of the property. Additionally, the property has a natural treed buffer along most of the perimeter, and at the suggestion of an abutting neighbor at 21 Fairway Drive, the owner has agreed to install a fence and landscaping which should also help to soften exterior noises.

I recommend placing a restriction for no outside repair other than jumpstarting vehicles or charging batteries, as anything that incurs additional noise should occur inside the garage.

View

At the January ZBA meeting, the owner provided a rendering of the garage's front, street-facing elevation, demonstrating the garage will resemble a residential home and where, as noted previously, the garage doors face the rear of the property.

At the present time, the garage frame is very visible from the road and most visible from the abutters that line the west end of Fairway Drive. The existence of mature fir and deciduous trees along the eastern boundary line offer vertical and horizontal buffering from neighbors east of the Subject, being greater in times of foliage. As mentioned in the preceding section on noise, installation of a fence and additional landscaping will only improve visual buffering.

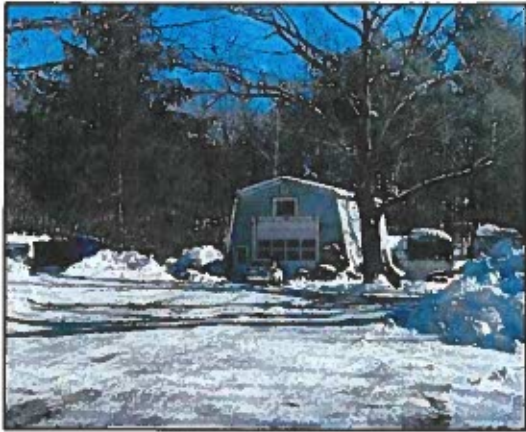
I opine that encroachment of two feet into the side setback will have little impact. The neighborhood is rife with examples of small and large improvements encroaching on a side setback. Specifically, one or more side setbacks appear to be encroached at #4, 8, 10, and 14 Fairway Drive, at #12, 18, 24, 28 Par Lane and also at the Subject itself (23 Fairway Drive). It appears there is precedent for encroaching the side setback, which supports my opinion that such a small violation has minimal to no effect on the character of the neighborhood.

I then consider the overall impact of the encroachment into the front setback. While proposed improvements encroach 7.7 feet into the front setback, this is not represented across the entire front yard but merely the southwest corner of the building. I opine this corner equates to about 75 square feet of footprint, or less than 5% of the foundation area. While there are no examples of front setback encroachments in the neighborhood, in my experience as both an appraiser and a Planning Board member, the curve in the road dictating the resulting orientation of the building on the site is challenging and worthy of considering such a small infraction.

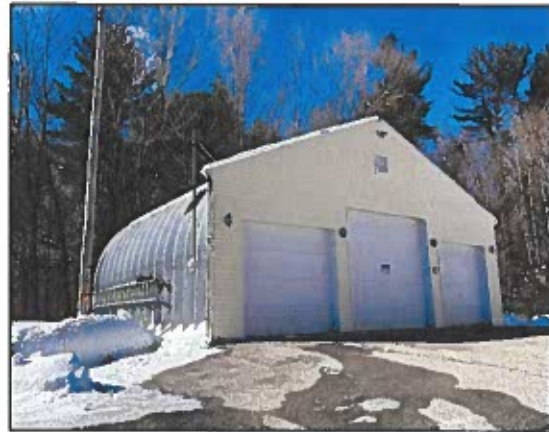
I recommend placing a restriction for no visible long-term storage of vehicles.

Size and style of the garage seem to be a pervasive complaint by neighbors, as documented in the minutes of those who attended the January 23, 2025, meeting and those who wrote to town officials. If the garage were to be built according to the original plan, both the size and style as proposed are allowed by right in this neighborhood. Nevertheless, I looked for similar examples with the purpose of analyzing their effect on the surrounding neighborhood and found that there is little to no evidence that the presence of this type of structure hurts neighboring residential

property values. Values tend to be negatively impacted not when a few potential buyers in the marketplace view a property feature or property type as being a negative, but rather when all or nearly all potential buyers in the marketplace view a property feature or a property type as being a negative. Town officials confirm the existence of both metal- and wood-framed structures of similar style throughout Hudson in residential neighborhoods. Two examples are outlined below:



110 Barretts Hills Road
Wood-frame structure with roof line and exterior materials comparable to Subject



114 Wason Road
Metal-frame with front façade

Like the Subject's neighborhood, these properties are both situated in residential zones in Hudson and while the style is not necessarily consistent with other structures in the neighborhood, they co-exist nonetheless. Sales of these structures and sales around them have not appeared to have suffered. The property at 114 Wason is a good example, as it is a recent sale of a 1.27-acre parcel with 3-bay garage in the R-2 zone, which was on the market for three days when it went under contract.³ Six other sales occurred in the immediate neighborhood within the past 36 months, with days on market ranging from a week to six months, and all sold with 90% of asking price. Sales records in MLS do not show these properties have suffered any adverse impact from others on this or neighboring streets.

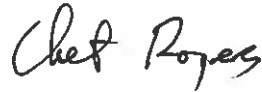
Subject's neighborhood has some examples where a garage or structure was built, and it was situated either in line with the primary structure or behind it. While the owner's placement of an accessory building that is taller than the primary structure is not necessarily consistent within Subject's neighborhood, there is precedent for large garages in front yards in Hudson.

There will likely be some individual potential buyers of nearby residences in the area who do not view the subject's proposed development as positive, but based on the data gathered and my observations, these potential buyers will not be large enough to negatively impact the market value of the surrounding properties.

³ MLS #5020060, sold for \$250,000, DOM 3; recorded in Hillsborough County Registry in Book 9819 Page 2436 on 11/20/24

In my opinion, granting the equitable waiver of dimensional requirement to allow a newly built detached 41.3 foot by 39.6 foot metal garage on a cast-in-place concrete foundation to remain which encroaches both the side and front yard setbacks leaving 13 feet and 22.3 feet respectively where 15 feet and 30 feet are required, will NOT adversely affect the real estate values of the abutters or the neighborhood in general.

Very truly yours,

A handwritten signature in black ink that reads "Chet Rogers". The signature is written in a cursive, flowing style.

J. Chet Rogers, MAI

Certified General Appraiser NHCG-727

Attachment: Qualifications of Appraiser

***AERIAL VIEW OF SUBJECT AND ABUTTING
PROPERTIES***

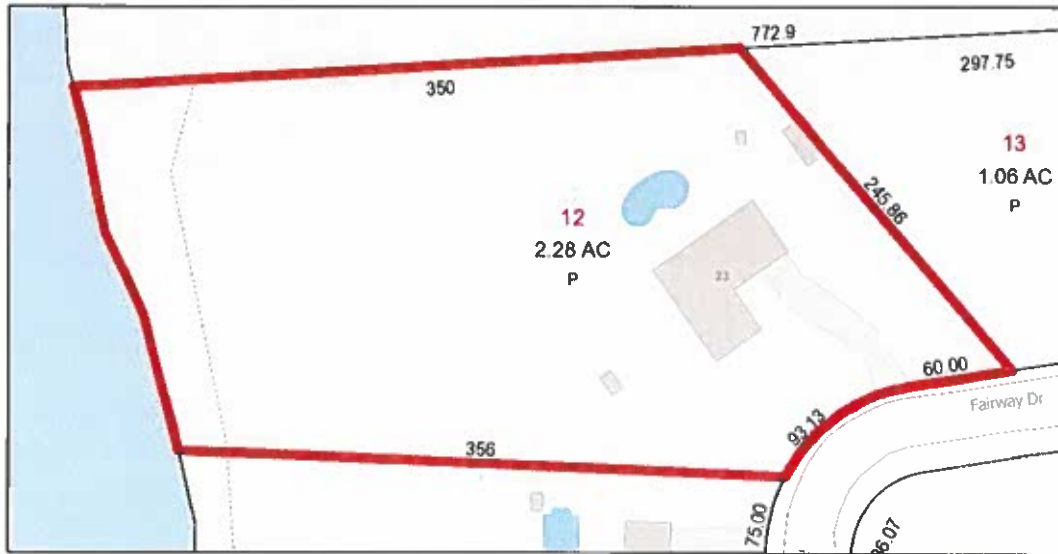


Subject Area Outlined in Red

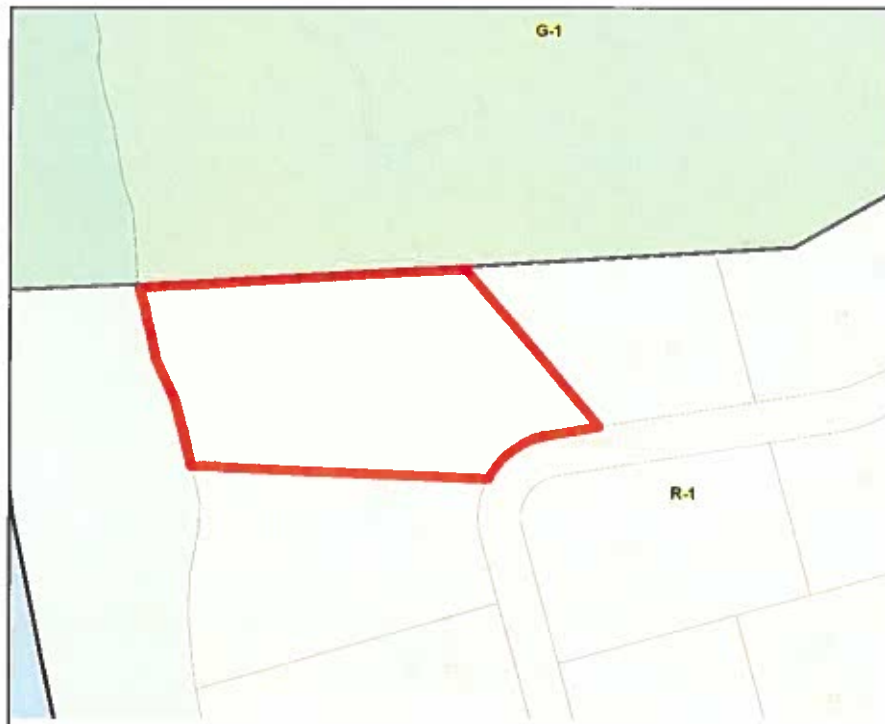


Subject Concrete Pad Visible in Aerial View

TAX MAP & ZONING MAP

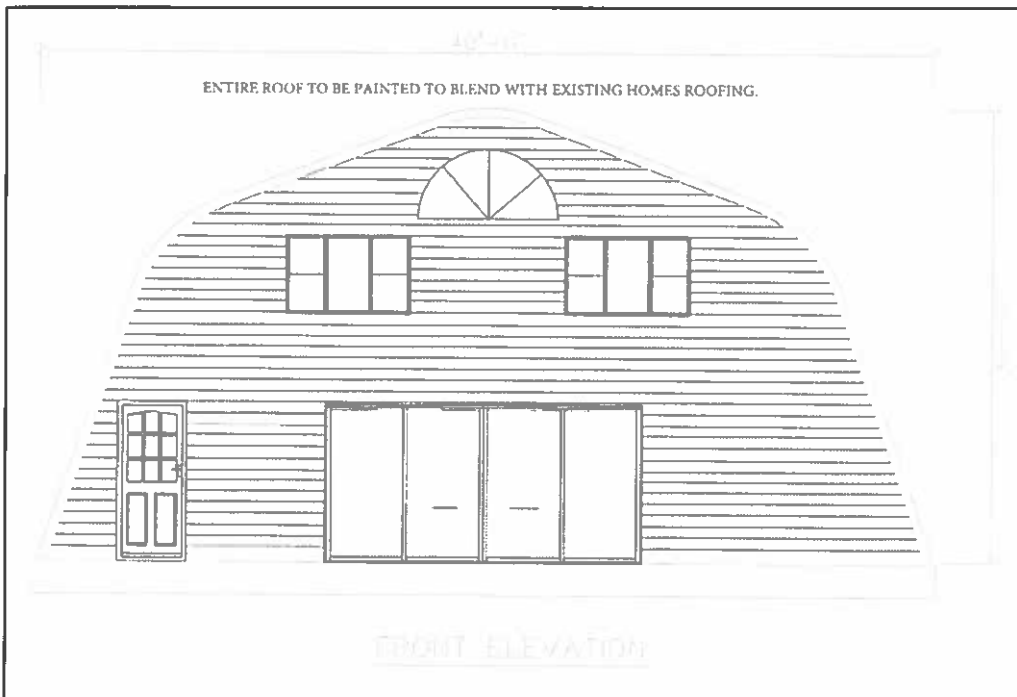
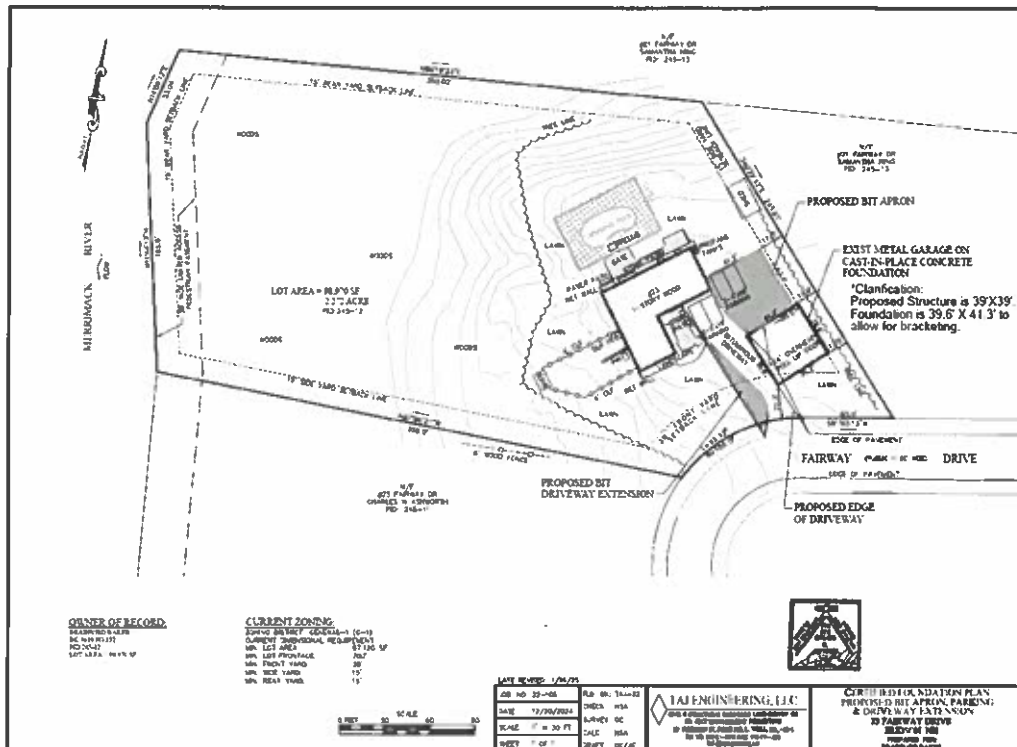


Subject Outlined in Red

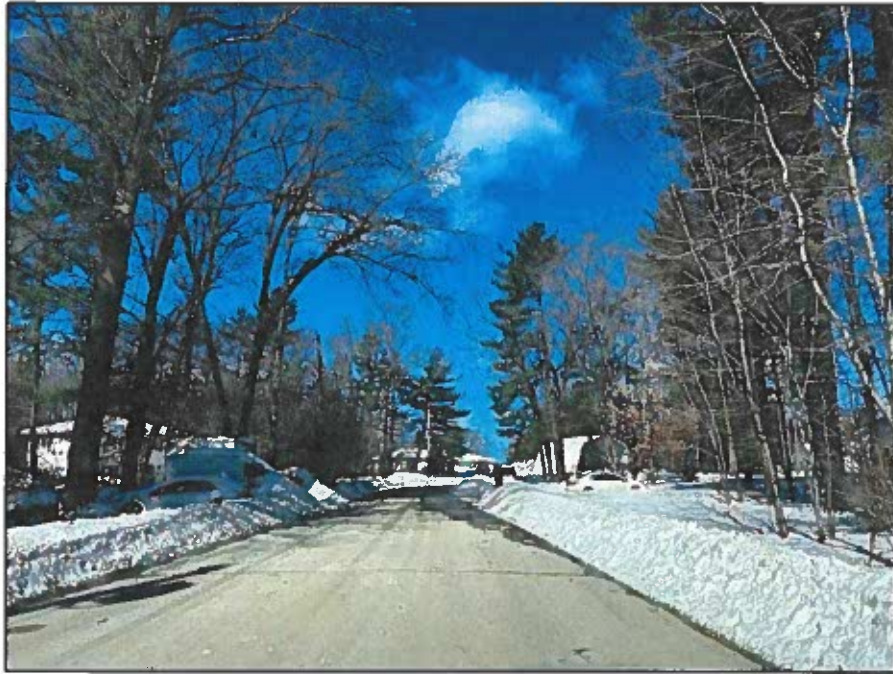


Subject Outlined in Red

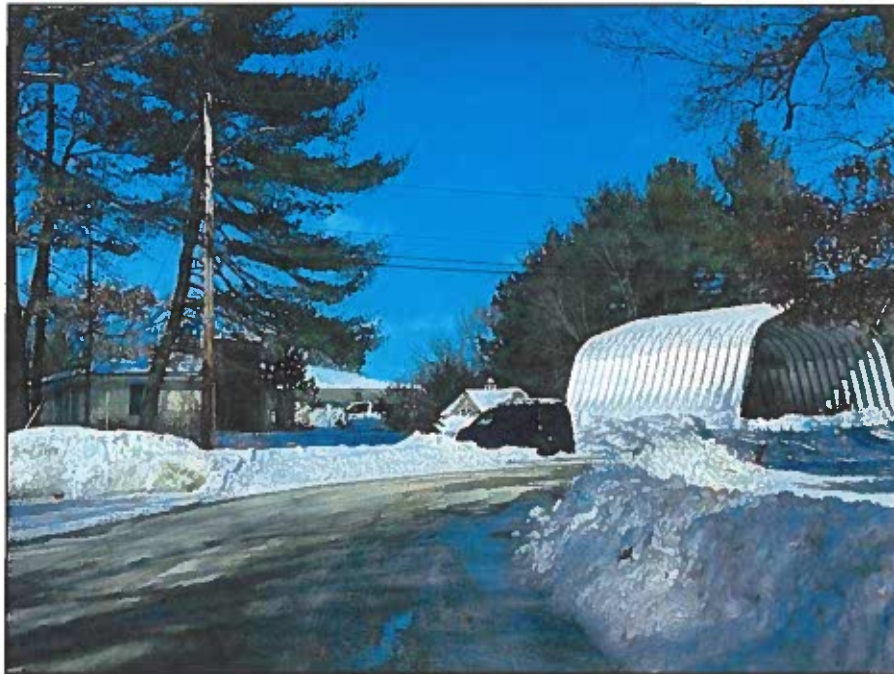
UPDATED SITE PLAN & FRONT ELEVATION



PHOTOGRAPHS



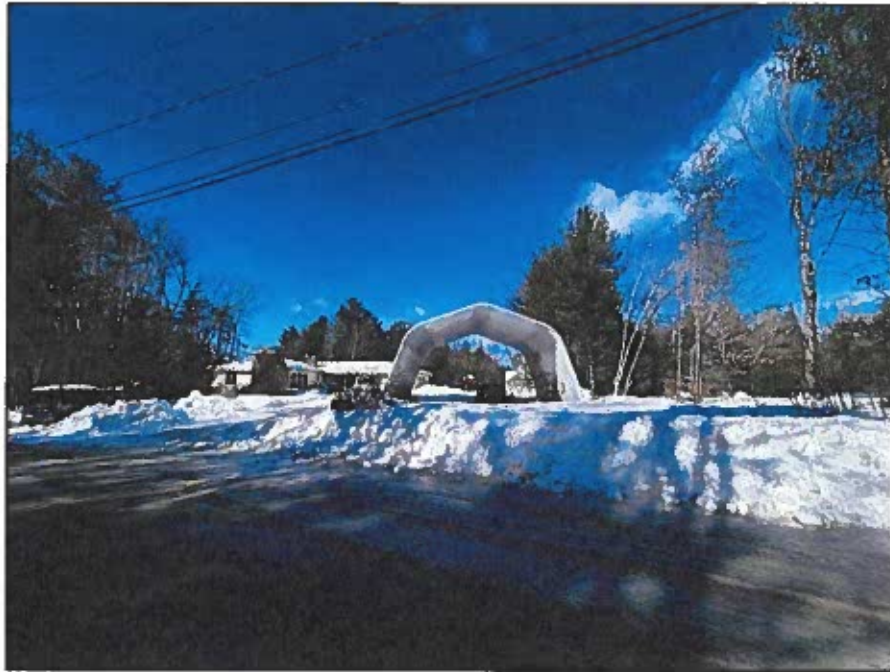
Street View Looking North on Fairway Drive
Subject property, background center



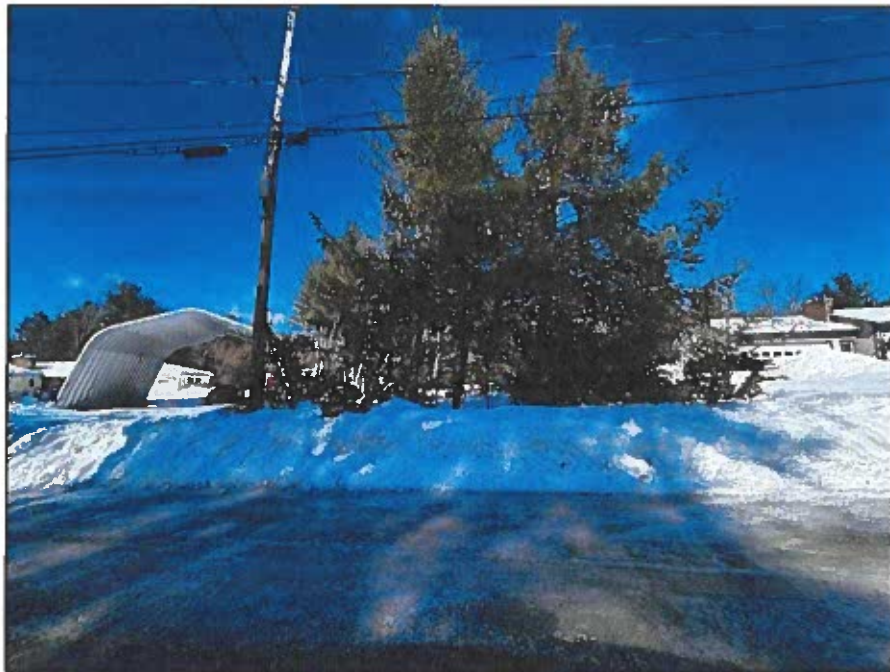
Street View, Closer
SFR, left; Accessory Garage Frame on Pad, right

Photos taken February 18, 2025

PHOTOGRAPHS



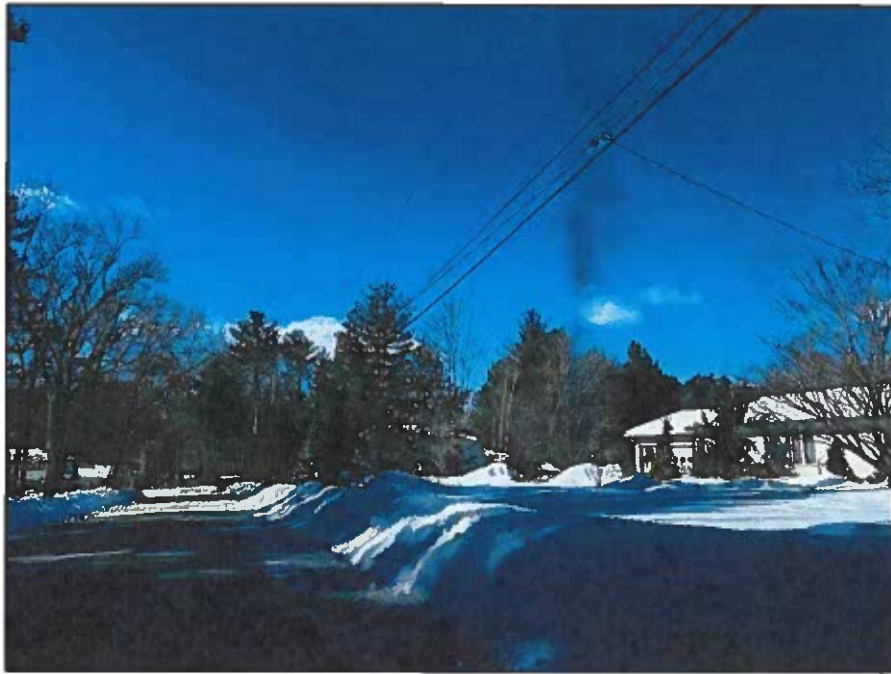
View from across Fairway Street Looking Northwest



View of Lot Line between Subject and Abutter at 21 Fairway Drive

Photos taken February 18, 2025

PHOTOGRAPHS



Street View Looking West on Fairway Drive
21 Fairway Drive, foreground right
Subject Accessory Garage, background center behind trees

Photo taken February 18, 2025

QUALIFICATIONS OF J. CHET ROGERS, MAI

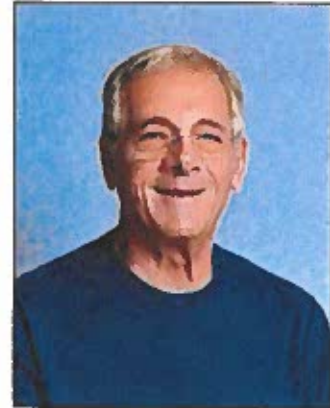
Real Estate Appraiser & Consultant
New Hampshire, Massachusetts, and Maine



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3 Broad Street
Hollis, NH 03049

603 722-0663
chet@chetrogers.com

www.chetrogers.com
www.conservationappraisal.com



Appraisal Business Experience:

Independent commercial real estate appraiser licensed in NH, MA, and ME.
Engaged full time in the appraisal of real estate since 2003
Residential appraiser for Mickeriz Appraisal Company of Rumford, Maine 2003 to 2004
Commercial appraiser for R. G. Bramley & Co of Nashua, NH 2004 to 2010
Principal of J Chet Rogers, LLC
Commercial assignments include appraisals in connection with buying, selling, financing, eminent domain takings, bankruptcies, divorces, estate valuations, and portfolio management.
Experience in conservation easements, donations and acquisitions
Experience in IRS and "Yellow Book" appraisals.
Experience in eminent domain and tax abatement appraisals.

Licenses and Designations:

MAI designation from the Appraisal Institute
DAC, Designated Appraiser Coalition, Founding Member
New Hampshire Certified General Appraiser (NHCG-727)
Maine Certified General Appraiser (MECG-2590)
Massachusetts Certified General Appraiser (MACG-103344)
Certificate for Valuation of Conservation Easements, AI-ASA-ASFMRA-LTA
Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)
Vermont Certified General Appraiser (VTCG-080.0091163), expired
LEED AP Accreditation, Green Building Certification Institute, expired
NH DOT Approved Appraiser 2019-2022

Education:

800 hours appraisal education (see list below)
Various technical certifications in the computer network field from Cisco, Novell and Microsoft

Universities:

Graduate work in engineering management at Northeastern University
Graduate work in electrical engineering at Syracuse University
B.S. Electrical Engineering at Virginia Tech

Appraisal Seminars, Classes, or Exams:

January 2025	Rates and Ratios: Making Sense of GIMs, OARs, and DCF
March 2024	USPAP Update 2024-2025
November 2023	Marshall & Swift Commercial Program
October 2023	How to Support and Prove Your Adjustments
January 2023	Non-Lending Appraisal Assignments
December 2022	Appraising Medical Office Buildings
July 2022	USPAP Update 2022-2023
December 2021	Small Hotel/Motel Valuation
November 2021	2021-2022 NH Market Insights
April 2021	How to Raise Appraisal Quality and Minimize Risk
March 2021	Forestland Valuation: Issues to Consider in Valuing Woodland Properties
October 2020	Land Use Seminar
October 2020	Desktop Appraisals (Bifurcated, Hybrid) and Evaluations
October 2020	Taxes, Land Use & Value in 15 New Hampshire Communities
April 2020	Appraising Automobile Dealerships
December 2019	USPAP 2020 - 2021
August 2019	Artificial Intelligence, AVMs, & Blockchain
August 2019	Subdivision Valuation
May 2019	Land Development & Residential Building Costs, AI-NH/VT
February 2019	Business Practices and Ethics, AI
April 2018	Uniform Appraisal Standards for Federal Land Acquisitions, AI
December 2017	USPAP 2018-19 Update Course, AI
November 2017	Analyzing Tenant Credit Risk and Commercial Lease Analysis, AI
May 2017	NH Shoreland Water Quality & Wetlands, NH-AI
November 2016	Eminent Domain and Condemnation, AI
November 2016	NH's Changing Economics, NH-AI
September 2016	Paragon for Appraisers, NH-AI
May 2016	Land Valuation Seminar, NH-AI
January 2016	Accessing and Understanding NH Public Data, NH-AI
January 2016	Supervisor-Trainee Course for New Hampshire, McKissock
November 2015	Drone Technology and Its Impact on Appraisers, NH-AI
October 2015	Advanced Excel for Appraisers, NH-AI
September 2015	Advanced Income Capitalization, AI
September 2015	A Pause in the Recovery, NH-AI
May 2015	Commercial Real Estate Lending and Valuation Process
January 2015	NH Past Presidents Speak, NH-AI
November 2014	Data Visualization in Appraisal, AI
November 2014	NH Department of Revenue, NH-AI
November 2014	Review of Court Decisions on Valuations, AI
October 2014	Right of Way – Three Case Studies, AI
October 2014	Business Practices and Ethics, AI
September 2014	Reaching Escape Velocity: Breaking Free of the Great Recession, NH-AI
June 2014	Conservation Easement Valuation Workshop, AI
June 2014	USPAP 2014-2015 Update, AI
May 2014	Real Estate Valuation from the Developer Perspective, NH-AI
March 2014	Residential Appraisal: Beyond the Secondary Market, NH-AI
March 2014	Appraisals of Senior Housing and Long-Term Care Properties, AI
January 2014	Accessing and Understanding NH Public Data, NH-AI

November 2013	Appraising Special Properties, NH-AI
November 2013	Valuation of Conservation Easements, AI
November 2013	Appraisal of Real Estate 14 th Edition Changes, AI
October 2013	Carving Out Your Legal Niche, AI
October 2013	Complex Litigation Appraisal Case Studies, AI
September 2013	Appraisal Reviewers Roundtable, NH-AI
May 2013	Commercial Real Estate Roundtable, NH-AI
April 2013	Commercial Bankruptcy, Workouts, and the Valuation Process
April 2013	The Appraiser as an Expert Witness, NH-AI
January 2013	NH Real Estate Appraiser Board, NH-AI
November 2012	Retail Center Analysis for Financing, AU
November 2012	New Hampshire's Shifting Growth and Demographic Forces, NH-AI
November 2012	Practical Application of the Cost Approach, AU
September 2012	Map Websites for Appraisers, NH-AI
August 2012	Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book), GL
August 2012	Site Analysis and Valuation, AU
June 2012	Federal Agencies and Appraisal: Program Updates
May 2012	Values and Trends in the Commercial Real Estate Investment Market, NH-AI
April 2012	USPAP 2012-2013, NH-AI
January 2012	Energy Efficiency Factors When Appraising Commercial Buildings, NH-AI
November 2011	Regulatory Updates from Members of the NH Appraiser Board, NH-AI
October 2011	Interagency Appraisal & Evaluation Guidelines for Appraisers & Lenders, AI
September 2011	Attacking and Defending an Appraisal in Litigation, Whitmer
July 2011	Perspectives from Commercial Review Appraisers, AI
May 2011	Uniform Mortgage Data Program, NH-AI
April 2011	Real Estate Industry Perspectives on Lease Accounting, AI <u>Appraisal</u>
March 2011	GIS Mapping, UNH
March 2011	Workforce Housing in New Hampshire, NH-AI
February 2011	Property Tax Appeals, NH-AI
January 2011	Appraising Historic Property, AU
January 2011	Making Maps the Google Way, UNH
October 2010	Technology for Narrative Appraisals, NH-AI
October 2010	Allocation of Hotel Total Assets, AI
May 2010	Appraisal Curriculum Overview, AI
May 2010	Estimating Property Damage, NH-AI
March 2010	New Hampshire Economy and Real Estate Market, NH-AI
March 2010	2010-2011 USPAP Update, NH-AI
February 2010	Contemporary Appraisal Issues with SBA Financing, AI
January 2010	Loss Prevention Seminar, LIA
November 2009	Valuation of Low-Income Housing Tax Credit (LIHTC) Properties, NH-AI
October 2009	USPAP Update, NH-AI
October 2009	New England Appraisers Expo 2009, AI
May 2009	Appraisal of Manufactured Housing Communities, NH-AI
May 2009	Evaluating Residential Construction, NH-AI
April 2009	Introducing Valuation for Financial Reporting, AI
March 2009	Develop an Effective Marketing Plan, AI
March 2009	Real Data: Analysis of Real Estate, NH-AI
January 2009	Branding in the Age of Findability, AI
January 2009	Changes to the Comprehensive Shoreline Protection Act, NH-AI
January 2009	The Real Implications of the HVCC on Appraisers & Lenders, AI
November 2008	Review Appraiser Seminar, NH-AI
October 2008	New England Appraisers Expo, MBREA
June 2008	General Demonstration of Knowledge Appraisal Report Workshop, AI
May 2008	NH Bureau of Tax and Land Appeals, NH-AI
March 2008	Valuation of Conservation Easements, AI-ASA-ASFMRA-LTA

October 2007	National USPAP Update #420, NH-AI
October 2007	Current Use Seminar, NH-AI
September 2007	Certified General exam; NH ME
May 2007	Affordable Housing Financing & Valuation; NH-AI
February 2007	MAI Comprehensive Exam; AI
October 2006	The Future of the Foundation; NH-AI
September 2006	Real Estate Values & Trends in NH; NH-AI
June 2006	Advanced Applications; AI
May 2006	Eminent Domain Appraising; NH-AI
April 2006	Scope of Work; AI
March 2006	Report Writing and Valuation Analysis; AI
January 2006	Real Data: How to use their tools in the analysis of real estate; NH-AI
January 2006	Business Practices and Ethics; AI
December 2005	Advanced Sales Comparison and Cost Approach; AI
October 2005	Appraising Conservation Easements; NH-AI
October 2005	Highest and Best Use and Market Analysis; AI
September 2005	Advanced Income Capitalization; AI
May 2005	NHREAB; NH-AI
May 2005	USPAP Update; MA-AI
March 2005	ISA & Home Inspection; NH-AI
March 2005	Appraising Convenience Stores; ME-AI
February 2005	General Demonstration Report Writing; MA-AI
February 2005	Associate Members Guidance; MA-AI
January 2005	Excavation in New Hampshire; NH-AI
October 2004	Appraising Income Properties; JMB Real Estate Academy
October 2003	Uniform Standards of Professional Appraisal Practices; AREA
October 2003	Basics of Real Estate Appraisal; JMB Real Estate Academy
September 2003	Appraising the Single-Family Home; AREA

Appraisal assignments include:

Testimony to NH BTLA	Testimony to MA ATB
Testimony to NH Superior Court	Testimony to Maine Superior Court
Conservation Easements	Bankruptcies & Workouts
Conservation Acquisitions	Zoning Variances
“Yellow Book” Appraisals	Industrial Buildings
Multi-Family Buildings	HUD Section 8 Rent Studies
Apartment Buildings	Commercial Retail Buildings
Raw land	Golf Courses
Condominiums	Self-Storage Facilities
Subdivisions	Professional Office Buildings and Condos
Gas Stations/Convenience Stores	Mobile Home Parks
Churches	Parking Lots
Restaurants	Tax Abatements
Shopping Centers	Eminent Domain Takings
Airplane Hangars	Auto Service Garages
Laundromats	Retail Buildings
Contaminations	Medical Office Buildings and Condos
Health/Fitness Clubs	Single-Family Residences
2-4 Family Dwellings	Work-force Housing
Hotels	Camp Grounds
Motels	Nordic Ski Area
Veterinary Clinics	Auto Dealerships
Ocean-front and lake-front properties	Farms
Right-of-Ways for power lines, pipelines, & rail trails	Funeral Homes

In addition to appraisal work, I have served in the following capacities:

1960-1964:	Computer Engineer for International Business Machines in Endicott, New York
1964-1975:	Computer Engineer for Honeywell in Waltham, Massachusetts
1975-1982:	Founder, Audio of New England, 6 Retail Locations and a Wholesale Business
1985-1987	Participated as a Principal in a Waterfront Subdivision in the State of Maine
1982-2004:	Founder, Micro C, Inc., a Computer and Network Support Company
1994-2003:	Founder, Micro C Training Center, a Computer Network Training Company
1993-2006:	Owner and Manager of a Commercial Office Building
2001-2007:	Race Director, Applefest Half-Marathon in Hollis, NH
2005-2006:	Founder, New England Appraiser Training
2007-Present:	Founder, J Chet Rogers LLC
2010-2016:	Appraisal Institute - New Hampshire Chapter, Board of Directors
2013-2015:	Appraisal Institute - New Hampshire Chapter, Vice President
2013-2016:	YMCA of Greater Nashua – Board of Directors
2015-Present:	Hollis, NH Planning Board – Member



TAJ ENGINEERING, LLC

Civil & Structural Engineers • Land Surveyors • Project Managers

TOWN OF HUDSON
New Hampshire
03051

To Whom It May Concern

February 18, 2025

FEB 24 2025
LAND USE DIVISION
ZONING DEPT.

Reference: 23 Fairway Dr. Hudson, NH - Front Setback Encroachment - Taj Project 22-106

At the request of the homeowner/applicant, Mr. Bradford Baker, this office has inspected and surveyed the final as-built construction of the addition, referred to as "Metal Garage On Cast-In-Place Concrete Foundation" of the one story, single-family residential building located at the above referenced address. Following are our observations;

1. The total footprint area of the garage addition is, $41.3 \text{ ft} \times 39.6 = 1,645.48 \text{ sf}$, out of which, about 73 sf (4.46%) is encroaching over the 30 ft Front-Setback-Line (FSL). The linear measurement of the triangular shape of encroachment varies from 0.0 ft to 7.7 ft over the FSL.
2. A vehicle leaving the subject property, must stop about 4-5 ft to intersection of the driveway and Fairway Drive edge of travel way (IDFD) in order to view/check through available sight-distance for incoming traffic, before entering Fairway Drive. The IDFD distance from the closest corner of the garage addition is about 30 ft, which is more than sufficient for the traffic movement described above. Therefore the 7.7 ft encroachment has no adverse impact on vehicles leaving or entering the subject property.
3. A recent traffic count by installing fixed cameras at the site, indicates maximum 30 cars in 24 hours, including school busses, delivery trucks and other non-resident traffic. Even a very conservative assumption that all 30 trips take place during a 6-hour peak period, would result in 5 cars per hour maximum which in reality can be 3-5 cars per hour at actual historically recorded maximum speed of 20 miles per hour. Currently speed limit is not posted on Fairway Drive. At IDFD, the sight-distance is about 110 ft for right turn and about 380 ft for left turn. Therefore, keeping in view, the free flow of traffic, very low traffic count, low speed limit, no history of car accidents and as a result, available adequate sight-distances, it can easily be concluded that the 7.7 ft encroachment would have no bearing, if any, on sight-distance.

Please do not hesitate to call with any questions or clarifications.

Sincerely

Hooshmand S. Afshar, PLS, M.ASCE

Principal
Taj Engineering, LLC



TOWN OF HUDSON

Zoning Board of Adjustment

Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

MEETING MINUTES – February 27, 2025 – as edited

The Hudson Zoning Board of Adjustment met Thursday, February 27, 2025, 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

IV. SEATING OF ALTERNATES

Chairman Daddario called the meeting to order at 7:02 PM, invited everyone to stand for the Pledge of Allegiance and presented the Preamble (Exhibit A in the Board's Bylaws) regarding the procedure and process for the meeting and noted that on the Agenda is a Request for a Rehearing and that public input would not be received at this meeting, that it is a request for the Board to reconsider a decision previously made based on specific criteria.

Clerk Dion called the attendance. Members present were Gary Daddario (Regular/Chair), Tristan Dion (Regular/Clerk), Tim Lanphear (Regular), and Dean Sakati (Regular). Also present were Dillon Dumont, Selectman Liaison, Louise Knee, Recorder (remote) and Chris Sullivan, Zoning Administrator. Excused were Normand Martin (Regular/Vice Chair) and Zachary McDonough (Alternate). All Regular Members voted. Mr. Daddario noted that there would be only four (4) Members voting when there are normally five (5) and offered the opportunity to continue a hearing to the next meeting in hopes that there would be five (5) Members present.

V. PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:

- Case 165-037 (02-27-2025):** Alexander C. Galloway, **3 Kenyon St., Hudson, NH** requests a Variance to allow the parking of an approx. 22,000 lb. work vehicle (truck) at the residence where outside parking or storage of vehicles or trailers used in commerce at residential sites with gross vehicle weight greater than 13,000 pounds is prohibited. [Map 165, Lot 037, Sublot-000; Zoned Town Residence (TR); HZO Article III: General Regulations; §334-15 B (2), Parking and Article V: Permitted Uses; 334-22, Table of Permitted Accessory Uses]

Mr. Sullivan read the Case into the record, referenced his Staff Report initialed 2/12/2025 and noted that there were no concerns or comments received from the Town Engineer, Inspectional Services or the Associate Town Planner.

Not Official until reviewed, approved and signed.

As Edited [CS, gd]

Alexander Galloway sat at the Applicant table and introduced himself and stated that proceeding with four (4) Members was satisfactory. Mr. Galloway addressed the criteria for the granting of a Variance and the information shared included:

(1) *not contrary to public interest*

- The only time the vehicle is running is when it is leaving or parking in my yard
- I live in the first house on the road, just off Webster Street, and am I not driving up and down the Kenyon Street
- Generally I leave my house after most of my neighbors have already left for their work and arrive back before the end of their work day

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

- The vehicle will be parked on the property
- *The spirit is observed/met – it is just a matter of weight

(3) *substantial justice done*

- Substantial justice would be done as I will be able to continue to park my work truck that contains all my tools at my house
- There is no work done at my house
- I would not have to consider moving to another district
- It would eliminate the very costly storage/parking rentals

(4) *not diminish surrounding property values*

- The vehicle is only parked for the night and on weekends – much like a school bus at a driver's house

(5) *hardship*

- The only special condition, I believe, is that this property ~~has is that it is~~ the first house on the road that borders a very busy road in which large trucks frequently use
- In my opinion, it is a perfect location to allow this variance
- The vehicle will be on the property at night and on weekends
- The vehicle is rarely started ~~to leave~~ before 8 AM and is rarely back after 3 PM
- It is reasonable

Mr. Dumont asked about the truck and Mr. Galloway responded that it is a freightliner service truck with a utility body on the back. Mr. Lan~~pe~~hear asked about nearby businesses and Mr. Galloway confirmed that there a few garages down on Tolls Street and there is a two-bay garage down the street, and confirmed that there is crushed asphalt on his property where he parks his vehicle.

Public testimony opened at 7:20 PM.

- 1) John Colby, 11 Kenyon Street, direct abutter, there is no noise issue, it's just a big truck, never has had an issue, and it would be more of a hardship to have him park it somewhere else and force him to get a vehicle to drive to his work vehicle, ~~that~~ customers do not come to his house and fully supports the granting of this variance.
- 2) Edward Thompson, 22 Burns Hill Road, stated that he is not really opposed but is concerned as to how it will be monitored and questioned whether the Board is setting a precedent.

Mr. Sullivan stated that if noise starts at 5AM, he gets a call. Mr. Sakati asked if the Variance is approved does it stay with the property and Mr. Sullivan responded that it can be specified to just this Applicant and to such a vehicle. Mr. Dumont added that Variances are Case specific, that there is a Noise Ordinance in Town and that the Applicant does have support from his neighbors. Mr. Galloway added that he has been parking this vehicle at his home since 2018 and has only received one (1) complaint. Mr. Dumont asked where the vehicle is parked and Mr. Galloway identified the location as next to his garage and confirmed that it is visible from the road. Mr. Dumont noted that if there is a violation of the Noise Ordinance then the matter would become a Code Enforcement issue and probably end up back before the Board. Mr. Dion questioned whether the Board should consider setting operating hours to which Mr. Dumont responded that there would be no need because of the Noise Ordinance, that the Board need only authorize the weight difference and noted that there would not be any precedence being set. Mr. Daddario concurred that abiding by the Noise Ordinance should suffice. Mr. Lanphear asked if the Applicant gets to respond to "midnight calls" and Mr. Galloway responded that he hasn't had to in over five (5) years.

Being no one else to address the Board, public testimony ended at 7:30 PM.

Mr. Lanphear made the motion to grant the Variance with the stipulation that it abides by the Noise Ordinance. Mr. Sakati seconded the motion.

Mr. Lanphear spoke to his motion stating that there are other area businesses nearby and it does not pose a public health or safety issue and will not be out of character with the neighborhood with its location, it is his work truck, will not diminish surrounding property values, and as this is his job truck used to make his living it is a fair and reasonable request. Mr. Lanphear voted to grant with the stipulation that it abide by the Town of Hudson Noise Ordinance.

Mr. Sakati spoke to his second stating that it is not contrary to public interest and presents no safety issues, that it does not alter the character of the neighborhood, that substantial justice is done as the benefit to the property owner outweighs any benefit to the public, that there will be no change to surrounding property values and that it is a reasonable use. Mr. Sakati voted to grant with the stipulation that the Noise Ordinance is abided.

Mr. Dion voted to grant as it is not contrary to public interest or the Zoning Ordinance, it does observe the Zoning Ordinance, there's been no complaints and there is no alteration to the neighborhood and does not diminish surrounding property values, that the Applicant needs the vehicle to work and it is a reasonable request.

Mr. Daddario voted to grant with the stipulation and noted that it is the first house on the street and the applicant does not drive it through the neighborhood so there is no impact to the neighborhood, that the Applicant has Abutter support, that it poses no harm to the public, that the Variance is specific to the weight of the vehicle, that justice would be provided to the Applicant, that there has been no evidence or testimony pertaining to property value impact, and that the special condition is that it is the first house on the street (Kenyon Street) just off a very busy street (Webster

Street), that there has been no complaints lodged against the truck and that the request is reasonable.

Vote was 4:0 to grant the Variance with one (1) stipulation. The 30-day Appeal period was noted.

VI. REQUEST FOR REHEARING:

1. **Case 211-067 (12-12-24):** George Hurd, Mgr., Tumpney Hurd Clegg, LLC, 39 Trigate Rd, Hudson, NH by and through its counsel, Colin Jean, Esq. requests a rehearing of a Variance request for **72 Burns Hill Rd., Hudson, NH** which was denied on 12/12/2024 by the Zoning Board of Adjustment. The request was for a proposed construction of four (4) self-storage units totaling 18,950 SF in the rear portion of the vacant 24.816 acre lot previously zoned as General (G) but re-zoned to Residential-Two (R-2) where this Industrial Use (E-13) is not permitted. Self-storage use is permitted only in the Industrial (I) and General-One (G-1) Zones. [Map 211, Lot 067, Sublot-000; Zoned Residential-Two (R-2); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

Mr. Sullivan read the request into the record. Mr. Daddario referred to the letter received from Atty. Jean dated 1/9/2025 for the Motion to Rehear and reaffirmed that there would be no public input received at this meeting, that the matter before the Board is to review the material included in the Motion to Rehear and determine whether it satisfied the four (4) criteria necessary to warrant a rehearing.

Mr. Daddario read the five-page (5) Motion for Rehearing into the record. Mr. Sakati stated that he takes exception to point #3 discounting the opposition received was based on either misinformation and that the matters they raised belonged before the Planning Board (PB) and noted that the Zoning Board has the responsibility to listen to the public. Mr. Daddario concurred and noted that the ZBA is vigilant about acknowledging which issues are PB issues and which fall within the ZBA purview. Mr. Dumont added that even the Supreme Court supports the public to speak out. Mr. Dion stated that the property should be viewed in a vacuum, that this Case is not about the dump that abuts this property or the two (2) dump monitoring wells on the property. Mr. Dumont noted that even the Variance criteria elude to the neighborhood and that the uniqueness of the property includes comparison to neighbors.

Mr. Lanphear inquired about the location of the wells, noted that he assumes they were incorporated into the deeds many years ago, at their initial drilling, and that they have been investigated and recalls that the Applicant's delay in pursuing development had nothing to do with the wells but was as a result of a death in one of their partners. Mr. Dion shared the same recollection and questioned how long is to long and noted that that is a slippery slope. Mr. Daddario stated that he saw no new of different evidence in their Atty.'s letter, just where they felt ZBA was wrong but nothing new was presented and the fact remains that the Applicant had to satisfy all five (5) Variance criteria, which they did not.

Mr. Dumont suggested the Board go through the criteria for the granting of a Rehearing. Mr. Daddario concurred and the results were as follows:

- 196 (1) Any new evidence presented? Board consensus was no – just a compacted
197 rehash of statements made at the December meeting
198 (2) Error made in law? Board consensus was no
199 (3) Procedural error made? Board consensus was no.
200 (4) Good reason stated? Board consensus was no
201

202 Mr. Lanphear asked that if the Board had this letter in December would it have made
203 a difference?
204

205 Mr. Sakati made the motion to deny the Request for a Rehearing. Mr. Dion seconded
206 the motion.
207

208 Mr. Sakati spoke to his motion noting that there was no new evidence presented, that
209 the Board made no error in law, that no procedural errors were made and that no good
210 reason was provided by the Applicant. Mr. Sakati voted to deny the request.
211

212 Mr. Dion spoke to his second stating that no new evidence was presented, there were
213 no unlawful errors made, no error in procedure made and no good reason(s) stated
214 and noted that the Atty.'s letter would not have changed his original vote to deny the
215 Variance back in December. Mr. Dion voted to deny the Request for a Rehearing.
216

217 Mr. Lanphear voted to grant the rehearing because even though he agrees that there
218 was no new evidence presented, that there were no errors made in law or procedure,
219 the presentation of the compacted restatement could have swayed his vote in
220 December.
221

222 Mr. Daddario voted to grant the motion and deny the Request for a Rehearing, that
223 receipt of the Rehearing letter would not have swayed his vote in December, that the
224 Rehearing request has presented no good reason or evidence to rehear, that no error
225 in law was made, that no procedural errors were made and that no new evidence was
226 presented.
227

228 Vote was 3:1. Motion carried. Request for Rehearing denied
229
230

231 VII. REVIEW OF MINUTES:

- 232 12/12/2024 edited draft Meeting Minutes
233 01/09/2025 edited draft Meeting Minutes
234 01/23/2025 edited draft Meeting Minutes
235

236 Board reviewed the Edited versions and made no additional changes. Mr. Lanphear
237 made the motion to approve the 12/12/2024, the 1/9/2025 and the 1/23/2025
238 Minutes as edited. Mr. Daddario noted that all his edits were incorporated and
239 seconded the motion to approve all three (3) sets of Minutes. Vote was 4:0. Minutes
240 approved as Edited.
241
242

243 VIII. OTHER BUSINESS:

244
245 Discuss Home Occupations

Mr. Sullivan stated that inquiries regarding the need have increased significantly, especially since COVID, that he receives four to five (4-5) inquiries a week, and noted that other Towns in the State have changed their Ordinances to permitting Home Occupations by Right. Several Members cited recent examples where they agreed obtaining a Special Exception was just a formality based on the Ordinance and also noted other examples where it definitely needed Board review. Requiring Board review included such concerns pertaining to equipment, trucks/special vehicles, customers to site, hours of operation, outdoor storage. Mr. Sullivan to present proposed changes to ZORC (Zoning Ordinance Review Committee).

IX. ADJOURNMENT:

Motion made by Mr. Lanphear, seconded by Mr. Sakati and unanimously voted to adjourn the meeting. The 2/27/2025 ZBA Meeting adjourned at 8:24 PM.

Respectfully Submitted,

Louise Knee, Recorder



PLANNING AND ZONING CONFERENCE

The Office of Planning and Development organizes an annual conference, required under RSA 673:3-a, by providing informational sessions on planning and zoning issues for members of municipal land use boards. This planning and zoning conference has been held since 1994.

Save the date for the **NH Office of Planning and Development's Spring 2025 Planning and Zoning Conference**.

- **When:** Saturday, May 10 8:45 AM - 3:30 PM
- **Where:** Online (each session will be recorded and available after conference)
- **Cost:** Free

Registration Opens: April 4

This year's virtual conference includes three tracks: Planning Board, Zoning Board of Adjustment, Historic Preservation and Housing.

Details will be posted on this page soon.

Previous Planning and Zoning Conferences

- [May 11, 2024, 30th Spring Planning and Zoning Conference - Virtual](#)
- [April 29, 2023, 29th Spring Planning and Zoning Conference - Virtual](#)
- [April 30 and May 7, 2022, 28th Spring Planning and Zoning Conference - Virtual](#)
- [May 15, 2021, 27th Spring Planning and Zoning Conference - Virtual](#)
- [October 31, 2020 – in partnership with the NH Municipal Association at their 2020 Virtual Land Use Law Conference.](#)
- [June 1, 2019, 25th Spring Planning and Zoning Conference - Courtyard by Marriot - Grappone Center in Concord, NH, 70 Constitution Avenue, Concord, NH](#)

If you would like to inquire about any of OPD's past conferences and materials, please email planning@livefree.nh.gov