

# TOWN OF HUDSON

## Zoning Board of Adjustment

Tristan Dion, Acting Chairman

Dillon Dumont, Selectmen Liaison

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

### MEETING AGENDA – AUGUST 28, 2025

The Hudson Zoning Board of Adjustment will hold a meeting on **Thursday, August 28, 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. ROLL CALL-ATTENDANCE

#### IV. OTHER (DEFERRED) BUSINESS: Election of Zoning Board of Adjustment Officers per ZBA Bylaws, §143-5.2 Vacancy and succession of officers

#### V. SEATING OF ALTERNATES

#### VI. UNFINISHED BUSINESS:

**Case 165-049 (06-27-24): 36 Campbello St., Hudson, NH:** This case was remanded back to the ZBA per Court's Order in *Sousa Realty & Development, Corp. v. Town of Hudson*, Docket No. 226-2024-CV-00497, dated July 20, 2025 (Clerk's Notice dated July 21, 2025). Acknowledgement of Court Issued Decision and Motion.

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

##### DEFERRED/CONTINUED HEARING:

- Case 240-013-001 (08-28-25)(Continued from 07-24-25):** Felipe Figueiredo, 23 Mammoth Rd., Londonderry, NH, by & through his counsel, Gottesman & Hollis, PA and authorized representative, Keach-Nordstrom Associates, Inc., requests three (3) variances (A, B, and C) for **33 River Rd., Hudson, NH**. [Map 240, Lot 013, Sublot-001; Split Zoned: Residential-One (R-1), Residential-Two (R-2) and General-One (G-1)] The applicant is seeking relief from the Hudson Zoning Ordinance (HZO), Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses for a proposed mixed-use commercial development comprised of three (3): 9,000 SF, 5-unit buildings and one (1): 9,600 SF building, all located within the R-2 Zoning District on the property where these uses are not allowed as shown below:

##### A. Variance for proposed Industrial Uses –

- Drop Ship Use (Distribution facility of 100,000 square feet or less) (E8)
- Welding Shop Use (E3)
- Machine Shop Use (E4)

##### B. Variance for proposed Industrial Use –

- Contractor's yard & Landscape Business Use (E15)

##### C. Variance for proposed Commercial Uses –

- Medical and Wellness Office (Business or professional office) (D17)
- Cross Fit Gym (Indoor commercial recreation) (D20)
- Florist (Retail sale of agriculture horticulture, floriculture and viticulture products) (D30)

##### NEW HEARING:

- Case 191-011 (08-28-2025):** Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** [Map 191, Lot 011, Sublot 000; Town Residence (TR)] requests two (2) variances as follows:
  - A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
  - A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

#### VIII. REQUEST FOR REHEARING: None

#### IX. REVIEW OF MINUTES:

03/20/2025 draft Meeting Minutes  
06/26/2025 draft Meeting Minutes  
07/24/2025 draft Meeting Minutes

#### X. ADJOURNMENT:

Chris Sullivan, Zoning Administrator



## Obituaries

### Joan M. (Oyevaar) Joyce

MANCHESTER — Joan M. (Oyevaar) Joyce, 83, of Manchester, N.H., passed away peacefully on Aug. 17, 2025, surrounded by the love of her family.

Born in Manchester on May 19, 1942, she was the daughter of Cornelius Arnoldus and Ann Mary (Mahoney) Oyevaar. Joan made Manchester her lifelong home before moving to Sanbornton eight years ago, where she cherished the quiet beauty of the area. She was a proud graduate of Manchester High School Central. In her early years, she worked for New England Telephone Company, and later devoted 12 years of service as a mail clerk with the U.S. Postal Service until



her retirement.

Joan was happiest when surrounded by family. She loved tending to her garden and found joy in caring for her home and yard. Hosting family gatherings brought her great pride, and she especially treasured time spent with her grandchildren, who were the light of her life.

Those who knew Joan will remember her as a woman of strength, warmth and unwavering love. She had a gift for lifting others up, offering a listening ear and speaking her mind with honesty and conviction. She made a lasting impact on all who were fortunate to know her.

Joan shared 58 wonderful years of marriage with her beloved husband, Robert "Bob" E. Joyce Jr., who passed away on July 11, 2023. She was also predeceased by her sister, Fay Walsh.

She is survived by her children, Christopher Joyce of Fairfield, Connecticut, Kerry Joyce and her wife, Monica, of Laconia, and Jennifer Whitman and her husband, Craig, of Lincoln.

She also leaves behind her five adored grandchildren, Emma Gallant, Christopher Gallant, Emily Joyce, Jonathan Joyce and Maxwell Whitman; along with several nieces and nephews.

**SERVICES:** There are no calling hours. A graveside service will be held Monday, Aug. 25, 2025, at 11 a.m., in St. Joseph Cemetery, Bedford, N.H.

The Connor-Healy Funeral Home and Cremation Center, 537 Union St., Manchester, N.H., has the honor of assisting the family with arrangements. For more information, please visit [www.connorhealy.com](http://www.connorhealy.com).



### Marion E. Desfosses

HOOKSETT — Marion E. (Smith) Desfosses, 89, of Hooksett, died Aug. 16, 2025, at Hanover Hill Healthcare Center in Manchester, after a period of declining health.

She was born in Manchester on Sept. 13, 1935, to Charles and Mildred (Riley) Smith. She lived in Manchester for many years and in Hooksett for last the 25 years.

Marion worked at the former Merchants Na-

tional Bank in Manchester for almost 30 years and retired as their lead teller manager.

She enjoyed knitting, crocheting, quilting, traveling and doing crossword puzzles.

She will be remembered as a loving mother, grandmother and aunt. Her family was her greatest pride.

She was predeceased by her husband of 46 years, Joseph Desfosses, in 2001.

Marion is survived by six children, Charles Desfosses and his wife, Kerry S., Susan King and her husband, Donald Jr., Pamela Charron and her husband, David, Leanne Bille and her husband, Chris, J. Richard Desfosses and his wife, Kerry L., and Tracy Garbee and her husband, Gregg; 15 grandchildren; 18 great-grandchildren; one great-great-grandchild; and a nephew and nieces.

**SERVICES:** There are no call-

ing hours. A cemetery service will be held on Saturday, Sept. 13, at 10 a.m., at Fairview Cemetery, Old Canterbury Road, Northwood.

Memorial donations may be made to the American Heart Association at [www.heart.org](http://www.heart.org).

Lambert Funeral Home & Crematory, Manchester, is assisting the family with arrangements. To leave a message of condolence, see the obituary at [www.lambertfuneralhome.com](http://www.lambertfuneralhome.com).



### Carole Callahan

RYE — It is with great sadness that we announce the peaceful passing of Carole Anne (Doyle) Callahan, in Rye, N.H., on Aug. 17, 2025, at the age of 83, due to complications from Alzheimer's disease.



Born in Nashua on March 20, 1942, Carole was the only child of William and Helen (Fitzgerald) Doyle. As a fourth-generation Nashuan, her family originally emigrated from Ireland in the 1850s to farm in the Merrimack Valley. She was the beloved wife of John Charles Callahan.

They married on Feb. 20, 1965, and recently celebrated their 60th wedding anniversary. At the time they met, John was an engineer at Sander's Associates (now BAE Systems) in Nashua, where she worked as a secretary. Together they raised three children: Jon, Cathleen Lareau and Christine Blonda. She was the proud grandmother to five grandchildren, Bridget, Aidan, Tyler (Lar-

eau), Gavin and Sydney (Blonda); and to two step-grandsons, Quinn and Patrick Humlicek.

Once her children were grown, she earned her associate's degree in business and went on to be an administrator for International Shoe Machine in Nashua for eight years during the 1990s. Carole was an avid skier and gardener, and enjoyed traveling, biking, reading, antiquing and studying ancestry. She famously loved dogs and could frequently be seen walking her dogs or biking with her husband in Beaver Brook in Hollis, N.H., and near their former ski house in North Woodstock, N.H.

She was well-known for her outstanding cooking, hosting large family gatherings, independence, strong will and determination.

**SERVICES:** There will be a service and celebration of life at St. John Neumann Catholic Church, 708 Milford Road, Merrimack, N.H., on Saturday, Aug. 23, at 11 a.m.

In lieu of flowers, donations can be made to the Beaver Brook Association in Hollis, N.H.

More obituaries  
appear on Page A6

### Legal Notice

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

By virtue of a Power of Sale contained in a certain Mortgage given by **Kerry A. Riedy** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc., as nominee for Sidus Financial, LLC, its successors and assigns, dated May 29, 2008 and recorded in the Merrimack County Registry of Deeds in Book 7986, Page 2207 and as affected by a Loan Modification Agreement recorded on October 5, 2012 in said Registry of Deeds in Book 8479, Page 2195 and as affected by a Loan Modification Agreement recorded on August 14, 2013 in said Registry of Deeds in Book 8593, Page 2186 (the "Mortgage") of which mortgage the undersigned is present holder by assignment, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purpose of foreclosing same will be sold at:

**Public Auction on  
September 10, 2025  
at 11:00 AM**

Said sale being located on the mortgaged premises and having a present address of **27 Cross-woods Path Boulevard, Merrimack, Hillsborough County, NH**. The premises are more particularly described in the Mortgage.

#### 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 mortgagee's name and address for service of process is Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as Owner Trustee for CSMC 2022-RPL2 Trust c/o Nationstar Mortgage LLC at 8950 Cypress Waters Blvd, Coppell, TX, 75019. The name and address of the mortgagee's agent for service of process is Corporation Service Company at 10 Ferry Street, Suite 313, Concord, NH 03301. You can contact the New Hampshire Banking Department by e-mail at [nhbhd@banking.nh.gov](mailto:nhbhd@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".

The foreclosure sale will be made for the purpose of redemption of all rights of redemption of the said mortgagor(s) therein possessed by them and any and all persons, firms, corporations, or agencies claiming by, from or under them.

#### TERMS OF SALE:

A deposit of TEN THOUSAND DOLLARS AND 00 CENTS (\$10,000.00) in the form of a

certified check, bank treasurer's check, or money order will be required to be delivered at or before the time the bid is offered. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as Owner Trustee for CSMC 2022-RPL2 Trust Present Holder of said Mortgage, By Its Attorneys, Orlans Law Group PLLC PO Box 540540 Waltham, Massachusetts 02454 Phone: (781) 790-7800 (UL - Aug. 20, 27; Sept. 3)

**Going Online?  
See more public notices at  
[www.unionleader.com](http://www.unionleader.com)**

### Legal Notice

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

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Kirsten Marie LeBlanc** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc. as nominee for CMG Mortgage, Inc. dba CMG Financial, and now held by **Federal Home Loan Mortgage Corporation** (the "Mortgagee"), said mortgage dated October 7, 2020, and recorded in the Hillsborough Registry of Deeds in Book 9362, Page 2842, (the "Mortgage"), pursuant to and for breach of the conditions in said Mortgage and for the purpose of foreclosing the same will be sold at:

**Public Auction on  
September 30, 2025  
at 10:00 AM**

Said sale to be held on the mortgaged premises hereinafter described and having a present address of 72 Eastmeadow Way, Manchester, Hillsborough County, NH 03109.

#### 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 name and address of the mortgagee's agent for service of process is Federal Home Loan Mortgage Corporation, Attn: Don Layton, 8200 Jones Branch Drive, McLean, VA 22101. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 800-437-5991. The hotline is a service of the New Hampshire banking department. There is no charge for this call. You can contact the New Hampshire Banking Department by e-mail at [nhbhd@banking.nh.gov](mailto:nhbhd@banking.nh.gov).

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

#### TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check, 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.

Dated at Farmington, Connecticut, on August 11, 2025.

Federal Home Loan Mortgage Corporation By its Attorney, Jeffrey J. Hardiman Brock & Scott, PLLC 270 Farmington Avenue Suite 151 Farmington, CT 06032 (UL - Aug. 13, 20, 27)

### Legal Notice

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

By virtue of a Power of Sale contained in a certain Mortgage given by **Janet M. Donnelly and Patricia A. Donnelly** (the "Mortgagor") to Equity One Consumer Loan Company, Inc., dated September 12, 2006 and recorded in the Cheshire County Registry of Deeds in Book 2380, Page 143 and as affected by a Loan Modification Agreement recorded on August 16, 2012 in said Registry of Deeds in Book 2766, Page 472 (the "Mortgage") of which mortgage the undersigned is present holder by assignment, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purpose of foreclosing same will be sold at:

**Public Auction on  
September 3, 2025 at 2:00 PM**

Said sale being located on the mortgaged premises and having a present address of **153 Squantum Road, Jaffrey, Cheshire County, NH**. The premises are more particularly described in the Mortgage.

#### 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 mortgagee's name and address for service of process is U.S. Bank National Association, not in its individual capacity but solely as Trustee for the CIM TRUST 2020-R7 Mortgage-Backed Notes, Series 2020-R7 c/o Nationstar Mortgage LLC at 8950 Cypress Waters Blvd, Coppell, TX, 75019. The name and address of the mortgagee's agent for service of process is Corporation Service Company at 10 Ferry Street, Suite 313, Concord, NH 03301. You can contact the New Hampshire Banking Department by e-mail at [nhbhd@banking.nh.gov](mailto:nhbhd@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".

The foreclosure sale will be made for the purpose of foreclosure of all rights of redemption of the said mortgagor(s) therein possessed by them and any and all persons, firms, corporations, or agencies claiming by, from or under them.

#### TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check, or money order will be required to be delivered at or before the time the bid is offered. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

U.S. Bank National Association, not in its individual capacity but solely as Trustee for the CIM TRUST 2020-R7 Mortgage-Backed Notes, Series 2020-R7 Present Holder of said Mortgage, By Its Attorneys, Orlans Law Group PLLC PO Box 540540 Waltham, Massachusetts 02454 Phone: (781) 790-7800 (UL - Aug. 13, 20, 27)

### Legal Notice

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

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Photios N. Tsantoulas** (the "Mortgagor") to **Citizens Bank, NA**, and now held by Citizens Bank N.A. (the "Mortgagee"), said mortgage dated September 9, 2020, and recorded in the Merrimack Registry of Deeds in Book 3700, Page 1050, (the "Mortgage"), pursuant to and for breach of the conditions in said Mortgage and for the purpose of foreclosing the same will be sold at:

**Public Auction on  
September 22, 2025  
at 1:00 PM**

Said sale to be held on the mortgaged premises hereinafter described and having a present address of 2 Shaker Rd, Concord, Merrimack County, NH 03301.

#### 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 name and address of the mortgagee's agent for service of process is Rhonda Wells, SVP, 10561 Telegraph Rd., Mail Stop VAM352, Glen Allen, VA 23059. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 800-437-5991. The hotline is a service of the New Hampshire banking department. There is no charge for this call. You can contact the New Hampshire Banking Department by e-mail at [nhbhd@banking.nh.gov](mailto:nhbhd@banking.nh.gov).

The Property will be sold subject

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

#### TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check, 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.

Dated at Farmington, Connecticut, on August 4, 2025.

Citizens Bank N.A. By its Attorney, Jeffrey J. Hardiman Brock & Scott, PLLC 270 Farmington Avenue Suite 151 Farmington, CT 06032 (UL - Aug. 6, 13, 20)

### Legal Notice

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

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Monica M. Granger** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc. as nominee for Residential Mortgage Services, Inc., and now held by **Wells Fargo Bank, N.A.** (the "Mortgagee"), said mortgage dated August 29, 2014, and recorded in the Belknap Registry of Deeds in Book 2929, Page 964, (the "Mortgage"), pursuant to and for breach of the conditions in said Mortgage and for the purpose of foreclosing the same will be sold at:

**Public Auction on  
September 29, 2025  
at 03:00 PM**

Said sale to be held on the mortgaged premises hereinafter described and having a present address of 73 Webster St, Laconia, Belknap County, NH 03246.

#### TOWN OF HUDSON ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearing THURSDAY, AUGUST 28, 2025

The Hudson Zoning Board of Adjustment will hold a public meeting on **Thursday, August 28, 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 use ramp entrance at right side).

**PUBLIC HEARING OF SCHEDULED APPLICATION BEFORE THE BOARD:**

**Case 191-011 (08-28-2025):** Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** [Map 191, Lot 011, Sublot 000; Town Residence (TR)] requests two (2) variances as follows:

A. A variance to allow a proposed approx. 1,445 sq. ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII.A: Accessory Dwelling Units; §334-73.3.H., Provisions]

B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII.A: Accessory Dwelling Units; §334-73.3.L., Provisions]

Chris Sullivan, Zoning Administrator



## **ZONING BOARD OF ADJUSTMENT ELECTION OF OFFICERS**

**Per the Town of Hudson, New Hampshire ZBA Bylaws, Chapter 143 of the Town Code, § 143-5.2, Vacancy and succession of officers:**

- A. In the event that the unexpired term of Chairperson becomes vacant, the Vice-Chairperson will fill the vacancy until the first meeting in January of the following year, at which time the voting members will elect a new Chairperson.*
- B. In the event that the unexpired term of Vice-Chairperson becomes vacant, the voting members will vote to fill the vacancy at their next regular scheduled meeting.*
- C. In the event that the unexpired term of Clerk becomes vacant, the voting members will vote to fill the vacancy at their next regular scheduled meeting.*

**The Chairperson, shall address the need to elect new officers due to unexpired term vacancies and shall first ask for a nomination for the position of Chairperson, followed by Vice-Chairperson and Clerk.**

### **DRAFT MOTIONS FOR ELECTION OF OFFICERS:**

#### **1. MOTION FOR CHAIRPERSON:**

I move to nominate \_\_\_\_\_ to be Chairperson.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Motion carried/failed: \_\_\_\_\_.

If there are no other nominations for this office, the next motion is:

#### **2. MOTION FOR VICE-CHAIRPERSON:**

I move to nominate \_\_\_\_\_ to be Vice-Chairperson.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Motion carried/failed: \_\_\_\_\_.

If there are no other nominations for this office, the next motion is:

#### **3. MOTION FOR CLERK:**

I move to nominate \_\_\_\_\_ to be Clerk.

Motion by: \_\_\_\_\_ Second: \_\_\_\_\_ Motion carried/failed: \_\_\_\_\_.

## **ZONING BOARD OF ADJUSTMENT**

### **Case 165-049 (06-27-24) 36 Campbello St., Hudson, NH Acknowledgement of Court Issued Decision and Motion**

#### **DRAFT MOTION**

I make a motion to grant the variance in accordance with Court's Order in *Sousa Realty & Development, Corp. v. Town of Hudson*, Docket No. 226-2024-CV-00497, dated July 20, 2025 (Clerk's Notice dated July 21, 2025). The variance is narrowly granted as to the frontage requirement only, to allow a private road rather than a Class V or better highway, which approval should not be understood as any approval of any other element of the overall development plan, which shall otherwise be fully zoning complaint.

The private road shall be designed and constructed in full conformity with the Town's engineering standards for public roads, and a homeowner's association shall be established to be responsible for maintenance of the private road.

In accordance with RSA § 674:41, the Town of Hudson neither assumes responsibility for maintenance of the private road, nor liability for any damages resulting from the use of the private road. Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the Hillsborough County Registry of Deeds for any lot on the private road for which a building permit is sought.

# **REMINDER:**

**Please bring the  
Variances A, B & C  
Case Applications  
Mailed in your  
07-24-2025 ZBA Meeting Packet**

**Case 240-013-001 (07-24-25)  
(Continued to 08-28-25)  
33 River Road**

## **Attached:**

- *Revised ZBA Exhibit Plan*
- *8/28/25 Variance Worksheets*



KEACH-NORDSTROM ASSOCIATES, INC.

August 12, 2025

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

TOWN OF HUDSON  
New Hampshire  
03051  
AUG 13 2025  
LAND USE DIVISION  
ZONING DEPT.

**Re: Variance Applications – 33 River Road**  
**Case 240-013-001**  
**Tax Map 240; Lot 13-1**  
**33 River Road, Hudson, New Hampshire**  
**KNA Project # 16-0613-1A**

Dear Chairman and Board Members:

The above referenced project was submitted for Three (3) Variances from the Town of Hudson Zoning Board to request relief from the following Sections of the Hudson Zoning Ordinance:

- A. Article VII Section 334-21 Table of Permitted Principal Uses: Drop Ship Use (E8), Welding Shop Use (E3), and Machine Shop Use (E4)
- B. Article VII Section 334-21 Table of Permitted Principal Uses: Contractor Yard and Landscape Business Use (E15)
- C. Article VII Section 334-21 Table of Permitted Principal Uses: Medical and Wellness Office Business & Professional Office Uses (D17), Indoor Recreational Business/Cross Fit Gym Use (D20), and Florist Use (D30)

After feedback received during the Public Hearing on July 24, 2025, Keach Nordstrom Associates, Inc., on behalf of the Applicant Felipe Figueirido, respectfully submits the revised attached plan. Notes have been added to the plan to associate each Variance request (A, B, and C) to a specific building location. These notes are as follows:

- Building 1 to coordinate with Variance Request C: Variance for Proposed Commercial Uses including:
  - Medical and Wellness Office (Business or Professional Office) (D17)
  - Cross Fit Gym (Indoor Commercial Recreational) (D20)
  - Florist Use (Retail Sale of agriculture, horticulture, floriculture, and viticulture products)
- Building 2 and Building 4 to coordinate with Variance Request B: Variance for Proposed Industrial Use for Contractor's Yard & Landscape Business Use (E15)
- Building 3 to coordinate with Variance Request A: Variance for Industrial Uses including:
  - Drop Ship Use (Distribution facility of 100,000 square feet or less) (E8)
  - Welding Shop Use (E3)
  - Machine Shop Use (E4).

*Civil Engineering*

*Land Surveying*

*Landscape Architecture*

Keach Nordstrom Associates, Inc. will be present to further discuss the Variances at the scheduled hearing. Enclosed is the additional following material for your review and approval:

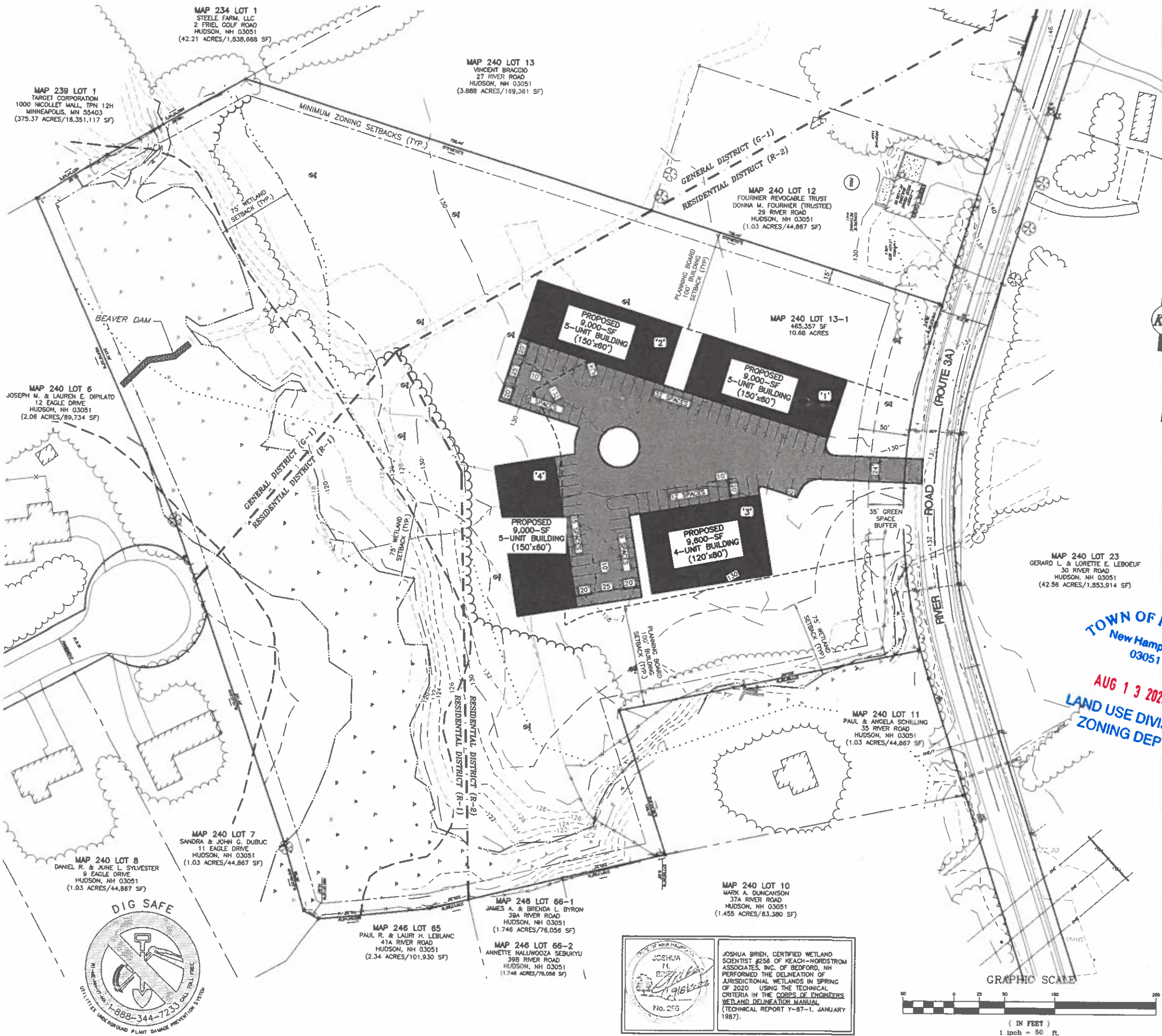
- Revised ZBA Exhibit Plan

If you have any questions or comments, please contact me at (603) 627-2881.

Sincerely,

**Bridget Souza, EIT**  
**Project Engineer**  
Keach-Nordstrom Associates, Inc.





- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED CONCEPTUAL COMMERCIAL DEVELOPMENT ON TAX MAP 240 LOT 13-1 AND NO OTHER PURPOSE.
  2. AREA OF PARCEL = 465,357 SF<sup>2</sup>, OR 10.683 ACRES<sup>2</sup>.
  3. MAP 240 LOT 13-1 INDICATES TOWN OF HUDSON TAX ASSESSOR'S MAP AND LOT NUMBER.
  4. OWNER OF RECORD:  
DWARAKAMAI, INC.  
1167 LAKEWOOD CIRCLE  
NAPERVILLE, IL 60540  
H.C.R.D. BK. 8849, PG. 2437
  5. BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY PERFORMED BY THIS OFFICE DURING MAY OF 2017.
  6. HORIZONTAL DATUM IS NAD83. VERTICAL DATUM IS NGVD29.
  7. WETLANDS WERE DELINEATED BY JOSHUA BRIEN, CWS #256 OF KEACH-NORDSTROM ASSOCIATES INC. IN SPRING OF 2020.
  8. EXAMINATION OF THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF HUDSON, NEW HAMPSHIRE, HILLSBOROUGH COUNTY, MAP NUMBER 33011C08580, PANEL NUMBER 858 OF 701, EFFECTIVE DATE: SEPTEMBER 25, 2009, INDICATES THAT A PORTION OF THE SUBJECT PARCEL IS LOCATED WITHIN A FLOOD HAZARD AREA, AS SHOWN.
  9. THE SUBJECT PARCEL IS LOCATED WITHIN THE GENERAL 1 (G-1), RESIDENCE 1 (R-1) AND RESIDENCE 2 (R-2) ZONING DISTRICTS AND IS SUBJECT TO THE FOLLOWING DIMENSIONAL REGULATIONS:  
MINIMUM LOT REQUIREMENTS:

TABLE OF ZONING REQUIREMENTS					
DESCRIPTION	REQ. R-2	REQ. R-1	REQ. G-1	EXISTING	PROPOSED
MINIMUM LOT SIZE	60,000 SF	43,560 SF	87,120 SF	465,357 SF	465,357 SF
MINIMUM LOT FRONTAGE	150 FT	150 FT	200 FT	347.37 FT	347.37 FT
FRONT YARD SETBACK	50 FT	50 FT	50 FT	N/A	0
SIDE YARD SETBACK	15 FT	15 FT	15 FT	N/A	0
REAR YARD SETBACK	15 FT	15 FT	15 FT	N/A	0
MAXIMUM BUILDING HEIGHT	36 FT	36 FT	36 FT	N/A	38 FT

10. PURSUANT TO HTC 278-11.1 (12) (C), A 100' BUFFER EXISTS BETWEEN NON-RESIDENTIAL USES AND THE PROPOSED DEVELOPMENT. THIS ITEM SHALL BE ADDRESSED DURING THE PLANNING BOARD PERMITTING PROCESS.
11. PARKING:  
REQUIRED: A SPACE PER 600 SF = 38,600SF / 600 = 61 SPACES  
PROVIDED: 76 SPACES

**USE LOCATIONS:**

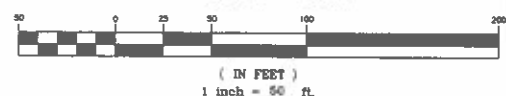
- BUILDING 1 (9,000 S.F.) TO COORDINATE WITH VARIANCE REQUEST: VARIANCE FOR PROPOSED COMMERCIAL USES INCLUDING:
  - MEDICAL AND WELLNESS OFFICE (BUSINESS OR PROFESSIONAL OFFICE) (D17)
  - CROSS FIT GYM (INDOOR COMMERCIAL RECREATION) (D20)
  - FLORIST (RETAIL SALE OF AGRICULTURE HORTICULTURE, FLORICULTURE AND VITICULTURE PRODUCTS) (D30)
- BUILDING 2 AND BUILDING 4 (9,000 S.F. EA) TO COORDINATE WITH VARIANCE REQUEST: VARIANCE FOR PROPOSED INDUSTRIAL USE FOR CONTRACTOR'S YARD & LANDSCAPE BUSINESS USE (E15)
- BUILDING 3 (9,600 S.F.) TO COORDINATE WITH VARIANCE REQUEST: VARIANCE FOR INDUSTRIAL USES INCLUDING:
  - DROP SHIP USE (DISTRIBUTION FACILITY OF 100,000 SQUARE FEET OR LESS) (E8)
  - WELDING SHOP USE (E3)
  - MACHINE SHOP USE (E4)

**LEGEND**

STONE BOUND FOUND	—○—○—○—	STOCKADE FENCE
IRON PIN FOUND	—●—●—●—	POST & RAIL FENCE
DRILL HOLE	—x—x—x—	BARBED WIRE FENCE
UTILITY POLE	—+—+—+—	GUARDRAIL
SIGN	—CHU—	OVERHEAD UTILITIES
LIGHT	—○—○—○—	GAS LINE
GAS VALVE	—G—G—G—	WATER LINE
WATER VALVE	—W—W—W—	SEWER LINE
HYDRANT	—H—H—H—	DRAINAGE LINE
WATER SHUT OFF	—S—S—S—	TREELINE
WELL	—W—W—W—	RETAINING WALL
SEWER MANHOLE	—SM—SM—SM—	EDGE OF PAVEMENT
DRAINAGE MANHOLE	—DM—DM—DM—	EDGE OF GRAVEL
CATCH BASIN	—CB—CB—CB—	10' CONTOUR
ABUTTER LINE	—AL—AL—AL—	2' CONTOUR
PROPERTY LINE	—PL—PL—PL—	STONEMALL
STREAM	—S—S—S—	SOIL LINE
WETLAND	—W—W—W—	ZONING SETBACKS
SWALE	—SW—SW—SW—	PLANNING SETBACKS
POND	—P—P—P—	BASEMENT
CHAIN LINK FENCE	—CL—CL—CL—	

**TOWN OF HUDSON**  
New Hampshire  
03051  
**AUG 13 2025**  
**LAND USE DIVISION**  
**ZONING DEPT.**

GRAPHIC SCALE



**ZBA EXHIBIT PLAN**

MAP 240 LOT 13-1  
33 RIVER ROAD (NH ROUTE 3A)  
HUDSON, NEW HAMPSHIRE  
HILLSBOROUGH COUNTY

**OWNER:**

DWARAKAMAI, INC.  
267 BOSTON ROAD, SUITE 9  
N. BILLERICA, MA 01862

**APPLICANT:**

FELIPE FIGUEROA  
23 MAMMOTH ROAD  
LONDONDERRY, NH 03053

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

**REVISIONS**

No.	DATE	DESCRIPTION	BY
1	7/3/2025	REVISED PER TOWN COMMENTS	DMC
2	8/12/2025	REVISED PER TOWN COMMENTS	DES

DATE: APRIL 23, 2025 SCALE: 1" = 50'

PROJECT NO: 16-0613-1A SHEET 1 OF 1

**JOSHUA BRIEN**  
CERTIFIED WETLAND SCIENTIST #256 OF KEACH-NORDSTROM ASSOCIATES, INC. OF BEDFORD, NH PERFORMED THE DELINEATION OF JURISDICTIONAL WETLANDS IN SPRING OF 2020 USING THE TECHNICAL CRITERIA IN THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL (TECHNICAL REPORT Y-87-1, JANUARY 1987).

**JOSHUA M. BRIEN**  
No. 256





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

On **08/28/2025**, the Zoning Board of Adjustment heard **Case 240-013-001 A (Continued from 07-24-25)**, being a case brought by Felipe Figueiredo, 23 Mammoth Rd., Londonderry, NH, by & through his counsel, Gottesman & Hollis, PA and authorized representative, Keach-Nordstrom Associates, Inc., requests a variance for **33 River Rd., Hudson, NH for a proposed mixed-use commercial development comprised of three (3): 9,000 SF, 5-unit buildings and one (1): 9,600 SF building, all located within the R-2 Zoning District on the property where these uses are not allowed as shown below:**

**A. Variance for proposed Industrial Uses –**

- **Drop Ship Use (Distribution facility of 100,000 square feet or less) (E8)**
- **Welding Shop Use (E3)**
- **Machine Shop Use (E4)**

[Map 240, Lot 013, Sublot 001; Split Zoned: Residential-One (R-1), Residential-Two (R-2) and General-One (G-1); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

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:

- |          |          |   |
|----------|----------|---|
| <b>Y</b> | <b>N</b> | <b>1.</b> 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.”<br><hr/> <hr/> <hr/> |
| <b>Y</b> | <b>N</b> | <b>2.</b> 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.”<br><hr/> <hr/> <hr/>                      |
| <b>Y</b> | <b>N</b> | <b>3.</b> 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.<br><hr/> <hr/> <hr/>   |
| <b>Y</b> | <b>N</b> | <b>4.</b> The proposed use will not diminish the values of surrounding properties.<br><hr/> <hr/> <hr/>   |

**(Continue-next page-Hardship Criteria) (TURN OVER)**

**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

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(2) The proposed use is a reasonable one.

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**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.

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

Print name: \_\_\_\_\_

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

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

On **08/28/2025**, the Zoning Board of Adjustment heard **Case 240-013-001 B (Continued from 07-24-25)**, being a case brought by Felipe Figueiredo, 23 Mammoth Rd., Londonderry, NH, by & through his counsel, Gottesman & Hollis, PA and authorized representative, Keach-Nordstrom Associates, Inc., requests a variance for **33 River Rd., Hudson, NH for a proposed mixed-use commercial development comprised of three (3): 9,000 SF, 5-unit buildings and one (1): 9,600 SF building, all located within the R-2 Zoning District on the property where these uses are not allowed as shown below:**

**B. Variance for proposed Industrial Use – Contractor’s yard & Landscape Business Use (E15)**

[Map 240, Lot 013, Sublot 001; Split Zoned: Residential-One (R-1), Residential-Two (R-2) and General-One (G-1); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

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:

<b>Y</b>	<b>N</b>	<b>1.</b> 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/>		

<b>Y</b>	<b>N</b>	<b>2.</b> 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/>		

<b>Y</b>	<b>N</b>	<b>3.</b> 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/>		

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

**(Continue-next page-Hardship Criteria) (TURN OVER)**



**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

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(2) The proposed use is a reasonable one.

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**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.

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

Print name: \_\_\_\_\_

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

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

On **08/28/2025**, the Zoning Board of Adjustment heard **Case 240-013-001 C (Continued from 07-24-25)**, being a case brought by Felipe Figueiredo, 23 Mammoth Rd., Londonderry, NH, by & through his counsel, Gottesman & Hollis, PA and authorized representative, Keach-Nordstrom Associates, Inc., requests a variance for **33 River Rd., Hudson, NH for a proposed mixed-use commercial development comprised of three (3): 9,000 SF, 5-unit buildings and one (1): 9,600 SF building, all located within the R-2 Zoning District on the property where these uses are not allowed as shown below:**

**C. Variance for proposed Commercial Uses –**

- **Medical and Wellness Office (Business or professional office) (D17)**
- **Cross Fit Gym (Indoor commercial recreation) (D20)**
- **Florist (Retail sale of agriculture horticulture, floriculture and viticulture products) (D30)**

[Map 240, Lot 013, Sublot 001; Split Zoned: Residential-One (R-1), Residential-Two (R-2) and General-One (G-1); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

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:

- |          |          |   |
|----------|----------|---|
| <b>Y</b> | <b>N</b> | <b>1.</b> 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.”<br><hr/> <hr/> |
| <b>Y</b> | <b>N</b> | <b>2.</b> 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.”<br><hr/> <hr/>                      |
| <b>Y</b> | <b>N</b> | <b>3.</b> 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.<br><hr/> <hr/>   |
| <b>Y</b> | <b>N</b> | <b>4.</b> The proposed use will not diminish the values of surrounding properties.<br><hr/> <hr/>   |

**(Continue-next page-Hardship Criteria) (TURN OVER)**

**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**

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(2) The proposed use is a reasonable one.

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**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.

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

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

Sitting member of the Hudson ZBA

Date

Print name: \_\_\_\_\_

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

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# TOWN OF HUDSON

## Land Use Division

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



### Zoning Administrator Staff Report

Meeting Date: August 28, 2025

CS  
8-12-25

**Case 191-011 (08-28-2025):** Selyn M. Sanville, Power of Attorney for Christine Cabral, 12 Regina Ave., Hudson, NH [Map 191, Lot 011, Sublot 000; Town Residence (TR)] requests two (2) variances as follows:

- A. A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

**ADDRESS:** 12 Regina Ave  
Map 228, Lot 034-000

**ZONING DISTRICT:** Town Residence (TR)

#### Relief Requested:

- A. A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

#### PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing lot of record. The lot is 14,984 sq. ft. where 10,000 is required. The lot is classified as a single-family residence.

#### History/Attachments:

##### Plans

Floor Plan (See Packet)

##### BUILDING PERMITS

A: BP# 342-77 To construct 24X24' Addition to the existing dwelling ( 5-18-77)

##### ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

B: Zoning Determination # 25-060 (8-6-25)

##### AERIAL / PHOTOS

Aerials (2024) 12 Regina Ave



#### IN-HOUSE COMMENTS:

C: Town Engineer: No Comment - (8-12-25)

D: Inspectional Services/Fire Dept.:  
No Comment - (8-12-25)

E: Associate Town Planner:  
No Comment - (8-12-25)



TOWN OF HUDSON, N. H.

A

## Application for a Permit To Build

Date May 18 19 77

Residential	
Commercial	
Industrial	
Garage	
Breezeway	
No. of Units	

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

New	
Alter	
Addition	
Repair	

Permit Number

342-77Name of Owner ERNEST + CHRISTINE CABRAL Address 12 REGINA ST. Tel. 883-2797Land Purchased From JOHN BARSORIAN Address \_\_\_\_\_Location HUDSON Property Tax No. 5603Name of General Contractor JORDAN'S WOODWORKING Map and Lot No. 49/79Name of Heating Contr. E. CABRAL Name of Electrical Contractor LEONARD HUFFType of Heat HOT AIR Name of Plumbing Contractor E. CABRALName of Fireplace Mason \_\_\_\_\_ Name of Masonry Contractor DAN'S CONCRETEMaterial of Building WOOD Style of Roof A Roof Covering ASPHALTSize of Foundation 24 X 24 Living Floor Area 240 No. of Stories 1Size of Garage NO Water TOWN Sewer TOWNFoundation Material CONCRETE Width 8" Height 2'6" Footings ☒ Yes ☐ NoFireplace ☐ No. of Flues \_\_\_\_\_ Size \_\_\_\_\_ Chimney Material \_\_\_\_\_Brief Description of Repair, Alter or Other ADDITION TO EXISTING DWELLINGCONSISTING OF 1 - BEDROOM 1 - FULL BATH - 1 - DINING ROOM1 - LAUNDRY ROOM

28.00

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

OVER

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

Owner's Signature Ernest Cabral

Contractor's Signature \_\_\_\_\_

Address \_\_\_\_\_



# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #25-060

August 6, 2025

Selyn Sanville, Tr.  
12 Regina Avenue  
Hudson, NH 03051

Re: **12 Regina Avenue**  
**Map 191 Lot 011-000**  
**District: Town Residence (TR)**

Dear Ms. Sanville,

**Your Request:** To construct an approximately 1,450 square-foot, 3-bedroom Accessory Dwelling Unit (ADU) in the basement of the primary dwelling, along with improvements required to meet the life-safety code.

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

**Existing Conditions:** The lot in question is 0.344 acres in size with 100 linear feet of frontage. The lot is serviced by both the town water and sewer. Currently, the structure on the lot is considered a single-family home. Town records do not indicate a current accessory dwelling unit on the property.

#### **Pertinent Ordinances:**

- Article XIII.A: Accessory Dwelling Units §334-73.3 – Provisions
- Article III: General Regulations; §334-16 – Building Permits

#### **Determination:**

Per §334-73.3 – Provisions, an ADU is allowed within the TR zone to be added to a single-family home. The proposed ADU would require variances from the following subsections of said ordinance.

**§334-73.3.H** – The size of an ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an ADU. Measurement of size shall be consistent with Town Assessor's practices.

**§334-73.3.I** – An ADU shall not have more than two bedrooms.

You may apply to the Zoning Board of Adjustment (ZBA) for a variance for each subsection. Should both variances be granted, all work done on the house shall be done with building permits and in accordance with requirements outlined in **§334-16 – Building permits**. No building permits may be issued until such time that both variances have been granted, or the proposed renovation is modified to be compliant with the zoning ordinance.

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

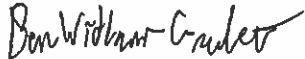


B

**Staff Notes:**

- *Based on an inspection performed by the Associate Planner, Ben Witham-Gradert and Building Inspector, Mark Cataldo, it was determined that the current basement space is a finished basement, not a separate dwelling unit.*
- *The ADU is subject to all requirements of subsections A-O of §334-73.3. The full ordinance may be found at <https://ecode360.com/14358794#14358794>*

Sincerely,



Ben Witham-Gradert/Associate Planner  
(603) 886-6008 (ext. 1220)  
[bgradert@hudsonnh.gov](mailto:bgradert@hudsonnh.gov)

cc: B. Dubowik, Administrative Aide  
File

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

C

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

REQUEST FOR REVIEW/COMMENTS:

Case: 191-011 (08-28-25) (VARIANCES A & B)

Property Location: 12 Regina Avenue

*For Town Use*

Plan Routing Date: 08/12/2025 Reply requested by: 08/15/2025 ZBA Hearing Date: 08/28/2025

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

EZD Name: Elvis Dhima, P.E. Date: 08/12/2025  
(Initials)

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

**Variance A (ADU > 750 SF) Comments:**

If approved, the applicant shall submit an application for a new sewer permit that accounts for the ADU instead of just as a single-family home designation.

**Variance B (ADU w/3 Bedrooms) Comments:**

If approved, the applicant shall submit an application for a new sewer permit that accounts for the ADU instead of just as a single-family home designation.

(D)

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

**REQUEST FOR REVIEW/COMMENTS:**

Case: 191-011 (08-28-25) **(VARIANCES A & B)**

Property Location: 12 Regina Avenue

*For Town Use*

Plan Routing Date: 08/12/2025 Reply requested by: 08/15/2025 ZBA Hearing Date: 08/28/2025



I have no comments



I have comments (see below)

DRH

(Initials)

Name: David Hebert

Date: 08/12/2025

DEPT:



Town Engineer



Fire/Health Department



Associate Town Planner

Variance A (ADU > 750 SF) Comments:

Variance B (ADU w/3 Bedrooms) Comments:

7

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

REQUEST FOR REVIEW/COMMENTS:

Case: 191-011 (08-28-25) (VARIANCES A & B)

Property Location: 12 Regina Avenue

*For Town Use*

Plan Routing Date: 08/12/2025 Reply requested by: 08/15/2025 ZBA Hearing Date: 08/28/2025



I have no comments



I have comments (see below)

BWG

(Initials)

Name: Ben Witham-Gradert

Date: 08/12/2025

DEPT:



Town Engineer



Fire/Health Department



Associate Town Planner

Variance A (ADU > 750 SF) Comments:

Variance B (ADU w/3 Bedrooms) Comments:

**Case 191-011**

**Supplemental Information**

- **NH RSA 674:33.V**
- **2025 ADU State Law Changes**





# TOWN OF HUDSON

## Land Use Division



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

### Supplemental for Case 191-011 A&B

August 19, 2025

**Re: Case 191-011 A&B – 12 Regina Avenue**

Zoning Board members,

As part of Case 191-011 the applicant's submission makes note of specific medical requirements as grounds for granting of the variance. Due to the nature of this reasoning, the standard metrics used to fulfill the fifth criteria to grant a variance (hardship owing to the conditions of the land), may not apply. RSA 674:33-V states that:

V. Notwithstanding subparagraph I(a)(2), any zoning board of adjustment may grant a variance from the terms of a zoning ordinance without finding a hardship arising from the condition of a premises subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises, provided that:

(a) Any variance granted under this paragraph shall be in harmony with the general purpose and intent of the zoning ordinance.

(b) In granting any variance pursuant to this paragraph, the zoning board of adjustment may provide, in a finding included in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises.

It is the recommendation of staff that Board apply the RSA 674:33-V standard to this application. Should the Board choose to grant a variance to the applicant, the Board may wish to approve it conditionally with the following stipulation pursuant to RSA 674:33-V (b):

*The variance as granted shall remain valid only so long as the particular person that is the subject of this appeal has a continuing need to use the premises.*

Sincerely,

Ben Witham-Gradert/Associate Planner

(603) 886-6008 (ext. 1220)

[bgradert@hudsonnh.gov](mailto:bgradert@hudsonnh.gov)

# **TITLE LXIV PLANNING AND ZONING**

## **CHAPTER 674**

### **LOCAL LAND USE PLANNING AND REGULATORY POWERS**

#### **Zoning Board of Adjustment and Building Code Board of Appeals**

##### **Section 674:33**

###### **674:33 Powers of Zoning Board of Adjustment. –**

I. (a) The zoning board of adjustment shall have the power to:

(1) Hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance adopted pursuant to RSA 674:16; and

(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 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.

(c) The board shall use one voting method consistently for all applications until it formally votes to change the method. Any change in the board's voting method shall not take effect until 60 days after the board has voted to adopt such change and shall apply only prospectively, and not to any application that has been filed and remains pending at the time of the change.

I-a. (a) Variances authorized under paragraph I shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

(b) The zoning ordinance may be amended to provide for the termination of all variances that were authorized under paragraph I before August 19, 2013 and that have not been exercised. After adoption of such an amendment to the zoning ordinance, the planning board shall post notice of the termination in the city or town hall. The notice shall be posted for one year and shall prominently state the expiration date of the notice. The notice shall state that variances authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice or as further extended by the zoning board of adjustment for good cause.

II. In exercising its powers under paragraph I, the zoning board of adjustment may reverse or affirm, wholly or in

part, or may modify the order, requirement, decision, or determination appealed from and may make such order or decision as ought to be made and, to that end, shall have all the powers of the administrative official from whom the appeal is taken.

III. The concurring vote of any 3 members of the board shall be necessary to take any action on any matter on which it is required to pass.

IV. (a) A local zoning ordinance may provide that the zoning board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance. All special exceptions shall be made in harmony with the general purpose and intent of the zoning ordinance and shall be in accordance with the general or specific rules contained in the ordinance.

(b) Special exceptions authorized under this paragraph shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception.

(c) The zoning ordinance may be amended to provide for the termination of all special exceptions that were authorized under this paragraph before August 19, 2013 and that have not been exercised. After adoption of such an amendment to the zoning ordinance, the planning board shall post notice of the termination in the city or town hall. The notice shall be posted for one year and shall prominently state the expiration date of the notice. The notice shall state that special exceptions authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice or as further extended by the zoning board of adjustment for good cause.

V. Notwithstanding subparagraph I(a)(2), any zoning board of adjustment may grant a variance from the terms of a zoning ordinance without finding a hardship arising from the condition of a premises subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises, provided that:

(a) Any variance granted under this paragraph shall be in harmony with the general purpose and intent of the zoning ordinance.

(b) In granting any variance pursuant to this paragraph, the zoning board of adjustment may provide, in a finding included in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises.

VI. The zoning board of adjustment shall not require submission of an application for or receipt of a permit or permits from other state or federal governmental bodies prior to accepting a submission for its review or rendering its decision.

VII. Neither a special exception nor a variance shall be required for a collocation or a modification of a personal wireless service facility, as defined in RSA 12-K:2.

VIII. Upon receipt of any application for action pursuant to this section, the zoning board of adjustment shall begin formal consideration and shall approve or disapprove such application within 90 days of the date of receipt, provided that the applicant may waive this requirement and consent to such extension as may be mutually agreeable. If a zoning board of adjustment determines that it lacks sufficient information to make a final decision on an application and the applicant does not consent to an extension, the board may, in its discretion, deny the application without prejudice, in which case the applicant may submit a new application for the same or substantially similar request for relief.

**Source.** 1983, 447:1. 1985, 103:20. 1987, 256:1. 1998, 218:1. 2009, 307:6. 2013, 93:1, 2, eff. Aug. 19, 2013; 267:9, eff. Sept. 22, 2013; 270:3, eff. Sept. 22, 2013. 2018, 75:1, 2, eff. July 24, 2018; 168:1, 2, eff. Aug. 7, 2018; 214:1, eff. Aug. 7, 2018. 2022, 272:74, eff. Aug. 23, 2022.

HB 577 - VERSION ADOPTED BY BOTH BODIES

6Mar2025... 0449h

26Jun2025... 2874EBA

2025 SESSION

25-0119

06/02

HOUSE BILL

**577**

AN ACT                    relative to modifying the definition of ADUs.

SPONSORS:            Rep. Alexander Jr., Hills. 29; Rep. A. Murray, Hills. 20; Rep. D. McGuire, Merr. 14; Rep. Damon, Sull. 8; Rep. Grill, Hills. 18; Rep. Sweeney, Rock. 25; Rep. Mazur, Hills. 44; Sen. Innis, Dist 7; Sen. Murphy, Dist 16

COMMITTEE:          Housing

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ANALYSIS

This bill expands accessory dwelling units by right to include detached units, adds definitions related to accessory dwelling units, and increases the maximum square footage.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 577 - VERSION ADOPTED BY BOTH BODIES

6Mar2025... 0449h  
26Jun2025... 2874EBA

25-0119  
06/02

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT                    relative to modifying the definition of ADUs.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1        1 Accessory Dwelling Unit Definition. Amend RSA 674:71 to read as follows:

2        674:71 ~~[Definition]~~ **Definitions.** As used in this subdivision~~[5]~~:

3            **I.** "Accessory dwelling unit" means a residential living unit that is ~~[within or attached~~  
4 ~~to]~~ **located on a lot containing** a single-family dwelling~~[, and]~~ that provides independent living  
5 facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation,  
6 on the same parcel of land as the principal dwelling unit it accompanies. ***Accessory dwelling units***  
7 ***may be constructed at the same time as the principal dwelling unit.***

8            **II.** ***"Attached unit" means a unit that is within or physically connected to the***  
9 ***principal dwelling unit, or completely contained within a preexisting detached structure.***

10           **III.** ***"Detached unit" means a unit that is neither within nor physically connected***  
11 ***to the principal dwelling unit, nor completely contained within a preexisting detached***  
12 ***structure.***

13        2 Accessory Dwelling Units. RSA 674:72 is repealed and reenacted to read as follows:

14        674:72 Accessory Dwelling Units.

15           I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this  
16 chapter shall allow accessory dwelling units in all zoning districts that permit single-family  
17 dwellings. One accessory dwelling unit, which may be either attached or detached, shall be allowed  
18 as a matter of right. The municipality shall allow one accessory dwelling unit without additional  
19 requirements for lot size, except as described by this section, setbacks, aesthetic requirements,  
20 design review requirements, frontage, space limitations, or other controls beyond what would be  
21 required for a single-family dwelling without an accessory dwelling unit. The municipality may not  
22 impose greater requirements for a septic system for a single-family home with an accessory dwelling  
23 unit than is required by the department of environmental services. The municipality is not required  
24 to allow more than one accessory dwelling unit for any single-family dwelling. The municipality may  
25 prohibit accessory dwelling units associated with multiple single-family dwellings attached to each  
26 other, such as townhouses. The municipality may prohibit accessory dwelling units associated with  
27 rented or leased land. Subsequent condominium conveyance of any accessory dwelling unit separate  
28 from that of the principal dwelling unit shall be prohibited, notwithstanding the provisions of RSA  
29 356-B:5, unless allowed by the municipality.



1           II. If a zoning ordinance contains no provisions pertaining to accessory dwelling units, then  
2 one accessory dwelling unit shall be deemed a permitted accessory use, as a matter of right, to any  
3 single-family dwelling in the municipality, and no municipal permits or conditions shall be required  
4 other than building permits, if required by statute.

5           III. Attached accessory dwelling units shall have either an independent means of ingress  
6 and egress or ingress and egress through a common space shared with the principal dwelling.  
7 However, the municipality shall not limit the choice of ingress and egress.

8           IV. Any municipal regulation applicable to single-family dwellings shall also apply to the  
9 combination of a principal dwelling unit and an accessory dwelling unit, including but not limited to  
10 lot coverage standards and standards for maximum occupancy per bedroom consistent with policy  
11 adopted by the United States Department of Housing and Urban Development, provided that such  
12 municipal regulations shall not be more restrictive for accessory dwelling units than for any single-  
13 family use in the same zoning district. If a municipality has established regulations requiring  
14 parking for the principal dwelling unit, it may require up to one additional parking space for each  
15 accessory dwelling unit. Required parking spaces may be provided either on-site or at a legally  
16 dedicated off-site location, at the property owner's discretion.

17           V. The applicant for a permit to construct an accessory dwelling unit shall make adequate  
18 provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with  
19 RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling  
20 units. In order to comply with this paragraph and prior to constructing an accessory dwelling unit,  
21 an application for approval for a sewage disposal system shall be submitted in accordance with RSA  
22 485-A as applicable. The approved sewage disposal system shall be installed if the existing system  
23 has not received construction approval and approval to operate under current rules or predecessor  
24 rules, or the system fails or otherwise needs to be repaired or replaced.

25           VI. A municipality may require owner occupancy of one of the dwelling units, but it shall not  
26 specify which unit the owner must occupy. A municipality may require that the owner demonstrate  
27 that one of the units is his or her principal place of residence, and the municipality may establish  
28 reasonable regulations to enforce such a requirement.

29           VII. A municipality may apply aesthetic standards to accessory dwelling units only if it has  
30 also applied such standards to the principal dwelling unit. The total living space of the accessory  
31 dwelling unit shall not exceed 950 square feet unless otherwise authorized by the municipality. A  
32 municipality may not restrict the total living space to less than 750 square feet.

33           VIII. A municipality shall not require a familial relationship between the occupants of an  
34 accessory dwelling unit and the occupants of a principal dwelling unit.

35           IX. A municipality shall not limit an accessory dwelling unit to only one bedroom.

HB 577 - VERSION ADOPTED BY BOTH BODIES

- Page 3 -

1 X. An accessory dwelling unit may be deemed a unit of workforce housing for the purpose of  
2 satisfying the municipality's regional fair share obligation under RSA 674:59, III if the unit meets  
3 the criteria in RSA 674:58, IV for rental units.

4 XI. A municipality shall allow accessory dwelling units to be converted from existing  
5 structures, including but not limited to detached garages, regardless of whether such structures  
6 violate current dimensional requirements for setbacks or lot coverage.

7 XII. A municipality shall not deny the establishment of a separate electrical panel and  
8 separate electrical service to the accessory dwelling unit.

9 3 Detached Accessory Dwelling Units. Amend RSA 674:73 to read as follows:

10 674:73 Detached Accessory Dwelling Units. A municipality ~~[is not required to but~~  
11 ~~may]~~ **shall** permit **one** detached accessory dwelling ~~[units]~~ **unit**. Detached accessory dwelling units  
12 shall comply with the requirements of, and any municipal ordinances or regulations adopted  
13 pursuant to, RSA 674:72, IV through IX. ~~[If a municipality allows detached accessory dwelling units,~~  
14 ~~it may require an increased lot size.]~~

15 4 Effective Date. This act shall take effect July 1, 2025.

# The Revised Law on Accessory Dwelling Units – 2025 Edition Updated Version August 12, 2025



*This guidance document is an updated version of the original guidance NHMA issued on accessory dwelling units in July 2025.*

Governor Ayotte signed House Bill 577 on July 15, 2025, relative to accessory dwelling units, substantially amending RSA 674:71 to :73. This document provides local officials with guidance on how to interpret and implement the new law.

## The Revised Law

***The New Basic Requirement.*** A municipality that adopts a zoning ordinance shall allow accessory dwelling units in all zoning districts that permit single-family dwellings. One accessory dwelling unit, **which may be either attached or detached**, shall be allowed as a matter of right, and **municipalities may no longer require either a conditional use permit or special exception for an ADU.**

### ***Revised Definitions:***

**"Accessory dwelling unit"** means a residential living unit that is located on a lot containing a single-family dwelling that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation, on the same parcel of land as the principal dwelling unit it accompanies. Accessory dwelling units may be constructed at the same time as the principal dwelling unit.

**"Attached unit"** means a unit that is within or physically connected to the principal dwelling unit or completely contained within a preexisting detached structure.

**"Detached unit"** means a unit that is neither within nor physically connected to the principal dwelling unit, nor completely contained within a preexisting detached structure.

***Effective Date.*** The new law took effect on July 1, 2025. (The Governor did not sign the bill until July 15, 2025.)

## Where to Begin?

### *Does your zoning ordinance already address ADUs?*

- If your zoning ordinance expressly **allows ADUs, both attached and detached, without limitation**, then you may not need to do anything, because your ordinance may already comply with the new law. However, please keep reading, because your ordinance may contain a limitation that doesn't *seem* like a limitation.
- The municipality shall allow one accessory dwelling unit without additional requirements for lot size, setbacks, aesthetic requirements, design review requirements, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an accessory dwelling unit. However, the municipality is not required to allow more than one accessory dwelling unit for any single-family dwelling.
- If your zoning ordinance contains no provisions pertaining to accessory dwelling units, then  
one accessory dwelling unit shall be deemed a permitted accessory use, as a matter of right, to any single-family dwelling in the municipality, and no municipal permits or conditions shall be required other than building permits, if required by statute.

## What Can You Do?

### *Here are some of the conditions a zoning ordinance may impose:*

One ADU per dwelling. A municipality is not required to allow more than one attached or detached ADU per single-family dwelling. A one-ADU limit should be stated in the ordinance if a municipality wishes to implement a limit. Of course, the municipality may allow more than one ADU per principal dwelling unit, if it chooses.

ADU's may be prohibited for multi-family uses, or on rented or leased land. The municipality may prohibit accessory dwelling units associated with multiple single-family dwellings attached to each other, such as townhouses. The municipality may prohibit accessory dwelling units associated with rented or leased land.

Sale of an ADU through condominium conveyance is prohibited. Subsequent condominium conveyance of any accessory dwelling unit separate from the principal dwelling unit shall be prohibited, notwithstanding the provisions of RSA 356-B:5, unless allowed by the municipality.

Attached ADU's - manner of access. Attached accessory dwelling units shall have either an independent means of ingress and egress or ingress and egress through a common space shared

with the principal dwelling. However, the municipality shall not limit the choice of ingress and egress.

Owner occupancy. The ordinance may require owner occupancy of either the principal or the accessory dwelling unit, but it cannot specify which unit the owner must occupy. A municipality may require that the owner demonstrate that one of the units is his or her principal place of residence, and the municipality may establish reasonable regulations to enforce such a requirement.

Combined principal dwelling & ADU shall otherwise comply with municipal zoning regulations. Any municipal regulation applicable to single-family dwellings shall also apply to the combination of a principal dwelling unit and an accessory dwelling unit, including but not limited to lot coverage standards and standards for maximum occupancy per bedroom consistent with policy adopted by the United States Department of Housing and Urban Development, provided that such municipal regulations shall not be more restrictive for accessory dwelling units than for any single-family use in the same zoning district.

Aesthetic Standards. A municipality may apply aesthetic standards to accessory dwelling units only if it has also applied such standards to the principal dwelling unit.

Minimum and maximum sizes. The ordinance may establish size limits for ADUs, but it may not limit an ADU to less than 750 square feet. The total living space of the accessory dwelling unit shall not exceed 950 square feet unless otherwise authorized by the municipality.

## ***What *Can't* You Do?***

**Here are some conditions that the ordinance may *not* impose:**

Septic system/wastewater requirements/water supply. The municipality may not impose greater requirements for a septic system for a single-family home with an accessory dwelling unit than is required by the Department of Environmental Services. The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units. Prior to constructing an accessory dwelling unit, an application for approval for a sewage disposal system shall be submitted in accordance with RSA 485-A as applicable. The approved sewage disposal system shall be installed if the existing system has not received construction approval and approval to operate under current rules or predecessor rules, or the system fails or otherwise needs to be repaired or replaced.

Parking. Only if existing municipal regulations impose off-street parking requirements for the principal dwelling unit can the municipality require up to one additional parking space for each accessory dwelling unit. Required parking spaces may be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.



Familial Relationships. A municipality “may not require a familial relationship between the occupants of an accessory dwelling unit and the occupants of a principal dwelling unit.” Some municipalities have this restriction built into their existing ADU definition; that will need to change.

Bedroom limit. A municipality “may not limit an accessory dwelling unit to only one bedroom.” This means, of course, that it may impose a *two*-bedroom limit.

Electric Service. A municipality shall not deny the establishment of a separate electrical panel and separate electrical service for the accessory dwelling unit.

## **What *Must* You Do?**

The ordinance **shall** permit the following:

ADU in Nonconforming Structures. Under RSA 674:72, XI, a municipality shall allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage.

NHMA offers the following suggestions for interpreting and applying Paragraph XI of 674:72. This section of the statute is ambiguous, and so municipalities are encouraged to consult with their own legal counsel as to how to proceed on any building permit applications that fall under this section of the law.

1. In order for a structure to be an “existing structure” under this provision, it had to exist on or before July 1, 2025, the effective date of HB 577.
2. For any structure that was in existence prior to July 1, 2025, the municipality could determine eligibility for placement of an ADU within that existing structure where the existing structure does not comply with dimensional requirements for setbacks and lot coverage based on one of the following possible procedures, which should be reviewed and approved by the municipality’s regular municipal legal counsel:
  - a. The existing structure could be required to demonstrate that it qualifies as a pre-existing, nonconforming structure exempt from the currently applicable dimensional requirements for setbacks and lot coverage according to RSA 674:19 or any local zoning regulation protecting non-conforming structures, or;
  - b. The existing structure received a prior zoning approval or determination it was exempt from the current dimensional requirements for setbacks and lot coverage, or;
  - c. Deem the provisions of Paragraph XI of amended 674:72 as essentially granting a blanket zoning exemption from dimensional requirements for setbacks and lot coverage for any existing structure that seeks a building permit to place an ADU in that existing structure.

AUG 12 2025  
LAND USE DIVISION  
ZONING DEPT.

APPLICATION FOR A VARIANCE

A

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 191-011A (08-28-25)

Date Filed 8/12/25

Name of Applicant Selyn M. Sanville POA Map: 191 Lot: 011 Zoning District: TR

Telephone Number (Home) 603-306-7349 (Work) \_\_\_\_\_

Mailing Address 12 Regina Ave Hudson, NH. 03051

Owner Christine Cabral

Location of Property 12 Regina Ave  
(Street Address)

Selyn M. Sanville  
Signature of Applicant Date August 8, 2025

Christine Cabral  
Signature of Property-Owner(s) Date August 8, 2025

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

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

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

Date received: 8/12/25

**COST:**

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

11 Abutter Notice:

Direct Abutters x Certified postage rate \$ 6.08 = \$ 66.88

4 Indirect Abutters x First Class postage rate \$ 0.78 = \$ 3.12

**Total amount due:** \$ 255

\* Variance A. \$255 Amt. received: \*\$ 440

Variance B. \$185 Receipt No.: 832,771

Received by: TSG

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

check#  
5010

## Letter of Authorization

Date: August 8, 2025

To Whom It May Concern,

I, **Christine Cabral**, the legal property owner of **12 Regina Street, Hudson, NH 03051**, do hereby authorize my daughter and Trustee/Power of Attorney, **Selyn M. Sanville**, to act on my behalf in all matters related to the application for a **Variance Request** for an Accessory Dwelling Unit (ADU) on the above-referenced property.

My late husband, **Ernest E. Cabral Sr.**, and I have resided in this home since 1972. This home has been the heart of our family for over 50 years and continues to serve as a place of love, care, and multigenerational support.

It is my wish for my children and grandchildren to reside in the "home" we built together, surrounded by the love and safety of a community that will forever be "home" to our family.

Selyn M. Sanville has my full permission to complete, sign, submit, and discuss all required forms, documents, and information necessary to move forward with this request before the Town of Hudson Zoning Board of Adjustment.

Should you require any additional information or documentation regarding this authorization, please feel free to contact me directly.

Sincerely,

**Christine Cabral**

Owner – 12 Regina Street

Email: MrsChrisCabral@yahoo.com

Phone: 603-620-2797

Signature:



Date:

8-8-25

# TOWN OF HUDSON, NH

## Variance Application Checklist

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

Applicant Initials		Staff Initials
<u>SS</u>	Please review the complete collated application (includes all checklist items) with the Zoning Administrator or staff <b>before making copies in next step.</b>	<u>TG</u>
<u>SS</u>	The applicant must provide the original (with wet signatures) of the complete filled-out application form <u>and</u> all required attachments listed below together with thirteen (13) <b><u>single-sided</u></b> copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>SS</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>TG</u>
<u>SS</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG</u>
<u>SS</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a> (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	TG - abut <div style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; text-align: center;">Pending Labels TG</div>
<u>SS</u>	<b>GIS LOCATION PLAN:</b> Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: <a href="https://www.hudsonnh.gov/community-development/page/gis-public-use">https://www.hudsonnh.gov/community-development/page/gis-public-use</a>	<u>TG</u>
<u>SS</u>	Provide a copy of all <b>single sided pages</b> of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>SS</u>	A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application.	<u>TG</u>
<u>N/A</u>	If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or N (circle one). If yes, submit an application to the Planning Board.	<u>N/A</u>

**CERTIFIED PLOT PLAN:**

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

\* See proposed floor plan

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

N/A

TG

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

Sally H. Sanville  
Signature of Applicant(s)

August 8, 2025  
Date

Christina Cabal  
Signature of Property Owner(s)

August 8, 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
191	011	<i>*Include Applicant &amp; Owner(s)</i> <i>Selye Sanville - POA</i> <i>Christine Cabral</i>	12 Regina Avenue Hudson NH 03051
191	001	Stephen M. Chess	15 Regina Street Hudson, NH 03051
191	002	George M. Vaclavik Joanne M. Vaclavik	13 Regina Street Hudson, NH 03051
191	003	Michael R. McTaggart Patricia E. McTaggart	11 Regina Street Hudson NH 03051
191	004	Robert I. Boda Jr. Michele M. Boda	9 Regina Street Hudson, NH 03051
191	009	John J. Whyte Julia A. Guthro	8 Regina Street Hudson, NH 03051
191	010	James Rousseau Alfreda Rousseau	10 Regina Street Hudson NH 03051
191	012	Jennifer Lebrun	14 Regina Street Hudson NH 03051
191	013	Michael Sousa Stacy Sousa	2 Rickey Drive Hudson, NH 03051
191	014	Stacy A. Pollard Melonie J. Pollard	4 Rickey Drive Hudson NH 03051
191	015	Wesley Nute Clara Abel	6 Rickey Drive 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
191	008	Thomas A Benson Rebecca A Benson	8 Rickey Drive Hudson NH 03051
191	187	Woodland Heights clo Evergreen Harvard Grp.	17 Commerce Dr. Bedford NH 03110
198	171	Dennis J Macklin Claire D Macklin	3 Cape Drive Hudson. NH 03051
198	172	Patricia Schubert	1 Cape Drive Hudson NH 03051

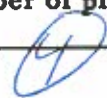



## USPS-Verified Mail

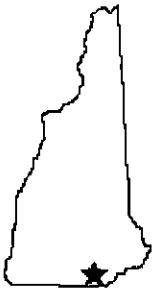
<b>SENDER:</b>	<b>TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051</b>	<b>US POSTAL SERVICE - CERTIFIED MAIL</b>	<b>Case# 191-011 VARIANCES A &amp; B 12 Regina Ave., Hudson, NH 03051 Map 191, Lot 011, Sublot-000 (1 of 1)</b>
	<b>ARTICLE NUMBER</b>	<b>Name of Addressee, Street, and post office address</b>	<b>08/28/2025 ZBA Meeting</b>
1	7022 1670 0001 4990 8459	SANVILLE, SELYN, TR.; CHRISTINE CABRAL; CABRAL IRREV MEDICAID PLANNING TRUST 12 REGINA AVE., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	7022 1670 0001 4990 8466	CHESS, STEPHEN M.	ABUTTER NOTICE MAILED
		15 REGINA STREET, HUDSON, NH 03051	
3	7022 1670 0001 4990 8473	VACLAVIK, GEORGE M.; VACLAVIK, JOANNE M.	ABUTTER NOTICE MAILED
		13 REGINA STREET, HUDSON, NH 03051	
4	7022 1670 0001 4990 8480	MCTAGGART, MICHAEL R.; MCTAGGART, PATRICIA E.	ABUTTER NOTICE MAILED
		11 REGINA STREET, HUDSON, NH 03051	
5	7022 1670 0001 4990 8497	BODA, ROBERT I., JR; BODA, MICHELE M.	ABUTTER NOTICE MAILED
		9 REGINA STREET, HUDSON, NH 03051	
6	7022 1670 0001 4990 8503	WHYEL, JOHN J., TR.; GUTHRO, JULIA A., TR.	ABUTTER NOTICE MAILED
		8 REGINA STREET, HUDSON, NH 03051	
7	7022 1670 0001 4990 8510	ROUSSEAU, JAMES J.; ROUSSEAU, ALFREDA M.	ABUTTER NOTICE MAILED
		10 REGINA STREET, HUDSON, NH 03051	
8	7022 1670 0001 4990 8527	LEBRUN, JENNIFER M.	ABUTTER NOTICE MAILED
		14 REGINA STREET, HUDSON, NH 03051	
9	7022 1670 0001 4990 8534	SOUSA, MICHAEL D.; SOUSA, STACY D.	ABUTTER NOTICE MAILED
		2 RICKY DR., HUDSON, NH 03051	
10	7022 1670 0001 4990 8541	POLLARD, STACY A.; POLLARD, MELONIE J	ABUTTER NOTICE MAILED
		4 RICKY DR., HUDSON, NH 03051	
11	7022 1670 0001 4990 8558	NUTE, WESLEY; ABEL, CIARA	ABUTTER NOTICE MAILED
		6 RICKY DR., HUDSON, NH 03051	
12			
13			
	<b>Total Number of pieces listed by sender 11</b>	<b>Total number of pieces rec'd at Post Office</b>	<b>Postmaster (receiving Employee)</b> <i>Paula Angelli</i>

Direct Certified

**USPS-First Class Mail**

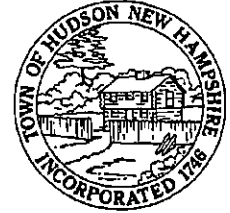
<b>SENDER:</b>	<b>TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051</b>	<b>US POSTAL SERVICE - FIRST CLASS MAIL</b>	<b>Case# 191-011 VARIANCES A &amp; B 12 Regina Ave., Hudson, NH 03051 Map 191, Lot 011, Sublot-000 (1 of 1)</b>
	<b>ARTICLE NUMBER</b>	<b>Name of Addressee, Street, and post office address</b>	<b>08/28/2025 ZBA Meeting</b>
1	Mailed First Class	BENSON, THOMAS M. ; BENSON, REBECCA A. 8 RICKY DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	WOODLAND HEIGHTS CONDO ASSOC.; C/O EVERGREEN HARVARD GROUP 17 COMMERCE DR., BEDFORD, NH 03110	ABUTTER NOTICE MAILED
3	Mailed First Class	MACKLIN, DENNIS J.; MACKLIN, CLAIRE D. 3 CAPE DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	Mailed First Class	SCHUBERT, PATRICIA A. 1 CAPE DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5			
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14			
	<b>Total Number of pieces listed by sender 4</b>	<b>Total number of pieces rec'd at Post Office</b> 	<b>Postmaster (receiving Employee)</b> 





# TOWN OF HUDSON

## Zoning Board of Adjustment



Tristan Dion, Acting Chairman

Dillon Dumont, Selectmen Liaison

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

August 18, 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, August 28, 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.

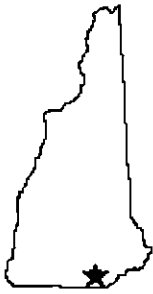
**Case 191-011 (08-28-2025):** Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** [Map 191, Lot 011, Sublot 000; Town Residence (TR)] requests two (2) variances as follows:

- A. A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

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

Respectfully,

Chris Sullivan,  
Zoning Administrator



# TOWN OF HUDSON

## Zoning Board of Adjustment



Tristan Dion, Acting Chairman

Dillon Dumont, Selectmen Liaison

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- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

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](mailto: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](http://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 XIII A of HZO Section(s) 334-73.3.3.H, 334-73.3.I in order to permit the following:

- A. Proposing to construct an Accessory Dwelling Unit that is larger than the 750 sq. ft. allowed; we are requesting 1,445 sq. ft.
- B. Proposing to construct an Accessory Dwelling Unit that has 3 bedrooms, where only 2 bedrooms are allowed.

### FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

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

- (2) If the criteria in subparagraph (1) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.
- (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

## FACTS SUPPORTING THIS REQUEST:

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

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

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

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

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

See Attached

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

See Attached

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



## **#1 Variance Request: Public Interest Statement**

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

The proposed **Accessory Dwelling Unit (ADU)** will provide safe, stable, and supportive housing for immediate family members in need, while maintaining the character and integrity of the surrounding neighborhood. The only external modifications required will be located on the back side of the home, out of public view, and are solely intended to meet safety standards and comply with the town's ADU requirements.

We are requesting **two variances**: one to allow for **additional square footage of 1,445 which is beyond the 750 square feet currently allowed**, and the other to allow for **three bedrooms**, where only two are currently permitted. These requests are necessary to reasonably accommodate a family of four, which includes **one adult and three children**. This layout is essential to provide proper sleeping arrangements, privacy, and safety for the children—one of whom has medical and developmental needs that require consistent care.

These modifications will be minimal and thoughtfully designed to blend with the existing structure. There will be no commercial activity or significant increase in traffic or noise. The ADU will not negatively impact abutting properties or the overall aesthetic of the neighborhood.

This variance supports the growing need for multigenerational housing, especially for families navigating medical or financial hardships. It promotes family stability without compromising public welfare, safety, or the intent of the zoning ordinance. Approving this variance serves both the needs of our family and the values of our community.

## **#2 Variance Request: Spirit of the Ordinance Statement**

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

The intent of the ordinance is to maintain the character of the community, ensure responsible land use, and support safe, appropriate residential development. The proposed Accessory Dwelling Unit (ADU) fully embodies these principles by providing necessary housing for immediate family members, while preserving the appearance, use, and feel of a single-family home. It honors the core values of the ordinance by promoting responsible growth, family stability, and neighborhood continuity.

The ADU will be used solely for family housing, not as a rental or commercial unit, and will remain subordinate in size and scale to the primary residence. All modifications, including those to meet code and safety standards, are being designed with sensitivity to neighborhood aesthetics and town regulations.

This variance also allows our family to be the backbone of support for my sister and her family, offering them a safe and stable environment during an incredibly difficult time. This multigenerational living arrangement reflects the true spirit of the ordinance by encouraging family unity, compassionate care, and resilience, all while preserving the overall integrity, purpose, and intent behind the zoning regulations.

### **#3 Variance Request: Substantial Justice Statement**

**Substantial justice would be done to the property owner by granting the variance because:**

Granting this variance allows our family to provide a safe, supportive living space for my sister and her three children—something that is urgently needed. She has been hospitalized six times this past year due to complications from Type 1 Diabetes, including life-threatening ketoacidosis. Because we live over two hours away and she has no support system in Maine, she often delays medical care until I can travel to care for her children.

These emergencies have forced me to leave my responsibilities as a caregiver to my elderly mother and aunt in our home, to care for her four-year-old—who has a feeding tube and is on the autism spectrum—and her two teenagers. We are unsure how much longer my sister's kidneys will be able to recover from these medical emergencies.

The ADU would allow us to provide immediate help when needed while giving her family a safe, semi-independent space.

A key principle in granting a variance is that the benefit to the applicant must not come at the expense of the general public or neighboring individuals. In this case, there is no identifiable harm to neighbors, the town, or the general public. The proposed ADU does not disrupt the character of the neighborhood, does not pose a safety concern, and does not strain community resources. Instead, it strengthens family support systems and ensures ongoing care without compromising public interest.

Denying the variance would continue to put her health and the stability of both households at risk—with no corresponding public gain. Approving it is a fair, compassionate, and balanced decision that respects our property rights and supports the well-being of our entire family.

## **#4 Variance Request: Property Values Statement**

**The proposed use will not diminish the values of surrounding properties because:**

The proposed Accessory Dwelling Unit (ADU) will be designed and constructed with great attention to quality, aesthetics, and alignment with the character of the neighborhood. It will be located on the rear side of the home, remaining out of sight from the street and neighboring properties. The exterior will match or complement the existing home, ensuring visual consistency and preserving the neighborhood's charm.

This ADU is not being created for rental or commercial purposes. It will be occupied by close family members, and we have firsthand knowledge of the care, pride, and responsibility they bring to maintaining a household. Their presence will not bring disorder or neglect—in fact, it will strengthen the stability and upkeep of the property overall.

There will be no excessive traffic, noise, or activity associated with this use. The daily rhythm of the household will remain that of a typical family residence. Based on our experience and observation of similar multigenerational living situations, we firmly believe that this thoughtful expansion will either have no effect or a positive one on surrounding property values.

This home will continue to be occupied by a family that has been part of this community for over 50 years. My husband and I moved back into this, my childhood home, four years ago to help care for my elderly mother and aunt. Now, my sister is also choosing to return—not only to assist in our mother and aunt's aging needs but to raise her own children in this incredible community.

She already has a strong support base here, made up of both family and old school friends. Her presence will only deepen the roots and continuity that have helped define this neighborhood for decades.

We are committed to preserving the high standards of our home and the neighborhood. The proposed use is respectful, well-integrated, and enhances the functionality of the property without detracting from the value or enjoyment of nearby homes.

## **#5.A Variance Request: Unnecessary Hardship Statement**

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

Our property is a single-family home with sufficient space to responsibly accommodate an Accessory Dwelling Unit (ADU) for immediate family. Currently, my husband and I serve as the primary caregivers for my aging mother and aunt. My husband works full-time at BAE in Nashua, and I am employed as the Executive Assistant at Rage Cage NH. Balancing work and caregiving, we remain fully committed to preserving a safe, loving, and stable environment for our entire family.

We now face an urgent and compassionate need to create a secure living space for my sister and her three children. My sister is a Type 1 Diabetic whose condition requires ongoing, diligent care. At the same time, she provides daily support for her four-year-old daughter who is on the autism spectrum and requires specialized care, including the use of a feeding tube. Her two teenage children are outstanding students and remarkable young individuals. Despite their resilience, the entire family has been under immense emotional and logistical strain without nearby support.

My sister is currently navigating a difficult divorce from her husband, who has a history of emotional abuse, alcoholism, and narcissistic behavior that has had lasting effects on the entire family. As determined by the State of Maine, she must vacate the marital home by October 15th, as the property—gifted solely to her husband by his mother—is not considered a shared asset. Though the court awarded her a modest financial settlement intended to contribute to the cost of building an ADU, it is far from sufficient to secure alternative housing, especially given current real estate and rental market conditions.

Her only anticipated income will come from spousal and child support. While she intends to re-enter the workforce once her family is safely resettled here, she will need help from our family to care for her youngest child, whose complex medical needs demand constant attention. These transitional supports are not optional—they are essential for ensuring her family's health, safety, and long-term stability.

The existing zoning restrictions would prevent us from using our property in a manner that directly serves our family's most urgent needs. While we respect the purpose of zoning ordinances—to prevent overdevelopment and protect neighborhood character—we believe these restrictions, in our case, impose an unnecessary and unfair hardship. Our request is not to establish a rental property or change the character of our home or community, but rather to create a secure, multigenerational living arrangement that prioritizes health, stability, and family unity.

Granting this variance would allow us to continue providing critical care for our mother and aunt, while also supporting my sister through this life-altering transition. Our family has proudly been part of this community for over 50 years, and we are deeply invested in its values and well-being. We respectfully request this variance as a reasonable and compassionate solution to preserve our family's ability to care for one another, without causing harm to the neighborhood or the public interest.

## **#5.B Variance Request: Reasonable Use Statement**

Explain how the special conditions of the property cause the proposed use to be reasonable:

Our family's property, while zoned for single-family use, is uniquely suited to accommodate an Accessory Dwelling Unit (ADU) that would allow for more than 750 square feet and include three bedrooms without negatively impacting the neighborhood or surrounding properties. We have a 3-bedroom, 2-bath Ranch home with 1,584 square feet on the main level, and the basement offers about the same square footage (without including the egresses). This layout can easily accommodate a 3-bedroom, 1-bath ADU of 1,445 sq ft without impacting on the existing structure or the neighborhood. The proposed ADU is intended solely for immediate family use and will be located in the lower level (basement) of the home. Any exterior modifications required will be limited to the rear of the property, where an existing bulkhead will be converted into a walk-out basement entrance, and a rear-facing window will be upgraded to an egress window to meet safety requirements. These changes are not included in the requested 1,445 sq ft which is slightly smaller than the current upstairs sq footage of 1,584 sq ft. These changes will not alter the home's curb appeal and will maintain the integrity of the streetscape.

Due to the medical and emotional needs of our family—especially my sister and her three children—it is critical that they have a safe and stable place to live. The special conditions surrounding their circumstances, including ongoing medical care, a recent divorce, and the necessity for multigenerational caregiving, make the proposed use not only reasonable but essential.

The current zoning limit of 750 square feet and a maximum of two bedrooms is simply not reasonable for a family of four. One adult and three children require sufficient space to ensure safe, healthy, and dignified living conditions. Granting a variance of 1,445 sq ft is not a luxury, but a necessity in order to provide appropriate accommodation for the basic needs of this family.

This modest expansion of living space would support a multigenerational family model, allowing us to remain together and care for one another without burdening public resources or disturbing the character of the community. It allows a family already deeply rooted in this town to continue playing an active and meaningful role in the life of this community while ensuring the well-being of our most vulnerable members.

The proposed structure will comply with all required safety, health, and building standards. The additional square footage and inclusion of three bedrooms are necessary to responsibly accommodate the family's needs.

This proposed use is a reasonable, compassionate, and family-centered adaptation to a

unique set of circumstances. My parents raised four children in this home, and the legacy of our family has always been to keep this home within the family for generations to come. Now, with my parents' youngest granddaughter, this will allow us to continue that legacy exactly as my parents intended—and even better, while my mom is still here to see it happen. This will carry on the safe, loving, and supportive home my parents created. Not only has the home been a place close to our hearts, but this community has also taught and nurtured our multigenerational family, many of whom still reside here. We are very proud to be part of this community.



Selyn M. Sanville, POA

12 Regina Street

Hudson, NH 03051

August 8, 2025

Hudson Zoning Board of Adjustment

12 School Street

Hudson, NH 03051

**Re: Appreciation for Consideration of Variance Requests**

Dear Members of the Hudson Zoning Board of Adjustment,

On behalf of my family, I would like to extend my heartfelt thanks to you for taking the time to review and consider our application for the two variance requests regarding our property at 12 Regina Street.

We recognize the thoughtful attention and effort that goes into evaluating each application, and we truly appreciate your willingness to consider our unique circumstances. Our requests—for an increase in allowable square footage beyond 750 sq. ft. and permission for a third bedroom—are vital in creating a safe and suitable living space for my immediate family.

These variances will not only address urgent family needs, but will also allow us to continue the legacy of this home, which has been in our family for over 50 years, while ensuring we remain active, contributing members of the Hudson community.

Thank you again for your time, careful consideration, and dedication to serving the residents of Hudson.

Warm regards,



Selyn M. Sanville, POA

Property Owner's Representative

new stairway  
24 sq. Feet

New exterior  
Stairs

# Proposed Floor Plan

Total sq. Footage

1,445 sq FOOT

12 Regina Street  
Hudson, NH

new stairway  
24 sq. Feet

Bedroom

Bedroom

525 square feet

STAIRS

Mechanical  
Room

Kitchen Area

920 square feet

Living Area

Bathroom

Bedroom

existing window  
36X16



# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #25-060

August 6, 2025

Selyn Sanville, Tr.  
12 Regina Avenue  
Hudson, NH 03051

Re: 12 Regina Avenue  
Map 191 Lot 011-000  
District: Town Residence (TR)

Dear Ms. Sanville,

**Your Request:** To construct an approximately 1,450 square-foot, 3-bedroom Accessory Dwelling Unit (ADU) in the basement of the primary dwelling, along with improvements required to meet the life-safety code.

**Zoning Review / Determination:**

**Existing Conditions:** The lot in question is 0.344 acres in size with 100 linear feet of frontage. The lot is serviced by both the town water and sewer. Currently, the structure on the lot is considered a single-family home. Town records do not indicate a current accessory dwelling unit on the property.

**Pertinent Ordinances:**

- Article XIII.A: Accessory Dwelling Units §334-73.3 – Provisions
- Article III: General Regulations; §334-16 – Building Permits

**Determination:**

Per §334-73.3 – Provisions, an ADU is allowed within the TR zone to be added to a single-family home. The proposed ADU would require variances from the following subsections of said ordinance.

**§334-73.3.H** – The size of an ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an ADU. Measurement of size shall be consistent with Town Assessor's practices.

**§334-73.3.I** – An ADU shall not have more than two bedrooms.

You may apply to the Zoning Board of Adjustment (ZBA) for a variance for each subsection. Should both variances be granted, all work done on the house shall be done with building permits and in accordance with requirements outlined in §334-16 – Building permits. No building permits may be issued until such time that both variances have been granted, or the proposed renovation is modified to be compliant with the zoning ordinance.

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

**Staff Notes:**

- *Based on an inspection performed by the Associate Planner, Ben Witham-Gradert and Building Inspector, Mark Cataldo, it was determined that the current basement space is a finished basement, not a separate dwelling unit.*
- *The ADU is subject to all requirements of subsections A-O of §334-73.3. The full ordinance may be found at <https://ecode360.com/14358794#14358794>*

Sincerely,



Ben Witham-Gradert/Associate Planner  
(603) 886-6008 (ext. 1220)  
[bgradert@hudsonnh.gov](mailto:bgradert@hudsonnh.gov)

cc: B. Dubowik, Administrative Aide  
File

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



TOWN OF HUDSON  
New Hampshire  
03051

AUG 04 2025  
LAND USE DIVISION  
ZONING DEPT.

## LAND USE DEPARTMENT

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



#25-060

### Town of Hudson

#### REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request

August 3, 2025

Property Location

12 Regina St Ave.

Map 191 Lot 011 Sublot 000

Zoning District if known

TR

#### Type of Request

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

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

Please refer to all attached documents  
This is very time sensitive. My sister needs  
to be moved out by Oct. 15th.  
Legally she has to be out of her current  
residence by then.

#### Applicant Contact Information:

Name: Christine Cabral POA Selya M. Sanville  
Address: 12 Regina St.  
Phone Number: 603-236-7349  
Email: Selya1n2cats@yahoo.com

For Office use

ATTACHMENTS: TAX CARD

GIS ☒

NOTES: Total SF requested 1,445 Applicant stated  
Kitchenette, 1/2 bath, living room, & BD currently exists. (ADU) No building  
ZONING DETERMINATION LETTER SENT ☒ DATE: 8/6/25 permits found

## REQUEST FOR DETERMINATION – REMODELING PROJECT

Date: August 3, 2025

To: [City/Town Building Department or Zoning Officer]  
Town of: Hudson

**From:**

Name: Christine Cabral & Selyn Sanville POA  
Address: 12 Regina Street, Hudson, NH 03051  
Phone: C: 603-620-2797 | S: 603-306-7349  
Email: C: MrsChrisCabral@yahoo.com | S: Selyn1n2cats@yahoo.com

**Project Location:**

12 Regina Street, Hudson, NH 03051

**Description of Proposed Projects:**

**1) Back Basement Remodel**

- Finish back basement to create: Living area, Closet, 3rd bedroom
- Replace existing bulkhead with a walkout door for exterior access.

**2) Front Basement Update**

- Upgrade existing half bath to a full bath
- Add kitchenette
- Update floor layout to accommodate: Kitchenette, Full bath, Living room area, 2 existing bedrooms

Total Sqr Ft 1445

**Purpose of Request:**

I am requesting an official determination on the following:

- Does this proposed remodeling require a building permit?
- Are there any zoning, planning, or code requirements that must be addressed before proceeding?
- Are additional inspections or approvals required?

**Attachments (if applicable):**

- Sketch/floor plan of proposed remodel
- Photos of current basement areas and bulkhead

Owner Signature: Christine Cabral Date: 8-4-25

<b>For Town Use Only:</b>	
<input type="checkbox"/> Building permit required	
<input type="checkbox"/> Zoning approval / variance required	
<input type="checkbox"/> Additional approvals required: _____	
<input type="checkbox"/> Project approved as submitted	
Reviewed by: _____	Date: _____
Comments / Conditions:	

CURRENT OWNER		ASSESSING NEIGHBORHOOD		PREVIOUS ASSESSMENTS (HISTORY)							
SANVILLE, SELYN, TR. CABRAL IRREV MEDICAID PLANNIN 12 REGINA AVE  HUDSON NH 03051	Nbhd	Nbhd Name	Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
	RE	Residential Average	2025	1010	292,000	2024	1010	292,000	2024	1010	292,000
	TOPO	UTILITIES		1010	130,600		1010	130,600		1010	130,600
	Rolling	Town Water		1010	1,400		1010	1,400		1010	1,400
		Town Sewer									
				Total	424,000	Total	424,000	Total	424,000	Total	424,000

RECORD OF OWNERSHIP			BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY		
SANVILLE, SELYN, TR. CABRAL, CHRISTINE CABRAL, CHRISTINE	9765	2857	04-03-2024	U	I		0	44	Grantor: CABRAL, CHRISTINE, Grantor: N/A	Appraised Bldg. Value (Card)		254,900
	9471	1233	05-12-2021	U	I		0	38		Appraised Xf (B) Value (Bldg)		37,100
	2215	360	05-30-1972	Q	I			00		Appraised Ob (B) Value (Bldg)		1,400
										Appraised Land Value (Bldg)		130,600

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Special Land Value	0	
Parcel ID	191-011-000	PREV 0049-0079-0000 Assoc Pid#	Descript	Code		Appraised	Assessed	Total Appraised Parcel Value	424,000
Zoning	TR:Town Residential		BLDG	1010		292,000	292,000	Valuation Method	C
Flood Hazard	C		LAND	1010		130,600	130,600		
Neigh/Abut1			OB	1010		1,400	1,400		
Neigh/Abut2									
Neigh/Abut3									
GIS ID	191-011-000				Total:	424,000	424,000	Total Appraised Parcel Value	424,000

NOTES				VISIT / CHANGE HISTORY			
12-5-11 INT INSP:ONE BATH HAD A CEILING LEAK. CEILING AND WALLS NEED REPAIR. SOM E Z-BRICK IN KIT BY CABINETS. SMALL 4X3 DECK OFF SIDE TOO SMALL. 7/19 EA+IA./I/21 -added back formerly nv basement finish area/ with half bath				Date	Id	Cd	Purpost/Result
23-new ac, furnace upgrade				08-28-2023	21	15	Permit Visit
				06-22-2021	21	15	Permit Visit
				07-22-2019	19	02	Measured
				12-05-2011	14	03	Meas/Inspect
				08-21-2007	10	14	Inspected
				08-12-2007	06	02	Measured
				09-08-2005	01	71	Acreage Adjustment From New Map
				04-17-2001	00	03	Meas/Inspect

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments	
2022-00843-1	08-02-2022	EL	Electrical Plumbing	18,890	C	HERITAGE Home Servi		Electrical for Air Conditioner/compressor Replacement furnace	
2022-00843	08-02-2022	MG		7,117	C	HERITAGE Home Servi			
2020-00955-1	10-21-2020	ELEC		1,600	C				
2020-00955	10-02-2020	PLMG		9,300	C				

LAND LINE VALUATION SECTION																		
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acreage Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment					Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	0.344	AC	170,000		2.23	5	1.00	RE	1.00						130,600
Total Card Land Units:				0.344 AC		Parcel Total Land Area:				0.344		AC					Total Land Value:	130,600
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.																		

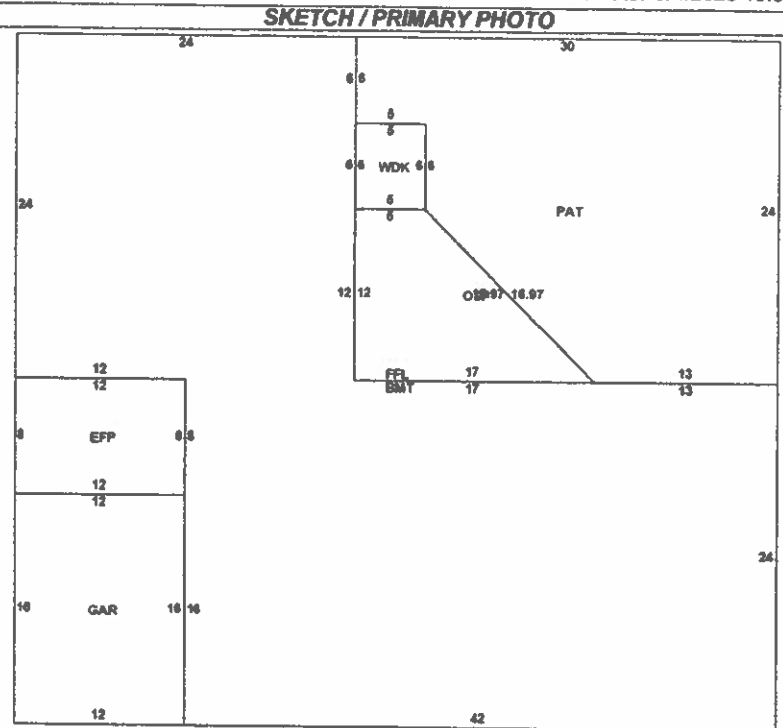
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



[illegible]

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	UOM	Unit Pri	Yr Bkt	Cnd.	% G	Assd. Value
SHEDWD	Shed-Wood	L	100	UNITS	31.02	1966	PR	45	1,400
XFRRM	Rec Room,Fin,BMT	B	1,030	SQ. FT	45.00	1966	AV	80	37,100

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	1,584	396	36.10	57,187
EFB	End. Porch, Finished	0	96	67	100.79	9,676
FFL	First Floor, Finished	1,584	1,584	1,584	144.41	228,749
GAR	Garage	0	192	67	50.39	9,676
OSP	Screen Porch, Open	0	132	33	36.10	4,766
PAT	Patio	0	558	56	14.49	8,087
WDK	Wood Deck, or Composite Dk	0	30	3	14.44	433
	Total Liv Area/Gr. Area/Eff Are	1,584	4,176	2,206	Total Value	318,574



**12 Regina Ave (Map 191, Lot 011-000)**



8/4/2025

1:861

Printed  
8/12/2025  
8:50AM  
Created  
8/12/2025  
8:42 AM

## Transaction Receipt

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

Receipt# 832,771  
tgoodwyn

		<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00		Zoning Applications-8/28/25 ZBA Mtg. 12 Regina Ave. Map 191, Lot 011-000, Zone TR			
		Variance A(ADU size)	0.00	255.0000	0.00
		Variance B (3 BD)	0.00	185.0000	0.00
				Total:	440.00

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Christine Cabral, Selyn M Sanville, POA	CHECK	CHECK# 5010	440.00	0.00	440.00

Total Due:	440.00
Total Tendered:	440.00
Total Change:	0.00
Net Paid:	440.00

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

On **08/28/2025**, the Zoning Board of Adjustment heard **Case 191-011 A**, being a case brought by Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** requests a variance to **allow a proposed approx. 1,445 sq. ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet.** [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]

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

- |          |          |   |
|----------|----------|---|
| <b>Y</b> | <b>N</b> | <p><b>1.</b> Granting of the requested variance will not be contrary to the public interest, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”</p> <hr/> <hr/> <hr/> |
| <b>Y</b> | <b>N</b> | <p><b>2.</b> The proposed use will observe the spirit of the ordinance, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”</p> <hr/> <hr/> <hr/>                      |
| <b>Y</b> | <b>N</b> | <p><b>3.</b> Substantial justice would be done to the property-owner by granting the variance, and the benefits to the property owner are not outweighed by harm to the general public or to other individuals.</p> <hr/> <hr/> <hr/>   |
| <b>Y</b> | <b>N</b> | <p><b>4.</b> The proposed use will not diminish the values of surrounding properties.</p> <hr/> <hr/> <hr/>   |

**(Continue-next page-Hardship Criteria) (TURN OVER)**

**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

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(2) The proposed use is a reasonable one.

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**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.

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

Print name: \_\_\_\_\_

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

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AUG 12 2025  
LAND USE DIVISION  
ZONING DEPT.

APPLICATION FOR A VARIANCE

B

To: Zoning Board of Adjustment  
Town of Hudson

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

Case No. 191-011B/08-28-25

Date Filed 8/12/25

Name of Applicant Selyn M. Sanville Map: 191 Lot: 011 Zoning District: TR

Telephone Number (Home) 603-386-7349 (Work) \_\_\_\_\_

Mailing Address 12 Regina Ave. Hudson, NH 03051

Owner Christine Cabral

Location of Property 12 Regina Ave  
(Street Address)

Selyn M. Sanville  
Signature of Applicant

August 8, 2025  
Date

Christine Cabral  
Signature of Property-Owner(s)

August 8, 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: 8/12/25

**COST:**

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

11 Abutter Notice:

4 Direct Abutters x Certified postage rate \$ N/C = \$ —

Indirect Abutters x First Class postage rate \$ N/C = \$ —

Total amount due: \$ 185.00

\* Variance A. \$255  
Variance B. \$185

Amt. received: \* \$ 440

Receipt No.: 832,771

Received by: TSB

check #  
5010

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

## Letter of Authorization

Date: August 8, 2025

To Whom It May Concern,

I, **Christine Cabral**, the legal property owner of **12 Regina Street, Hudson, NH 03051**, do hereby authorize my daughter and Trustee/Power of Attorney, **Selyn M. Sanville**, to act on my behalf in all matters related to the application for a **Variance Request** for an Accessory Dwelling Unit (ADU) on the above-referenced property.

My late husband, **Ernest E. Cabral Sr.**, and I have resided in this home since 1972. This home has been the heart of our family for over 50 years and continues to serve as a place of love, care, and multigenerational support.

It is my wish for my children and grandchildren to reside in the "home" we built together, surrounded by the love and safety of a community that will forever be "home" to our family.

Selyn M. Sanville has my full permission to complete, sign, submit, and discuss all required forms, documents, and information necessary to move forward with this request before the Town of Hudson Zoning Board of Adjustment.

Should you require any additional information or documentation regarding this authorization, please feel free to contact me directly.

Sincerely,

**Christine Cabral**  
Owner – 12 Regina Street  
Email: MrsChrisCabral@yahoo.com  
Phone: 603-620-2797

Signature: 

Date: 8-8-25



# TOWN OF HUDSON, NH

## Variance Application Checklist

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

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

**CERTIFIED PLOT PLAN:**

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

see proposed plot plan

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

N/A

76

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

Sally M. Skerville  
Signature of Applicant(s)

August 8, 2025  
Date

Christine Lebel  
Signature of Property Owner(s)

August 8, 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
191	011	<i>*Include Applicant &amp; Owner(s)</i> <i>Selye Sanvili - POA</i> <i>Christine Cabral</i>	12 Regina Avenue Hudson NH 03051
191	001	Stephen M. Chess	15 Regina Street Hudson, NH 03051
191	002	George M. Vaclavik Joanne M. Vaclavik	13 Regina Street Hudson, NH 03051
191	003	Michael R. McTaggart Patricia E. McTaggart	11 Regina Street Hudson NH 03051
191	004	Robert I. Boda Jr. Michele M. Boda	9 Regina Street Hudson, NH 03051
191	009	John J. Whyte Julia A. Guthro	8 Regina Street Hudson, NH 03051
191	010	James Rousseau Alfreda Rousseau	10 Regina Street Hudson NH 03051
191	012	Jennifer Lebrun	14 Regina Street Hudson NH 03051
191	013	Michael Sousa Stacy Sousa	2 Rickey Drive Hudson, NH 03051
191	014	Stacy A. Pollard Melonie J. Pollard	4 Rickey Drive Hudson NH 03051
191	015	Wesley Nute Clara Abel	6 Rickey Drive 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
191	008	Thomas M Benson Rebecca A Benson	8 Rickey Drive Hudson NH 03051
191	187	Woodland Heights c/o Evergreen Harvard Grp.	17 Commerce Dr. Bedford NH 03110
198	171	Dennis J Macklin Claire D Macklin	3 Cape Drive Hudson. NH 03051
198	172	Patricia Schubert	1 Cape Drive Hudson NH 03051

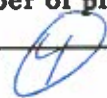

## USPS-Verified Mail

<b>SENDER:</b>	<b>TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051</b>	<b>US POSTAL SERVICE - CERTIFIED MAIL</b>	<b>Case# 191-011 VARIANCES A &amp; B 12 Regina Ave., Hudson, NH 03051 Map 191, Lot 011, Sublot-000 (1 of 1)</b>
	<b>ARTICLE NUMBER</b>	<b>Name of Addressee, Street, and post office address</b>	<b>08/28/2025 ZBA Meeting</b>
1	7022 1670 0001 4990 8459	SANVILLE, SELYN, TR.; CHRISTINE CABRAL; CABRAL IRREV MEDICAID PLANNING TRUST 12 REGINA AVE., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	7022 1670 0001 4990 8466	CHESS, STEPHEN M.  15 REGINA STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	7022 1670 0001 4990 8473	VACLAVIK, GEORGE M.; VACLAVIK, JOANNE M.	ABUTTER NOTICE MAILED
4	7022 1670 0001 4990 8480	13 REGINA STREET, HUDSON, NH 03051 MCTAGGART, MICHAEL R.; MCTAGGART, PATRICIA E.	ABUTTER NOTICE MAILED
5	7022 1670 0001 4990 8497	11 REGINA STREET, HUDSON, NH 03051 BODA, ROBERT I., JR; BODA, MICHELE M.	ABUTTER NOTICE MAILED
6	7022 1670 0001 4990 8503	9 REGINA STREET, HUDSON, NH 03051 WHYEL, JOHN J., TR.; GUTHRO, JULIA A., TR.	ABUTTER NOTICE MAILED
7	7022 1670 0001 4990 8510	8 REGINA STREET, HUDSON, NH 03051 ROUSSEAU, JAMES J.; ROUSSEAU, ALFREDA M.	ABUTTER NOTICE MAILED
8	7022 1670 0001 4990 8527	10 REGINA STREET, HUDSON, NH 03051 LEBRUN, JENNIFER M.	ABUTTER NOTICE MAILED
9	7022 1670 0001 4990 8534	14 REGINA STREET, HUDSON, NH 03051 SOUSA, MICHAEL D.; SOUSA, STACY D.	ABUTTER NOTICE MAILED
10	7022 1670 0001 4990 8541	2 RICKY DR., HUDSON, NH 03051 POLLARD, STACY A.; POLLARD, MELONIE J	ABUTTER NOTICE MAILED
11	7022 1670 0001 4990 8558	4 RICKY DR., HUDSON, NH 03051 NUTE, WESLEY; ABEL, CIARA	ABUTTER NOTICE MAILED
12		6 RICKY DR., HUDSON, NH 03051	
13			
	<b>Total Number of pieces listed by sender 11</b>	<b>Total number of pieces rec'd at Post Office</b>	<b>Postmaster (receiving Employee)</b> <i>Paula Angelli</i>

Direct Certified



**USPS-First Class Mail**

<b>SENDER:</b>	<b>TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051</b>	<b>US POSTAL SERVICE - FIRST CLASS MAIL</b>	<b>Case# 191-011 VARIANCES A &amp; B 12 Regina Ave., Hudson, NH 03051 Map 191, Lot 011, Sublot-000 (1 of 1)</b>
	<b>ARTICLE NUMBER</b>	<b>Name of Addressee, Street, and post office address</b>	<b>08/28/2025 ZBA Meeting</b>
1	Mailed First Class	BENSON, THOMAS M. ; BENSON, REBECCA A. 8 RICKY DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	WOODLAND HEIGHTS CONDO ASSOC.; C/O EVERGREEN HARVARD GROUP 17 COMMERCE DR., BEDFORD, NH 03110	ABUTTER NOTICE MAILED
3	Mailed First Class	MACKLIN, DENNIS J.; MACKLIN, CLAIRE D. 3 CAPE DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	Mailed First Class	SCHUBERT, PATRICIA A. 1 CAPE DRIVE, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5			
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14			
	<b>Total Number of pieces listed by sender 4</b>	<b>Total number of pieces rec'd at Post Office</b> 	<b>Postmaster (receiving Employee)</b> 





# TOWN OF HUDSON

## Zoning Board of Adjustment



Tristan Dion, Acting Chairman

Dillon Dumont, Selectmen Liaison

---

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

August 18, 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, August 28, 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 191-011 (08-28-2025):** Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** [Map 191, Lot 011, Sublot 000; Town Residence (TR)] requests two (2) variances as follows:

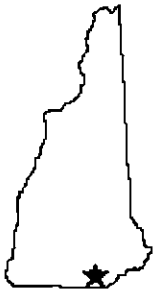
- A. A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

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

Respectfully,

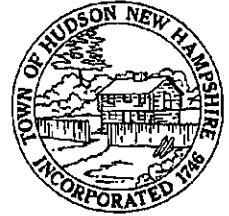
Chris Sullivan,  
Zoning Administrator





# TOWN OF HUDSON

## Zoning Board of Adjustment



Tristan Dion, Acting Chairman

Dillon Dumont, Selectmen Liaison

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

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- A. A variance to allow a proposed approx. 1,445 sq.ft. Accessory Dwelling Unit (ADU) in the basement of the principal home structure where the size of an ADU shall not be greater than 750 square feet. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.H., Provisions]
- B. A variance to allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms. [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

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](mailto: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](http://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 XIII A of HZO Section(s) 334-7333.H, 334-73.3.I in order to permit the following:

- A) Proposing to construct an Accessory Dwelling Unit that is larger than the 750 sq. ft. allowed. We are requesting 1,445 sq. ft.
- B) Proposing to construct an Accessory Dwelling Unit that has 3 bedrooms, where only 2 bedrooms are allowed.

### FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

- (A) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and

(B) The proposed use is a reasonable one.

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

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

## FACTS SUPPORTING THIS REQUEST:

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

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

See Attached

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

See Attached

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

See Attached

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

See Attached

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

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

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

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

See Attached

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

See Attached

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

## **#1 Variance Request: Public Interest Statement**

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

The proposed **Accessory Dwelling Unit (ADU)** will provide safe, stable, and supportive housing for immediate family members in need, while maintaining the character and integrity of the surrounding neighborhood. The only external modifications required will be located on the back side of the home, out of public view, and are solely intended to meet safety standards and comply with the town's ADU requirements.

We are requesting **two variances**: one to allow for **additional square footage of 1,445 which is beyond the 750 square feet currently allowed**, and the other to allow for **three bedrooms**, where only two are currently permitted. These requests are necessary to reasonably accommodate a family of four, which includes **one adult and three children**. This layout is essential to provide proper sleeping arrangements, privacy, and safety for the children—one of whom has medical and developmental needs that require consistent care.

These modifications will be minimal and thoughtfully designed to blend with the existing structure. There will be no commercial activity or significant increase in traffic or noise. The ADU will not negatively impact abutting properties or the overall aesthetic of the neighborhood.

This variance supports the growing need for multigenerational housing, especially for families navigating medical or financial hardships. It promotes family stability without compromising public welfare, safety, or the intent of the zoning ordinance. Approving this variance serves both the needs of our family and the values of our community.

## **#2 Variance Request: Spirit of the Ordinance Statement**

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

The intent of the ordinance is to maintain the character of the community, ensure responsible land use, and support safe, appropriate residential development. The proposed Accessory Dwelling Unit (ADU) fully embodies these principles by providing necessary housing for immediate family members, while preserving the appearance, use, and feel of a single-family home. It honors the core values of the ordinance by promoting responsible growth, family stability, and neighborhood continuity.

The ADU will be used solely for family housing, not as a rental or commercial unit, and will remain subordinate in size and scale to the primary residence. All modifications, including those to meet code and safety standards, are being designed with sensitivity to neighborhood aesthetics and town regulations.

This variance also allows our family to be the backbone of support for my sister and her family, offering them a safe and stable environment during an incredibly difficult time. This multigenerational living arrangement reflects the true spirit of the ordinance by encouraging family unity, compassionate care, and resilience, all while preserving the overall integrity, purpose, and intent behind the zoning regulations.

### **#3 Variance Request: Substantial Justice Statement**

**Substantial justice would be done to the property owner by granting the variance because:**

Granting this variance allows our family to provide a safe, supportive living space for my sister and her three children—something that is urgently needed. She has been hospitalized six times this past year due to complications from Type 1 Diabetes, including life-threatening ketoacidosis. Because we live over two hours away and she has no support system in Maine, she often delays medical care until I can travel to care for her children.

These emergencies have forced me to leave my responsibilities as a caregiver to my elderly mother and aunt in our home, to care for her four-year-old—who has a feeding tube and is on the autism spectrum—and her two teenagers. We are unsure how much longer my sister's kidneys will be able to recover from these medical emergencies.

The ADU would allow us to provide immediate help when needed while giving her family a safe, semi-independent space.

A key principle in granting a variance is that the benefit to the applicant must not come at the expense of the general public or neighboring individuals. In this case, there is no identifiable harm to neighbors, the town, or the general public. The proposed ADU does not disrupt the character of the neighborhood, does not pose a safety concern, and does not strain community resources. Instead, it strengthens family support systems and ensures ongoing care without compromising public interest.

Denying the variance would continue to put her health and the stability of both households at risk—with no corresponding public gain. Approving it is a fair, compassionate, and balanced decision that respects our property rights and supports the well-being of our entire family.



## **#4 Variance Request: Property Values Statement**

**The proposed use will not diminish the values of surrounding properties because:**

The proposed Accessory Dwelling Unit (ADU) will be designed and constructed with great attention to quality, aesthetics, and alignment with the character of the neighborhood. It will be located on the rear side of the home, remaining out of sight from the street and neighboring properties. The exterior will match or complement the existing home, ensuring visual consistency and preserving the neighborhood's charm.

This ADU is not being created for rental or commercial purposes. It will be occupied by close family members, and we have firsthand knowledge of the care, pride, and responsibility they bring to maintaining a household. Their presence will not bring disorder or neglect—in fact, it will strengthen the stability and upkeep of the property overall.

There will be no excessive traffic, noise, or activity associated with this use. The daily rhythm of the household will remain that of a typical family residence. Based on our experience and observation of similar multigenerational living situations, we firmly believe that this thoughtful expansion will either have no effect or a positive one on surrounding property values.

This home will continue to be occupied by a family that has been part of this community for over 50 years. My husband and I moved back into this, my childhood home, four years ago to help care for my elderly mother and aunt. Now, my sister is also choosing to return—not only to assist in our mother and aunt's aging needs but to raise her own children in this incredible community.

She already has a strong support base here, made up of both family and old school friends. Her presence will only deepen the roots and continuity that have helped define this neighborhood for decades.

We are committed to preserving the high standards of our home and the neighborhood. The proposed use is respectful, well-integrated, and enhances the functionality of the property without detracting from the value or enjoyment of nearby homes.

## **#5.A Variance Request: Unnecessary Hardship Statement**

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

Our property is a single-family home with sufficient space to responsibly accommodate an Accessory Dwelling Unit (ADU) for immediate family. Currently, my husband and I serve as the primary caregivers for my aging mother and aunt. My husband works full-time at BAE in Nashua, and I am employed as the Executive Assistant at Rage Cage NH. Balancing work and caregiving, we remain fully committed to preserving a safe, loving, and stable environment for our entire family.

We now face an urgent and compassionate need to create a secure living space for my sister and her three children. My sister is a Type 1 Diabetic whose condition requires ongoing, diligent care. At the same time, she provides daily support for her four-year-old daughter who is on the autism spectrum and requires specialized care, including the use of a feeding tube. Her two teenage children are outstanding students and remarkable young individuals. Despite their resilience, the entire family has been under immense emotional and logistical strain without nearby support.

My sister is currently navigating a difficult divorce from her husband, who has a history of emotional abuse, alcoholism, and narcissistic behavior that has had lasting effects on the entire family. As determined by the State of Maine, she must vacate the marital home by October 15th, as the property—gifted solely to her husband by his mother—is not considered a shared asset. Though the court awarded her a modest financial settlement intended to contribute to the cost of building an ADU, it is far from sufficient to secure alternative housing, especially given current real estate and rental market conditions.

Her only anticipated income will come from spousal and child support. While she intends to re-enter the workforce once her family is safely resettled here, she will need help from our family to care for her youngest child, whose complex medical needs demand constant attention. These transitional supports are not optional—they are essential for ensuring her family's health, safety, and long-term stability.

The existing zoning restrictions would prevent us from using our property in a manner that directly serves our family's most urgent needs. While we respect the purpose of zoning ordinances—to prevent overdevelopment and protect neighborhood character—we believe these restrictions, in our case, impose an unnecessary and unfair hardship. Our request is not to establish a rental property or change the character of our home or community, but rather to create a secure, multigenerational living arrangement that prioritizes health, stability, and family unity.

Granting this variance would allow us to continue providing critical care for our mother and aunt, while also supporting my sister through this life-altering transition. Our family has proudly been part of this community for over 50 years, and we are deeply invested in its values and well-being. We respectfully request this variance as a reasonable and compassionate solution to preserve our family's ability to care for one another, without causing harm to the neighborhood or the public interest.

## **#5.B Variance Request: Reasonable Use Statement**

Explain how the special conditions of the property cause the proposed use to be reasonable:

Our family's property, while zoned for single-family use, is uniquely suited to accommodate an Accessory Dwelling Unit (ADU) that would allow for more than 750 square feet and include three bedrooms without negatively impacting the neighborhood or surrounding properties. We have a 3-bedroom, 2-bath Ranch home with 1,584 square feet on the main level, and the basement offers about the same square footage (without including the egresses). This layout can easily accommodate a 3-bedroom, 1-bath ADU of 1,445 sq ft without impacting on the existing structure or the neighborhood. The proposed ADU is intended solely for immediate family use and will be located in the lower level (basement) of the home. Any exterior modifications required will be limited to the rear of the property, where an existing bulkhead will be converted into a walk-out basement entrance, and a rear-facing window will be upgraded to an egress window to meet safety requirements. These changes are not included in the requested 1,445 sq ft which is slightly smaller than the current upstairs sq footage of 1,584 sq ft. These changes will not alter the home's curb appeal and will maintain the integrity of the streetscape.

Due to the medical and emotional needs of our family—especially my sister and her three children—it is critical that they have a safe and stable place to live. The special conditions surrounding their circumstances, including ongoing medical care, a recent divorce, and the necessity for multigenerational caregiving, make the proposed use not only reasonable but essential.

The current zoning limit of 750 square feet and a maximum of two bedrooms is simply not reasonable for a family of four. One adult and three children require sufficient space to ensure safe, healthy, and dignified living conditions. Granting a variance of 1,445 sq ft is not a luxury, but a necessity in order to provide appropriate accommodation for the basic needs of this family.

This modest expansion of living space would support a multigenerational family model, allowing us to remain together and care for one another without burdening public resources or disturbing the character of the community. It allows a family already deeply rooted in this town to continue playing an active and meaningful role in the life of this community while ensuring the well-being of our most vulnerable members.

The proposed structure will comply with all required safety, health, and building standards. The additional square footage and inclusion of three bedrooms are necessary to responsibly accommodate the family's needs.

This proposed use is a reasonable, compassionate, and family-centered adaptation to a

unique set of circumstances. My parents raised four children in this home, and the legacy of our family has always been to keep this home within the family for generations to come. Now, with my parents' youngest granddaughter, this will allow us to continue that legacy exactly as my parents intended—and even better, while my mom is still here to see it happen. This will carry on the safe, loving, and supportive home my parents created. Not only has the home been a place close to our hearts, but this community has also taught and nurtured our multigenerational family, many of whom still reside here. We are very proud to be part of this community.

Selyn M. Sanville, POA

12 Regina Street

Hudson, NH 03051

August 8, 2025

Hudson Zoning Board of Adjustment

12 School Street

Hudson, NH 03051

**Re: Appreciation for Consideration of Variance Requests**

Dear Members of the Hudson Zoning Board of Adjustment,

On behalf of my family, I would like to extend my heartfelt thanks to you for taking the time to review and consider our application for the two variance requests regarding our property at 12 Regina Street.

We recognize the thoughtful attention and effort that goes into evaluating each application, and we truly appreciate your willingness to consider our unique circumstances. Our requests—for an increase in allowable square footage beyond 750 sq. ft. and permission for a third bedroom—are vital in creating a safe and suitable living space for my immediate family.

These variances will not only address urgent family needs, but will also allow us to continue the legacy of this home, which has been in our family for over 50 years, while ensuring we remain active, contributing members of the Hudson community.

Thank you again for your time, careful consideration, and dedication to serving the residents of Hudson.

Warm regards,



Selyn M. Sanville, POA

Property Owner's Representative

new stairway  
24 sq. Feet

New exterior  
Stairs

Proposed Floor Plan

Total sq. Footage

1,445 sq FOOT

12 Regina Street  
Hudson, NH

new stairway  
24 sq. Feet

525 square feet

existing window  
36 X 16

Kitchen Area

920 square feet

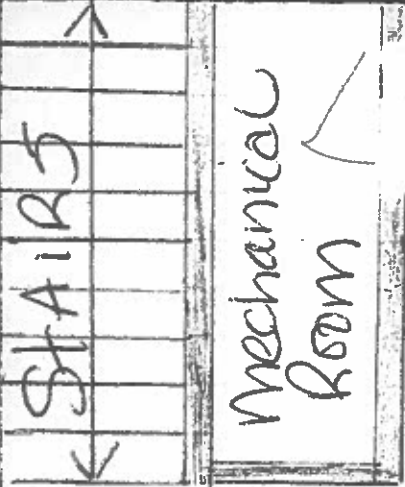
Living Area

Bathroom

Bedroom

Bedroom

Bedroom





# TOWN OF HUDSON

## Land Use Division



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

### Zoning Determination #25-060

August 6, 2025

Selyn Sanville, Tr.  
12 Regina Avenue  
Hudson, NH 03051

Re: **12 Regina Avenue**  
**Map 191 Lot 011-000**  
**District: Town Residence (TR)**

Dear Ms. Sanville,

**Your Request:** To construct an approximately 1,450 square-foot, 3-bedroom Accessory Dwelling Unit (ADU) in the basement of the primary dwelling, along with improvements required to meet the life-safety code.

**Zoning Review / Determination:**

**Existing Conditions:** The lot in question is 0.344 acres in size with 100 linear feet of frontage. The lot is serviced by both the town water and sewer. Currently, the structure on the lot is considered a single-family home. Town records do not indicate a current accessory dwelling unit on the property.

**Pertinent Ordinances:**

- Article XIII.A: Accessory Dwelling Units §334-73.3 – Provisions
- Article III: General Regulations; §334-16 – Building Permits

**Determination:**

Per §334-73.3 – Provisions, an ADU is allowed within the TR zone to be added to a single-family home. The proposed ADU would require variances from the following subsections of said ordinance.

**§334-73.3.H** – The size of an ADU shall not be less than 350 square feet nor greater than 750 square feet. The size of the principal dwelling shall not be reduced to less than 850 square feet in order to accommodate the creation of an ADU. Measurement of size shall be consistent with Town Assessor's practices.

**§334-73.3.I** – An ADU shall not have more than two bedrooms.

You may apply to the Zoning Board of Adjustment (ZBA) for a variance for each subsection. Should both variances be granted, all work done on the house shall be done with building permits and in accordance with requirements outlined in §334-16 – Building permits. No building permits may be issued until such time that both variances have been granted, or the proposed renovation is modified to be compliant with the zoning ordinance.

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

**Staff Notes:**

- *Based on an inspection performed by the Associate Planner, Ben Witham-Gradert and Building Inspector, Mark Cataldo, it was determined that the current basement space is a finished basement, not a separate dwelling unit.*
- *The ADU is subject to all requirements of subsections A-O of §334-73.3. The full ordinance may be found at <https://ecode360.com/14358794#14358794>*

Sincerely,



Ben Witham-Gradert/Associate Planner  
(603) 886-6008 (ext. 1220)  
[bgradert@hudsonnh.gov](mailto:bgradert@hudsonnh.gov)

cc: B. Dubowik, Administrative Aide  
File

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





TOWN OF HUDSON  
New Hampshire  
03051

AUG 04 2025  
LAND USE DIVISION  
ZONING DEPT.

## LAND USE DEPARTMENT

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

#25-060



### Town of Hudson

#### REQUEST FOR ZONING and/or PLANNING INFORMATION / DETERMINATION

Date of request

August 3, 2025

Property Location

12 Regina St. Ave.

Map 191 Lot 011 Sublot 000

Zoning District if known

TR

#### Type of Request

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

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

Please refer to all attached documents  
This is very time sensitive. My sister needs  
to be moved out by Oct. 15th.  
Legally she has to be out of her current  
residence by then.

#### Applicant Contact Information:

Name: Christine Cabral POA: Selyn M. Sanville  
Address: 12 Regina St.  
Phone Number: 603-306-2349  
Email: Selyn12cats@yahoo.com

For Office use

ATTACHMENTS: TAX CARD

GIS ☒

NOTES: Total SF requested 1,445 Applicant stated  
Kitchenette, 1/2 bath, living room, 2 BD currently exists. (ADU) No building  
ZONING DETERMINATION LETTER SENT DATE: 8/6/25 permits found

## REQUEST FOR DETERMINATION – REMODELING PROJECT

Date: August 3, 2025

To: [City/Town Building Department or Zoning Officer]  
Town of: Hudson

**From:**

Name: Christine Cabral & Selyn Sanville POA  
Address: 12 Regina Street, Hudson, NH 03051  
Phone: C: 603-620-2797 | S: 603-306-7349  
Email: C: MrsChrisCabral@yahoo.com | S: Selyn1n2cats@yahoo.com

**Project Location:**

12 Regina Street, Hudson, NH 03051

**Description of Proposed Projects:**

**1) Back Basement Remodel**

- Finish back basement to create: Living area, Closet, 3rd bedroom
- Replace existing bulkhead with a walkout door for exterior access.

**2) Front Basement Update**

- Upgrade existing half bath to a full bath
- Add kitchenette
- Update floor layout to accommodate: Kitchenette, Full bath, Living room area, 2 existing bedrooms

Total Sqr Ft 1445

**Purpose of Request:**

I am requesting an official determination on the following:

- Does this proposed remodeling require a building permit?
- Are there any zoning, planning, or code requirements that must be addressed before proceeding?
- Are additional inspections or approvals required?

**Attachments (if applicable):**

- Sketch/floor plan of proposed remodel
- Photos of current basement areas and bulkhead

Owner Signature: Christine Cabral Date: 8-4-25

**For Town Use Only:**

☒ Building permit required

☒ Zoning approval / variance required

☒ Additional approvals required: \_\_\_\_\_

☒ Project approved as submitted

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments / Conditions:

CURRENT OWNER		ASSESSING NEIGHBORHOOD		PREVIOUS ASSESSMENTS (HISTORY)								
SANVILLE, SELYN, TR. CABRAL IRREV MEDICAID PLANNIN 12 REGINA AVE  HUDSON NH 03051		Nbhd	Nbhd Name	Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RE	Residential Average	2025	1010	292,000	2024	1010	292,000	2024	1010	292,000
		TOPO	UTILITIES		1010	130,600		1010	130,600			
		Rolling	Town Water		1010	1,400		1010	1,400			
			Town Sewer									
						Total	424,000	Total		424,000	Total	
RECORD OF OWNERSHIP		BK VOL PAGE	SALE DATE	OWN VAL	SALE PRICE	LIS. SENSE						

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		Q/U	V/I	SALE PRICE		VC	SALE NOTES		APPRAISED VALUE SUMMARY	
SANVILLE, SELYN, TR. CABRAL, CHRISTINE CABRAL, CHRISTINE		9765	2857	04-03-2024	U	I		0	44	Grantor: CABRAL, CHRISTINE, Grantor: N/A	Appraised Bldg. Value (Card)		254,900	
		9471	1233	05-12-2021	U	I		0	38		Appraised Xf (B) Value (Bldg)		37,100	
											Appraised Ob (B) Value (Bldg)		1,400	
		2215	360	05-30-1972	Q	I			00		Appraised Land Value (Bldg)		130,600	

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Special Land Value	0	
Parcel ID	191-011-000	Zoning TR:Town Residential Flood Hazard C Neigh/Abut1 Neigh/Abut2 Neigh/Abut3 GIS ID 191-011-000	Descript	Code		Appraised	Assessed	Total Appraised Parcel Value	424,000
Zoning	TR:Town Residential		BLDG	1010		292,000	292,000	Valuation Method	C
Flood Hazard	C		LAND	1010		130,600	130,600		
Neigh/Abut1			OB	1010		1,400	1,400		
Neigh/Abut2			PREV 0049-0079-0000						
Neigh/Abut3		Assoc Pid#			Total:	424,000	424,000	Total Appraised Parcel Value	424,000

NOTES			VISIT / CHANGE HISTORY			
12-5-11 INT INSP:ONE BATH HAD A CEILING LEAK. CEILING AND WALLS NEED REPAIR. SOM E Z-BRICK IN KIT BY CABINETS. SMALL 4X3 DECK OFF SIDE TOO SMALL. 7/19 EA+IA./21 -added back formerly nv basement finish area/ with half bath			Date	Id	Cd	Purpost/Result
23-new ac, furnace upgrade			08-28-2023	21	15	Permit Visit
			06-22-2021	21	15	Permit Visit
			07-22-2019	19	02	Measured
			12-05-2011	14	03	Meas/Inspect
			08-21-2007	10	14	Inspected
			08-12-2007	06	02	Measured
			09-08-2005	01	71	Acreage Adjustment From New Map
			04-17-2001	00	03	Meas/Inspect

BUILDING PERMIT RECORD							
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft
2022-00843-1	08-02-2022	EL	Electrical Plumbing	18,890	C	HERITAGE Home Servi	Electrical for Air Conditioner/compressor Replacement furnace
2022-00843	08-02-2022	MG		7,117	C	HERITAGE Home Servi	
2020-00955-1	10-21-2020	ELEC		1,600	C		
2020-00955	10-02-2020	PLMG		9,300	C		

LAND LINE VALUATION SECTION																			
B #	Land Use Code	Description	Land Type	Land Units		Unit Price	Acreage Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment					Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	0.344	AC	170,000		2.23	5	1.00	RE	1.00						130,600	
Total Card Land Units:				0.344 AC		Parcel Total Land Area:				0.344		AC		Total Land Value:			130,600		
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.																			

LUC: 1010  
Print Date: 8/4/2025 10:35:19 AM

**SKETCH / PRIMARY PHOTO**

Print Date: 07/12/2015 10:35:19 AM

The sketch shows a site plan with the following features and dimensions:

- Overall Dimensions:**
  - Top: 24 (left), 30 (right)
  - Right: 24 (top), 24 (bottom)
  - Bottom: 42
  - Left: 24 (top), 8 (middle), 16 (bottom)
- Internal Dimensions and Labels:**
  - Top Left:** 12 (width), 12 (height). Labeled **EFP**.
  - Bottom Left:** 12 (width), 16 (height). Labeled **GAR**.
  - Top Right:** 6, 6 (width), 6, 6 (height). Labeled **WDK**.
  - Middle Right:** 12 (width), 12 (height). Labeled **PAT**.
  - Bottom Right:** 17 (width), 13 (height). Labeled **FFL** and **BMT**.
  - Diagonal Line:** A line runs from the bottom right corner of the **PAT** area to the bottom right corner of the **FFL/BMT** area. It is labeled **16.97** and **16.97** at its ends.

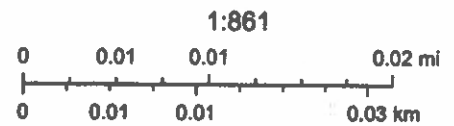
A black and white photograph of a small, single-story house with a gabled roof, surrounded by dense trees and foliage. The house has a large garage door on the left and several windows on the right. A small porch or stoop is visible in front of the entrance.

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	1,584	396	36.10	57,187
EFP	Encl. Porch, Finished	0	96	67	100.79	9,676
FFL	First Floor, Finished	1,584	1,584	1,584	144.41	228,749
GAR	Garage	0	192	67	50.39	9,676
OSP	Screen Porch, Open	0	132	33	36.10	4,766
PAT	Patio	0	558	56	14.49	8,087
WDK	Wood Deck, or Composite Dk	0	30	3	14.44	433
	Total Liv Area/Gr. Area/Eff Are	1,584	4,176	2,206	Total Value	318,574

# 12 Regina Ave (Map 191, Lot 011-000)



8/4/2025



Printed  
8/12/2025  
8:49AM

Created  
8/12/2025  
8:42 AM

## Transaction Receipt

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

Receipt# 832,771  
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Applications-8/28/25 ZBA Mtg. 12 Regina Ave. Map 191, Lot 011-000, Zone TR			
	Variance A(ADU size)	0.00	255.0000	0.00
	Variance B (3 BD)	0.00	185.0000	0.00
			Total:	440.00

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Christine Cabral, Selyn M Sanville, POA	CHECK	CHECK# 5010	440.00	0.00	440.00

Total Due:	440.00
Total Tendered:	440.00
Total Change:	0.00
Net Paid:	440.00

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

On **08/28/2025**, the Zoning Board of Adjustment heard **Case 191-011 B**, being a case brought by Selyn M. Sanville, Power of Attorney for Christine Cabral, **12 Regina Ave., Hudson, NH** requests a variance to **allow the proposed ADU to have three (3) bedrooms where an ADU shall not have more than two bedrooms.** [HZO Article XIII A: Accessory Dwelling Units; § 334-73.3.I., Provisions]

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

- |          |          |   |
|----------|----------|---|
| <b>Y</b> | <b>N</b> | <p><b>1.</b> Granting of the requested variance will not be contrary to the public interest, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”</p> <hr/> <hr/> <hr/> |
| <b>Y</b> | <b>N</b> | <p><b>2.</b> The proposed use will observe the spirit of the ordinance, since the proposed use does not conflict with the explicit or implicit purpose of the ordinance and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”</p> <hr/> <hr/> <hr/>                      |
| <b>Y</b> | <b>N</b> | <p><b>3.</b> Substantial justice would be done to the property-owner by granting the variance, and the benefits to the property owner are not outweighed by harm to the general public or to other individuals.</p> <hr/> <hr/> <hr/>   |
| <b>Y</b> | <b>N</b> | <p><b>4.</b> The proposed use will not diminish the values of surrounding properties.</p> <hr/> <hr/> <hr/>   |

**(Continue-next page-Hardship Criteria) (TURN OVER)**

**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

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(2) The proposed use is a reasonable one.

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**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.

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

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

Sitting member of the Hudson ZBA

\_\_\_\_\_ Date

Print name: \_\_\_\_\_

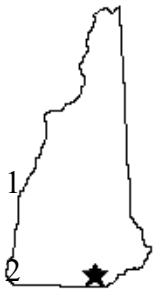
Stipulations: \_\_\_\_\_

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# 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 – March 20, 2025 - draft

The Hudson Zoning Board of Adjustment met on Thursday, March 20, 2025, at 7:00 PM in the Hills Memorial Library building located at 18 Library Street, Hudson, NH.

#### I. CALL TO ORDER

#### II. PLEDGE OF ALLEGIANCE

#### III. ATTENDANCE

#### IV. SEATING OF ALTERNATES

Chairman Daddario called the meeting to order at 7:11 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.

Clerk Dion called the attendance. Members present were Gary Daddario (Regular/Chair), Tristan Dion (Regular/Clerk), Tim Lanphear (Regular), Zachary McDonough (Alternate), Normand Martin (Regular/Vice Chair) and Dean Sakati (Regular). Also present were Louise Knee, Recorder (remote) and Chris Sullivan, Zoning Administrator. Excused was Dillon Dumont, Selectman Liaison.

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

##### 1. Case 165-021 (03-2006-25) (deferred from 03-06-25 and 01-09-25):

Brendan and Julie Burke, 343R High St., Hingham, MA request a Variance and reasonable accommodation for **12-14 Gambia St., Hudson, NH**. The application is to allow seven (7) unrelated individuals to live together while recovering from substance use. The seven individuals share the entire house, kitchen, bathroom facilities, etc. The use would not be permitted per §334-21, Table of Permitted Principal Uses. [Map 165, Lot 021, Sublot-000; Zoned Town Residence (TR); HZO Article V: Permitted Uses; §334-20, Allowed uses provided in tables and §334-21, Table of Permitted Principal Uses.]

Mr. Sullivan read the Case into the record. Mr. Daddario stated that the Board has received testimony and evidence and held several public hearings and that the purpose of tonight's meeting is final discussion among the Board and determination whether the criteria required for the granting of a Variance and reasonable accommodation have been satisfied and that their approach would be to discuss one issue/criteria at a time beginning with "reasonable accommodation".

Not Official until reviewed, approved and signed.

D R A F T

Mr. Daddario stated that the Applicant has stated that it is not a discrimination case and that they are seeking “reasonable accommodation”; which could be a financial consideration yet the Applicant has denied providing any financial information; or it could be a reasonable accommodation for seven (7) unrelated individuals to reside together, yet only week-to-week leases are being offered; or it could be a reasonable accommodation based upon a disability, yet the Applicant has testified that they provide no services to their tenants.

Mr. McDonough stated that based on the testimony received, there was no evidence presented that confirmed that any of the residents are disabled. Mr. Sakati stated that it seems to be a very casual application with no evidence of a disability. Mr. Lanphear stated that the Applicant has on several occasions made the statement that “people in recovery are disabled”. Mr. Dion noted that there is no structure or support or plan for the residents to get better and that there has been no showing of any treatment options. Mr. Daddario stated that the Applicant has been clear that there are no services being provided, that addiction has been claimed to be a disability, that if someone is disabled it generally means that at least one or more of life functions are not met and yet, leasing is weekly. Mr. McDonough noted that an addiction from thirty (30) years ago doesn’t mean that a person is disabled today. Mr. Martin noted that there has been no proof given regarding any disability. Mr. Sakati stated that they are even lackadaisical regarding the drug testing they conduct and noted that according to testimony received, there have been fifty to sixty (50-60) residents in the past year and that alone does not comply with Hudson’s Land Use intent of the TR Zone that is characterized by small lots in a residential neighborhood. It was noted that the seven (7) proposed residents come from seven (7) different families which magnifies the impact of ‘visitors’ to the neighborhood which in turn can impact the sense of security generally associated with small residential neighborhoods. It was also noted that even though the residents are supposed to be in recovery and “not using”, testimony has been received that residents have been seen in the neighborhood while under the influence of something, and, the number of ambulances called to the residence at all hours of the day and night, and, the high volume of visitors to the site. Mr. Lanphear stated that testimony has been received that the manager/operator is informed of any and all infractions, yet the manager/operator also admitted to this Board that he was unaware of some of the infractions reported to by the neighbors that were also substantiated by services provided by emergency services.

Mr. Daddario provided the following recap: there is difficulty in qualifying whether the residents are disabled, there are no procedures, no qualified staff, and the application seems casual; that there is no monitoring, there are no services provided, that there is loose use of the wording; that leases are weekly which makes it difficult to determine if a resident is disabled and also subject to different eviction procedures which have not been defined beyond the basic concept of paying rent; that drug testing appears to be ad hoc and casual and performed with/by unqualified individuals; that generally there is agreement among residents when they make the decision to live together, but here, the operator chooses who will live there and assigns a room to the new resident and provides them with a copy of the House Rules; that the TR Zone is normally of older smaller lots designed for single-family use, but a household of seven (7) unrelated people impacts the sense of the

neighborhood with its increased traffic and visitors and that a group home is not subject to the normal landlord/tenant relationship.

Board next addressed the criteria required to be satisfied in order to grant a Variance. The criteria and findings included the following:

*(1) not contrary to public interest*

- Mr. Martin stated that granting this variance would be contrary to public interest as it does conflict as it does conflict with the implicit purpose of the neighborhood and does alter it
- Mr. Sakati stated that it is more of a rooming house verses a single-family residence on a Cul de sac and does alter the neighborhood
- Mr. Dion stated that it goes against the Zoning scheme with its high volume and high turnover rate
- Mr. Lanphear noted that holidays, like the Fourth of July when families gather for cookouts, could also be impacted with the addition of seven (7) families from one residence
- Mr. McDonough noted that safety is lowered as the road is not wide
- Mr. Daddario noted it is lacking compatibility with the neighborhood, that the housing of seven (7) unrelated individuals into one household is not compatible with the neighborhood
- criteria failed
- \*\*\*

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

- Mr. Daddario stated that the proposed Use is explicit and in contradiction to the Zoning Ordinance and the requested Use does not meet the spirit of the Zoning Ordinance
- Mr. Lanphear, Mr. Sakati, Mr. Martin, Mr. Dion and Mr. McDonough agreed
- criteria not satisfied
- \*\*\*

*(3) substantial justice done to property owner*

- Mr. McDonough stated that the public is harmed more than any justice to the owner
- Each Board Member agreed with Mr. McDonough
- Mr. Sullivan noted that the use was taken without any Board or Town permission
- Mr. Daddario stated that in addition to ignoring the Cease and Desist Order issued last May, threats have been made to neighbors, traffic continues to plague the neighborhood and threats have been made to the neighbors and their pets along with disrespect like their disposal of cigarette butts over the fence onto neighbor's back yard/property
- Mr. Daddario and Mr. Dion state that the public is harmed, that there are significant safety issues, that it is a prohibited Use, that a Cease and Desist Order has been issued and ignored, that harm as occurred and is occurring to the neighborhood
- Criteria failed- there is no justice in the granting of this Variance
- \*\*\*\*\*

143 (4) *will not diminish surrounding property values*

- 144 • Mr. Martin stated that there has been no evidence provided from the
- 145 Applicant and added that, in his opinion, surrounding property values
- 146 would be impacted based simply on the number of unrelated individuals
- 147 residing there on a week-to-week basis with no regard for the neighbors or
- 148 to a neighborhood
- 149 • Mr. Daddario agreed – there is a negative impact on surrounding property
- 150 values but not based on an issue of renting to addicts but from living next
- 151 to a house with all these people, transient even by their leases, and their
- 152 impacts onto the neighborhood
- 153 • Mr. Dion stated that he heard concerns regarding property values
- 154 estimated to experience a 20% reduction on property values and noted
- 155 that the burden of proof is upon the Applicant who did not address, did
- 156 not dispute nor provide any information
- 157 • Mr. Sakati agreed, stated that he does have empathy but the Use being
- 158 sought by this Variance is for the number of tenants and that numbers’
- 159 use of this property
- 160 • Mr. Dion and Mr. Lanphear and Mr. Martin agreed
- 161 • Mr. Daddario stated that he has family with substance abuse, has lost a
- 162 family member to substance abuse, so he has sympathy, but testimony
- 163 has been received from one very knowledgeable person that it would be
- 164 nice if services were offered to the tenants and noted that the Applicant
- 165 has the burden of proof, yet has provided no evidence in regard to any
- 166 impact to surrounding property values and heard from the neighbors
- 167 regarding a 20% reduction in property values with this Use in the
- 168 neighborhood \*\*\*\*\*
- 169 • Criteria failed – to be addressed, not addressed by the Applicant
- 170 • \*\*\*\*\*

171 (5) *hardship*

- 172 • Mr. Daddario stated that this criteria could be met via a Reasonable
- 173 Accommodation, but there has been no evidence presented that the
- 174 residents are disabled and/but with weekly leases and potential for
- 175 weekly turn-over and lack of qualified staff/personnel, it would be difficult
- 176 to ascertain or maintain a reasonable accommodation based on disabled
- 177 tenants.
- 178 • Mr. Dion stated that there is nothing unique about the house or the lot
- 179 and there is no unnecessary hardship
- 180 • Mr. Sakati stated that it is not a reasonable use
- 181 • Mr. McDonough stated that no house in this neighborhood would be
- 182 suitable for transient housing.
- 183 • Mr. Lanphear agreed
- 184 • Mr. Daddario stated that hardship is not met via a Reasonable
- 185 Accommodation, that the property is not unique and that, in his opinion,
- 186 the proposed use is not reasonable
- 187 •

188 \*\*

Mr. Martin made the motion to deny the Variance. Mr. Sakati seconded the motion.  
\*\*\*.

~~Motion made by Mr. Dion, seconded by Mr. Lanphear and unanimously voted to  
adjourn the meeting. The 3/6/2025 meeting adjourned at 9:00 PM.~~

## VI. OTHER BUSINESS

No other business was presented for consideration. Mr. Sullivan noted that this was  
Mr. Daddario's last meeting and thanked him for his service.

## VII. ADJOURNMENT:

Motion made by Mr. Martin, seconded by Mr. Lanphear and unanimously voted to  
adjourn the meeting. The March 20, 2025 adjourned at 8:45 PM.

Respectfully submitted,

---

Louise Knee, Recorder