

Zoning Board of Adjustment (ZBA)

Application Instructions

For any appeal, the application form must be properly filled out. The application form is intended to be self-explanatory, but be sure that you show or include the following:

1. **Application Preview Review**- prior to making the required copies of your application materials **and** application submission, you must see the Zoning Administrator or staff for a preliminary review for completeness of your original application draft including all required attachments. This review must be completed prior to the application submission deadline date. *See the attached ZBA Meeting Schedule for Meeting Dates and Application Deadline Dates and Time.*
2. Who owns the property? If the applicant is not the owner, please include a statement from the owner that you have permission to speak on his/her behalf.
3. Where the property is located.
4. What you propose to do. Supply thirteen (13) copies of an 8.5" x 11" or 11" x 17" scale plan which gives lot area, frontage, side and rear lot lines, natural features, existing and proposed structures, alteration to the lot, and distance to lot lines or wetlands. Pictures and construction plans are helpful.
5. Why your proposed use requires an appeal. Please fill out the attached appeal forms completely. Include why the appeal should be granted.
6. Prepare a list of all abutting property owners (including indirect abutters within 200 feet) on application pages 4 and 5 by clicking the "Get Abutters" feature on the GIS/Town Map link found on the town website. The list of direct abutters should include the property under consideration and per NH RSA 672:3, includes the name(s) of the owner(s) of properties which adjoins or is directly across the street or stream from the land under consideration. **The accuracy of the list is your responsibility. If the list is found to be incorrect or incomplete, you may be required to appear before the ZBA a second time, at your expense.**
7. Deliver the completed application, with all attachments requested on the Application Checklist, to the office of the Zoning Administrator. A fee is charged sufficient to cover the cost of preparing and mailing the legally required notices plus advertising and recording the Notice of Decision. If paying by check, make the check payable to the "**Town of Hudson**" and submit with your application.

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

After the public hearing, the Board will deliberate and then reach a decision either to grant the request (sometimes with stipulations) or to deny the request—or to defer final action to another meeting, or perhaps to accept a request for withdrawal. You will be mailed a Notice of Decision after getting all required signatures.

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

The Board may grant such a rehearing if, in the Board's opinion, good reason is stated in the motion. In general, the Board will not allow a rehearing unless a majority of its sitting members conclude either that the protested decision was illegal or unreasonable or that the request for rehearing demonstrates the availability of new evidence that was not available at the original hearing. The Board will not reopen a case based on the same set of facts unless it is convinced that an injustice would be created by not doing so. Whether or not a rehearing is held, you must have requested one before you can appeal the decision to the Court(s). When a rehearing is held, the same procedure is followed as for the first hearing, including public notice and notice to abutters. Please refer to **NH RSA Chapter 677** for more detail on rehearing and appeal procedures.

NOTE— Requests before the Board may require connection to the municipal sewer system. Please contact the Town Engineer prior to submittal of this application to determine if connection is required, and the procedures for such application.



TOWN OF HUDSON

Zoning Board of Adjustment

Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison



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YEAR 2024 ZBA MEETING SCHEDULE

The Town of Hudson Zoning Board of Adjustment regularly meets on the **fourth Thursday** of every month in the “Buxton Community Development Conference Room”. All meetings begin at **7:00 p.m.** ***The November and December meetings will be held on an alternate Thursday of the month due to the Thanksgiving and Christmas Holidays. **Final (complete) Application Submission Deadline** are due by **12:00 p.m.**

Year 2024 ZBA Meeting Schedule

Application Review for Completeness Deadline	Final Application Submission Deadline (12:00 Noon)	Meeting Date
January 2 nd	January 9 th	January 25th
January 30 th	February 6 th	February 22nd
March 5 th	March 12 th	March 28th
April 2 nd	April 9 th	April 25th
April 30 th	May 7 th	May 23rd
June 4 th	June 11 th	June 27th
July 2 nd	July 9 th	July 25th
July 30 th	August 6 th	August 22nd
September 3 rd	September 10 th	September 26th
October 1 st	October 8 th	October 24th
October 22 nd	October 29 th	***November 14th
November 19 th	November 26 th	***December 12th

Approved- 12/14/2023 ZBA Meeting