



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman Dillon Dumont, Selectmen Liaison

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

MEETING AGENDA – December 12, 2024

The Hudson Zoning Board of Adjustment will hold a meeting on **Thursday, December 12, 2024, at 7:00 PM** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH. Please enter by the ramp entrance at right side.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ATTENDANCE

IV. SEATING OF ALTERNATES

V. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. **Case 217-017-002 (12-12-24):** John D. Onoroski, **63B Wason Rd., Hudson, NH** requests a Home Occupation Special Exception to allow a home business to produce and sell first aid kits online in the basement of the home. [Map 217, Lot 017, Sublot-002; Zoned Residential-Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]
2. **Case 157-059 (12-12-24):** Jeremy & Nicole Lyon, **28 Robin Dr., Hudson, NH** requests a Home Occupation Special Exception to operate a home office for the management and administrative needs of a handyman service business with all services performed off-site. [Map 157, Lot 059, Sublot-000; Zoned Residential-One (R-1); HZO Article VI: Special Exceptions; §334-24, Home Occupations]
3. **Case 211-067 (12-12-24):** George Hurd, Mgr., Tumpney Hurd Clegg, LLC, **72 Burns Hill Rd., Hudson, NH** requests a Variance for a proposed construction of four (4) self-storage units totaling 18,950 SF in the rear portion of the vacant 24.816 acre lot previously zoned as General (G) but re-zoned to Residential-Two (R-2) where this Industrial Use (E-13) is not permitted. Self-storage use is only permitted in the Industrial (I) and General-One (G-1) Zones. [Map 211, Lot 067, Sublot-000; Zoned Residential-Two (R-2); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

VI. REQUESTS FOR REHEARING: None

VII. REVIEW OF MINUTES: 11/14/2024 edited draft Meeting Minutes

VIII. OTHER BUSINESS:

- 2025 ZBA Meeting Schedule
- Tentative overflow ZBA Meeting on January 9, 2025. Member availability?
- Next regularly scheduled ZBA Meeting is Thursday, January 23, 2025
- Reminder- Election of new ZBA Officers-January 23, 2025. *Per the Town of Hudson, NH ZBA Bylaws, Chapter 143 of the Town Code, § 143-5. A., B., & C regarding Officers: A Chairperson, Vice-Chairperson and Clerk shall be elected annually by a majority vote of the Board at the first meeting in the month of January...*
- 2025 ZBA Training/Workshops?

IX. ADJOURNMENT:


Chris Sullivan, Zoning Administrator

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **Justin W. Merry** (the Mortgagor(s)) to Mortgage Electronic Registration Systems, Inc., as nominee for Mortgage Research Center, LLC dba Veterans United Home Loans, dated January 14, 2015 and recorded in the Belknap County Registry of Deeds in Book 2951, Page 838, (the "Mortgage"), which mortgage is held by Freedom Mortgage Corporation, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
December 30, 2024
at
4:00 PM

Said sale being located on the mortgaged premises and having a present address of 142 Mountain Road, Gilmanton Iron Works, Belknap County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor(s)'s title see deed recorded with the Belknap County Registry of Deeds in Book 2910, Page 6.

NOTICE

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

The address of the mortgagee for service of process is 9 Capitol Street, Concord, NH 03301 and the name of the mortgagee's agent for service of process is C T Corporation.

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

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

TERMS OF SALE

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

Dated at Newton, Massachusetts, on November 12, 2024.

Freedom Mortgage Corporation
By its Attorney,
Autumn Sarzana
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
22471

(UL - Nov. 20, 27; Dec. 4)

Public Notices

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

Legal Notice

THE STATE OF NEW HAMPSHIRE JUDICIAL BRANCH SUPERIOR COURT

Rockingham Superior Court
Rockingham City Courthouse
PO Box 1258
Kingston NH 03848-1258
Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>
CITATION FOR PUBLICATION Superior Court Rule 4(d)
Case Name: **Fannie Mae v Heirs, Devisees, and Legal Representatives of Irene Y. Farrell, et al**
Case Number: **218-2024-CV-01296**

The above entitled action is now pending in this Court. The original pleading is on file and may be examined by interested parties. The Court has issued an Order for Service by Publication on defendant(s) Heirs, Devisees, and Legal Representatives of Irene Y. Farrell; Successor Trustee of the Irene Y. Farrell Trust; and the Court ORDERS: Fannie Mae shall give notice to Heirs, Devisees, and Legal Representatives of Irene Y. Farrell; Successor Trustee of the Irene Y. Farrell Trust of this action by publishing a verified copy of this Citation for Publication once a week for three successive weeks in the Union Leader, a newspaper of general circulation. The last publication shall be on or before December 21, 2024.

Also, **ON OR BEFORE 30 days after the last publication** - Heirs, Devisees, and

Legal Representatives of Irene Y. Farrell; Successor Trustee of the Irene Y. Farrell Trust shall electronically file an Appearance and Answer or other responsive pleading with this Court. A copy of the Appearance and Answer or other responsive pleading must be sent electronically to the party/parties listed below.

January 11, 2025 - Fannie Mae shall electronically file the Return of Publication with this Court. Failure to do so may result in this action being dismissed without further notice.

Notice to Heirs, Devisees, and Legal Representatives of Irene Y. Farrell; Successor Trustee of the Irene Y. Farrell Trust: If you are working with an attorney, they will guide you on the next steps. If you are going to represent yourself in this action, go to the court's website: www.courts.state.nh.us, select the Electronic Services icon and then select the option for a self-represented party. Complete the registration/log in process then select "I am filing into an existing case". Enter the case number above and click Next. Follow the instructions to complete your filing.

Once you have responded to the Complaint, you can access documents electronically filed through our Case Access Portal by going to <https://odvpa.nhescourt.us/portal> and following the instructions in the User Guide. In that process you will register, validate your email, request access and approval to view your case. After your information is validated by the court, you will be able to view case information and documents filed in your case.

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

Sarah A Billeri, ESQ, Brock & Scott PLLC, 23 Messenger St, 2nd Fl, Plainville, MA 02762

Nicholas S. Frasca, ESQ, Frasca & Frasca, 2 Auburn St, Nashua, NH 03064

BY ORDER OF THE COURT
November 06, 2024
Patrice D. Touma
Clerk of Court

(126849)

(UL - Nov. 20, 27; Dec. 4)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **Traci E. Johnston, Kevin N. Johnston** (the Mortgagor(s)) to Household Finance Corporation II, dated December 8, 2006 and recorded in the Cheshire County Registry of Deeds in Book 2405, Page 935, (the "Mortgage"), which mortgage is held by U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR2, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
December 30, 2024
at
12:00 PM

Said sale being located on the mortgaged premises and having a present address of 21 Lorraine Street, Keene, Cheshire County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor(s)'s title see deed recorded with the Cheshire County Registry of Deeds in Book 2096, Page 206.

NOTICE

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

The address of the mortgagee for service of process is 10 Ferry Street Suite 313, Concord, NH 03301 and the name of the mortgagee's agent for service of process is Corporation Service Company d/b/a Lawyers Incorporating Service.

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

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

TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the

sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on November 11, 2024.

U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR2
By its Attorney,
Autumn Sarzana
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
17092

(UL - Nov. 20, 27; Dec. 4)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **John R. Moore, Jr.** (the Mortgagor(s)) to Wells Fargo Home Mortgage, Inc., dated January 15, 2002 and recorded in the Rockingham County Registry of Deeds in Book 3712, Page 1452, (the "Mortgage"), which mortgage is held by Federal Home Loan Mortgage Corporation, as Trustee for Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2021-1, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
January 3, 2025
at
2:00 PM

Said sale being located on the mortgaged premises and having a present address of 6 Hemlock Circle, Sandown, Rockingham County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor(s)'s title see deed recorded with the Rockingham County Registry of Deeds in Book 3010, Page 941.

NOTICE

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

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

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

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

TERMS OF SALE

A deposit of Ten Thousand (\$10,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on November 11, 2024.

Federal Home Loan Mortgage Corporation, as Trustee for Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2021-1
By its Attorney,
Autumn Sarzana
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
26720

(UL - Nov. 20, 27; Dec. 4)

Legal Notice

NOTICE OF MORTGAGEE'S SALE

For breach of the conditions set forth in a certain Mortgage Deed from **Jeffrey R. Lyman** now or formerly of 1109 Quincey Road, Rumney, NH 03266 to St. Mary's Bank, a State Chartered Credit Union with a place of business at 200 McGregor Street, Manchester, New Hampshire, dated May 12, 2015 and recorded in the Grafton County Registry of Deeds at Book 4127, Page 0763, by virtue of the Power of Sale contained in said Mortgage, for the purpose of Foreclosing the same, default having been made in the conditions thereof, for reason of nonpayment, will sell at:

PUBLIC AUCTION

To be held on the premises which are located at **1109 Quincey**

Road, Rumney, Grafton County, New Hampshire 03266 on **Tuesday, January 7, 2025 at 11:00am**, the premises conveyed by and described in said Mortgage.

The premises are more particularly described in said Mortgage. The premises are to be conveyed subject to and together with all the recitations that may exist in said Mortgage.

Terms: Five Thousand Five Hundred (\$5,000.00) Dollars cash, certified check or other form acceptable to the said mortgagee, to be paid at the time of the sale, and the balance of the purchase price to be paid within forty-five (45) days of the date of sale. The successful bidder(s) will be required to execute a Purchase and Sales Agreement immediately after the close of the bidding.

NOTICE

To the Mortgagor, any grantee of the mortgagor or any other person claiming a lien or any other encumbrance on the mortgaged premises.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE 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 FOR SERVICE OF PROCESS IS ST. MARY'S BANK OF 200 MCGREGOR STREET, MANCHESTER, NH 03102, AND THE NAME AND ADDRESS OF THE MORTGAGEE'S AGENT FOR SERVICE OF PROCESS IS GAUTHIER & MACMARTIN, PLLC OF 123 ELM STREET, MILFORD, NH 03055.

YOU CAN CONTACT THE NEW HAMPSHIRE BANKING DEPARTMENT BY E-MAIL AT NHBD@BANKING.NH.GOV. FOR INFORMATION ON GETTING HELP WITH HOUSING AND FORECLOSURE ISSUES, PLEASE CALL THE FORECLOSURE INFORMATION HOTLINE AT 1-800-437-5991. THE HOTLINE IS A SERVICE OF THE NEW HAMPSHIRE BANKING DEPARTMENT. THERE IS NO CHARGE FOR THIS CALL.

The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The property to be sold at the sale will be sold "AS IS WHERE IS".

Said premises shall be sold subject to (i) all unpaid real estate taxes and liens therefor, whether or not of record, (ii) mortgages, tax or other liens, attachments and all other encumbrances and rights, title and interest of third persons of any and every nature whatsoever which are, or may be entitled to precedence over the mortgage, and (iii) the other matters affecting the title of the mortgagor to the premises.

Dated at Milford, New Hampshire, this 22nd day of November 2024.

St. Mary's Bank
By Its Attorney,
Dustin N. Gauthier
Gauthier & MacMartin, PLLC
123 Elm Street, Milford, NH 03055
Tel: (603) 673-7220
By: /s/ Dustin N. Gauthier
Dustin N. Gauthier, NHB 20086
(UL - Nov. 27; Dec. 4, 11)

Legal Notice

Public Auction Green City Towing LLC 449 Hayward Street Manchester, NH 03103 December 4, 2024 at 10:00 am

2011 GMC Sierra 1500
1GTR2VE34BZ183449
2019 Kia Sportage
KNDPNCACXK7613444
2013 Chevrolet Equinox
2GNFLNE30D6320909
2007 Honda Civic
2HGFA16547H306397
2007 Ford F-150
1FTRF14W67NA79424
2007 Hyundai Santa Fe
5NMSH73EXH7O40579
(UL - Dec. 4)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by **Jessica Stepanek** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc. as nominee for

Freedom Mortgage Corporation, and now held by **Freedom Mortgage Corporation** (the "Mortgagee"), said mortgage dated February 10, 2021, and recorded in the Hillsborough Registry of Deeds in Book 9427, Page 1229, (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 January 20, 2025 at 11:00 AM

Said sale to be held on the mortgaged premises hereinafter described and having a present address of 393 S Main St a/k/a 393 Main St, Nashua, Hillsborough County, NH 03060.

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 NH-Freedom Mortgage, c/o C T Corporation System, 2 1/2 Beacon Street, Concord, NH 03301. 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 nhbd@banking.nh.gov.

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TERMS OF SALE

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Dated at Farmington, Connecticut, on November 15, 2024.

Freedom Mortgage Corporation
By its Attorney,
Jeffrey J. Hardiman
Brock & Scott, PLLC
270 Farmington Avenue
Suite 151
Farmington, CT 06032
(UL - Nov. 20, 27; Dec. 4)

Legal Notice

NOTICE OF SALE

Pursuant to RSA 205-A:4-a Notice is hereby given that **Green Valley Village LLC** will sell the property described below to the highest qualified bidder in public at the following date, time, and location: Premises: A 2000 MH MFG-Castle Model Majestic 102 manufactured home, identified by serial number # CHPA4351AV which is presently situated at and has a street address of 49 Kapper Drive, Town of Winchester, County of Cheshire, State of New Hampshire. Date and Place of Sale: December 18, 2024, at 9:00 am at 49 Kapper Drive, Town of Winchester, County of Cheshire, State of New Hampshire. The Premises are further described by Deed dated March 20, 2015, recorded in Book 2901, Page 0858, in the Cheshire County Registry of Deeds. Record Title Holder: Denise L. Isakson. Terms: The sale is of the Manufactured Home only. Green Valley Village LLC will bid the amount of outstanding rent, which on the date of sale will be approximately \$3618.88. Twenty percent of the sales price, or \$1,000, whichever is less, deposit due at time of sale by cash, bank check, or certified check. Balance due on delivery of Manufactured Housing Quitclaim Deed within 21 days of sale, time being of the

essence. Successful bidder shall be required to sign a Memorandum of Sale of Manufactured Housing, Sold "AS IS, WHERE IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, as to its condition or the status of title or otherwise, subject to outstanding real estate taxes and other priority encumbrances, if any, of record. There will be no proration of taxes, rents or other income or liabilities. Unless otherwise agreed to in writing with the Seller, the buyer shall be required to remove the manufactured home from the site. All new residents of the manufactured housing park in which the manufactured home is located are required to be approved for membership by Green Valley Village LLC. Other terms may be announced at the sale. For further information with respect to the manufactured housing to be sold, contact Park Manager at Green Valley Village LLC at 978-582-6612. Dated 10/18/2024. Green Valley Village LLC By: Robert L. Best, Esq. Its Duly Authorized Attorney. (UL - Nov. 27; Dec. 4, 11)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **Anthony P. Scopa, Julie A. Rollins** (the Mortgagor(s)) to Norwest Mortgage, Inc., dated March 5, 1999 and recorded in the Merrimack County Registry of Deeds in Book 2144, Page 1431, (the "Mortgage"), which mortgage is held by Federal Home Loan Mortgage Corporation, as Trustee for Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2021-1, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
January 8, 2025
at
2:00 PM

Said sale being located on the mortgaged premises and having a present address of 193 Clough Road, Pittsfield, Merrimack County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor(s)'s title see deed recorded with the Merrimack County Registry of Deeds in Book 2000, Page 1041.

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Dated at Newton, Massachusetts, on November 11, 2024.

Federal Home Loan Mortgage Corporation, as Trustee for Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2021-1
By its Attorney,
Autumn Sarzana
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
26712
(UL - Nov. 20, 27; Dec. 4)

Legal Notice

There will be a meeting of the New Hampshire Health and Education Facilities Authority Board of Directors held at One Capitol Street, Suite 200, Concord, New Hampshire, on **Tuesday, December 10, 2024 at 9:30 a.m., EST.** The meeting will be open to the public. The agenda for this meeting is available at the Authority's office, One Capitol Street, Concord.

/s/ Bonnie S. Payette
Executive Director
(UL - Dec. 4)

TOWN OF HUDSON

ZONING BOARD OF ADJUSTMENT Notice of Public Meeting & Hearings THURSDAY, DECEMBER 12, 2024

The Hudson Zoning Board of Adjustment will hold a public meeting on **Thursday, December 12, 2024 at 7:00 PM** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH (please enter by ramp entrance at right side).

PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

- Case 217-017-002 (12-12-24):** John D. Onoroski, 63B Wason Rd., Hudson, NH, requests a **Home Occupation Special Exception** to allow a home business to produce and sell first aid kits online in the basement of the home. [Map 217, Lot 017, Sublot-002; Zoned Residential-Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]
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- Case 211-067 (12-12-24):** George Hurd, Mgr., Tumpney Hurd Clegg, LLC, 7



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: December 12, 2024

CJS
12/2/24

Case 217-017-002 (12-12-24): John D. Onoroski, 63B Wason Rd., Hudson, NH, requests a Home Occupation Special Exception to allow a home business to produce and sell first aid kits online in the basement of the home. [Map 217, Lot 017, Sublot-002; Zoned Residential-Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

D: Letter - from the Zoning administrator
E: Zoning Determination 24-098 (11-14-24)

ADDRESS: 63 B Wason Rd
Map 217, Lot 017-002

AERIAL / PHOTOS
Aerials (2024) 63 B Wason Rd

RELIEF REQUESTED: Home Occupation Special Exception

ZONING DISTRICT: Residential Two (R2)



PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing non-conforming lot of record. The Lot is 61,419.6sq. ft. where 60,000 sq. ft. is required. The residential structure on the property is a duplex. The duplex was built in 1988. According to the assessing records the duplex is classified as a condo-conex.

IN-HOUSE COMMENTS:

HISTORY/ATTACHMENTS:

F: Town Engineer: no comments 11-20-24

PLANS: None

G: Inspectional Services/Fire Dept.:
no comments 11-21-24

BUILDING PERMITS

H: Associate Town Planner:
no comments 11-21-24

A: DP# 16-11-39-001 – Driveway Permit
4-12-88

B: PB# 515-88 – 2400 sq ft Duplex
5-2-88

C: Occupancy Permit # 11-39-001
8-31-88

(A)

APR 14 1988

TOWN OF HUDSON
APPLICATION FOR DRIVEWAY PERMIT

PERMIT # 16-11-039-001

NAME OF APPLICANT John M. JACOBI (\$25.00 FEE) RECEIPT# 33159
 TOWN OF HUDSON, NH
 ADDRESS OF APPLICANT 16 Gowling Rd. Hudson TELEPHONE 886-3564
 LOT LOCATION 63 WASON Rd MAP 11 LOT 039-001
 SURFACE: PAVED GRAVEL STONE; GRADE 2-5
 LENGTH OF DRIVE (from ROW to end) 90' +
 TYPICAL WIDTH OF DRIVE 12'
 ANGLE OF ENTRY 90° Angle
 WHEN EXITING, SIGHT DISTANCE; LEFT 150 + RIGHT 200 +
 DISTANCE TO NEAREST INTERSECTION WHEN EXITING; L. 1000' + R. 1000' +
 (750 +)
 ROADWAY DRAINAGE (check one):
 ROADSIDE SWALE CURB & CATCH BASINS OTHER
 PROPOSED DRAINAGE: *keep Roto side swale

THE OWNERS, BY FILING OF THIS APPLICATION AS INDICATED ABOVE, HEREBY GIVE PERMISSION FOR THE MEMBERS OF THE HUDSON PLANNING BOARD THE CONSERVATION COMMISSION, THE TOWN ENGINEER, THE CIVIL ENGINEER, THE ROAD AGENT, AND SUCH AGENTS OF EMPLOYEES OF THE TOWN OR OTHER PERSONS AS THE PLANNING BOARD OR THE OFFICE OF THE TOWN ENGINEER MAY AUTHORIZE, TO ENTER UPON THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AT ALL REASONABLE TIMES FOR THE PURPOSE OF SUCH EXAMINATIONS SURVEYS, TESTS AND INSPECTIONS AS MAY BE APPROPRIATE TO ENABLE THE OFFICE OF THE TOWN ENGINEER TO PROCESS THIS APPLICATION. WE HEREBY WAIVE AND RELEASE ANY CLAIM OR RIGHT WE MAY NOW OR HEREAFTER POSSESS AGAINST ANY OF THE ABOVE INDIVIDUALS AS A RESULT OF ANY EXAMINATIONS SURVEYS, TESTS AND INSPECTIONS CONDUCTED ON MY/OUR PROPERTY IN CONNECTION WITH THIS APPLICATION.

John M. Jacobs 4-13-88
 OWNER SIGNATURE/DATE

OWNER SIGNATURE/DATE

Bruce Woodruff 4/21/88
 INSPECTED BY/DATE

Bruce Woodruff 4/21/88
 APPROVED BY/DATE

*SPECIAL CONDITIONS: * install under-drive culvert pipe if natural flow of water is diverted by fill for drive. (B)

Map 11 lot 39-001

Approval 159889
Subd Appvl #10934

BUILDING PERMIT

AMOUNT PAID

DEPT. FILE COPY

VALIDATION

DATE May 2, 19 88 PERMIT NO. 515-88

APPLICANT John Jacobs ADDRESS Wason Road Hudson, N. H.
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO build Duplex 4 bedroom STORY residential NUMBER OF DWELLING UNITS duplex
(TYPE OF IMPROVEMENT) NO. 2 (PROPOSED USE)

AT (LOCATION) 63 Wason ZONING DISTRICT D (rural)
(NO.) (STREET)
BETWEEN Musquash AND Mark
(CROSS STREET) (CROSS STREET)

SUBDIVISION _____ LOT 39-001 BLOCK 11 LOT SIZE _____

BUILDING IS TO BE _____ FT. WIDE BY 28 FT. LONG BY 41 FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

TO TYPE _____ USE GROUP _____ BASEMENT WALLS OR FOUNDATION _____ (TYPE)

REMARKS: duplex septic 159889 subd 10934 4 BR/ wood frame/6 pitch roof covered with asphalt shingles 2400 sq ft/ concrete foundation/ no garage well water

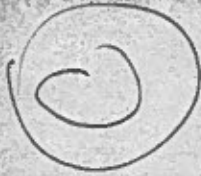
AREA OR VOLUME _____ ESTIMATED COST \$ _____ PERMIT FEE \$ 222.00
(CUBIC/SQUARE FEET)

OWNER John Jacobs tel 886-3564
ADDRESS 16 Gowing Rd Hudson, N. H.

BUILDING DEPT. BY Edward P. Malayan

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

FORM NO. BOCA - BP 1969



map 11-39-001

TOWN OF HUDSON

NO. 2258



OCCUPANCY PERMIT

John Jacobs

Owner or Builder

63 A+B Wason Rd

Address of Building

PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING:

Date 8/31 1988

Edward P. Mahigan
Building Inspector's Approval

No person shall occupy this building until Inspector's approval.



TOWN OF HUDSON

D

12 School Street

Hudson, New Hampshire 03051

603/886-6005



5 May 1992

Mr. Randy Guilbault
63B Wason Road
Hudson NH 03051

Dear Mr. Guilbault:

This office has no issue with you receiving bonded dealer status, provided you will not store, sell or repair any vehicles from your residence at 63B Wason Road.

If you have any further questions, please contact me at 886-6005.

Sincerely

Susan Snide
Zoning Administrator

cc: Kenneth Lewis, Dept. of Safety

E



TOWN OF HUDSON

Land Use Division

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

Zoning Determination #24-098

November 14, 2024

John D Onoroski
63 B Wason Rd
Hudson, NH 03051

63 B Wason Rd Map 217 Lot 017-002
District: Residential Two (R-2)

Request: Can you conduct a home business: to manufacture and sell the first aid kits online in the basement at this address?

Zoning Review / Determination:

You would need approval for a Home Occupation Special Exception from the Zoning Board of Adjustment per Article VI Special Exception - §334-24 **Home Occupation** to conduct a home business. Applications are found online (link):

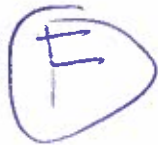
<https://www.hudsonnh.gov/zoning/page/home-occupation-special-exception>

Sincerely,

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

cc: Public File
B. Dubowik (Planning Admin Aide
Inspectional Services
File

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



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

REQUEST FOR REVIEW/COMMENTS:

Case: 217-017-002 (12-12-24 (HOME OCCPATION
Property Location: 63 B Wason Rd SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

EZD Name: Elvis Dhima, P.E. Date: 11/20/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Town Planner

GT

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

REQUEST FOR REVIEW/COMMENTS:

Case: 217-017-002 (12-12-24) (HOME OCCPATION
Property Location: 63 B Wason Rd SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

DRH Name: David Hebert Date: 11/21/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Town Planner

Empty rectangular box for comments or additional information.

H

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

REQUEST FOR REVIEW/COMMENTS:

Case: 217-017-002 (12-12-24) (HOME OCCPATION
Property Location: 63 B Wason Rd SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

BWG _____ Name: Benjamin Witham-Gradert Date: 11/21/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

[Empty box for comments]

HUDSON ZONING BOARD OF ADJUSTMENT
Home Occupation Special Exception Decision Worksheet

On **12/12/2024**, the Hudson Zoning Board of Adjustment heard **Case 217-017-002**, being a request by **John D. Onoroski, 63B Wason Rd., Hudson, NH** for a **Home Occupation Special Exception** to allow a home business to produce and sell first aid kits online in the basement of the home. [Map 217, Lot 017, Sublot-002; Zoned Residential-Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

After reviewing the petition, and after hearing all testimony and documentary evidence supplied by the Applicant(s) and any other interested citizens, and after taking into consideration personal knowledge of the property in question, the undersigned member of the Hudson Zoning Board of Adjustment, sitting for this case, made the following determinations.

The intended use for which a Home Occupation Special Exception has been requested complies with the definition of a home occupation as an accessory use which by custom has been carried entirely within a dwelling unit, which is incidental and subordinate to the dwelling use, and which complies with the requirements of §334-24 as follows:

- | | | |
|---|---|--|
| Y | N | The proposed use is a sales / service operation for goods produced or services provided on-site. |
| Y | N | The proposed use shall be secondary to the principal use of the home as the business owner's residence. |
| Y | N | The proposed use shall be carried on within the residence and / or accessory structure. |
| Y | N | Other than the home occupation sign(s) permitted under Article XII, Section 334-67, there shall not be any exterior display nor other exterior indication of the home occupation, and there shall not be any variation from the primarily residential character of the principal or accessory building. |
| Y | N | There shall not be any exterior storage, unless permitted by a special exception (if permitted, must be screened from neighboring views by a solid fence or by evergreens of adequate height and bulk at the time of planting to effectively screen the area, unless this requirement is waived by the Board because of existing foliage and / or long distances). |
| Y | N | There shall not be any objectionable circumstances (such as noise, vibrations, dust smoke, electrical disturbances, odors, heat or glare) produced as the result of this proposed use. |
| Y | N | Traffic generated by the proposed home occupation activity shall not be substantially greater in volume than would normally be expected in the neighborhood. |
| Y | N | Parking provided for the home occupation activity shall be off-street, located outside of the setback areas and / or the front yard, in driveways or paved areas, and limited to no more than two vehicles at one time. |
| Y | N | The home occupation shall be conducted only by residents of the dwelling. |
| Y | N | Excluding any personal vehicle that can also be used for business purposes, parking of no more than one business vehicle (limited to no more than 13,000 pounds with adequate screening in the B, G, and I zones) shall occur. |

Signed: _____ Date _____
 Sitting Member of the Hudson ZBA

Print Name: _____

APPLICATION FOR A HOME OCCUPATION
SPECIAL EXCEPTION

NOV 19 2024
LAND USE DIVISION
ZONING DEPT.

Zoning Board of Adjustment
Town of Hudson

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

Case No. 217-017-002 (12-12-24)

Date Filed 11/19/24

(TS6)

Name of Applicant John D Onorowski Map: 217 Lot: 12 ⁰¹⁷⁻⁰⁰² Zoning District: R-2

Telephone Number (Home) 978-551-7010 (Work) Same

Mailing Address 63 B Wason Rd Hudson, NH 03051

Owner John D Onorowski

Location of Property 63 B Wason Rd Hudson, NH 03051
(Street Address)

John D Onorowski
Signature of Applicant
John D Onorowski
Signature of Property-Owner(s)

11-18-24
Date

11-18-24
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 Home Occupation Special Exception.

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

Date received: 11/19/24

COST:

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

Abutter Notice:

7 Direct Abutters x Certified postage rate \$ 5.58 = \$ 39.06

3 Indirect Abutters x First Class postage rate \$ 0.73 = \$ 2.19

Total amount due: \$ 226.25

Amt. received: \$ 226.25

Receipt No.: 796,588

Received by: (TS6)

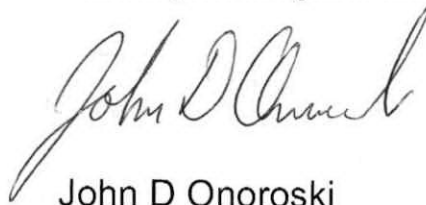
By determination of the Zoning Administrator, the following Departmental review is required:

Engineering Fire Dept. Health Officer Planner (Assoc) Other

To Whom It May Concern,

I am John David Onoroski and I am the owner of 63 B Wason Rd in Hudson, NH 03051. I have a business named Zyfer Systems and will be making first aid kits to sell online. This will be done in the basement and only by residents of my home. I understand that I am responsible for any violations of the Hudson Zoning Ordinance chapter 334-24, Home Occupations. I understand that this exemption will expire with a change of ownership and that the special exemption is conditional on the residents of the home rather than the property.

Thank you for your time,



John D Onoroski

11/19/24



PAMELA U BISBING
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
September 7, 2027

TOWN OF HUDSON, NH

Application Checklist

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

Applicant Initials		Staff Initials
<u>ASO</u>	Please review the application with the Zoning Administrator or staff.	<u>CJS</u>
<u>ASO</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 10 (ten) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>ASO</u>	A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson.	<u>CJS</u>
<u>ASO</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>CJS</u>
<u>ASO</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>CJS</u>
<u>ASO</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>CJS</u>
<u>ASO</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>CJS</u>
<u>ASO</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>SO</u>
<u>ASO</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 licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful.

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

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

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

John D. Curran
Signature of Applicant(s)

11-18-24
Date

John D. Curran
Signature of Property Owner(s)

11-18-24
Date

ALL DIRECT ABUTTERS

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
		*Include Applicant & Owner(s)	
217	017	John Onoraski	63 B Wason Rd Hudson, NH 03051
217	015	St Peter, Michael B Cherico, Colleen J.	60 Wason Rd Hudson, NH 03051
217	016	Kelly, Carrie A	62 Wason Rd Hudson, NH 03051
217	017	Anderson, Daniel F	63A Wason Rd Hudson, NH 03051
217	018	Clark, George A	65 Wason Rd Hudson, NH 03051
222	044	State of NH	PO Box 483 Concord, NH 03302
233	026	Town of Hudson	12 School St Hudson, NH 03051
218 222	009 044	State of NH Dept. of Transportation	PO Box 483 Concord, NH 03302-0483

ALL INDIRECT ABUTTERS WITHIN 200 FEET

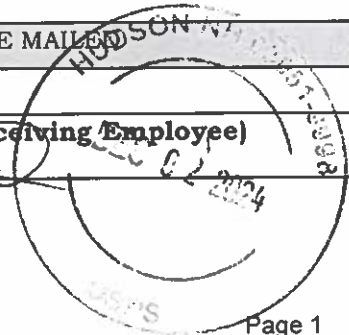
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. For indirect abutting properties being under a condominium or other collective 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
217	014	Smeygan, John	58 Wason Rd Hudson, NH 03051
217	019	Coulombe, Cecile O	69 Wason Rd Hudson, NH 03051
217	020	Ralls, Matthew S Smith, Erin L.	83 Burns Hill Rd Hudson, NH 03051
D 218	009	State of New Hampshire	Po Box 483 Concord, NH 03302
D 222	044	State of NH	Po Box 483 Concord, NH 03302
D 223	026	Town of Hudson	12 School St Hudson, NH 03051

USPS-Verified Mail

SENDER:		Name of Addressee, Street, and post office address	
TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		US POSTAL SERVICE - CERTIFIED MAIL+ FIRST CLASS	
		Case# 217-017-002 HOME OCCUPATION SPECIAL EXCEPT. 63B Wason Rd., Hudson, NH 03051 Map 217, Lot 017, Sublot-002 (1 of 1)	
ARTICLE NUMBER		12/12/2024 ZBA Meeting	
1	9589 0710 5270 0646 5665 92	ONOROSKI, JOHN 63B WASON ROAD, HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5666 08	ST. PETER, MICHAEL B.; CHERICO, COLLEEN J. 60 WASON RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5666 15	KELLY, CARRIE A. 62 WASON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5666 22	ANDERSON, DANIEL F. 63A WASON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5666 39	CLARK, GEORGE A. 65 WASON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5666 46	STATE OF NEW HAMPSHIRE; DEPT. OF TRANSPORTATION PO BOX 483; CONCORD, NH 03302-0483	ABUTTER NOTICE MAILED (PARCEL IDs: 218-009-000; 222-044-000)
7	9589 0710 5270 0646 5666 53	TOWN OF HUDSON 12 SCHOOL STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	Mailed First Class	SMERIGAN, JOHN 58 WASON ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	COULOMBE, CECILE O., TR. 69 WASON RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	RALLS, MATTHEW S.; SMITH, ERIN L. 83 BURNS HILL ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
Total Number of pieces listed by sender 10		Total number of pieces rec'vd at Post Office <i>10</i>	Postmaster (receiving Employee) <i>AMS</i>



Direct Certified + First class (3)



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

December 2, 2024

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, December 12, 2024 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 217-017-002 (12-12-24): John D. Onoroski, 63B Wason Rd., Hudson, NH, requests a Home Occupation Special Exception to allow a home business to produce and sell first aid kits online in the basement of the home. [Map 217, Lot 017, Sublot-002; Zoned Residential-Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

December 2, 2024

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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting to provide information or comments on the proposal.

If you are unable to attend, you may also mail or email your comments prior to the ZBA meeting. Submit written comments by mail to ZBA, c/o Chris Sullivan, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: csullivan@hudsonnh.gov. In either instance, include your full name, address and the case you wish to make your comment.

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

Respectfully,

Chris Sullivan
Zoning Administrator

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

A home occupation is a wholesale sales or service operation for goods produced or services provided on-site and is permitted only as a special exception upon approval by the Zoning Board of Adjustment. In granting such an exception, the Board must find the home occupation to be in full compliance with the requirements listed below. Per Hudson Zoning Ordinance Article VI, Special Exceptions; §334-24 F, On-site retail sales are an expressly prohibited home occupation special exception use.

Please explain, in detail, the nature of your home business.

I want to produce quality first aid kits and sell them online. The business would be to produce quality, purpose built bags with a sewing machine and plastic parts made from a desktop injection molder, I would then fill them with supplies bought in bulk and sell them online. All of this would be done in my basement and nothing would be seen outside.

Is the home occupation secondary to the principal use of the home as the business owners' residence? Please explain.

Yes. This would just be me and the work would only be in my basement.

Will the home occupation business be carried on within the residence and/or within a structure accessory to the residence? Please explain.

Yes. This would be done in my basement.

Other than the sign(s) permitted under Article XII, will there be exterior display or other exterior indications of the home occupation? Will there be any variation from the primarily residential character of the principal or accessory building? Please explain.

No. There shouldn't be any way to determine that I would be running a business out of my home.

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION (CONTINUED)

Will there be exterior storage and will it be screened from neighboring views by a solid fence or by evergreens of adequate height and bulk at the time of planting to effectively screen the area? In situations where a combination of existing foliage and/or long distances to neighboring views provide screening, the fencing requirements may be waived at the discretion of the Board. Please explain how you will comply.

Nothing will be stored outside

Will there be noise, vibrations, dust, smoke, electrical disturbances, odors, heat or glare produced? Please explain, and if there will be electrical disturbances, describe the frequency.

Nothing should be noticeable

Will the traffic generated by the home occupation activity be substantially greater in volume than would normally be expected in the neighborhood? Please explain the expected traffic to your business.

There shouldn't be any

Where will customer/client parking for the home occupation be located? Please explain.

None needed

Who will be conducting the home occupation? Please explain.

I will

Will there be a vehicle(s) for the home occupation? Please explain the type and number of vehicle(s).

Just my personal pickup



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-098

November 14, 2024

John D Onoroski
63 B Wason Rd
Hudson, NH 03051

63 B Wason Rd Map 217 Lot 017-002
District: Residential Two (R-2)

Request: Can you conduct a home business: to manufacture and sell the first aid kits online in the basement at this address?

Zoning Review / Determination:

You would need approval for a Home Occupation Special Exception from the Zoning Board of Adjustment per **Article VI Special Exception - §334-24 Home Occupation** to conduct a home business. Applications are found online (link):

<https://www.hudsonnh.gov/zoning/page/home-occupation-special-exception>

Sincerely,

Chris Sullivan

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

cc: Public File
B. Dubowik (Planning Admin Aide
Inspectional Services
File

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

Property Location: 63 B WASON RD
 Vision ID: 1327 Account #: 4192

Parcel ID: 217/017/002/1
 Bldg #: 1

Complex Name: 217/017 WASON RD
 Card #: 1 of 1

LUC: 1021
 Print Date: 11/18/2024 11:05:54 A

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
ONOROSKI, JOHN 63B WASON ROAD HUDSON NH 03051		Nbhd	Nbhd Name			Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RE	Residential Average			2024	1021	131,200	2024	1021	131,200	2023	1021	131,200
		TOPO	UTILITIES				1021	144,800		1021	144,800		1021	144,800
							Total	276,000		Total	276,000		Total	276,000

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
ONOROSKI, JOHN		8152 1648	11-12-2009	Q	I	155,000	00	Grantor: VARGUS, GREGORY G. Grantor: GUILBAULT, RANDY -MAR Grantor: N/A	Appraised Bldg. Value (Card)				131,200
VARGUS, GREGORY G.		5560 925	06-30-1994	Q	I	63,500	00		Appraised Xf (B) Value (Bldg)				0
GUILBAULT, RANDY -MAR		4925 0223	08-25-1988	Q	I	0	00		Appraised Ob (B) Value (Bldg)				0
									Appraised Land Value (Bldg)				144,800
									Special Land Value				0
									Total Appraised Parcel Value				276,000
									Valuation Method				C

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Total		Total Appraised Parcel Value	
Parcel ID	217-017-002	PREV 0011-0039-001B Assoc Pid#	Description	Code	Assessed	Assessed				
Zoning	R2:Residential-2		BLDG	1021	131,200	131,200				
Flood Hazard	C		LAND	1021	144,800	144,800				
Neigh/Abut1					276,000	276,000				
Neigh/Abut2	CH									
Neigh/Abut3										
GIS ID	217-017-CDX									

NOTES	VISIT / CHANGE HISTORY			
	Date	Id	Cd	Purpost/Result
33 AC STATE TAKING,ADJUSTED FROM A1-A0 91 ABTM; PDAS03/2019:ORIG INT- KIT,BTH,F LR COVERINGS.	07-12-2022	26	45	Field Review
	03-22-2019	18	03	Meas/Inspect
	01-07-2010	12	25	Sale Data Verified And Inspected
	06-30-2007	06	02	Measured
	07-18-2006	01	71	Acreage Adjustment From New Map
	06-27-2001	00	03	Meas/Inspect
	06-25-2001	00	02	Measured
	09-18-1990	02	14	Inspected

BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments

LAND LINE VALUATION SECTION																
B #	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value
1	1021	CONDO-CONDEX	Condo Site	0.707 AC	170,000		1.26	5	1.00	RE	1.00	Location	0.95			144,800
Total Card Land Units:				0.707 AC	Parcel Total Land Area:				0.707	AC	Total Land Value:				144,800	

Disclaimer: This information is believed to be correct but is subject to chance and is not warrantied.

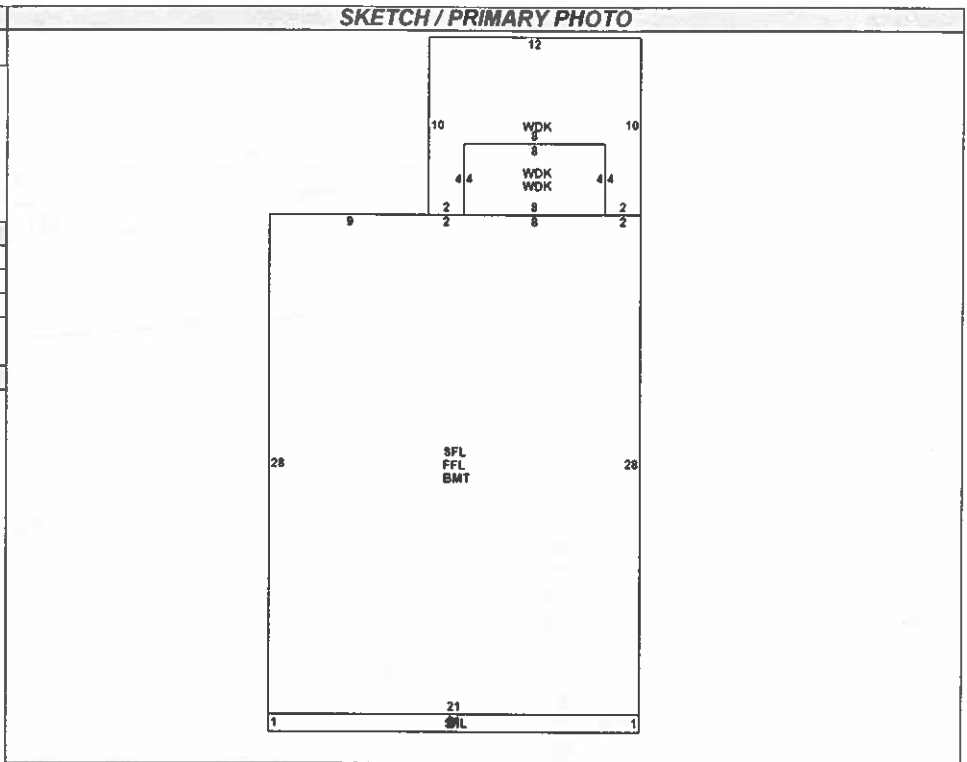
CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Model	05	Res Condo	Color	GRAY	
Stories:	2		Electric	03	150 Amp
Style:	102	CONDEX-COL	Insulation	02	Typical
Grade	C	Average			
Units	1				
# of Units	1				
Exterior Wall 1	20	Comp Clapboard			
Exterior Wall 2					
Interior Wall 1	01	Drywall			
Interior Wall 2					
Interior Floor 1	04	Carpet			
Interior Floor 2	03	Hardwood			
Heat Fuel	01	Oil			
Heat Type	03	Forced Hw			
AC Percent	0				
Total Rooms	4				
Bedrooms	2				
Full Baths	1				
3/4 Baths	0				
Half Baths	1				
Extra Fixtures	0				
Kitchens	1				
Extra Kitchens	0				
Kitchen Rating	AV	Average			
Bath Rating	AV	Average			
Half Bath Rating	AV	Average			
Extra Fix Rating					
Bsmt Garage	0				
Fireplace(s)	0				
Fireplace Rating					
WS Flues	0				
Color	GRAY				
Electric	03	150 Amp			

CONDO DATA			
Parcel Id	10779	C 217017	Ownr
	217/017 WASON RD B 1 S 1		
Adjust Type	Code	Description	Factor%
Condo Floor			100
Condo Loca			100

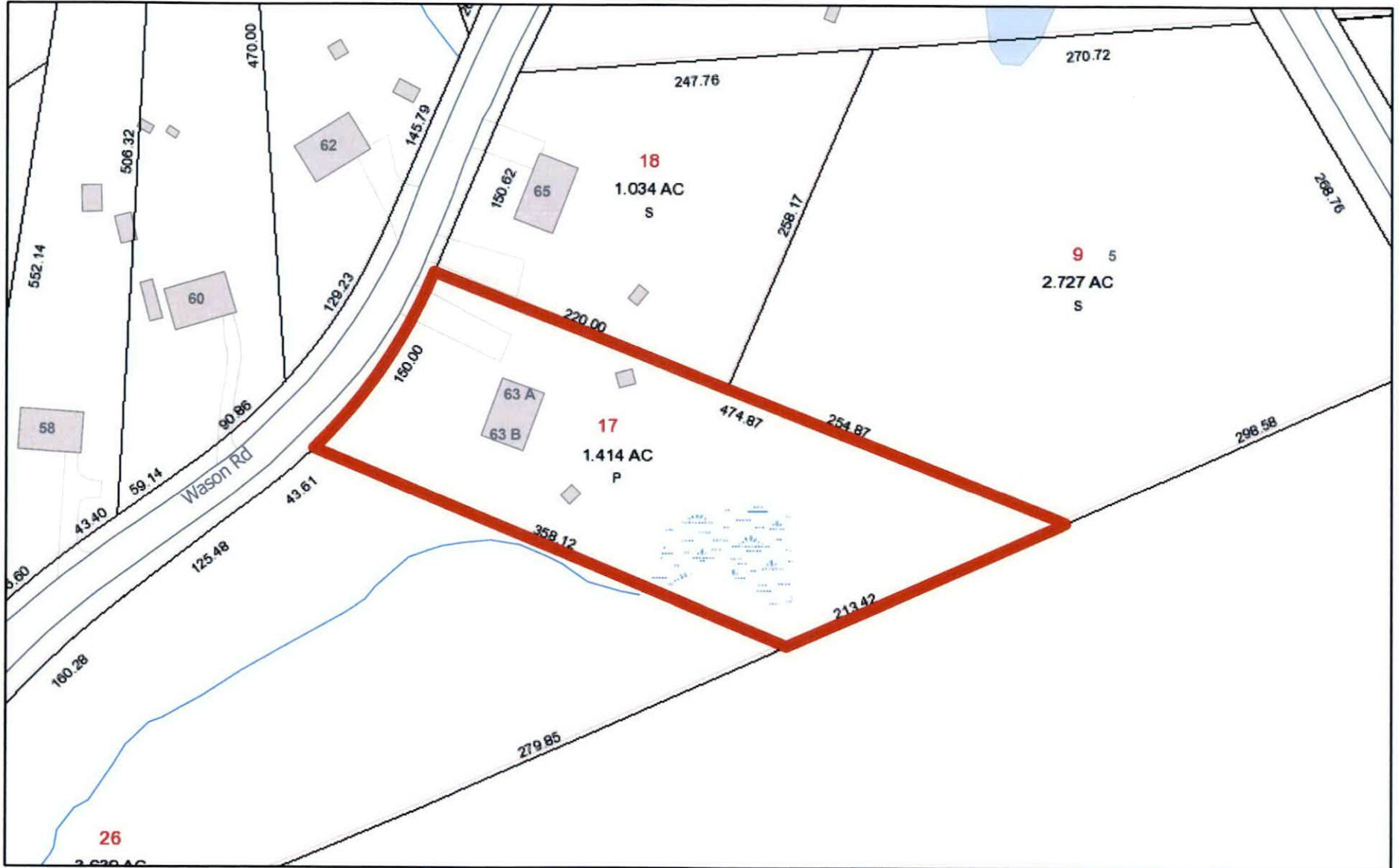
COST / MARKET VALUATION	
Building Value New	150,858
Year Built	1988
Effective Year Built	2009
Depreciation Code	AV
Remodel Rating	
Year Remodeled	
Depreciation %	13
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	87
Cns Sect Rcnd	131,200
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd.	% G	Assd Value
SHEDN	Shed No Value - Less Than 10	L	90	UNITS	0.00	1990	AV	60	0

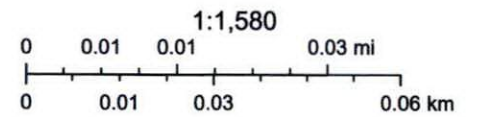
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Effect. Area	Unit Cost	Undeprec. Value
BMT	Basement, Unfinished	0	588	147	27.75	16,318
FFL	First Floor, Finished	588	588	588	111.01	65,272
SFL	Second Floor, Finished	609	609	609	111.01	67,603
WDK	Wood Deck, or Composite Dk	0	152	15	10.95	1,665
Total Living Area / Gross Area / Eff. Area		1,197	1,937	1,359	Total Value	150,858



63 B Wason Rd



11/18/2024



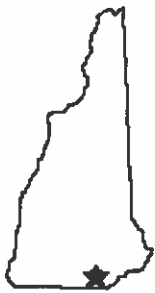
Printed
11/19/2024
2:25PM
Created
11/19/2024
2:21 PM

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

Receipt# 796,588
tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Application 63B Wason Rd Map 217 Lot 017 Sublot 002 Zone R-2 Home Occup. Spcl Exc	0.00	226.2500	0.00
			Total:	226.25

<u>Remitter</u>	<u>Pay Type</u>	<u>Reference</u>	<u>Tendered</u>	<u>Change</u>	<u>Net Paid</u>
John D. Onoroski	CHECK	CHECK# 1204	226.25	0.00	226.25
			Total Due:		226.25
			Total Tendered:		226.25
			Total Change:		0.00
			Net Paid:		226.25



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: December 12, 2024

CJS
12/3/24

Case 157-059 (12-12-24): Jeremy & Nicole Lyon, 28 Robin Dr., Hudson, NH requests a Home Occupation Special Exception to operate a home office for the management and administrative needs of a handyman service business with all services performed off-site. [Map 157, Lot 059, Sublot-000; Zoned Residential-One (R-1); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

ADDRESS: 63 B Wason Rd
Map 157, Lot 059-000

RELIEF REQUESTED: Home Occupation Special Exception

ZONING DISTRICT: Residential One (R 1)

PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing non-conforming lot of record. The Lot is 61,419.6sq. ft. where 60,000 sq. ft. is required. The residential structure on the property is a single family. The single family was built in 1994.

HISTORY/ATTACHMENTS:

PLANS: None

BUILDING PERMITS

- A: DP# 16-24-21-025** – Driveway Permit (10-11-94)
- B: PB# 130-95** – Single Family Home (10-20-94)
- C: Occupancy Permit # 130-95** (12-22-94)
- D: PB# 0447-00** – Above Ground Pool and Deck (4-6-00)

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

- E: Letter of Complaint (1-31-95)**
- F: Zoning Determination 24-099 (11-24-24)**

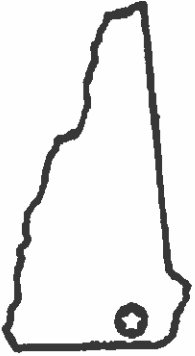
AERIAL / PHOTOS

Aerials (2024) 28 Robin Dr.



IN-HOUSE COMMENTS:

- G: Town Engineer:**
No comments 11-27-24
- H: Inspectional Services/Fire Dept.:**
No comments 11-27-24
- I: Associate Town Planner:**
No comments 12-2-24



TOWN OF HUDSON
Department of Public Works



12 School Street

Hudson, New Hampshire 03051

603/886-6005



January 31, 1995

Raisanen Homes Inc.
99 Northeastern Blvd.,
Nashua, NH 03062

RE: 28 Robin Drive, Hudson, NH
Map 24, Lot 21-25

Dear Mr. Raisanen:

During the recent rain/freeze weather patterns this lot experienced erosion and sediment which was transported to the street and to the drainage system. The owner of the street Mr. Kashulines has complained about the amount of sediment being transported off this property. Based on a field review it was apparent that no attempt has been made to stabilize the slopes, and this problem will continue through the winter and spring thaws. I am unable to process your request at this time because of this problem. I recommend that you contact Mr. Kashulines and discuss this problem and place a secured erosion control matting on all areas not currently stabilized to minimize the amount of sediment transported off the property.

I will be requiring at a minimum, that all effected catch basins and drainage systems be cleaned in the spring or until the erosion has ceased. We will be monitoring the drainage systems discharge into the wetland to ensure this sediment is not transported to the wetlands. If the wetlands are affected, you will be required to acquire any and all state federal and local permits to effect a proper clean up.

If you have any questions about the above please don't hesitate to contact us.

Very truly yours,

Michael Gospodarek
Town Engineer

cc: Peter Kashulines (resident) 23 Robin Drive
Susan Snide, Zoning Administrator
Gary Webster

B



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-99

November 24, 2024

Sent Via: Email And First-Class Mail

Nicole and Jeremy Lyon
28 Robin Dr.
Hudson, NH 03051

28 Robin Dr. Map 157 Lot 059-001
District: Residential 1 (R-1)

Dear Mrs. and Mr. Lyon,

Request: To operate Home-Based Handyman Services. All handyman work is to be done at customer residences. No customers or employees are coming to the home.

Zoning Review / Determination:

The owner of, Patriot Cornerstone Solutions LLC, required to comply with Article IV §334-24 **Home Occupation** Special Exception requirements, which require approval from the Zoning Board of Adjustment.

The application is found online at: <https://www.hudsonnh.gov/zoning/page/home-occupation-special-exception>

Sincerely,

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

cc: Public Folder
Brooke Dubowik (Planning Admin Aide
Inspection Services
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
DRIVEWAY PERMIT APPLICATION

①

\$25.00 PROCESSING FEE, RECEIPT # 45-1320 PERMIT # 16.24 21-25

APPLICANT L. T. W. SEAMAN TELEPHONE _____

LOT LOCATION 25 Row Dr MAP 24 LOT 21-25

SURFACE: PAVED GRAVEL _____ STONE _____ GRADE (x) 2%

LENGTH OF DRIVE FROM RIGHT-OF-WAY TO END 125'

TYPICAL WIDTH OF DRIVE 12' ANGLE OF ENTRY 90°

WHEN EXITING, SITE DISTANCE: LEFT 500' RIGHT 500'

DISTANCE TO NEAREST INTERSECTION WHEN EXITING:
LEFT N/A RIGHT N/A

ROADWAY DRAINAGE: (CHECK ONE)

ROADSIDE SWALE CURB & CATCH BASINS _____ OTHER _____

PROPOSED DRAINAGE: _____

THE OWNERS, BY FILING OF THIS APPLICATION AS INDICATED ABOVE, HEREBY GIVE PERMISSION FOR THE MEMBERS OF THE HUDSON PLANNING BOARD, CONSERVATION COMMISSION, TOWN ENGINEER, CIVIL ENGINEER, ROAD AGENT, AND SUCH AGENTS OR EMPLOYEES OF THE TOWN OR OTHER PERSONS THE PLANNING BOARD OR THE OFFICE OF THE TOWN ENGINEER MAY AUTHORIZE, TO ENTER UPON THE PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION AT ALL REASONABLE TIMES FOR THE PURPOSE OF SUCH EXAMINATIONS, SURVEYS, TESTS AND INSPECTIONS AS MAY BE APPROPRIATE TO ENABLE THE OFFICE OF THE TOWN ENGINEER TO PROCESS THIS APPLICATION. WE HEREBY WAIVE AND RELEASE ANY CLAIM OR RIGHT WE MAY HAVE NOW OR HEREAFTER POSSESS AGAINST ANY OF THE ABOVE INDIVIDUALS AS A RESULT OF ANY EXAMINATIONS, SURVEYS, TESTS AND INSPECTIONS CONDUCTED ON MY/OUR PROPERTY IN CONNECTION WITH THIS APPLICATION

[Signature]
OWNER SIGNATURE/DATE

OWNER SIGNATURE/DATE

[Signature] 10/6/94
INSPECTED BY/DATE

[Signature] 10-11-94
APPROVED BY/DATE

SPECIAL CONDITIONS: _____

RECEIVED
SEP 30 1994
TOWN OF HUDSON
DEPT. OF PUBLIC WORKS

TOWN OF HUDSON
ATTN: SUSAN SNIDE
ZONING ADMINISTRATOR
12 SCHOOL STREET
HUDSON, NH 03051

BUILDING PERMIT

DEPT. FILE COPY

MAP 24 LOT 21-25
VALIDATION

AMOUNT PAID



DATE OCTOBER 20, 19 94 PERMIT NO. 130-95

APPLICANT RAISANEN HOMES INC. ADDRESS 99 NORTHEASTERN BLVD., NASHUA 886-0301
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO FAMILY DWELLING (2) STORY RESIDENTIAL NUMBER OF DWELLING UNITS 1
(TYPE OF IMPROVEMENT) NO. (PROPOSED USE)

AT (LOCATION) 28 ROBIN DRIVE ZONING DISTRICT _____
(NO.) (STREET)

BETWEEN _____ AND _____
(CROSS STREET) (CROSS STREET)

SUBDIVISION ROBIN DRIVE SUBDIVISION LOT 21-25 BLOCK 24 LOT SIZE 1.688 ACRES

CERTIFICATE OF OCCUPANCY REQUIRED. SEE ATTACHED 'CERTIFICATE OF OCCUPANCY REQUIREMENTS'.
BUILDING IS TO BE _____ FT. WIDE BY _____ FT. LONG BY _____ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION

ELECTRICAL/PLUMBING PERMITS ARE REQUIRED PRIOR TO INSPECTION REQUEST.

TO TYPE _____ USE GROUP _____ BASEMENT WALLS OR FOUNDATION _____
CONSTRUCT SINGLE FAMILY HOUSE, WOOD FRAME, GAS HEAT, TOWN SEWER/WATER^(PE)

REMARKS: 2 ENCLOSED PARKING SPACES, 5 FINISHED BEDROOMS, 2½ BATHROOMS.
A CERTIFIED PLOT PLAN IS REQUIRED AT TIME OF FOUNDATION PLACEMENT, PRIOR TO FRAMING.
STONE BOUNDS/IRON PINS ARE TO BE SET AND INDICATED ON THE CPP, AS WELL DISTANCES FROM ANY WETLANDS ON THE LOT.

AREA OR VOLUME 4,179 SQUARE FEET ESTIMATED COST \$ 140,000.00 PERMIT FEE \$ 404.00
(CUBIC/SQUARE FEET)

OWNER DEBBIE AND PETER DERRIGO
ADDRESS FALGON DRIVE, HUDSON NH 03051 4 Raven Dr. BUILDING DEPT. BY Edward P. Molyneux

FORM NO. 80CA-BP (869)

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

TOWN OF HUDSON



3127

E

OCCUPANCY PERMIT

LEO T. MEEDEAN

Owner or Builder

MAP 24 LOT 21-25

28 ROBIN DRIVE

BUILDING PERMIT NO. 130-05

Address of Building

PERMISSION IS HEREBY GRANTED TO OCCUPY THIS BUILDING:

Date DECEMBER 22, 19 24

Edward P. Meehan
Building Inspector's Approval

No person shall occupy this building until Inspector's approval.

BUILDING PERMIT

DEPT FILE COPY

AMOUNT PAID

PAID
7-B-00

(E)

VALIDATION

APPLICANT Christine Neville DATE 4-6-00 PERMIT NO. 0447-00
ADDRESS 28 ROBIN DR, HUDSON NH
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO Deck + ABOVE GROUND POOL NO. 1 STORY SFK NUMBER OF DWELLING UNITS 1
(TYPE OF IMPROVEMENT) (PROPOSED USE)

AT (LOCATION) 28 ROBIN DRIVE ZONING DISTRICT _____
(NO.) (STREET)

BETWEEN _____ AND _____
(CROSS STREET) (CROSS STREET)

SUBDIVISION _____ LOT 21-25 BLOCK 24 LOT SIZE _____

BUILDING IS TO BE _____ FT. WIDE BY _____ FT. LONG BY _____ FT. IN HEIGHT AND SHALL CONFORM IN CONSTRUCTION TO TYPE _____ USE GROUP _____ BASEMENT WALLS OR FOUNDATION _____ (TYPE)

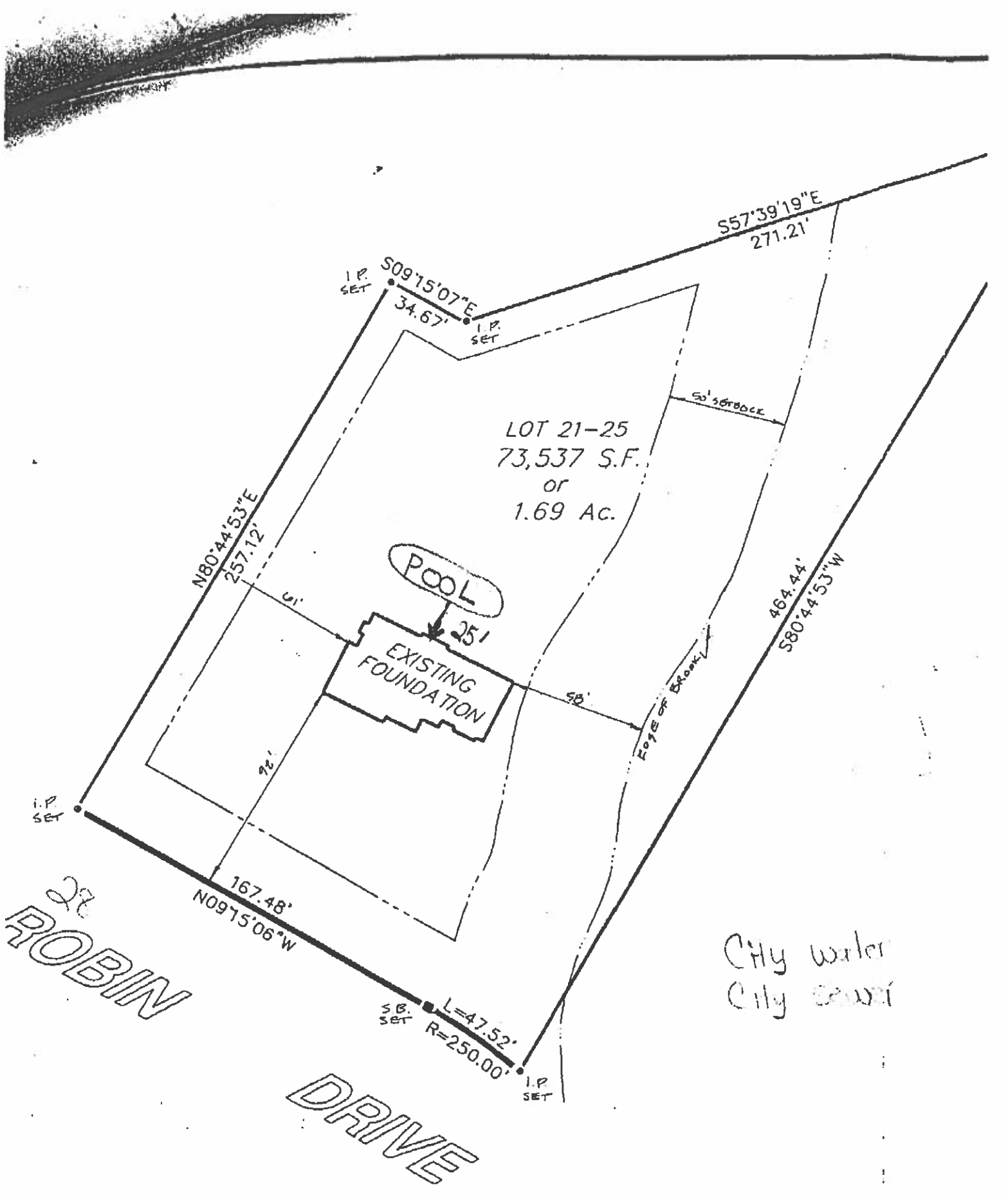
REMARKS: 15' X 30' ABOVE GROUND POOL WITH 8' X 15' DECK

AREA OR VOLUME _____ ESTIMATED COST \$7,000 PERMIT FEE \$45
(CUBIC/SQUARE FEET)

OWNER SAME AS ABOVE ADDRESS _____
BUILT BY [Signature]

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

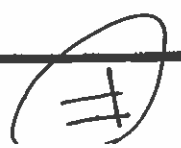
FORM NO. BOCA - BP 1994



28
ROBIN

DRIVE

City water
City sewer





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

REQUEST FOR REVIEW/COMMENTS:

Case: 157-059 (12-12-24) (HOME OCCPATION
Property Location: 28 Robin Drive SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/27/2024 Reply requested by: 12/02/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhim, P.E. Date: 11/27/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

(A)

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

REQUEST FOR REVIEW/COMMENTS:

Case: 157-059 (12-12-24) (HOME OCCPATION
Property Location: 28 Robin Drive SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/27/2024 Reply requested by: 12/02/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

DRH Name: David Hebert Date: 11/27/2024
(Initials)

DEPT:
 Town Engineer Fire/Health Department Town Planner

No Comments

①

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

REQUEST FOR REVIEW/COMMENTS:

Case: 157-059 (12-12-24) (HOME OCCPATION
Property Location: 28 Robin Drive SPECIAL EXCEPTION)

For Town Use

Plan Routing Date: 11/27/2024 Reply requested by: 12/02/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

BWG _____ Name: Benjamin Witham-Gradert Date: 12/02/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Town Planner

HUDSON ZONING BOARD OF ADJUSTMENT
Home Occupation Special Exception Decision Worksheet

On **12/12/2024**, the Hudson Zoning Board of Adjustment heard **Case 157-059**, being a request by **Jeremy & Nicole Lyon, 28 Robin Dr., Hudson, NH** for a **Home Occupation Special Exception** to operate a home office for the management and administrative needs of a handyman service business with all services performed off-site. [Map 157, Lot 059, Sublot-000; Zoned Residential-One (R-1); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

After reviewing the petition, and after hearing all testimony and documentary evidence supplied by the Applicant(s) and any other interested citizens, and after taking into consideration personal knowledge of the property in question, the undersigned member of the Hudson Zoning Board of Adjustment, sitting for this case, made the following determinations.

The intended use for which a Home Occupation Special Exception has been requested complies with the definition of a home occupation as an accessory use which by custom has been carried entirely within a dwelling unit, which is incidental and subordinate to the dwelling use, and which complies with the requirements of §334-24 as follows:

- | | | |
|---|---|--|
| Y | N | The proposed use is a sales / service operation for goods produced or services provided on-site. |
| Y | N | The proposed use shall be secondary to the principal use of the home as the business owner's residence. |
| Y | N | The proposed use shall be carried on within the residence and / or accessory structure. |
| Y | N | Other than the home occupation sign(s) permitted under Article XII, Section 334-67, there shall not be any exterior display nor other exterior indication of the home occupation, and there shall not be any variation from the primarily residential character of the principal or accessory building. |
| Y | N | There shall not be any exterior storage, unless permitted by a special exception (if permitted, must be screened from neighboring views by a solid fence or by evergreens of adequate height and bulk at the time of planting to effectively screen the area, unless this requirement is waived by the Board because of existing foliage and / or long distances). |
| Y | N | There shall not be any objectionable circumstances (such as noise, vibrations, dust smoke, electrical disturbances, odors, heat or glare) produced as the result of this proposed use. |
| Y | N | Traffic generated by the proposed home occupation activity shall not be substantially greater in volume than would normally be expected in the neighborhood. |
| Y | N | Parking provided for the home occupation activity shall be off-street, located outside of the setback areas and / or the front yard, in driveways or paved areas, and limited to no more than two vehicles at one time. |
| Y | N | The home occupation shall be conducted only by residents of the dwelling. |
| Y | N | Excluding any personal vehicle that can also be used for business purposes, parking of no more than one business vehicle (limited to no more than 13,000 pounds with adequate screening in the B, G, and I zones) shall occur. |

Signed: _____ Date _____
 Sitting Member of the Hudson ZBA

Print Name: _____

NOV 25 2024
LAND USE DIVISION
ZONING DEPT.

**APPLICATION FOR A HOME OCCUPATION
SPECIAL EXCEPTION**

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 157-059 (12-12-24)

Date Filed 11/25/24

Name of Applicant Jeremy Lyon & Nicole Lyon Map: 157 Lot: 059 Zoning District: R-1

Telephone Number (Home) (603) 306-9161 (Work) (603) 306-9161

Mailing Address 28 Robin Dr. Hudson, NH 03051

Owner Jeremy Lyon & Nicole Lyon

Location of Property 28 Robin Dr. Hudson, NH 03051

(Street Address)

Jeremy Lyon Nicole C. Lyon 11/22/2024
Signature of Applicant Date

Jeremy Lyon Nicole C. Lyon 11/22/2024
Signature of Property-Owner(s) Date

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

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

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

Date received: 11/26/24

COST:

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

Abutter Notice:

18 Direct Abutters x Certified postage rate \$ 5.58 = \$ 39.06

2 Indirect Abutters x First Class postage rate \$ 0.73 = \$ 1.46

Total amount due: \$ 225.52

Amt. received: \$ 225.52

Receipt No.: 797,645

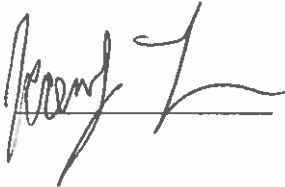
Received by: TSG

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

check #1354

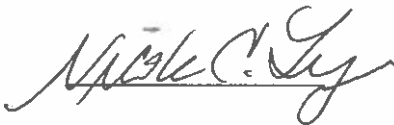
We, Jeremy Lyon and Nicole Lyon, are the owners of 28 Robin Drive, Hudson, NH 03051 and owners of a business named Patriot Cornerstone Solutions, LLC with a dba of House Doctors, a home services and handyman business. Our home business office will be used as a home occupation at this address. The home occupation shall be conducted only by the residents (owners) of this dwelling who reside on the premises. We understand that we are responsible for any violations of the Hudson Zoning Ordinance; Chapter 334-24, Home Occupations. We further understand that the approval of this home occupation special exception expires with the change of ownership of the property and that the home occupation special exception is conditional on the residents of the dwelling and not on the property.

Jeremy Lyon, Owner



Date: 11/27/2024

Nicole Lyon, Owner



Date: 11/27/2024



MICHELLE A. BREWSTER
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
October 30, 2029

TOWN OF HUDSON, NH

Application Checklist

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

Applicant Initials		Staff Initials
<u>JML</u>	Please review the application with the Zoning Administrator or staff.	<u>TG</u>
<u>JML</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 10 (ten) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>JML</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>JML</u>	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>N/A</u>
<u>JML</u>	Provide two (2) sets of mailing labels from the abutter notification lists (Pages 4 & 5) prepared by applicant, with the proper mailing addresses, must be dated within (30) thirty days of submittal of the application. The abutter lists can be obtained by using the Hudson Geographical Information System (GIS) on the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use (NOTE: the Land Use Division cannot process your application without the abutter lists. It is the applicant's responsibility to ensure that the abutter lists are complete and correct. If at the time of the hearing any applicable property owner is found not to have been notified because the lists are incomplete or incorrect, the Zoning Board will defer the hearing to a later date, following notification of such abutters.)	<u>TG</u>
<u>JML</u>	GIS LOCATION PLAN: Requests pertaining to above-ground pools, sheds, decks and use variances, the application must include a GIS location plan with dimensions pertaining to the subject for ZBA relief. A copy of the GIS map can be obtained by visiting the town website: https://www.hudsonnh.gov/community-development/page/gis-public-use	<u>TG</u>
<u>JML</u>	Provide a copy of all single sided pages of the assessor's card. (NOTE: these copies are available from the Assessor's Office)	<u>TG</u>
<u>JML</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>JML</u>	If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or <u>N</u> (circle one). If yes, submit an application to the Planning Board.	<u>N/A</u>

CERTIFIED PLOT PLAN:

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

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

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

N/A

↓

(TG)

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

[Handwritten Signature]

 Signature of Applicant(s)

11/22/2024

 Date

[Handwritten Signature]

 Signature of Property Owner(s)

11/22/2024

 Date

ALL DIRECT ABUTTERS

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
		*Include Applicant & Owner(s)	
157	059	Jeremy Lyon & Nicole Lyon	28 Robin Dr. Hudson, NH 03051
148	040	New Hampshire Public Golf Courses, Inc. <i>Whip Poor Will Golf Club, LLC</i>	55 Marsh Rd. Hudson, NH 03051 <i>4 Friel Golf Rd. Hudson, NH 03051</i>
148	040	Rolling Green at Whippoorwill Condo Owners Association	636 Daniel Webster HWY Merrimack, NH 03054
157	058	Sean O'Leary & Marie O'Leary	26 Robin Dr. Hudson, NH 03051
157	055	Paul Letendre & Leanne Letendre	31 Robin Dr. Hudson, NH 03051
157	056	Mark Sherburne & Patricia Sherburne	27 Robin Dr. Hudson, NH 03051
157	057	John McGranahan & Jean McGranahan	9 Raven Dr. Hudson, NH 03051
157	060	Tommy Bolduc & Mylene Drouin	9 Bolduc Way Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

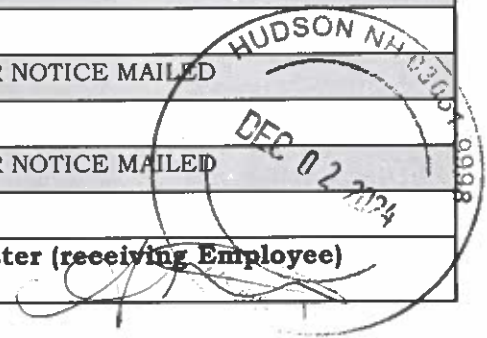
List name(s) and mailing addresses of all indirect abutters (those whose property is not contiguous but is within 200 feet from the property in question) as of the time of the last assessment of taxation made by the Town of Hudson. For indirect abutting properties being under a condominium or other collective 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
148	099	Marc Hamel & Kimberly Hamel	24 Robin Dr. Hudson, NH 03051
157	060	Mylene Drouin & Drouin Revocable Trust	9 Bolduc Way Hudson, NH 03051

USPS-Verified Mail

SENDER:		US POSTAL SERVICE - CERTIFIED MAIL+ FIRST CLASS		Case# 157-059 HOME OCCUPATION SPECIAL EXCEPT. 28 Robin Dr., Hudson, NH 03051 Map 157, Lot 059, Sublot-000 (1 of 1)
ARTICLE NUMBER		Name of Addressee, Street, and post office address	12/12/2024 ZBA Meeting	
1	9589 0710 5270 2409 0625 32	Jeremy & Nicole Lyon 28 Robin Dr., Hudson, NH 03051	APPLICANT/OWNER NOTICE MAILED	
2	9589 0710 5270 2409 0625 49	Whip Poor Will Golf Club, LLC 4 Friel Golf Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED	
3	9589 0710 5270 2409 0625 56	Sean & Marie O'Leary 26 Robin Dr., Hudson, NH 03051	ABUTTER NOTICE MAILED	
4	9589 0710 5270 2409 0625 63	Paul & Leanne Letendre 31 Robin Dr., Hudson, NH 03051	ABUTTER NOTICE MAILED	
5	9589 0710 5270 2409 0625 70	Mark & Patricia Sherburne 27 Robin Dr., Hudson, NH 03051	ABUTTER NOTICE MAILED	
6	9589 0710 5270 2409 0625 87	John & Jean McGranahan 9 Raven Dr., Hudson, NH 03051	ABUTTER NOTICE MAILED	
7	9589 0710 5270 2409 0625 94	Tommy Bolduc; Mylene Drouin 9 Bolduc Way, Hudson, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	Marc & Kimberly Hamel 24 Robin Dr., Hudson, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class	Mylene Drouin & Drouin Revocable Trust 9 Bolduc Way, Hudson, NH 03051	ABUTTER NOTICE MAILED	
10			ABUTTER NOTICE MAILED	
Total Number of pieces listed by sender 9		Total number of pieces rec'vd at Post Office 9	Postmaster (receiving Employee)	





TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

December 2, 2024

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, December 12, 2024 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 157-059 (12-12-24): Jeremy & Nicole Lyon, 28 Robin Dr., Hudson, NH requests a Home Occupation Special Exception to operate a home office for the management and administrative needs of a handyman service business with all services performed off-site. [Map 157, Lot 059, Sublot-000; Zoned Residential-One (R-1); HZO Article VI: Special Exceptions; §334-24, Home Occupations]

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting to provide information or comments on the proposal.

If you are unable to attend, you may also mail or email your comments prior to the ZBA meeting. Submit written comments by mail to ZBA, c/o Chris Sullivan, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: csullivan@hudsonnh.gov. In either instance, include your full name, address and the case you wish to make your comment.

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

Respectfully,

Chris Sullivan
Zoning Administrator

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION

A home occupation is a wholesale sales or service operation for goods produced or services provided on-site and is permitted only as a special exception upon approval by the Zoning Board of Adjustment. In granting such an exception, the Board must find the home occupation to be in full compliance with the requirements listed below. Per Hudson Zoning Ordinance Article VI, Special Exceptions; §334-24 F, **On-site retail sales are an expressly prohibited home occupation special exception use.**

Please explain, in detail, the nature of your home business.

House Doctors is the trusted handyman service for all your home and business repair and improvement needs.

For small jobs and larger projects, House Doctors is the fast, easy solution to all "fix it" problems. House

Doctors is a franchise that will be managed remotely from the home office of 28 Robin Dr. Hudson, NH 03051.

Is the home occupation secondary to the principal use of the home as the business owners' residence? Please explain.

Yes, both business owners reside at this home.

Will the home occupation business be carried on within the residence and/or within a structure accessory to the residence? Please explain.

The home occupation business of management and administrative items will be carried on within the residence.

Other than the sign(s) permitted under Article XII, will there be exterior display or other exterior indications of the home occupation? Will there be any variation from the primarily residential character of the principal or accessory building? Please explain.

No, no variations or signage on the home.

APPLICATION FOR A HOME OCCUPATION SPECIAL EXCEPTION (CONTINUED)

Will there be exterior storage and will it be screened from neighboring views by a solid fence or by evergreens of adequate height and bulk at the time of planting to effectively screen the area? In situations where a combination of existing foliage and/or long distances to neighboring views provide screening, the fencing requirements may be waived at the discretion of the Board. Please explain how you will comply.

No, there will be no exterior storage. There will be no changes to the property, nor any evidence of property being used as a business.

Will there be noise, vibrations, dust, smoke, electrical disturbances, odors, heat or glare produced? Please explain, and if there will be electrical disturbances, describe the frequency.

No active services will be conducted at the property.

Will the traffic generated by the home occupation activity be substantially greater in volume that would normally be expected in the neighborhood? Please explain the expected traffic to your business.

No traffic will be generated at the property.

Where will customer/client parking for the home occupation be located? Please explain.

There will be no client or customer presence at the property.

Who will be conducting the home occupation? Please explain.

Husband and wife Jeremy Lyon and Nicole Lyon are co-owners and will be conducting the home occupation.

Will there be a vehicle(s) for the home occupation? Please explain the type and number of vehicle(s).

There will be no vehicles on the property other than personally owned.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-99

November 24, 2024

Sent Via: Email And First-Class Mail

Nicole and Jeremy Lyon
28 Robin Dr.
Hudson, NH 03051

28 Robin Dr. Map 157 Lot 059-001
District: Residential 1 (R-1)

Dear Mrs. and Mr. Lyon,

Request: To operate Home-Based Handyman Services. All handymen work is to be done at customer residences. No customers or employees are coming to the home.

Zoning Review / Determination:

The owner of, Patriot Cornerstone Solutions LLC. required to comply with **Article IV §334-24 Home Occupation** Special Exception requirements, which require approval from the Zoning Board of Adjustment.

The application is found online at: <https://www.hudsonnh.gov/zoning/page/home-occupation-special-exception>

Sincerely,

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

cc: Public Folder
Brooke Dubowik (Planning Admin Aide
Inspection Services
File

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

Property Location: 28 ROBIN DR
 Vision ID: 2766 Account #: 7592

Parcel ID: 157/059/000/1
 Bldg #: 1

Card Address:
 Card #: 1 of

LUC: 1010
 Print Date: 11-22-2024 3:42:42 P

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
LYON, NICOLE C. LYON, JEREMY M. 28 ROBIN DR HUDSON NH 03051		Nbhd		Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RG		Residential Very Good		2024	1010	544,100	2024	1010	544,100	2023	1010	544,100
		TOPO		UTILITIES			1010	210,700		1010	210,700		1010	210,700
						Total		754,800	Total		754,800	Total		754,800

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	VI	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
LYON, NICOLE C.		9620 2839	05-27-2022	Q	I	795,000	00	Grantor: NEVILLE, JOHN M., Grantor: DARRIGO, PETER/DEBORAH Grantor: VIGEANT, LEONARD Grantor: PELHAM BANK & TRUST	Appraised Bldg. Value (Card)			491,400
BROWN, SHAWN E.		7654 0454	03-29-2006	Q	I	535,000	00		Appraised Xf (B) Value (Bldg)			52,700
NEVILLE, JOHN M.		5859 0129	10-01-1997	Q	I	248,000	00		Appraised Ob (B) Value (Bldg)			0
DARRIGO, PETER/DEBORAH		5584 55	10-07-1994	Q	I	62,000	00		Appraised Land Value (Bldg)			210,700
VIGEANT, LEONARD		5486 1049	10-29-1993	U	V	40,000	40		Special Land Value			0

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				APPRAISED VALUE SUMMARY	
Parcel ID	157-059-000	PREV 0024-0021-0025 Assoc Pid#	Descript	Code	Appraised	Assessed	Total Appraised Parcel Value	
Zoning	R1:Residential-1		BLDG	1010	544,100	544,100	Valuation Method	
Flood Hazard	C		LAND	1010	210,700	210,700	C	
Neigh/Abut1							Total Appraised Parcel Value	
Neigh/Abut2							754,800	
Neigh/Abut3						754,800		
GIS ID	157-059-000		Total:		754,800	754,800	754,800	

NOTES		VISIT / CHANGE HISTORY			
SFL 90%? SOME CATH CEILING IN FRONT FOYE R. OTH FIXT'S = X-TRA SINK IN FULL BATH & UTILITY SINK IN LAUNDRY CLOSET. 5/21 J S SIDING STAINED IN REAR N/C TO COND		Date	Id	Cd	Purpost/Result
		05-15-2023	21	15	Permit Visit
		07-20-2022	24	45	Field Review
		07-16-2022	27	45	Field Review
		07-06-2022	21	70	Info Office
		05-14-2021	18	02	Measured
		07-01-2014	15	02	Measured
10-26-2009	10	02	Measured		
08-30-2007	01	16	Fieldrev-Chg		

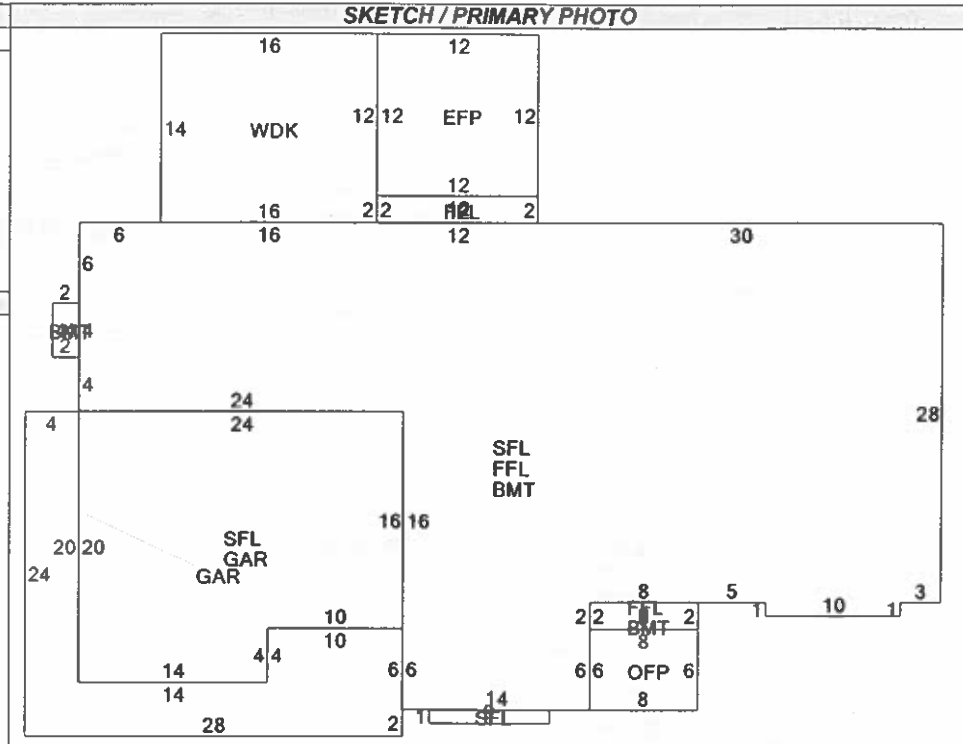
BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments
2022-00962-1-	08-31-2022	EL			C	Bright Planet Solar		Install roof mounted solar array of 30 panels 10.95 kW DC
2022-00962	08-30-2022	SP		32,850	C	Bright Planet Solar		Install roof mounted solar array of 30 panels 10.95 kW DC

LAND LINE VALUATION SECTION																
B #	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	1.000 AC	170,000		1.00	5	1.00	RG	1.10	Golf View	1.10			205,700
1	1010	SINGLE FAMILY RES	Excess	0.688 AC	6,000		1.00	0	1.00	RG	1.10	Golf View	1.10			5,000
Total Card Land Units:				1.688 AC	Parcel Total Land Area:				1.688	AC	Total Land Value:				210,700	

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

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Model	01	Residential	Avg Ht/FL	8	
Stories:	2		Extra Kitchens	0	
Style:	03	Colonial	Add Kitchen Ra		
Grade:	B-	Good/Avg			
(Liv) Units	1				
Exterior Wall 1	04	Vinyl			
Roof Structure	02	Hip			
Roof Cover	01	Asphalt Shingle			
Frame	01	Wood			
Foundation	01	Concrete			
Interior Wall 1	01	Drywall			
Interior Floor 1	04	Carpet			
Heat Fuel	02	Gas			
Heat Type	01	Forced Air			
# Heat Systems	1				
AC Percent	100				
Total Rooms	9				
Bedrooms	5				
Full Baths	3				
3/4 Baths	0				
Half Baths	1				
Extra Fixtures	3				
Kitchens	1				
Kitchen Rating	GD	Good			
Bath Rating	GD	Good			
Half Bath Rating	AV	Average			
Bsmt Garage	0				
Fireplace(s)	1				
Fireplace Rating	AV	Average			
WS Flues	0				
Color	CREAM				
Avg Ht/FL	8				
Extra Kitchens	0				

COST / MARKET VALUATION	
Building Value New	545,983
Year Built	1994
Effective Year Built	2012
Depreciation Code	AG
Remodel Rating	
Year Remodeled	
Depreciation %	10
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	90
RCNLD	491,400
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

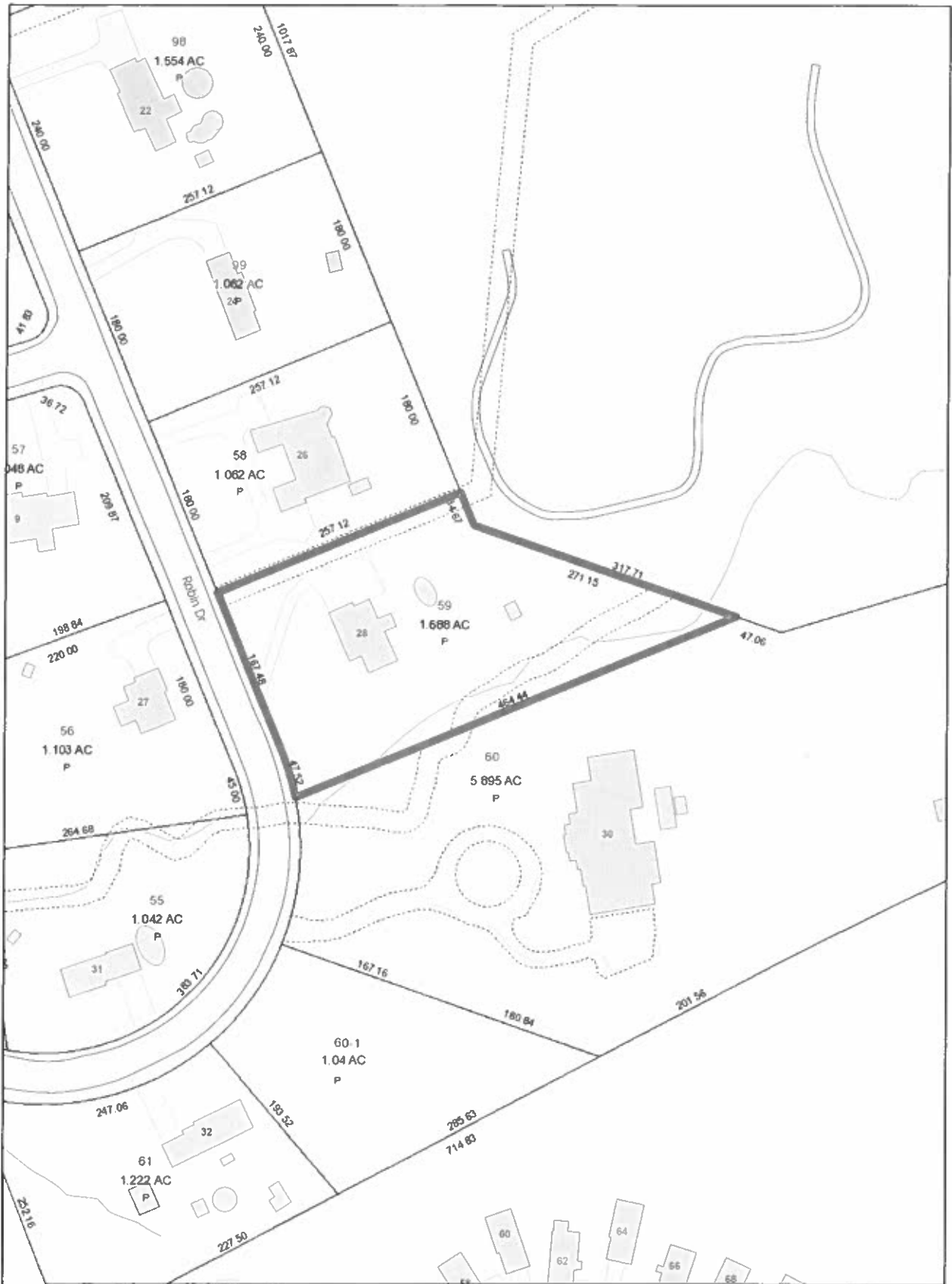


OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)									
Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd	% G	Assd. Value
XFRRM	Rec Room, Fin, BMT	B	1,300	SQ. FT	45.00	2010	AV	90	52,700
SOLARL	Solar Leased	L	11	kw	0.00	2023	GD	80	0

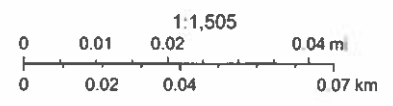
BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	1,602	401	30.96	49,601
EFP	Encl. Porch, Finished	0	144	101	86.76	12,493
FFL	First Floor, Finished	1,618	1,618	1,618	123.69	200,136
GAR	Garage	0	672	235	43.26	29,068
OFF	Open Frame Porch	0	48	10	25.77	1,237
SFL	Second Floor, Finished	2,027	2,027	2,027	123.69	250,727
WDK	Wood Deck, or Composite Dk	0	224	22	12.15	2,721
Total Liv Area/Gr. Area/Eff Are		3,645	6,335	4,414	Total Value	545,983



28 Robin Dr (Map 157 Lot 059-000)



11/22/2024



Printed
11/26/2024
12:02PM
Created
11/26/2024
11:41 AM

Transaction Receipt

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

Receipt# 797,645
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application 28 Robin Dr. Map 157 Lot 059-000 Zone R-1 Home Occ Spcl Except	0.00	225.5200	0.00
			Total:	225.52

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Jeremy M Lyon	CHECK	CHECK# 1354	225.52	0.00	225.52
			Total Due:		225.52
			Total Tendered:		225.52
			Total Change:		0.00
			Net Paid:		225.52



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: December 12, 2024

CJS
12/2/24

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

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

**B) Zoning Determination 24-070 72 Burns Hill Rd.
AERIAL / PHOTOS
Aerials (2024) 72 Burns Hill Rd**

**ADDRESS: 72 Burns Hill Rd.
Map 211 Lot 067-000**

Relief Requested:

The purpose of the application is to obtain variance for the use of storage units installed in the R-2 Zone where it is not a permitted use.



ZONING DISTRICT: Residential Two (R-2)

PROPERTY DESCRIPTION:

The town records indicate that the lot is an existing lot of record. The lot is 1,080,288sq. Ft. where 10,000 sq. ft is required 60,000 sq. ft. is required. The record shows that us is a currant use farm.

IN-HOUSE COMMENTS:

C: Inspectional Services/Fire Dept.: 11-21-24

No Comment

D: Associate Town Planner: 11-21-24

- The applicant shall submit Conditional Use Permit and Site Plan applications to the Planning Board for approval.

History/Attachments:

Plans

See the site plan in your packet.
A) Boundary Plan -5/17/89

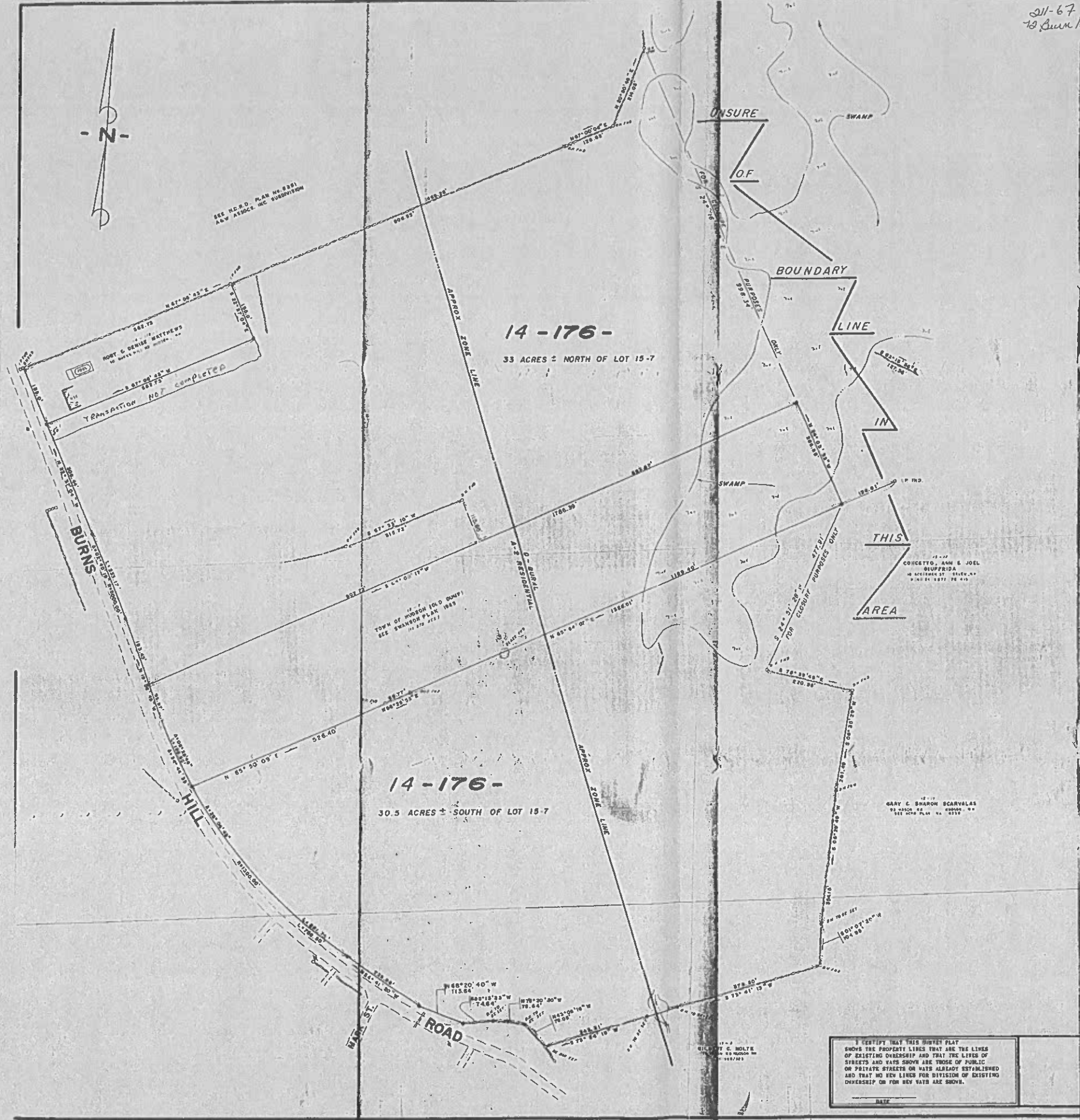
E: Town Engineer: 11-20-24

No Comment

BUILDING PERMITS

None

211-67
18 Burn Hill

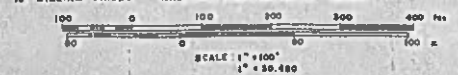


- PLAN REFERENCES**
1. LOT LINE RELOCATION PLAN LOT 176 & 176-1 MAP 14 BURNS HILL ROAD HUDSON, NH JUNE 1963 AND PREPARED BY KATHARD & PORRETTE, INC.
 2. BOUNDARY PLAN LOT 7 MAP 15 BURNS HILL ROAD HUDSON, NH PREPARED FOR TOWN OF HUDSON DATED FEB. 15, 1963 AND PREPARED BY ALLAN W. SWANSON INC.
 3. SUBDIVISION PLAN LOT 1-3 WAGON ROAD HUDSON, NH SURVEY FOR JOSEPH BARNO, SEPT. 1972 BY V. ROBY HOLTE H.C.R.D. #6239
 4. SUBDIVISION PLAN OF LAND HUDSON, NH PREPARED FOR ASW ASSOCS. INC. DEC. 6, 1973 SURVEYED BY L.V. SZUGDA & SONS HUDSON, NH H.C.R.D. #6251

- NOTES**
1. PURPOSE OF PLAN IS TO DETERMINE BOUNDARY LINES
 2. PRESENT ZONING A-2 RESIDENTIAL & D-BURIAL
 3. 14-176 ETC. REFER TO THE TOWN OF HUDSON ASSIGNED LOT NUMBERS
 4. MONUMENTS TO BE SET BY LICENSED LAND SURVEYOR
 5. OWNER OF RECORD
ROGER A. & LORETTE B. GUERETTE
13 WILLIAM STREET
NASHUA, NH 07068
H.C.R.D. BK. 1451, PG. 368

PRELIMINARY PRINTED ON 5-14-89

BOUNDARY PLAN
HUDSON, NEW HAMPSHIRE
PREPARED FOR
Roger A. & Lorette B. Guerette
13 WILLIAM STREET NASHUA, NEW HAMPSHIRE 07068



17 MAY 1989
DAVID W. O'HARA & ASSOCIATES
LICENSED LAND SURVEYORS - LAND PLANNING
211 WINDY HERRING, NEW HAMPSHIRE 03064

I CERTIFY THAT THIS BOUNDARY PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIP AND THAT THE LINES OF STREETS AND YARDS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR YARDS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW YARDS ARE SHOWN.

3



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-070

July 23, 2024

Sent Via, Email and 1st Class Mail

Colin Jean
64 McKean St
Nashua NH, 03060

Re: 72 Burns Hill Rd Map 211 Lot 67-000
District: Residential Two (R-2)

Dear Mr. Jean,

Your request: Is to construct a storage facility with in the Residential Two Zone. (No Plan Provided)

Zoning Review / Determination:

As of the Town meeting in March the General zone was rezone into Residential Two. Our records indicate the current lot to be a total of 1,080,288 ²ft. with 972 linear ft. of frontage. The Town records indicate that the lot is vacant. The property also has wetland on it and, monitoring well for a close town dump site. The use of self-storage is only Permitted in (I), and (G-1) per §334-21 (I-13) Table of Permitted Principal Uses. A storage facility would require a variance from the Zoning Board of Adjustment per §334-21 (I-13) Table of Permitted Principal Uses.

You will need to go through planning to get a site plan review per §334-16.1 Site Plan Approval. Please contact The Planning Department at, (603) 886-6008 for application details.

Sincerely,

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

cc: Public File
Brooke Dubowik (Planning Administrative Aide)
Inspectional Services
Owner
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: 211-067 (12-12-24) **(VARIANCE)**

Property Location: 72 Burns Hill Rd

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

DRH _____ Name: David Hebert Date: 11/21/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

D

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

REQUEST FOR REVIEW/COMMENTS:

Case: 211-067 (12-12-24) **(VARIANCE)**

Property Location: 72 Burns Hill Rd

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

BWG Name: Benjamin Witham-Gradert Date: 11/21/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

The applicant shall submit Conditional Use Permit and Site Plan applications to the Planning Board for approval.

E

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

REQUEST FOR REVIEW/COMMENTS:

Case: 211-067 (12-12-24) (VARIANCE)

Property Location: 72 Burns Hill Rd

For Town Use

Plan Routing Date: 11/20/2024 Reply requested by: 11/25/2024 ZBA Hearing Date: 12/12/2024

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 11/20/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

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

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

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

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

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

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

Y **N** **4.** The proposed use will not diminish the values of surrounding properties.

(Continue-next page-Hardship Criteria)

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

(Continued)

Y
N
N/A

5.

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

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

(2) The proposed use is a reasonable one.

Y
N

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

Member Decision: _____

Signed: _____

Sitting member of the Hudson ZBA

Date

Print name: _____

Stipulations: _____

NOV 07 2024
LAND USE DIVISION
ZONING DEPT.

APPLICATION FOR A VARIANCE

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 211-067 (12-12-24)

Date Filed 11/7/24

Name of Applicant Tumpney HurdClegg, LLC Map: 211 Lot: 67-000 Zoning District: R-2

Telephone Number (Home) 603-718-2932 (Work) 603-718-2932
c/o George Hurd, Mgr.

Mailing Address 39 Trigate Road, Hudson, NH 03051

Owner Tumpney Hurd Clegg, LLC

Location of Property 72 Burns Hill Road, Hudson, New Hampshire
(Street Address)

Signature of Applicant [Signature] Date 10-28-21

Signature of Property-Owner(s) [Signature] Date 10-28-21

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: 11/7/24

COST:

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

17 Abutter Notice:
Direct Abutters x Certified postage rate \$ 5.58 = \$ 94.86

3 Indirect Abutters x First Class postage rate \$ 0.73 = \$ 2.19

Total amount due: \$ 282.05

Amt. received: \$ 282.95

Receipt No.: 795,650

Received by: [Signature]

check#
2446

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

Colin Jean
Attorney at Law, LLC

64 McKean Street
P.O. Box 3661
Nashua, New Hampshire 03061

Tel: (603) 881-5535

LICENSED IN NH & MA

E-mail: ColinJean@nhjean.com

October 28, 2024

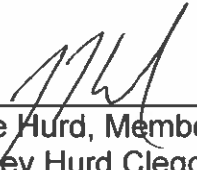
Mr. Christopher Sullivan
Zoning Administrator
Town of Hudson
12 School Street
Hudson, NH 03051

RE: **Authorization for Representation – 72 Burns Hill Road, Hudson**

Dear Christopher Sullivan:

Kindly accept this communication as formal notice that I authorize Colin Jean, Esquire of the office of Colin Jean Attorney at Law, LLC and Michael Grainger of MJ Grainger Engineering, Inc., to represent the interests of Tumpney Hurd Clegg, LLC at the Town of Hudson Planning Board meeting scheduled for Dec 12, 2024 or any subsequent meeting thereafter.

Sincerely,



George Hurd, Member
Tumpney Hurd Clegg, LLC
39 Trigate Road
Hudson, NH 03051

October 28, 2024

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

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
210	036	*Include Applicant & Owner(s) John & Tammy Eaton	69 Burns Hill Rd., Hudson, NH 03051
217	035	Peter & Sandra Silver	71 Burns Hill Rd., Hudson, NH 03051
217	028-CDX -001	Jane Levasseur	2A Mark St., Hudson, NH 03051
217	028-CDX -002	Winnie Nichols <i>James M. Michugu</i>	2B Mark St., Hudson, NH 03051
217	027	Fred Brough, Trustee Sharon Felton, Trustee	75 Burns Hill Road, Hudson, NH 03051
212	012	Frank Giuffrida (loc. 110R Wason Rd.)	9 Beech St., Windham, NH 03087-1935
211	065	Denise Matthews, Tr. (Loc. 52 Burns Hill Road) <i>Richard A. Guerette, Tr.</i>	50 Burns Hill Road, Hudson, NH 03051
211	066	Town of Hudson (Loc. 62 Burns Hill Road)	12 School St., Hudson, NH 03051
210	011	Provincial Heights Neighborhood Assn. (Loc. 2 St. Francis Pl.)	14 St. Francis Pl., Hudson, NH 03051
217	026	Christine Harmon	79 Burns Hill Rd., Hudson, NH 03051
211	068	Mark & Michelle Levesque	84 Wason Rd., Hudson, NH 03051
212	004	Sharon Scarvalas	92A Wason Rd., Hudson, NH 03051
212	008	Perry J. Giuffrida, Tr. <i>Giuffrida Revocable Trust</i>	100B Wason Rd., Hudson, NH 03051

ALL DIRECT ABUTTERS

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
		*Include Applicant & Owner(s) DIRECT ABUTTER'S CONT.	
212	009	Frank E. Giuffrida (Loc. 102 Wason Rd.)	9 Beech St., Windham, NH 03087-1935
211	067	Tumpney Hurd Clegg, LLC - Owner George Hurd, Manager	39 Trigate Rd., Hudson, NH 03051
		Tumpney Hurd Clegg LLC-App. George Hurd, Manager	39 Trigate Rd., Hudson, NH 03051
		Colin Jean, Esq. Authorized Rep.	P.O. Box 3661, Nashua, NH 03061
		Michael Grainger, Eng. Authorized Rep.	220 Derry Rd, Hudson, NH 03051

(16)

(16)

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)

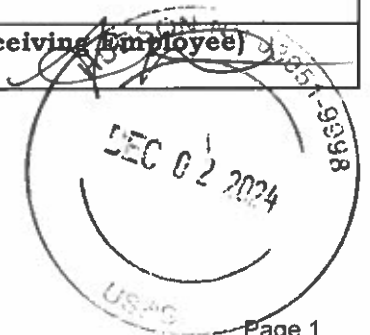
TG
Direct *

TG

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
217	037	Michael & Michelle Dennis David J. & Katherine Morin	67 Burns Hill Rd., Hudson, NH 03051
212	001	Gregory & Stacia Dubois	86 Wason Rd., Hudson, NH 03051
218	015	Richard Ings Rebecca Hess E	82 Wason Rd., Hudson, NH 03051

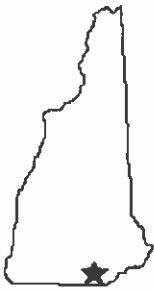
USPS-Verified Mail

SENDER:		US POSTAL SERVICE - CERTIFIED MAIL	Case# 211-067 72 Burns Hill Rd., Hudson, NH 3051 Map 211, Lot 067, Sublot-000 (1 of 2)
TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051		Name of Addressee, Street, and post office address	VARIANCE 12/12/2024 ZBA Meeting
1	9589 0710 5270 0646 5666 60	TUMPNEY HURD CLEGG, LLC 39 TRIGATE RD., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5666 77	John & Tammy Eaton 69 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5666 84	Peter & Sandra Silver 71 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5666 91	Jane Levasseur 2A Mark St., Hudson, NH 03051	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5667 07	Winnie Nichols; James M. Michugu 2B Mark St., Hudson, NH 03051	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5667 14	Fred Brough, Tr.; Sharon Felton, Tr. 75 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5667 21	Frank Giuffrida (loc. 110R Wason Rd.) 9 Beech St., Windham, NH 03087-1935	ABUTTER NOTICE MAILED
8	9589 0710 5270 0646 5667 38	Denise Matthews, Tr.; Claire G. Matthews, Tr. <i>Richard A. Guenette, Tr.</i> 50 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
9	9589 0710 5270 0646 5667 45	Town of Hudson 12 School St., Hudson, NH 03051	ABUTTER NOTICE MAILED
10	9589 0710 5270 0646 5667 52	PROVINCIAL HEIGHTS NEIGH. ASSOC. 14 St Francis Place, Hudson, NH 03051	ABUTTER NOTICE MAILED
Total Number of pieces listed by sender 10		Total number of pieces rec'vd at Post Office <i>10</i>	Postmaster (receiving Employee)



USPS-Verified Mail

SENDER:		US POSTAL SERVICE - CERTIFIED MAIL	Case# 211-067 VARIANCE 72 Burns Hill Rd., Hudson, NH 3051 Map 211, Lot 067, Sublot-000 (2 of 2)
ARTICLE NUMBER		Name of Addressee, Street, and post office address	12/12/2024 ZBA Meeting
1	9589 0710 5270 0646 5667 69	Christine Harmon 79 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
2	9589 0710 5270 0646 5667 76	Mark & Michele Levesque 84 Wason Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5667 83	Sharon Scarvalas 92 A Wason Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5667 90	Perry J. Giuffrida, Tr.; Giuffrida Revocable Trust 100B Wason Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5668 06	Frank Giuffrida (loc. 110R Wason Rd.) 9 Beech St., Windham, NH 03087-1935	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5668 13	Colin Jean, Esq., <i>Authorized Rep.</i> P.O. Box 3661, Nashua, NH 03061	APPLICANT/OWNER NOTICE MAILED (Legal Rep. copy)
7	9589 0710 5270 2409 0625 18	Michael Grainger, Eng., Authorized Rep. 220 Derry Rd., Hudson, NH 03051	APPLICANT/OWNER NOTICE MAILED (NH LLS copy)
8	9589 0710 5270 2409 0625 25	David J. & Katherine Morin 67 Burns Hill Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	Gregory & Stacia Dubois 88 Wason Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	Richard Ings; Rebecca Hesse 82 Wason Rd., Hudson, NH 03051	ABUTTER NOTICE MAILED
Total Number of pieces listed by sender 10		Total number of pieces rec'vd at Post Office <i>10</i>	Postmaster (receiving Employee) <i>[Signature]</i>



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

December 2, 2024

APPLICANT NOTIFICATION

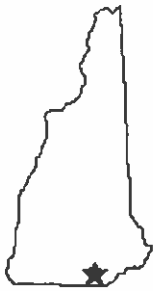
You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on **Thursday, December 12, 2024 starting at 7:00 P.M.** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH. Please enter by the ramp entrance at right side.

Case 211-067 (12-12-24): George Hurd, Manager, Tumpney Hurd Clegg, LLC, 72 Burns Hill Rd., Hudson, NH requests a Variance for a proposed construction of four (4) self-storage units totaling 18,950 SF in the rear portion of the vacant 24.816 acre lot previously zoned as General (G) but re-zoned to Residential-Two (R-2) where this Industrial Use (E-13) is not permitted. Self-storage use is only permitted in the Industrial (I) and General-One (G-1) Zones. [Map 211, Lot 067, Sublot-000; Zoned Residential-Two (R-2); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

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Please be advised, this notice is for your information only. Your attendance is not required; however, you may attend this meeting to provide information or comments on the proposal.

If you are unable to attend, you may also mail or email your comments prior to the ZBA meeting. Submit written comments by mail to ZBA, c/o Chris Sullivan, Zoning Administrator, Town of Hudson, 12 School Street, Hudson, NH 03051. Email comments before 4:00 PM prior to the meeting to: csullivan@hudsonnh.gov. In either instance, include your full name, address and the case you wish to make your comment.

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

Respectfully,

Chris Sullivan
Zoning Administrator

APPLICATION FOR A VARIANCE

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article V of HZO Section(s) 334 (I-13) in order to permit the following: [↑]-21 (TG)

Applicant/Owner request a variance for the purpose of erecting four (4) storage units in the rear portion of the 24.816 acre property. The units would be serviced by a private drive from frontage on Burns Hill Road. See attached property summary and project overview.

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.**

GEORGE HURD, MEMBER, TUMPNEY HURD CLEGG LLC – APPLICANT

TUMPNEY HURD CLEGG, LLC – OWNER

(72 Burns Hill Road; Map 211, Lot 67-000)

ATTACHMENT TO: VARIANCE APPLICATION

Property / Fact Summary

Tumpney Hurd Clegg, LLC is the titled owner of the approximately 25-acre parcel of land (Map 211 – Lot 67-000), located in a Residential 2 (R-2) Zoning District. The property was purchase by the Applicant/owner in July 2021. This particular parcel is located with frontage on Burns Hill Road. The property directly abuts the former and now capped Town of Hudson Dump, and other residential properties. At the time the property was purchased it encompassed two zoning districts, R-2 and G Zones. The rear portion of the property was in the G Zone and the front portion was and remains in the R-2 Zone.

Shortly after the conveyance of the property in 2021, Tumpney Hurd Clegg, LLC began preliminary work with the intent to assess the various uses that bore further investigation regarding development of both the G Zoned portion of the property as well as the R-2 Zoned portion. Toward that end, investment in initial soil assessment began in September 2021 and engineering and survey work commenced in early 2022. Subsequent to the engineering work required, a site plan was designed for the purpose of presentation to the administrators of the Hudson Town Land Use Department for review and comment in July 2023.

Unfortunately, in August 2023, the unforeseen and sudden death of the Manager / Member of Tumpney Hurd Clegg, LLC (Robert Clegg), caused the suspension of the LLC's progress with respect to the Burns Hill Road project until reorganization and estate related matters could be settled.

In or around the beginning of October 2023, Tumpney Hurd Clegg, LLC resumed plans to develop the parcel with the continued intent of using the rear portion of the property, in the G Zone, for the construction of a storage unit facility. The use of the remainder of the property, in the R-2 Zone was placed on hold with the intent to pursue future plans regarding residential development.

At the March 2024 Town Meeting, Warrant Article 44, to: "Amend the Official Zoning Map of the Town of Hudson by re-zoning certain areas developed for residential purposes from General (G) to Residential (R-2).", was passed. The portion of the subject site (encompassing the rear of the property) was adversely affected by this change in zoning.

The Town of Hudson presently has two active deep test wells on the Tumpney Hurd Clegg, LLC property adjacent to the former Town Dump. It is and has been the plan of the property owner to incorporate those wells into the portion of the property used for the storage facility if and when the property is eventually sub-divided. The adverse effect of the Town Wells on the value of that portion of the property used for the proposed storage facility, would be far less than that if they (the wells) were on that portion reserved for residential use.

Project Overview

It is the intention of Tumpney Hurd Clegg LLC (Applicant & Owner) to construct four storage units on the rear portion of the 24.816-acre parcel (located at 72 Burn Hill Road (Map 211 Lot 67-000) in a newly created R-2 Zoning District. As depicted on the Plan entitled, "Conceptual Site Plan" dated July 6, 2003, prepared by MJ Grainger Engineering, Inc., for Tumpney Hurd Clegg, LLC the 20,000 square feet of storage space will be serviced by a private drive way from the frontage on Burns Hill Road and will be serviced by private septic. Please see the site plan appended to the Variance Application.

The Owner/Applicant seeks the requested variance from Section 334-21 (1-13) as an Exception from Permitted Uses, in part, for the purpose of enabling the proposed project to incorporate the two (2) Town of Hudson monitoring wells to be of the least negative impact on the subject property as is possible, while retaining some economic value.

The project, if the variance is allowed, in accordance with the five (5) necessary criteria, would extend the public water line from its existing end point on Burns Hill Road some one thousand (1,000') feet down the Road. The owner applicant, after consultation with the relevant Town administrators has incorporated into the proposed project the responsibility of and remediation of the pre-existing drainage issues associated with that area of the surrounding properties, alleviating the Town from the near future need initiate significant undertakings. The proposed project offers significant benefits to all interested parties, inclusive of the Applicant/Owner, property abutters and residents, and the Town of Hudson.

The allowance of the Variance requested for the proposed project would not be contrary to the public interest, as it would be located in a secluded area of the parcel and have an insignificant impact on property reserved for R-2 use. The allowance of the Variance would observe the spirit of the Ordinance, as only certain areas of the G Zone, and not all, were relegated to R-2 Zoning. As such the impact on this property with only a small portion being used for the intended purpose would be consistent with the spirit of the Ordinance. Substantial justice would be served by the allowance of the Variance request, as the Owner/Applicant envisioned and began site plan development of the property prior to the re-zoning from G to R-2. The requested Variance would not be inconsistent with the spirit and intent of the subject ordinance. Allowance of the proposed Variance would not negatively impact surrounding properties, as the location of the storage facility would be hidden from and distant from neighbors and abutting properties. Literal enforcement of the provisions of the Ordinance would result in unnecessary hardship of the proposed project, as significant investment in the venture was made prior to the re-zoning of the property. That fact, together with the existing special condition regarding the Town wells upon the property would cause an unnecessary hardship upon the property.

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.”)

The proposed variance would not be contrary to the public interest because the portion of the property designated for use was historically in the G (General) zone and is in the very rare of the 25 +/- parcel. The use as a storage unit facility would not alter the essential character of the neighborhood, as it would be out of view from the public. There would be no threat to public health, safety or welfsre, as the facility would service residentil storage needs. The presence of two Town of Hudson testing wells on the subject property have beent designate to be incorporated into the storage unit portion of te property if and when the property is subdivided, as the presence of the wells in a residential use area would severely diminish the practical use for such.

- 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.”)

The proposed use will observe the spirit of the ordinance because the intended use is for residential purposes. The essential nature of the subject area proposed for use was historically in the General (G) Zone and is located in an area of the property at the very rear of the property. The parcel abuts the former Town dump (now capped) and has two Town of Hudson test wells, which are more consistent for designation in the storage unit portion of the property than in the possible future residential use portion of the property. The proposed use would not alter the essential character of the neighborhood; nor be a threat to public health, safety or welfare.

- 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.)

Substantial justice would be done to the owner by grantingthe variance because, when the property was purchased it was anticipated that the then General (G) Zoned portion of the property would be used for the proposed use. Due to cuircumstances beyond the applicant/owner's control (See Attached Project Narrative), the zoning of the property was changed. Given the fact that the applicant/owner intended to designate that the Town test wells on the as part of the storage unit area, the dimunition in value of the property would be minimized. The benefit to the applicant would not be outweighed by harm to the general public, as allowance of the variance would provide a residential storage options to the area, and designation of the Town test wells in a secure location.

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

The proposed use will not diminish the values of surrounding properties because the type of use proposed, combined with the placement of the storage units, at the very rear end of the parcel will be out of view from the property frontage and neighboring properties. The fact the property abuts the former Town landfill, anf houses two Town test wells, creates a viable use for the designated area without having an ill effect of surrounding property values.

FACTS SUPPORTING THIS REQUEST: (Continued)

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

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

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

The subject parcel has special conditions which would result in an unnecessary hardship if literal enforcement was applied. At the time the property was purchased by applicant/owner it was done so with the intent of making use of the then General (G) Zoned portion of the property for the proposed use of the storage units. The change in zoning, had a detrimental affect on the use and value of the property, as the placement of two Town of Hudson test well on the property were mapped out for inclusion into the storage unit of the parcel when remainder of the property is subdivided for residential purposes. The inclusion of the wells onto intended residential portion of the property would severely diminish the value and cause an unintended hardship that would no serve the purpose of the restriction in a fair and reasonable way. (See more detailed information provided in Project Narrative Attached to Application)

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

The subject property has special conditions, in that it was until recently in both the Residential Two (R-2) and General (G) zones. The portion of the propert proposed for the storage units is within the former General (G) Zone, and was always anticipated of the proposed use. The subject property housed to Town test well abutting the former Town landfill, which are far more likely to be incorporated without detrimental effect as part of the storage unit area than the furure use of the remainder of the property this is and was in the Residential Two (R-2) Zone. (See more detailed information provided in Project Narrative Attached to Application)

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-070

July 23, 2024

Sent Via, Email and 1st Class Mail

Colin Jean
64 McKean St
Nashua NH, 03060

Re: 72 Burns Hill Rd Map 211 Lot 67-000
District: Residential Two (R-2)

Dear Mr. Jean,

Your request: Is to construct a storage facility with in the Residential Two Zone. (No Plan Provided)

Zoning Review / Determination:

As of the Town meeting in March the General zone was rezone into Residential Two. Our records indicate the current lot to be a total of 1,080,288 ²ft. with 972 linear ft. of frontage. The Town records indicate that the lot is vacant. The property also has wetland on it and, monitoring well for a close town dump site. The use of self-storage is only Permitted in (I), and (G-1) per §334-21 (I-13) Table of Permitted Principal Uses. A storage facility would require a variance from the Zoning Board of Adjustment per §334-21 (I-13) Table of Permitted Principal Uses.

You will need to go through planning to get a site plan review per §334-16.1 Site Plan Approval. Please contact The Planning Department at, (603) 886-6008 for application details. 4

Sincerely,

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

cc: Public File
Brooke Dubowik (Planning Administrative Aide)
Inspectional Services
Owner
File

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

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
TUMPNEY HURD CLEGG, LLC 39 TRIGATE RD. HUDSON NH 03051		RE	Residential Average		2024	6100	9,107	2024	6100	9,107	2023	6100	10,547
		TOPO	UTILITIES										
					Total		9,107	Total		9,107	Total		10,547

RECORD OF OWNERSHIP				BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
TUMPNEY HURD CLEGG, LLC MATTHEWS, DENISE G., TR				9493 0142 7438 0516	07-02-2021 03-31-2001	U U	V V	495,000 0	90 44	Grantor: MATTHEWS, DENISE G., TR, Grantor: MATTHEWS, DENISE G., TR,	Appraised Bldg. Value (Card)			0
											Appraised Xf (B) Value (Bldg)			0
											Appraised Ob (B) Value (Bldg)			0
											Appraised Land Value (Bldg)			297,200
											Special Land Value			9,107
											Total Appraised Parcel Value			297,200
											Valuation Method			C

SUPPLEMENTAL DATA				CURRENT ASSESSMENT									
Parcel ID	Zoning	Flood Hazard	Neigh/Abut1	Neigh/Abut2	Neigh/Abut3	GIS ID	Descrpt	Code	Appraised	Assessed			
211-067-000	GD:General District	B				211-067-000	LAND	6100	297,200	9,107			
							PREV	0015-0026-0000					
							Assoc Pid#						
									Total:	297,200	9,107	Total Appraised Parcel Value	297,200

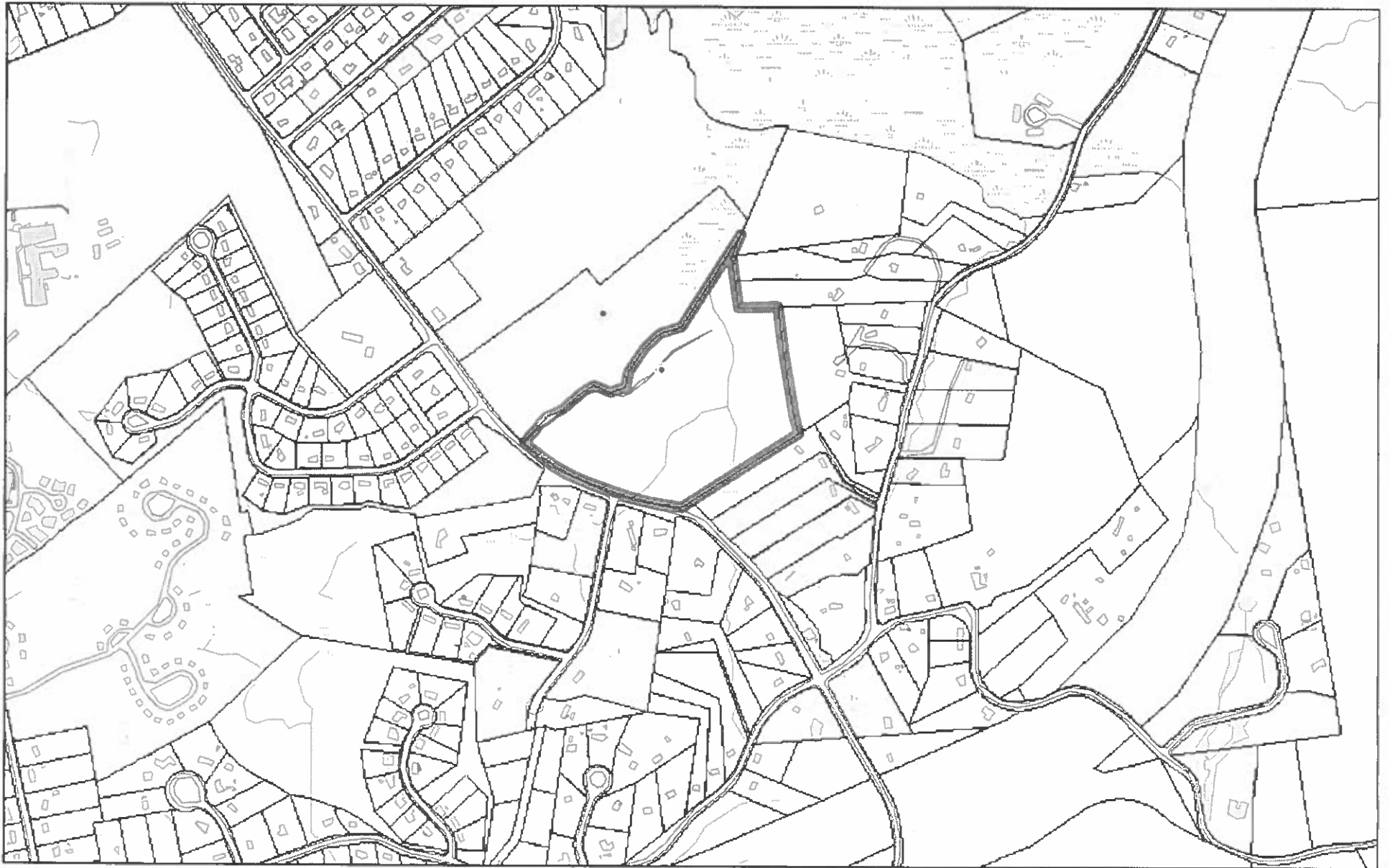
NOTES				VISIT / CHANGE HISTORY			
				Date	Id	Cd	Purpost/Result
2002 LOT CREATED FROM CORRECTION AND LOT LINE RELOCATION FROM MAP 14 LOT 176 AND MAP LOT 15/LAND SIZE ADJ PER PLAN# 3160 6 5/22 VACANT LOT				05-03-2022	23	10	Vacant Lot
				01-11-2022	21	30	Sales Data Verification
				08-30-2002	00	05	Hearing-Info

BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments

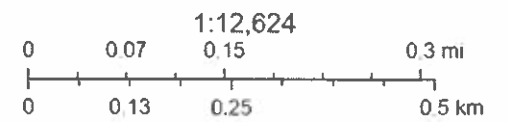
LAND LINE VALUATION SECTION																
B #	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value
1	6100	CU-FARM	Site	1.000	AC	170,000		1.00	5	1.00	RE	1.00				170,000
1	6100	CU-FARM	Excess	23.816	AC	6,000	0.89	1.00	0	1.00	RE	1.00				127,200
Total Card Land Units:				24.816 AC				Parcel Total Land Area:				24.816 AC		Total Land Value:		297,200

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

Burns Hill Road THC



10/21/2024



MAP 211 LOT 66

PROPOSED SELF-STORAGE UNITS
ONE - 30' X 200' BUILDING
TWO - 20' X 200' BUILDINGS
ONE - 30' X 165' BUILDING
18,950 S.F. TOTAL

MAP 212
LOT 12

MAP 212
LOT 9

TAX MAP 211 / LOT 67
24.816 ACRES

MAP 212
LOT 8

APPROXIMATE TOWN TEST
WELL LOCATIONS

BURNS
HILL
ROAD

PROPOSED ACCESS DRIVE

HYD

6,000 SF BUILDING

4,000 SF BUILDING

4,000 SF BUILDING

4,950 SF BUILDING

MAP 212
LOT 4

TOWN OF HUDSON
New Hampshire
03051

NOV 25 2024
LAND USE DIVISION
ZONING DEPT.

PLAN REFERENCES

- 1 TAKING / BOUNDARY PLAN (LOTS 7 & 26, MAP 15 & LOT 176, MAP 14) HUDSON DUMP BURNS HILL ROAD PREPARED FOR TOWN OF HUDSON, NH BY HSI (HAYNER/SWANSON, INC) DATED MARCH 6, 2000 RECORDED HCRD 31606
- 2 PLAN TITLED "WETLAND FLAG LOCATION PLAN, BURNS HILL ROAD MAP 21, LOT 67, 62 BURNS HILL ROAD, HUDSON, NH" BY REACH NORDSTROM ASSOCIATES, INC BEDFORD, NH AND DATED FEBRUARY 3 2022

NOTES

- 1 THE PURPOSE OF THIS PLAN IS TO SHOW 18,950 SF OF SELF-STORAGE UNITS IN FOUR BUILDINGS
- 2 THIS PLAN IS AN OVERLAY OF THE ABOVE REFERENCED PLAN
- 3 OWNER OF RECORD IS TUMPNEY HURD CLEGG, LLC 39 TRIGATE ROAD HUDSON, NH 03051
- 4 DEED REFERENCE HCRD BOOK 9493 PAGE 142
- 5 THE PROPERTY IS IDENTIFIED ON THE TOWN OF HUDSON TAX MAPS AS MAP 211, LOT 67
- 6 THE PROPERTY IS ZONED R-2 - RESIDENTIAL
- 7 ZONING REQUIREMENTS ARE AS FOLLOWS
R-2 MINIMUM LOT SIZE - 60,000 SF WITHOUT SEWER
MINIMUM LOT SIZE - WITH WATER & SEWER 43,560 SF
MINIMUM FRONTAGE - 150 FT
FRONT BUILDING SETBACK - 50 FT ARTERIAL ROADWAYS
FRONT BUILDING SETBACK - 30 FT LOCAL ROADWAYS
SIDE BUILDING SETBACK - 15 FT
REAR BUILDING SETBACK - 15 FT
WETLANDS BUFFER - 50 FT
WETLANDS BUFFER COMMERCIAL - 75 FT
- 8 THIS SITE TO BE SERVICED BY ON-SITE SEPTIC SYSTEMS AND TOWN WATER
- 9 WETLANDS WERE DELINEATED BY MARC JACOBS, WETLANDS SCIENTIST DURING JULY 2021

REVISIONS				
NO.	DATE	DESCRIPTION	BY	APP.
1	8-24	wetline, wells	MTG	
2	11-20-24	area change	MTG	

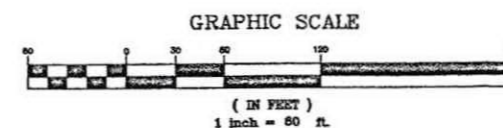
CONCEPTUAL SITE PLAN

TAX MAP 211 / LOT 067
72 BURNS HILL ROAD
HUDSON, NH 03051

PREPARED FOR TUMPNEY HURD CLEGG, LLC
39 TRIGATE ROAD
HUDSON, NH 03051

JULY 6, 2023

SCALE: 1" = 60'



M. J. GRAINGER ENGINEERING, INC.
PROFESSIONAL ENGINEERS - SURVEYORS - PLANNERS
220 DERRY ROAD HUDSON, NH 03051 (603) 882-4359
SHEET 1 OF 1 JN 21 - 125

Printed
11/07/2024
4:08PM
Created
11/07/2024
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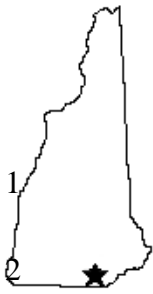
Transaction Receipt

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

Receipt# 795,650
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-12/12/24 ZBA Mtg 72 Burns Hill Rd Map 211 Lot 067-000 Zone R-2 Variance	0.00	282 0500	0.00
			Total:	282.05

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Tumpney Hurd Clegg, LLC	CHECK	CHECK# 2446	282.05	0.00	282.05
			Total Due:		282.05
			Total Tendered:		282.05
			Total Change:		0.00
			Net Paid:		282.05



TOWN OF HUDSON

Zoning Board of Adjustment

Gary M. Daddario, Chairman Dillon Dumont, Selectmen Liaison

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

MEETING AGENDA – November 14, 2024 - edited

The Hudson Zoning Board of Adjustment met Thursday, November 14, 2024, at 7:00 PM in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ATTENDANCE**
- IV. SEATING OF ALTERNATES**

Chairman Daddario called the meeting to order at 7:00 PM, invited everyone to stand for the Pledge of Allegiance and read 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 Tristan Dion (Regular/Clerk), Gary Daddario (Regular/Chair), Tim Lanphear (Regular), Zachary McDonough (Alternate), Normand Martin (Regular/Vice Chair) and Dean Sakati (Regular). Also present were Dillon Dumont, Selectman Liaison, Louise Knee, Recorder (remote) and Chris Sullivan, Zoning Administrator. All Regular Members voted, no Alternate was appointed to vote.

V. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

1. **Case 147-029 (11-14-24):** Laurie & Robert Greer, **28 Derry Lane, Hudson, NH** requests an Appeal from an Administrative Decision of a Notice of Violation letter dated September 27, 2024 citing the current placement of an unpermitted 14 ft. x 40 ft. shed and pergola structure in a 25 ft. cemetery setback which are in violation of a NH State Regulation and also Hudson Zoning Ordinance for building permits. [Map 147, Lot 029, Sublot-000; Zoned Residential-Two (R-2); HZO Article III: General Regulations; §334-16, Building permits; NH RSA Title XXVI: Cemeteries; Burials; Dead Bodies; §289:3, III., Location]

Mr. Sullivan read the Case into the record, referenced his Staff Report initialed 11/15/2024, noted that the Notice of Violation came as a result of a Site visit where it was noted that the shed and the bee house were on location outside Hudson’s side yard setback but not in conformance with the State of NH twenty-five foot (25’) cemetery setback Regulations, email correspondence from the dncr.nh.gov website

48 and NH Cemetery Association and NH Division of Historical Resources that
49 supported the twenty-five foot (25') cemetery setback. In-house Review Comments
50 were received from the Town Engineer advising that local boards do not have the
51 authority to supersede state or federal requirements with cemeteries as it does with
52 water or bridges or septic systems and that the applicant should seek relief from the
53 State and not ZBA or Staff.

54
55 Mr. Martin stated that with the evidence presented and that the Zoning Ordinance
56 does not regulate cemeteries, made the motion to not review this Case. There was
57 no second to the motion.

58
59 Both Mr. Lanphear and Mr. Dion stated that they would like to hear from the
60 Applicant. Mr. Dumont stated that he would like to hear the Appeal and added that
61 the Board has two (2) things to consider – how the Zoning Ordinance looks at
62 cemeteries and how setbacks are general in nature and added that it is not wise to
63 jump to conclusions. Mr. Martin received confirmation that there was no written
64 documentation from Town Counsel and that the Board is relying on a conversation
65 between Mr. Dumont and Town Counsel. Mr. Dion stated that the Case before the
66 Board is to determine whether or not to support the Zoning Administrator's decision
67 in support of the State RSA. Mr. Sakati and Mr. Daddario stated that they too
68 would like to hear from the Applicant.

69
70 Atty. Andrew Prolman of Prunier and Prolman, PLLC, introduced himself as
71 representing the Property Owners and noted that Property Owner Laurie Greer also
72 sat at the Applicant's table and wished to address the Board. Atty. Prolman
73 distributed a packet and stated that they are appealing because the shed in
74 question complies with Hudson's 15' side yard setback requirements in the R-2
75 Zone and noted that this appeal presents an unusual conflict between Hudson's
76 setback ordinance and State Law.

77
78 Atty. Prolman stated that in late April/early May, his client called the Planning
79 Department, asked about the setback for the shed and was advised that it is/was
80 fifteen feet (15'). On June 22, the Greers ordered a prebuilt shed made in
81 Pennsylvania. The Greers then cleared brush and established a crushed stone pad
82 for the shed fifteen feet (15') from their property line. The shed was delivered as a
83 finished product so there was no assembly or construction on site. The shed was
84 removed from the delivery truck and placed onto the prepared pad. On 7/31/2024
85 Ms. Greer called the Town to ask about the needed Building Permit and only then
86 was informed about the State RSA 289:3,III regarding a twenty-five foot (25')
87 setback for cemeteries. Next, the Greer's received a Notice of Violation dated
88 9/7/2024 from Mr. Sullivan stating that the shed was in violation of the State
89 Building Code and Hudson Zoning Ordinance and his determination that a Building
90 Permit could not be issued for the shed as it violates the State's statute regarding
91 setback for cemeteries and the lack of cemetery setback in the Zoning Ordinance.
92 The cemetery in question is Hills Farm Cemetery.

93
94 Atty. Prolman stated that Mr. Sullivan is wrong because Hudson does have
95 regulations regarding cemeteries as they are clearly represented in the Town's Table
96 of Permitted Principal Uses (§334), and are permitted by Special Exception in the R-
97 1 (Residential-One), R-2 (Residential-Two), G (General) and G-1 (General-One) Zones
98 and prohibited in the TR (Town Residence), B (Business) and I (Industrial) Zones

99 and RSA 289:3 states “In the absence of such regulations” the setback is twenty-five
100 feet (25’). There is no absence of cemeteries in the Ordinance.

101 Atty. Prohman stated that Greer’s shed complies with both RSA 289:3,III and
102 Hudson’s Zoning Ordinance §334 Table of Permitted Principal Uses, 337-27, Table
103 of Minimum Dimensional Requirements and respectfully requests that both the
104 8/6/2024 and 9/27/2024 determinations by Mr. Sullivan be reversed.

105
106 In response to Mr. Dion’s questions, the shed is not visible from Derry Lane as there
107 is a bend in the driveway that prevents its viewing and that it is recognized that the
108 pergola, which houses the beehives, is set in the setback and does need to be moved
109 outside of the setback. Mr. Greer provided additional information regarding the
110 existing vegetation and Ms. Greer added that she has been told that she cannot add
111 any additional vegetation by Mr. Sullivan.

112
113 Discussion ensued and focused on the fact that the Zoning Ordinance (ZO) does
114 have setback criteria but does not have a specific setback for cemeteries, that
115 setbacks apply to a multitude of things, that the RSA specifically states “in the
116 absence” and whether interpretations are stretching the intent and whether the
117 Board has the authority to supersede State Regulations.

118
119 Ms. Greer addressed the Board, stated that she got into beekeeping and that led to
120 the pergola, that bees live approximately seven (7) weeks and she has approximately
121 three hundred thousand (300,000) bees, that she measured the size for the shed
122 that she needs for the beekeeping paraphernalia and various lawn equipment, that
123 she ordered a pre-made 14/x40’ shed, set a pad for it but did not “stomp” the
124 ground, did not dig, just laid down forty eight (48) yards of crushed stone to
125 compensate for the slop in her land, stated that the RSA does not apply, that she
126 feels targeted by the Town and offered examples of other cemetery setbacks the
127 Board has granted that also ignored the RSA - 32 Ledge Road that had land with an
128 eight foot (8’) land disturbance within the twenty five foot (25’) cemetery setback; 28
129 Ledge Road; and other pictures of sheds in “cemetery” setbacks in Town.

130
131 Mr. Sullivan stated that he was not targeting the Greers and added that the land at
132 32 Ledge Road was in preparation to construct a house. Mr. Sakati, Mr. Dumont
133 and Mr. Daddario each affirmed that there was no targeting on behalf of the Town.

134
135 Public testimony opened at 8:05 PM. The following addressed the Board:

- 136
137 (1) Tony Lekas, State Representative, 30 Barretts Hill Road, Hudson, NH,
138 stated that the key point is whether RSA 289:3 applies and that since the
139 Town’s setback ordinance exists for all uses in a Zone, then it applies to
140 cemeteries; therefore the Town does include cemeteries in the fifteen foot
141 (15’) setback requirements. The Town Ordinance does apply and RSA
142 289 does not.
- 143 (2) Representative Alicia Lekas, 30 Barretts Hill Road, stated that most of the
144 discussion at the State level is whether or not there is Local control – if a
145 Town has a setback, it is in control – that the RSA only applies if a Town
146 does not have ay Ordinance
- 147 (3) Representative Josh O-Keller, 16 Timmins Road, Fremont, NH, stated
148 that he is a three-term State Rep and serves on many committees
149 including the Municipal and County Government Committee and many

150 others. The sentiment at the State House is that this RSA is a catch-all
151 for all Towns with no Zoning and is mostly there to regulate cemeteries in
152 the twelve (12) NH communities that have no Zoning in the State. The
153 verbiage “in the absence if such” actually refers to the previous statement
154 and not the foregoing language. In new construction, the expectation is
155 that it will comply with local regulation. In Hudson, cemeteries are
156 clearly listed in the list of specific Uses as an allowed Use in specific
157 Zones and there is also a Table of setbacks for each Zone. This ‘catch-all’
158 RSA is just in case a municipality did not consider cemeteries so that
159 they can be protected – it was never intended to regulate people. The
160 RSA was never intended to overrule municipality regulations.
161

162 Mr. Daddario asked and received confirmation that there are approximately
163 twelve (12) municipalities in NH that do not have Zoning Ordinances.
164

165 Mr. Sullivan questioned why on the recorded plan that is a twenty-five foot
166 (25’) setback identified for the cemetery. Mr. O-Keller stated that perhaps it
167 was because the person who prepared the plan believed that was how to
168 interpret the Regulation and added that this Board (ZBA) is the one to decide
169 if this Regulation is somewhat vague, then perhaps the Law requires
170 clarification and perhaps needs clarification to avoid Unintended
171 Consequences. The Regulation is not intended to impose the twenty-five foot
172 (25’) setback. Mr. Sullivan then asked if the recorded Plan needs to be
173 corrected and Mr. O-Keller responded that, in his opinion, it does not
174 because it is not a Regulation.
175

176 Mr. Dion questioned whether, and received confirmation that, the twenty-five
177 foot (25’) setback is for Towns who have no consideration for cemeteries and
178 no Zoning Ordinance.
179

180 Mr. Sakati asked if there are any towns in the Sate that specify a les-than
181 twenty-five foot (25’) setback to cemeteries. Unknown.
182

183 Mr. Dumont questioned the dialogue taking place noting that it is not a
184 ‘normal’ practice and added that even though there is no specific Use
185 assigned to the setback, the Town’s specificity regarding setback distances
186 holds, if that is what this Board needs to decide upon.
187

188 Mr. McDonough asked if Towns can supersede State Regulations. Mr. O-
189 Keller responded that the answer is no and added that this Regulation is
190 intended to apply only to those Towns that have no Zoning Ordinance with
191 the intent of protecting cemeteries – the spirit is to comply with Local
192 Regulations if they exist and why the verbiage exists “in the absence of”. Mr.
193 McDonough questioned if Mr. Sakati point that there is an implied “no less
194 than twenty-five feet (25’) setback. Mr. O-Keller referenced the comparable to
195 ADUs (Accessory Dwelling Units) where Towns can affect there own
196 regulations within certain guidelines defined by the State.
197

198 Mr. Lanphear asked if wetland buffers and their stipulated buffer distance
199 apply.
200

201 Mr. O-Keller stated that all words following “in the absence of such” does not
202 apply to Hudson.
203

204 (4) Ellen Read, 283 Legal Lane, New Market, NH, stated she is also a
205 Representative, now in her fifth (5th) term, and serves on the Housing
206 Committee and agrees with Representative O-Keller and corrected his
207 misstatement as there are nineteen (19) towns in NH with no Zoning
208 Ordinances. Ms. Read stated that when they pass laws, there are very
209 specific on the wording. The fact of the matter is that if they wish to
210 specify a minimum, they use such wording as “the Town *shall* be” and
211 the fact that this Regulation does not mean that is specifically intends to
212 impose a distance, just provide boundaries. According to this RSA, the
213 Town has put its limitation on the setback. Also, in good faith, that when
214 there is ambiguity presents itself, like this evening, it is incumbent of this
215 body (the ZBA) to give the benefit of the doubt else give the appearance
216 that you are giving that there is “spot” zoning occurring. Ms. Read added
217 that it is very concerning that before even hearing from the appellant
218 there was a motion to disband.
219

220 Mr. Daddario stated that, for the record, he believed the motion was made based on
221 the question if whether or not the Board had jurisdiction in hearing the Case. Mr.
222 Martin confirmed that that was his intent.
223

224 (5) ~~Jordan ElleryUlery~~, 36 Baker Street, Hudson, NH, stated that a lot has
225 been shared this evening and Representatives from both sides are saying
226 the same thing regarding this Regulation and added that he sits on the
227 Ways and Means Committee that gets to write more complex laws, like
228 tax law. He sits on the Planning Board, and deference to specificity is not
229 uncommon; however, Regulations such as this one, applies “in general”
230 and apply everywhere. The exception is when an Ordinance comes into
231 effect and if one wants an exception, it must be written otherwise the
232 setback applies to all Uses in a Zone. Under Common Law there is a
233 principal called lumbency, giving a person as much room as is reasonably
234 possible based on common definition of terms used. Mr. ~~Ellery-Ulery~~
235 stated that Hudson has an Ordinance, passed by Town Vote, and it
236 includes cemeteries.

237 (6) Mr. Dion read into the record the email dated 11/9/2024 received from
238 abutter John Sholel of 57 Bowes Circle living in Abbie’s Landing,
239 complained that the Notice was posted Saturday 11/9/2024 on the door
240 of the community club house and not delivered to any of the twenty two
241 (22) homes in the community when he believes that all the Abutters
242 should have received notice of the ‘violation meeting’, stated that he feels
243 the pergola and shed are too close to the cemetery, that it is an eyesore,
244 that the shed size of 14’x40’ is bigger that his house and probably has
245 unpermitted electricity inside and that the site is big enough to place the
246 shed and pergola elsewhere on the property and not so close to the
247 cemetery.
248

249 Ms. Greer responded that she owns property in Abbie’s Landing and sits on their
250 Board and that this is probably a ‘slam’ to her but she has not dealings with how
251 such notices are distributed and referenced the pictures of the inside of her shed

252 that clearly shows there is no electricity. It was noted that per the Town's practice
253 and in accordance with the Law, Homeowner's Associations receive the Notice and it
254 is up to them to post or distribute to their residents. Mr. Dumont noted that the
255 Town has no restrictions on the sizes of sheds allowed.

256

257 Being no one else to address the Board, public testimony closed at 8:51- PM.

258

259 Mr. Martin noted that the Board received more information during the meeting than
260 what was contained in their meeting packets and that he has heard that given the
261 way the Regulation is worded, the setback should be fifteen feet (15').

262

263 Mr. Martin made the motion to overrule the Zoning Administrator's decision and
264 that setback to the property line of fifteen feet (15') applies to the shed and pergola.

265 Mr. Dion seconded the motion. [Mr. Daddario clarified that the Board is overruling
266 the Zoning Administrator's decision regarding the shed and enforcing the Zoning
267 Administrator's decision that the pergola needs to be removed from the established
268 fifteen foot \(15'\) setback. Board concurred.](#)

269

270 Mr. Dion stated that he agrees with the testimony received from the State
271 Representatives and to do otherwise would be "spot" zoning. Mr. Lanphear and Mr.
272 Sakati agreed, that the language is sufficiently vague enough and appreciated the
273 clarification. Mr. Daddario stated that he understands Mr. Sullivan's decision and
274 how he derived at his decision and added that the information received during this
275 meeting changed his mind, that Hudson allows cemeteries as a Use in a Zone and
276 has setbacks established per Zone and that includes cemeteries.

277

278 Vote was 5:0. Motion passed to overrule the Zoning Administrators Notice of
279 Violation [dated 9/27/2024 regarding the placement of the shed only – the pergola
280 needs to be moved out of the setback.](#)

281

282 Mr. Daddario thanked everyone and noted the 30-day Appeal period. Ms. Greer
283 asked, and received confirmation, [if that](#) it would be okay to move the pergola in the
284 spring as the bees have hibernated for the winter.

285

286 Board took a five-minute break at 9:03 PM. Meeting resumed at 9:08 PM.

287

288 2. **Case 174-216 (11-14-24):** Joseph F. Roberts, duly Authorized for LK41 Real
289 Estate, LLC, requests a Variance for **71 Ferry Street, Hudson, NH** for a
290 proposed two-lot subdivision with the newly created lot containing 70 feet of
291 frontage where 90 feet is required in the TR zone. [Map 174, Lot 216,
292 Sublot-000; Zoned Town Residence (TR); HZO Article VII: Dimensional
293 Requirements; §334-27, Table of Minimum Dimensional Requirements and
294 §334-27.2, Lot requirements for subdivision of land]

295

296 Mr. Sullivan read the Case into the record, referenced his Staff Report initialed
297 11/5/2024, noted that it is a lot of record with a multi-family structure and another
298 structure on site that were built in the 1900s, and that In-House Comments have
299 been received from the Fire Department and Associate Town Planner. The Fire
300 Department noted that a Building Permit, Electrical Permit and Inspections would
301 be required. The Associate Town Planner noted that, if granted, a Subdivision Plan
302 would need to be submitted to the Planning Board for approval.

303
304 Atty. Chris Drescher of Cronin, Bison & Zalinsky, PLLC, introduced himself as
305 representing the Property OwnerLK41 Real Estate, LLC, and stated that currently
306 there is a multi-family house on the 0.89 acre site along with an outbuilding
307 (garage) that were both constructed in the 1900s before the Town adopted Zoning
308 and an extensive lawn that is rarely utilized by the tenants. The Applicant desires
309 to subdivide the lot to create another buildable lot for the construction of a modest
310 single-family home. The lot is currently serviced by Municipal water and sewer.

311
312 A GIS overview was displayed.

313
314 The proposed new lot would be zoning compliant with respect to all setbacks and
315 square footage; however, a Variance is needed for reduced frontage. A shared
316 driveway had been contemplated to make it work, however, shared driveways are
317 not feasible. Atty. Drescher stated that his client is aware that if granted, they
318 would need to go before the Planning Board to seek approval for a Subdivision Plan
319 and obtain a driveway permit. The Variance needed is for a modest reduction of
320 twenty feet (20') permitting seventy feet (70') of frontage instead of the required
321 ninety feet (90') and despite the frontage deficiency, the proposed new lot would be
322 larger than many of the surrounding lots in the immediate area.

323
324 Atty. Drescher next addressed the criteria necessary for the granting of a Variance
325 and the information shared included:

- 326
327 (1) *not contrary to public interest*
- 328 • The standard prongs for criteria (1) and (2) are whether the requested relief
329 would alter the essential character of the neighborhood or negatively impact
330 the health, welfare and safety of the surrounding area
 - 331 • Prong (1) is in the negative which translates that the Applicant is not required
332 to prove that the proposed use is in the public interest, but only prove that
333 it is not contrary to the public interest
 - 334 • The proposed use is an allowed use in the Zone and will have Town water and
335 sewer so there is no concern relative to water quantity or quality
 - 336 • The proposed new lot will still be larger than many in the surrounding area
 - 337 • The lot is dry – there are no wetlands on site
 - 338 • The intent is to construct one (1) single-family home on the lot
 - 339 • The ask for the reduction in frontage is only in mere conflict with the
340 Ordinance as there is nothing in this proposal that would negatively impact
341 the public's health, safety, and/or welfare and it will not alter the residential
342 character of the neighborhood
- 343 (2) *will observe the spirit of the Ordinance*
- 344 • The spirit is observed/met
 - 345 • see prong (1)
- 346 (3) *substantial justice done*
- 347 • The guiding light on this criteria is that any loss to the individual that is not
348 outweighed by a gain to the general public is an injustice
 - 349 • The loss to the Applicant in not approving this Variance would far outweigh
350 any benefit to the general public – especially considering that the Town,
351 State, region are dealing with a housing crisis in that there is no
352 inventory

- 353 • The area at issue of the proposed new lot is currently a lawn that non of the
354 tenants have been using
- 355 • If denied, the public gains nothing
- 356 • The one proposed single-family residence will not overcrowd the area as the
357 proposal is otherwise zoning compliant
- 358 (4) *not diminish surrounding property values*
- 359 • There is no evidence to suggest that the addition of one (1) modest single-
360 family house would negatively impact the surrounding property values
361 especially in light of the fact that there is Town water and sewer available
- 362 (5) *hardship*
- 363 • The special conditions are due to the preexisting nature of the Property as it
364 was part of a Subdivision Plan dated July 1947 which predates when
365 Hudson adopted Zoning
- 366 • The lot predates Zoning and predates the recorded Subdivision Plan
- 367 • The purpose and goal of the frontage requirement is to ensure that
368 neighborhoods do not become overcrowded and even with the requested
369 frontage, the resulting lot will still be larger than many of the
370 surrounding properties and many of the abutters
- 371 • The reduced frontage variance will not unreasonably frustrate the purpose
372 of the Zoning Ordinance
- 373 • The proposed use for the property is residential and the TR Zone allows for
374 residential use; therefore the proposed use is reasonable

375
376 Board continued review of the GIS overlay and noted the various sizes of the
377 surrounding lots. Mr. Martin stated that generally single- and multi-family houses
378 don't usually mix and Mr. Dion stated that they could be requested to erect a fence
379 or plant greenery and it was noted that if any visual 'barrier' were deemed to be
380 necessary, it would be addressed by the Planning Board during Subdivision review.

381
382 Public testimony opened. No one addressed the Board. Public testimony closed at
383 9:34 PM.

384
385 Mr. Lanphear made the motion to grant the Variance as requested. Mr. Martin
386 seconded the motion.

387
388 Mr. Lanphear spoke to his motion and stated that there is no conflict with the
389 purpose of the Ordinance, that it is not contrary to the character of the
390 neighborhood, that there is no harm to the general public and no change to the
391 surrounding property values and that the condition of the lot and minimal impact
392 to the property considering the placement of the driveway to the multi-family
393 residence preventing sufficient frontage to be obtained and that the proposed use is
394 very reasonable use for the property. Mr. Lanphear voted to grant.

395
396 Mr. Martin spoke to his second and stated that the granting of the Variance will not
397 be contrary to the public interest, that it will observe the spirit of the Ordinance,
398 that substantial justice will be done to the Applicant, that it should enhance
399 surrounding property values, that the property existed well before Zoning and
400 should be allowed to subdivide and that the proposed use is very reasonable. Mr.
401 Martin voted to grant.

402

403 Mr. Sakati voted to grant and stated that the proposed Variance brings no conflict
404 to/with the purpose of the Ordinance, that it is not contrary to the character of the
405 neighborhood and brings no harm to the general public, that it will not bring
406 change to the surrounding property values and not granting the Variance makes
407 the property unnecessarily unviable.
408

409 Mr. Daddario voted to grant and stated that the granting brings no harm to the
410 public, brings no change to the character to the neighborhood and no harm to the
411 public, that there is no evidence to suggest negative impact to surrounding property
412 values but that generally a new house may improve surrounding property values,
413 and that the existing structures predate the Zoning Ordinance and the required
414 setbacks [are](#) not necessary to achieve proper density and meets all other Ordinance
415 provisions and that the proposed use is reasonable and fully consistent with the
416 neighborhood.
417

418 Vote was 5:0. Variance granted. The 30-day Appeal period was noted.
419

420 **VI. REQUESTS FOR REHEARING:**

421
422 No requests were received for Board consideration.
423

424 **VII. REVIEW OF MINUTES:**

425
426 • 10/24/2024 edited draft Meeting Minutes
427

428 Motion made by Mr. Lanphear, seconded by Mr. Martin and unanimously voted to
429 approve the 10/24/2014 Minutes as edited.
430

431 **VIII. OTHER BUSINESS:**

432
433 • Reminder: The next ZBA Meeting is scheduled on Thursday, December 12, 2024 @
434 7:00 PM
435

436 So noted.
437

438 **IX. ADJOURNMENT:**

439
440 Motion made by Mr. Martin, seconded by Mr. Lanphear and unanimously voted to
441 adjourn the meeting. ZBA 11/14/2024 meeting adjourned at 9:45 PM
442

443 Respectfully submitted,
444 Louise Knee, Recorder
445
446



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

YEAR 2025 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 are held on an alternate Thursday of the month due to the Thanksgiving and Christmas Holidays. Depending on the caseload, the Board may also meet on the second Thursday of the month, at the same time. **Final Complete Applications Only are accepted. The Submission Deadline is by noon, 12:00 p.m.**

Year 2025 ZBA Meeting Schedule

Application Review for Completeness Deadline	Final Complete Application Submission Deadline (12:00 Noon)	Meeting Date
December 31 st (2024)	January 7 th	January 23rd
February 4 th	February 11 th	February 27th
March 4 th	March 11 th	March 27th
April 1 st	April 8 th	April 24th
April 29 th	May 6 th	May 22nd
June 3 rd	June 10 th	June 26th
July 1 st	July 8 th	July 24th
August 5 th	August 12 th	August 28th
September 2 nd	September 9 th	September 25th
September 30 th	October 7 th	October 23rd
October 21 st	October 28 th	***November 13th
November 18 th	November 25 th	***December 11th