

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 – October 24, 2024

The Hudson Zoning Board of Adjustment will hold a meeting on **Thursday, October 24, 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 232-004 (10-24-24):** Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH requests three (3) Variances for **102 Gowing Rd., Hudson, NH** [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2)] to allow the existing single family home to be converted to a duplex as follows:
 - A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single family structure. [HZO Article II: Terminology; §334-6, Definitions, Duplex]
 - B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]
 - C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]
2. **Case 176-041 (10-24-24):** Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH requests two (2) Variances for a proposed three (3) lot merger into one (1) lot for **197, 197R & 207 Central St., Hudson, NH** [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G)] to be redeveloped as follows:
 - A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]
 - B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]
3. **Case 198-037 (10-24-24):** Patrick & Caroline Ryan, **6 B St., Hudson, NH** requests a Variance to allow an existing un-permitted 22 ft. x 24 ft. (528 SF) Accessory Dwelling Unit (ADU) above the garage to remain where an ADU shall meet the Hudson Zoning Ordinance ADU Provisions which include a building permit for an ADU must be approved and issued prior to the construction of an ADU or conversion of existing space into an ADU. [Map 198, Lot 037, Sublot-000; Split Zoned Business (B) & Town Residence (TR); HZO Article XIII A: Accessory Dwelling Units; §334-73.3, Provisions and HZO Article III: General Regulations; §334-16, Building Permits]

VI. REQUESTS FOR REHEARING:

VII. REVIEW OF MINUTES:

09/26/2024 edited draft Meeting Minutes

VIII. OTHER BUSINESS:

IX. ADJOURNMENT:

Chris Sullivan, Zoning Administrator



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: October 24, 2024

CJS
10-15-24

Case 232-004 (10-24-24): Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH requests three (3) Variances for **102 Gowing Rd., Hudson, NH** [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2)] to allow the existing single family home to be converted to a duplex as follows:

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constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single-family structure.

- B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer.
- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required.

ZONING DISTRICT: Residential-Two (R-2)

PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing lot of record. The lot is 48,351sq. ft. where 60,000 is required with no sewer or town water. The lot is classified as a single-family residence and was built in 1994.

History/Attachments:

Plans

- A. **Septic Plan** (12-22-11)
- B. **Basic Proposed Floor Plan** (3-4-24)
- C. **Blow up of the Peoposed layout** (3-4-24)
- D. See the Site Plan in your packet

ADDRESS: 102 Gowing Rd
Map 232, Lot 04-000

Relief Requested:

- A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be



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: October 24, 2024

BUILDING PERMITS

- E. Application for Plan Examination and building permit (9-28-94)
- F. BP#125-95 Construct a Single FamilyHome (10-13-94)
- G. BP#421-98 Construct a 14x16 Breezewat to the house, along with a 24x24' garage (5-7-98)

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

- H. Zoning Determination #23-011 (2-1-23)
- I. Zoning Determination # 24-021 (3-13-24)

AERIAL / PHOTOS

Aerials (2024) 197, 197R, and 207 Central



IN-HOUSE COMMENTS:

J: Town Engineer: 10-3-24

1. Applicant shall provide an approved septic system design that will accommodate the proposed addition.

2. Applicant shall provide information about the existing well and if the intent is to utilize the existing well to provide water to the proposed structure.

K: Inspectional Services/Fire Dept.: 10-3-24

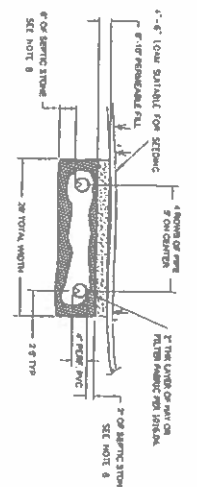
Duplex units require:

- All utilities to be separated
- Fire separation between dwellings required
- Addressing change to 102 Gowling units A & B
- Provide documentation that the well can support two units
- Provide documentation that the septic system can support two units
- Proposed addition needs to conform to the current State Adopted Building and Fire Codes

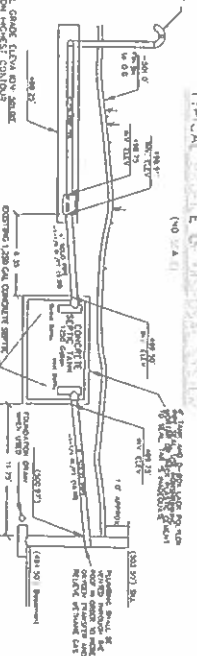
L: Associate Town Planner: 10-3-24

No Comment

A



ONLY EXISTING SHALL BE PROTECTED TO REMAIN IN PLACE. TO BE REMOVED SHALL BE RECONSTRUCTED TO MATCH EXISTING. A DEPTH OF 1' OF CONCRETE SHALL BE MAINTAINED AT ALL TIMES. TO PREVENT THE EXISTING PIPELINE FROM BEING DAMAGED BY THE NEW PIPELINE, THE EXISTING PIPELINE SHALL BE PROTECTED BY A MINIMUM OF 1' OF CONCRETE AT ALL TIMES. TO PREVENT THE EXISTING PIPELINE FROM BEING DAMAGED BY THE NEW PIPELINE, THE EXISTING PIPELINE SHALL BE PROTECTED BY A MINIMUM OF 1' OF CONCRETE AT ALL TIMES.

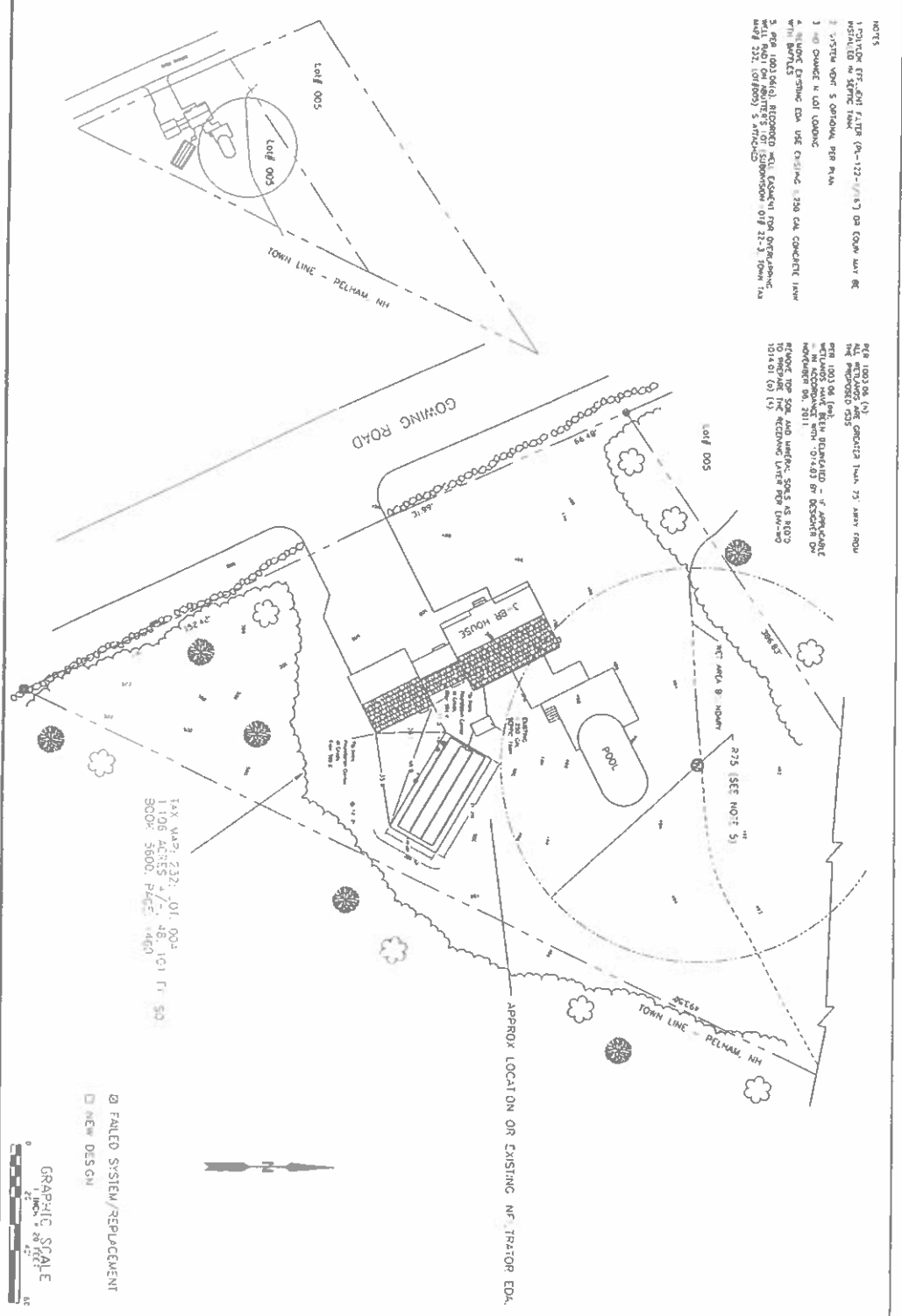


TYPICAL CROSS-SECTION OF SEPTIC TANK
(NO. 1 & 2)

1'-0" Dia. Round Tank	1500/213
2'-0" Dia. Round Tank	3000/426
3'-0" Dia. Round Tank	4500/639
4'-0" Dia. Round Tank	6000/852
5'-0" Dia. Round Tank	7500/1065
6'-0" Dia. Round Tank	9000/1278
7'-0" Dia. Round Tank	10500/1491
8'-0" Dia. Round Tank	12000/1704
9'-0" Dia. Round Tank	13500/1917
10'-0" Dia. Round Tank	15000/2130
11'-0" Dia. Round Tank	16500/2343
12'-0" Dia. Round Tank	18000/2556

- NOTES**
- 1) THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THAT PROVIDED BY THE CLIENT.
 - 2) THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THAT PROVIDED BY THE CLIENT.
 - 3) ALL CONCRETE SHALL BE PLACED IN ONE RISE.
 - 4) THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THAT PROVIDED BY THE CLIENT.
 - 5) THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THAT PROVIDED BY THE CLIENT.
 - 6) THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THAT PROVIDED BY THE CLIENT.
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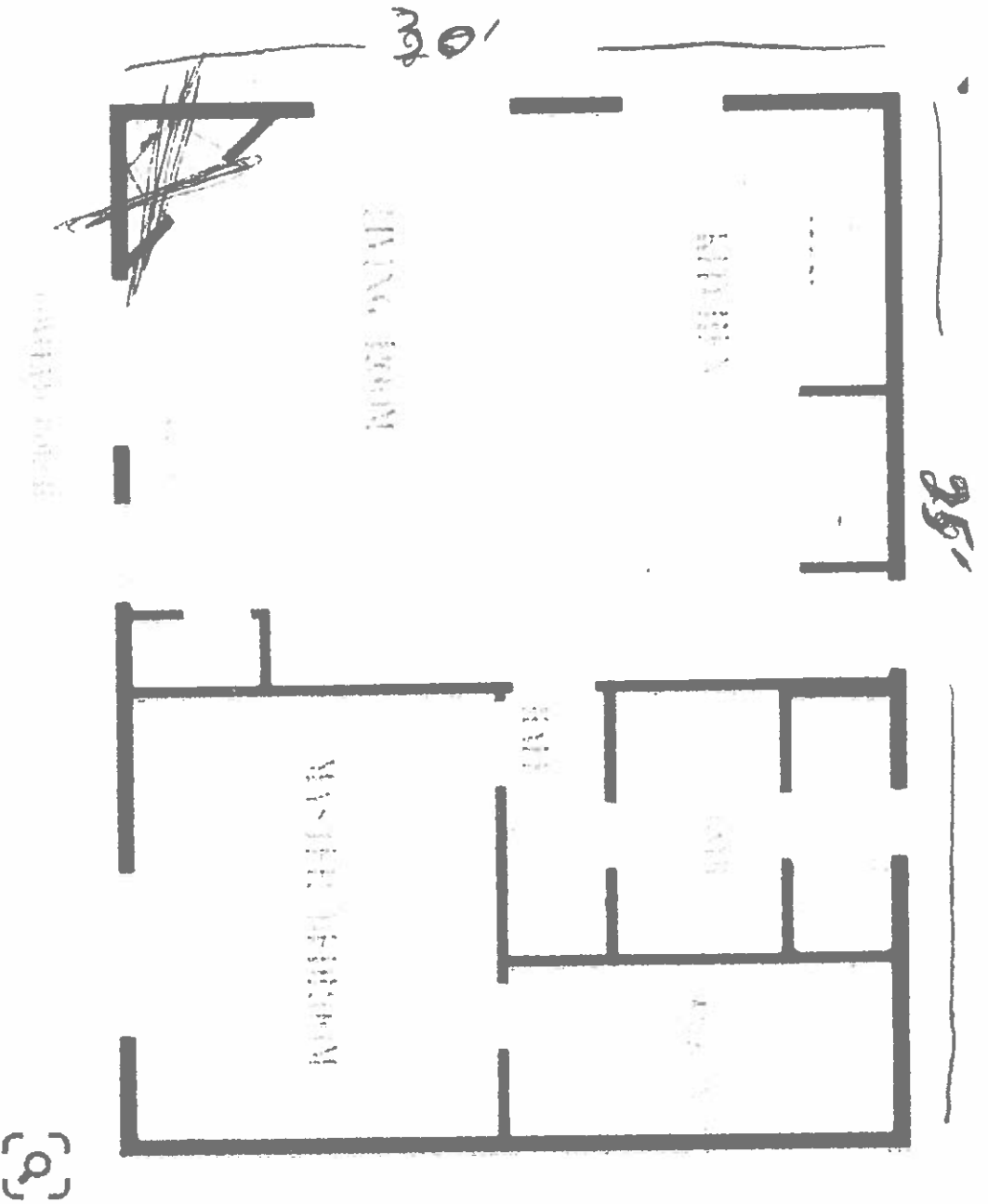
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PROJECT INFORMATION PROJECT NO. 2000-1234-001 SHEET NO. 1 OF 1 DATE: 10/15/2000		OWNER MRS. J. M. SMITH 123 MAIN ST. PELHAM NH 03071
DESIGNER Mr. J. M. SMITH 456 HILL ST. PELHAM NH 03071		DATE 10/15/2000
PROJECT NAME SEPTIC TANK REPLACEMENT		SCALE AS SHOWN
CLIENT MRS. J. M. SMITH		PROJECT LOCATION 123 MAIN ST., PELHAM NH 03071
DESIGNER Mr. J. M. SMITH		PROJECT NUMBER 2000-1234-001

(A)

Garage



Basic Proposed Floor Plan

~~\$642,500~~

Mediterranean House Plan - 1 Beds 1

3-4-29

©

3-4-24

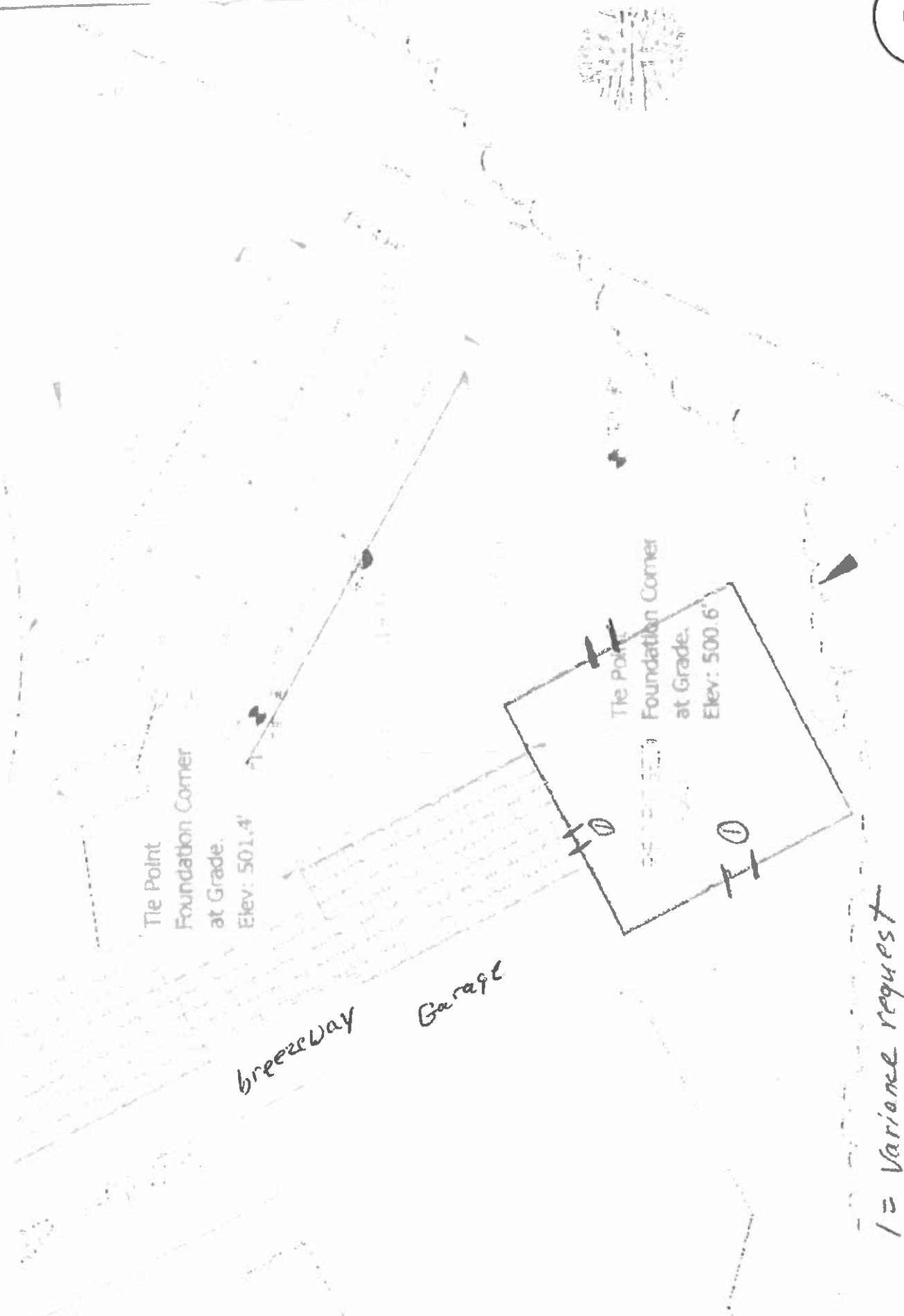
Tie Point
Foundation Corner
at Grade.
Elev: 501.4'

Tie Point
Foundation Corner
at Grade.
Elev: 500.6'

breezeway

Garage

1 = Variance request



⑤

P.E.B.F.Z



TOWN OF HUDSON — Building/Zoning

RECEIVED

APPLICATION FOR
PLAN EXAMINATION AND
BUILDING PERMIT
886-6005

SEP 28 1994

TOWN OF HUDSON
DEPT. OF PUBLIC WORKS

IMPORTANT — Applicant to complete all items in sections I, II, III, IV, and IX.

I. LOCATION OF BUILDING	AT (LOCATION) <u>102 GOWING Rd.</u> (NO.) (STREET)	ZONING DISTRICT <u>Rural</u>
	BETWEEN <u>END of GOWING Rd.</u> (CROSS STREET) AND <u>BROOK DRIVE</u> (CROSS STREET)	<u>48, 151</u> sq
	SUBDIVISION <u>Roger Frenette</u> MAP <u>12</u> LOT <u>22-4</u> LOT SIZE <u>1.106 ACRES</u>	

II. TYPE AND COST OF BUILDING — All applicants complete Parts A-D

A. TYPE OF IMPROVEMENT 1 <input checked="" type="checkbox"/> New Building 2 <input type="checkbox"/> Addition (If residential, enter number of Edrm/Baths added, if any, in Sec. III, Part L.) 3 <input type="checkbox"/> Alteration (See 2 above) 4 <input type="checkbox"/> Repair, replacement 5 <input type="checkbox"/> Wrecking (If multi-family residential, enter number of units in building in Part D. 13) 6 <input type="checkbox"/> Moving (relocation) 7 <input type="checkbox"/> Foundation only		D. PROPOSED USE - (For "Wrecking" most recent use) Residential 12 <input checked="" type="checkbox"/> One family 13 <input type="checkbox"/> Two family 14 <input type="checkbox"/> Transient: hotel, motel, or dormitory - Enter number of units _____ 15 <input type="checkbox"/> Garage 16 <input type="checkbox"/> Carport 17 <input type="checkbox"/> Multi-Family - Townhouse, Apartment, etc (enter number of residential units) 18 <input type="checkbox"/> Other - Specify (shed, pool, fireplace) _____	
B. OWNERSHIP 8 <input checked="" type="checkbox"/> Private (individual corporation, nonprofit institution, etc.) 9 <input type="checkbox"/> Public (Federal, State, or local government)		Non-Residential 18 <input type="checkbox"/> Amusement, recreational 19 <input type="checkbox"/> Church, other religious 20 <input type="checkbox"/> Industrial 21 <input type="checkbox"/> Parking garage 22 <input type="checkbox"/> Service station, repair garage 23 <input type="checkbox"/> Hospital, institutional 24 <input type="checkbox"/> Office, bank, professional 25 <input type="checkbox"/> Public utility 26 <input type="checkbox"/> School, library, other educational 27 <input type="checkbox"/> Stores, merchantile 28 <input type="checkbox"/> Tanks, towers 29 <input type="checkbox"/> Other - Specify _____	

C. COST 10 Cost of improvement (to be installed but not included in the above cost) a. Electrical b. Plumbing c. Heating, air conditioning d. Other (elevator, etc.) 11 TOTAL COST OF IMPROVEMENT	(Omit cents) <u>\$55,000</u> <u>2200.00</u> <u>2900.00</u> <u>3200.00</u> <u>\$63,300</u>	Nonresidential - Describe in detail proposed use of buildings, e.g., food processing, machine shop, laundry building, schools, college, parking garage, rental office building, industrial plant. If use of existing building is being changed, enter proposed use.
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III. SELECTED CHARACTERISTICS OF BUILDING - For new buildings and additions, complete Parts E-L; for wrecking, complete only Part J, for all others skip to IV.

E. PRINCIPAL TYPE OF FRAME 30 <input type="checkbox"/> Masonry (wall bearing) 31 <input checked="" type="checkbox"/> Wood Frame 32 <input type="checkbox"/> Structural steel 33 <input type="checkbox"/> Reinforced concrete 34 <input type="checkbox"/> Other - Specify _____	G. TYPE OF SEWAGE DISPOSAL 40 <input type="checkbox"/> Town or private company 41 <input checked="" type="checkbox"/> Private (septic tank, etc.) (#40 requires town permit)	J. DIMENSIONS 48. Number of stories <u>2</u> 49. Total square feet of floor area all floors, based on exterior dimensions <u>1944</u> ^{sq} 50. Total land area, sq. ft. _____
	H. TYPE OF WATER SUPPLY 42 <input type="checkbox"/> Public or private company 43 <input checked="" type="checkbox"/> Private (well, cistern)	
F. PRINCIPAL TYPE OF HEATING FUEL 35 <input checked="" type="checkbox"/> Gas 35a <input type="checkbox"/> Undergrnd 36 <input type="checkbox"/> Oil 36b <input type="checkbox"/> Tank 37 <input type="checkbox"/> Electricity 48 <input type="checkbox"/> Coal 49 <input type="checkbox"/> Other - Specify _____	I. TYPE OF MECHANICAL Will there be central air conditioning? 44 <input type="checkbox"/> Yes 45 <input checked="" type="checkbox"/> No Will there be an elevator? 46 <input type="checkbox"/> Yes 47 <input checked="" type="checkbox"/> No	L. RESIDENTIAL BUILDINGS ONLY 53. Total Bedroom Capacity <u>3</u> 54. Number of bathrooms <u>2</u> (Part <u>1/2</u>)

MAP
LOT
STREET

E

765 Central St

IV. IDENTIFICATION - To be completed by all applicants

	NAME	MAILING ADDRESS - NUMBER, STREET, CITY, AND STATE	ZIP CODE	TEL. NO.
1 Owner or Lessee	ADAM ROCKACKS INC	14 TATE STREET HUDSON NH	03051	882-9235
	ROGER A FRENETTE	same		
2 Elec. Plumb. Masonry Heating Gen. Contractor	R & F Electric	Hudson		
	SINDTE, MAAN	Manchester		669-3337
	DREAN'S P.H.	NASHUA		858-1488
3 Architect or Engineer	NONE			

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

Frank Queen

SIGNATURE OF APPLICANT Frank X Queen Inc.	ADDRESS 3 Coquina Circle Nashua NH 858-6300 *	APPLICATION DATE 9-28-94
--	---	-----------------------------

-----DO NOT WRITE BELOW THIS LINE-----

V. PLAN REVIEW RECORD - For office use

Plans Review Required	Date Rec'd.	Date Plans Check	Started	Date Plans By	Approved	By	Notes
BUILDING							
PLUMBING							
MECHANICAL							
ELECTRICAL							
SITE							
OTHER							

VI. ZONING PLAN EXAMINERS NOTES	VII. REQUIRED PERMIT APPROVAL NOS.
DISTRICT:	SEPTIC PERMIT: 201955
USE:	SEWER PERMIT:
FRONT YARD:	SUBDIVISION APPROVAL:
SIDE YARD: SIDE YARD:	CONSTRUCTION APPROVAL:
REAR YARD: LIVING AREA:	EXCAVATION PERMIT:
LOT AREA: ZBA APPROVAL:	DRIVEWAY PERMIT:
FRONTAGE: SPEC. EXCEPTION:	SITE PLAN APPROVAL:
NOTES:	H.C.R.D. PLAN NO.:

VIII. VALIDATION	
BLDG. PERMIT NO. _____	IMPACT FEES \$ _____
BLDG. PERMIT ISSUED _____ 19__	REVIEW FEES \$ _____
BLDG. PERMIT FEE \$ 226. ⁰⁰	INSPECTION FEES \$ _____
APPROVED BY E.P. Madigan BUILDING INSPECTOR	SEWER FEES \$ _____
BLDG PERMIT FEE COLLECTED \$ 5 made 10/12/94	OTHER FEES \$ _____
BY FINANCE C.P.P. Septic approval 201955	\$ _____
TITLE	\$ _____

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

BUILDING PERMIT

AMOUNT PAID

DEPT. FILE COPY



MAP 12 LOT 22-4
VALIDATION

APPLICANT ADAM ROCK ACRES INC DATE OCTOBER 13, 19 94 PERMIT NO. 125-95
CONSTRUCT SINGLE- ADDRESS 14 TATE STREET, HUDSON NH 882-9235
(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) #4 GOWING ROAD #102 ZONING DISTRICT _____
(NO.) (STREET)
BETWEEN _____ AND _____
(CROSS STREET) (CROSS STREET)

SUBDIVISION ROGER FRENETTE SUBDIVISION LOT 22-4 BLOCK 12 LOT SIZE 1.106 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 _____

REMARKS: CONSTRUCT SINGLE FAMILY HOUSE, WOOD FRAME, GAS HEAT, WELL/SEPTIC, (TYPE)
3 FINISHED BEDROOMS, 2 FULL AND 1 PARTIAL 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 1944 SQUARE FEET ESTIMATED COST \$ 63300.00 PERMIT FEE \$ 226.00
(CUBIC/SQUARE FEET)

OWNER ADAM ROCK ACRES INC.
ADDRESS 14 TATE STREET, HUDSON NH 03051
BUILDING DEPT. BY [Signature]

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

FORM NO. BOCA - BP 1969

BUILDING PERMIT

AMOUNT PAID

DEPT. FILE COPY

MAP 12 LOT 22-4

VALIDATION



FORM NO. BOCA - BP 1994

APPLICANT FRANK QUEEN DATE MAY 7, 19 98 PERMIT NO. 421-98
CONSTRUCT BREEZEWAY ADDRESS 35 MASSACHUSETTS DRIVE, NASHUA NH 598-3600
(NO.) (STREET) (CONTR'S LICENSE)

PERMIT TO AND GARAGE (1) STORY RESIDENTIAL ACCESSORIES NUMBER OF DWELLING UNITS ONE
(TYPE OF IMPROVEMENT) NO. (PROPOSED USE)

AT (LOCATION) 102 GOWING ROAD ZONING DISTRICT _____
(NO.) (STREET)
BETWEEN _____ AND _____
(CROSS STREET) (CROSS STREET)

SUBDIVISION _____ LOT 22-4 BLOCK 12 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: CONSTRUCT 14'X16' BREEZEWAY, ATTACHED TO HOUSE, ALONG WITH 24'X24' TWO-CAR ONE-STORY GARAGE. AN ELECTRICAL PERMIT IS REQUIRED. REFERENCE ATTACHED FIRE DEPARTMENT REQUIREMENTS.

REFERENCE ATTACHED NFPA LIFE SAFETY CODE, 1994 EDITION, MEANS OF EGRESS.
AREA OR VOLUME 800 SQUARE FEET ESTIMATED COST \$ 21,650.00 PERMIT FEE \$ 64.00
(CUBIC/SQUARE FEET)

OWNER GEORGE VEVES BUILDING DEPT. BY Edmond P. McLaughlin
ADDRESS HUDSON NH

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #23-011

February 1, 2023

George Veves
102 Gowing Rd
Hudson, NH 03051

102 Gowing Rd Map 232 Lot 004-000
District: Residential Two (R-2)

Dear Mr. Veves,

Your request: If the proposed addition shown on the plot plan sketch will need any variances?
Can the addition be an ADU?

Zoning Review/Determination:

The proposed addition would need to satisfy the required setbacks (front and side) of 30 ft and 15 ft respectively per §334-27 Table of Dimensional Requirements.
If this proposal is for an ADU, can you provide a floor plan (with dimensions) that shows compliance with the following?

To satisfy this requirement of the ADU provisions:

334-73.3 E. "At least one common interior access between the principal DWELLING UNIT and an ADU must exist. Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist." The garage is not a principle Dwelling Unit.

Your ADU size may be too large (>750 sqft?) no dimension provided.

If these requirements cannot be satisfied, then variances would be required.

Sincerely,

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

encl: ADU checklist
cc: Public Folder
B. Groth, Town Planner
File

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-021

March 13, 2024

George Veves
102 Gowing Rd
Hudson, NH 03051

102 Gowing Rd Map 232 Lot 004-000
District: Residential Two (R-2)

Dear Mr. Veves,

Your request: Can you add an ADU to the right side of the garage.

Zoning Review/Determination:

The proposed addition seem to be laying out into the required 15' side setback this would need a variance per §334-27 **Table of Dimensional Requirements**. Please provide a Plot Plan (with setbacks dimensions) to show the structure compliance?

Your application for your ADU does not meet the following requirements:

- B. "An ADU is not allowed as a freestanding detached STRUCTURE or as part of any STRUCTURE which is detached from the principal dwelling. MANUFACTURED HOUSING, RECREATIONAL VEHICLES or trailers may not be erected or added to the principal dwelling as an ADU."
- D. "The front face of the principal dwelling STRUCTURE is to appear as a single-family dwelling after any alterations to the STRUCTURE are made to accommodate an ADU. Any additional separate entrances must be located on the side or rear of the STRUCTURE."
- E. "At least one common interior access between the principal DWELLING UNIT and an ADU must exist. Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist." The garage is not a principle Dwelling Unit.

If these requirements cannot be satisfied, then variances would be required per §334-73.3 **Provisions**

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

①

Sincerely,



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

cc: Public Folder
File

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

2

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

REQUEST FOR REVIEW/COMMENTS:

Case: 232-004 (10-24-24) (VARIANCES A,B&C)

Property Location: 102 Gowing Road

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 10/03/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

VARIANCES A, B & C:

1. Applicant shall provide an approved septic system design that will accommodate the proposed addition.
2. Applicant shall provide information about the existing well and if the intent is to utilize the existing well to provide water to the proposed structure.

K

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

REQUEST FOR REVIEW/COMMENTS:

Case: 232-004 (10-24-24) (VARIANCES A,B&C)

Property Location: 102 Gowing Road

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

DRH Name: David Hebert Date: 10/03/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

VARIANCES A, B & C:

Duplex units require:

All utilities to be separated

Fire separation between dwellings required

Addressing change to 102 Gowing units A & B

Provide documentation that the well can support two units

Provide documentation that the septic system can support two units

Proposed addition needs to conform to the current State Adopted Building and Fire Codes

L

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

REQUEST FOR REVIEW/COMMENTS:

Case: 232-004 (10-24-24) (VARIANCES A,B&C)

Property Location: 102 Gowing Road

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

BWG _____ Name: Benjamin Witham-Gradert Date: 10/03/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

VARIANCES A, B & C:

Empty box for providing details on Variances A, B & C.

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 232-004 A**, being a case brought by **Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH** requesting a **Variance for 102 Gowing Rd., Hudson, NH** to allow the existing single family home to be converted to a duplex as follows:

A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single family structure. [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2); HZO Article II: Terminology; §334-6, Definitions, Duplex]

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: _____



SEP 17 2024

LAND USE DIVISION ZONING DEPT.

To: Zoning Board of Adjustment
Town of Hudson

VARIANCE A

APPLICATION FOR A VARIANCE (Duplex firewall location)
(HZO Article II; §334-6, Definition:)

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

Case No. 232-004 (10-24-24)

Date Filed 9/17/24

Name of Applicant BENCHMARK LLC Map: 232 Lot: 004 Zoning District: R-2

Telephone Number (Home) JOE MAYNARD, U62 (Work) 603-437-5000

Mailing Address 102 GOWING ROAD 50 Nashua Rd, Suite 305, Londonderry, NH
03063

Owner GEORGE VEVES TRUST

Location of Property 102 GOWING ROAD HUDSON NH 03051
(Street Address)

Signature of Applicant Joe Maynard Date 9/4/2024

Signature of Property- Owner(s) George Veves Date 9/4/24

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: 9/17/24

COST:

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

9 Abutter Notice:

1 Direct Abutters x Certified postage rate \$ 5.58 \$ 50.22

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

Total amount due: \$ 236.68

Amt. received: \$ 236.68

Receipt No.: 790,524

Received by: TSG

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

Engineering Fire Dept. Health Officer Planner Other

Check # 2634

APPLICATI O N 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. _____

Date Filed _____

Name of Applicant ^(TB) BENCHMARK LLC Map: 232 Lot: 004 Zoning District: R-2
c/o Joseph Maynard

Telephone Number (Home) _____ (Work) 603-437-5000

Mailing Address ^(TB) 50 Nashua Road, Suite 305
~~102 GOWING ROAD~~ Hamdenbury, NH 03053

Owner GEORGE VEVES TRUST

Location of Property 102 GOWING ROAD HUDSON NH 03051
 (Street Address)

Signature of Applicant *George Veves* Date 9/24/2024
 Signature of Property- Owner(s) *George Veves* Date _____

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

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

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_____ Direct Abutters x Certified postage rate \$ _____ \$ _____

_____ Indirect Abutters x First Class postage rate \$ _____ \$ _____

Total amount due: \$ _____

Amt. received: \$ _____

Receipt No.: _____

Received by: _____

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

Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

TOWN OF HUDSON
New Hampshire
03051

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

OCT 10 2024

LAND USE DIVISION
ZONING DEPT.

~~September 4, 2024~~

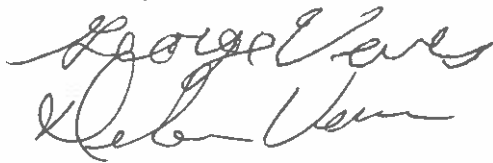
October 10, 2024 GV
Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,



George Veves
~~George Veves Trust~~
Debra VEVES
The Veves Family Revocable Trust

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

September 14, 2024

Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,

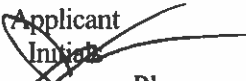


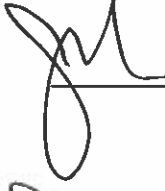





A handwritten signature in black ink that reads "George Veves". The signature is written in a cursive style with a large initial "G".

George Veves
George Veves Trust

TOWN OF HUDSON, NH

Variance Application Checklist

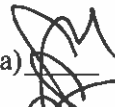







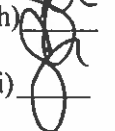
The following requirements/checklist pertain to the Zoning Board of Adjustment applications. Fill in all portions of this Application Form(s) as applicable. This application will not be accepted unless all requirements have been made. Additional information may be supplied on a separate sheet if space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

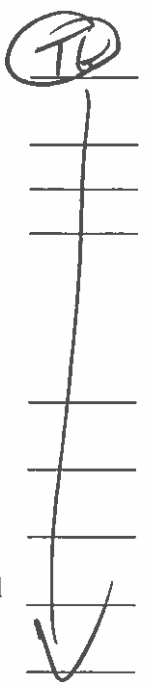
Applicant Initials		Staff Initials
	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>CJS</u>
	The applicant must provide the original (with wet signatures) of the complete filled-out application form and all required attachments listed below together with thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>CJS</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>
	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>
	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>
	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>
	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>
	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>CJS</u>
	If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? Y or N (circle one). If yes, submit an application to the Planning Board.	<u>NA</u>

CERTIFIED PLOT PLAN:

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

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

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



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

Signature of Applicant(s)

Date

Signature of Property Owner(s)

Date

CERTIFIED PLOT PLAN:

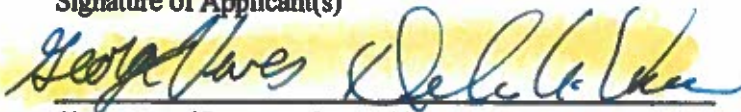
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The applicant and owner have signed and dated this form to show his/her awareness of these requirements.

Signature of Applicant(s)



Signature of Property Owner(s)

Date



Date

ALL DIRECT ABUTTERS

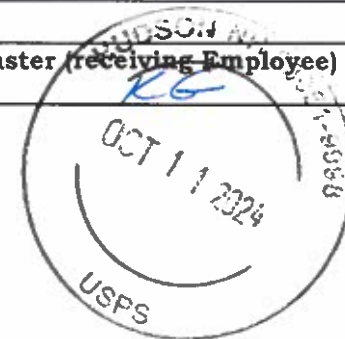
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For 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.

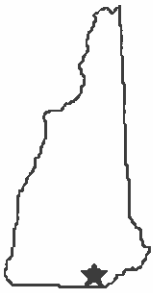
(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
232	4	*Include Applicant & Owner(s) Gorge Veves Trust	102 Gowing Road Hudson NH 03051
232	5	Timothy & Jamie Adams	100 Gowing Road Hudson NH 03051
232	3	Aurele Desrochers & Beverly Levesque Desrochers	97 Gowing Road Hudson NH 03051
232	2	Iaian Emery & Nicole Guilbeault	99 Gowing Road Hudson NH 03051
232	1	<i>FB</i> <i>Ronald</i> Robert Wilson Sr & Barbara Wilson Trust	101 Gowing Road Hudson NH 03051
		ABUTTERS IN PELHAM	
26	2-74	Robert Wilson Sr & Barbara Wilson Trust	101 Gowing Road Hudson NH 03051
26	2-79	Town of Pelham	6 Village Green Pelham NH 03076
26	2-73	NEW ENGLAND FORESTRY FOUNDATION INC	Po Box 1346 Littleton, Mass 01460
<i>Applicant</i>		BENCHMARK LLC	50 Nashua Road, Suite 305 Londonderry NH 03053

USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL & FIRST CLASS MAIL	Case# 232-004 Three (3) VARIANCES 102 Gowing Rd., Hudson, NH 03051 Map 232/Lot 004 1 of 1
ARTICLE NUMBER		Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5656 32	Benchmark LLC, c/o Joseph Maynard, Mgr.	APPLICANT/OWNER NOTICE MAILED
		50 Nashua Rd., Suite 305, Londonderry, NH 03053	
2	9589 0710 5270 0646 5656 49	George & Debra A. Veves, Trustees	APPLICANT/OWNER NOTICE MAILED
		102 Gowing Rd., Hudson, NH 03051	
3	9589 0710 5270 0646 5656 56	Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
		101 Gowing Rd., Hudson, NH 03051	
4	9589 0710 5270 0646 5656 63	Iain C. Emery; Nicole Guilbeault	ABUTTER NOTICE MAILED
		99 Gowing Rd. Hudson, NH 03051	
5	9589 0710 5270 0646 5656 70	Aurele J.C. R. Desrochers & Beverly A. Levesque Desrochers	ABUTTER NOTICE MAILED
		97 Gowing Rd., Hudson, NH 03051	
6	9589 0710 5270 0646 5656 87	Timothy J. & Jamie L. Adams	ABUTTER NOTICE MAILED
		100 Gowing Rd., Hudson, NH 03051	
7	9589 0710 5270 0646 5656 94	Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
		101 Gowing Rd., Hudson, NH 03051	
8	9589 0710 5270 0646 5657 00	Town of Pelham	ABUTTER NOTICE MAILED
		6 Village Green, Pelham, NH 03076	
9	9589 0710 5270 0646 5657 17	New England Forestry Foundation Inc.	ABUTTER NOTICE MAILED
		PO Box 1346, Littleton, MA 01460	
10	Mailed First class	James R. & Melissa K. Masson	ABUTTER NOTICE MAILED
		95 Gowing Rd., Hudson, NH 03051	
11	Mailed First class	Eric J. & Barbara E. Bardzik	ABUTTER NOTICE MAILED
		6 Allison Dr., Westford, MA 01886	
	Total Number of pieces listed by sender 11	Total number of pieces rec'd at Post Office <i>11</i>	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

October 11, 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, October 24, 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 232-004 (10-24-24): Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH requests three (3) Variances for 102 Gowing Rd., Hudson, NH [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2)] to allow the existing single family home to be converted to a duplex as follows:

- A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single family structure. [HZO Article II: Terminology; §334-6, Definitions, Duplex]**
- B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**
- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

October 11, 2024

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- B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**
- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**

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

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article II of HZO Section(s) 334-6 Definitions in order to permit the following:

To allow the proposed duplex unit to be constructed adjacent to the existing garage Where the definition contemplates, "principal building" with two dwelling units, separated either vertically , or horizontally, by a fire wall, and with each unit having its own separate entrance

FACTS SUPPORTING THIS REQUEST:

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

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

- (2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:
 - (A) The variance will not be contrary to the public interest;
 - (B) The spirit of the ordinance is observed;
 - (C) Substantial justice is done;
 - (D) The values of surrounding properties are not diminished; and
 - (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
- (b)(1) For purposes of this subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (A) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
 - (B) The proposed use is a reasonable one.
- (2) If the criteria in subparagraph (1) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.
- (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

FACTS SUPPORTING THIS REQUEST:

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

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

See Attached

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

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

See Attached

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

See attached

FACTS SUPPORTING THIS REQUEST: (Continued)

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

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

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

See attached

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

See attached

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

See attached

1. Contrary to the public interest

This application is to allow the existing single-family home to be converted to a duplex building. Duplex units are allowed in this district.

The property is within a residential area and is the last home on the street. One of the sides of the lot is the town line with Pelham NH. The land in Pelham was purchased by the town as a conservation property with no development allowed.

The addition to the home is proposed on the side of the house that is closest to the Town line. The lot size is adequate to meet State rules and regulations for a septic system to service the existing home and the proposed duplex unit.

For safety, the home is the last one on the street. The proposed addition is on the town line side of the existing home and there, and will not, be any abutters on this side of the lot as the adjacent property is owned by the abutting lot and the property is not to be developed.

2. Spirit of the ordinance

The use proposed is allowed in this district and although the lot does not meet the minimum lot size in the zoning, the property is large enough to satisfy the NHDES regulations for the duplex use.

The addition to the home is also proposed away from the nearest abutter, and as stated above, the adjacent property is owned by the Town of Pelham as a conservation property not to be developed.

3. Substantial justic

Substantial justice is measured by weighing the loss to the applicant (if the variance is denied) outweighs any gain to the public by denying this variance.

This request is to allow a duplex unit where the family is looking to construct a unit for a relative. The location of the construction is such that it provides reasonable access from the driveway to the unit and this proposal fits with the layout of the existing home.

We do not believe the public would gain anything in denying this request and the addition does not interfere with the public interest.

4. Property Values

The proposed duplex addition, and the existing use, are both residential in nature and are allowed in this district. The addition will not interfere with the character of the neighborhood. The encroachment into the side setback is away from the other developed lots on this street and the addition will be on the side of the home where the lot line is the Town Line and the land in Pelham is under a conservation restriction.

We do not believe there is any evidence that this project would have a negative effect on property values.

5. Hardship

This is a unique lot. First, the property is triangular in nature where the left sideline is perpendicular to the road and the right sideline is the hypotenuse of a triangle. With the proposed addition on the right side of the home the front of the proposed addition will meet the side setback but the rear corner would be in the side setback.

Second, the home is the last one on the street and the adjacent property is the Town Line with Pelham with the land to the east in Pelham owned by the town of Pelham as a conservation property.

5.2 why is use reasonable

From a topographical standpoint the right of the home is generally flat and also falls close to the driveway which allows for good access to the duplex unit. Where the west side of the lot goes downhill and would require access across the front of the existing structure.

We feel the general public purpose of the setback ordinance is to prevent overcrowding and provide space for emergency services. As above, the addition to the structure on this lot is on the side of the home adjacent to the town line and the abutting lot is owned by the neighboring town and has a conservation restriction on it.

5.B Special Conditions

This lot's shape, topography and location along with the layout and location of house limit places on the lot for this addition. The lot is also the last one on the street and is directly adjacent to the town line with Pelham. The land in Pelham is a conservation property that is not to be developed. These special conditions make this lot unique and without the variance the property owner could not add the duplex unit to their property.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-021R2

March 13, 2024

George Veves
102 Gowing Rd
Hudson, NH 03051

102 Gowing Rd Map 232 Lot 004-000
District: Residential Two (R-2)

Dear Mr. Veves,

Your request: Can you add a unit to the existing garage and covert the dwelling into a duplex?
(Plot Plan Provided).

Zoning Review/Determination:

A duplex not connected to the principle structure is not permitted in any zone the dwelling would need a variance from the Zoning Board of Adjustment per **§334-6 Definitions:**

DUPLEX

A residential principal building with two DWELLING UNITS, separated vertically or horizontally, by a firewall, with each unit having its separate entrance.

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

The proposed addition seems to be laying out into the required 15' side setback this would need a variance per **§334-27 Table of Dimensional Requirements.**

The lot is 48,351 sq. ft where 60,000 sq. ft is required do to no town water or sewer you would need a variance per **§334-27 Table of Dimensional Requirements.**

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

Sincerely,

A handwritten signature in black ink, appearing to read 'CSullivan', with a stylized flourish at the end.

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

cc: Public Folder
Brook 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.

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
VEVES, GEORGE, TR. VEVES, DEBRA A., TR. 102 GOWING ROAD HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RE	Residential Average		2024	1010	391,900	2023	1010	391,900	2023	1010	391,900
		TOPO	UTILITIES			1010	170,600		1010	170,600		1010	170,600
		Level	Pnw Water			1010	6,400		1010	6,400		1010	8,100
			Septic										
					Total	568,900	Total	568,900	Total	570,600			

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
VEVES, GEORGE, TR. VEVES, GEORGE A.		9395 2437	12-10-2020	U	I	0	44	Grantor: VEVES, GEORGE A. Grantor: ADAM ROCK ACRES, INC.	Appraised Bldg. Value (Card)			388,400
		5600 1460	12-28-1994	Q	I	140,000	00		Appraised Xf (B) Value (Bldg)			0
								Appraised Ob (B) Value (Bldg)			6,400	
								Appraised Land Value (Bldg)			170,600	
								Special Land Value			0	
								Total Appraised Parcel Value			565,400	
								Valuation Method			C	
								Total Appraised Parcel Value			565,400	

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				NOTES								
Parcel ID	232-004-000	PREV 0012-0022-0004 Assoc Pid#	Descript	Code	Appraised	Assessed	Total:	565,400	565,400	Total Appraised Parcel Value		565,400				
Zoning	R2:Residential-2									BLDG	1010	388,400	388,400	Total Appraised Parcel Value		565,400
Flood Hazard	C									LAND	1010	170,600	170,600	Valuation Method		C
Neigh/Abut1										OB	1010	6,400	6,400			
Neigh/Abut2																
Neigh/Abut3																
GIS ID	232-004-000															

NOTES				VISIT / CHANGE HISTORY			
02/2019: WDK SIZE APPROX / MSRD IN SNOW. NEW AC COMPRESSOR.				Date	Id	Cd	Purpost/Result
				05-03-2024	21	15	Permit Visit
				08-22-2023	21	15	Permit Visit
				07-21-2022	28	45	Field Review
				02-22-2019	18	02	Measured
				05-19-2011	14	02	Measured
				12-02-2006	06	02	Measured
				04-11-2002	00	15	Permit Visit
	06-15-2001	00	03	Meas/Inspect			

BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments
2022-00279-1-	05-11-2022	EL		400	C	Raceway Electrical VEVES, GEORGE, TR.		Electrical for pool with same size 18' x 33' in same location. Replace existing pool with same size 18' x 33' in same location. Visit Notes: Gas Furn;
2022-00279	03-28-2022	PA		16,000	C			
2015-01151	11-12-2015	MECH	Mechanical	4,400	C			

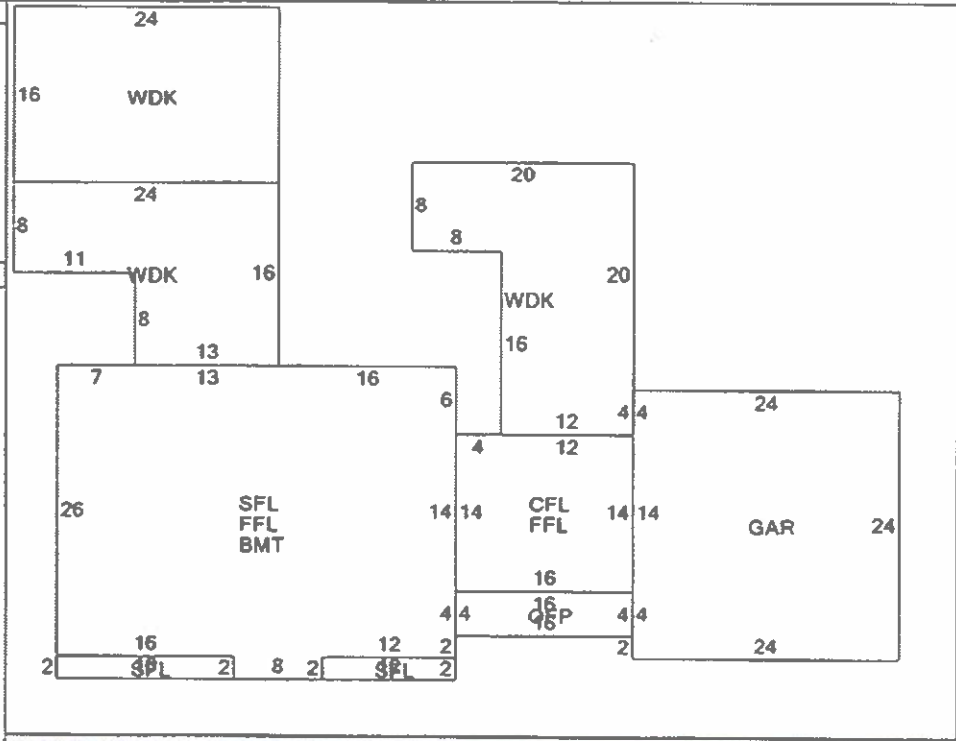
LAND LINE VALUATION SECTION														
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acreage Dec.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment	Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	1.000	AC	170,000		1.00	5	1.00	RE	1.00		170,000
1	1010	SINGLE FAMILY RES	Excess	0.106	AC	6,000		1.00	0	1.00	RE	1.00		600
Total Card Land Units:				1.106 AC			Parcel Total Land Area:				1.106	AC	Total Land Value:	170,600

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	01	Gable			
Roof Cover	01	Asphalt Shingle			
Frame	01	Wood			
Foundation	01	Concrete			
Interior Wall 1	01	Drywall			
Interior Floor 1	04	Carpet			
Heat Fuel	04	Propane			
Heat Type	01	Forced Air			
# Heat Systems	1				
AC Percent	100				
Total Rooms	8				
Bedrooms	3				
Full Baths	1				
3/4 Baths	0				
Half Baths	1				
Extra Fixtures	0				
Kitchens	1				
Kitchen Rating	AV	Average			
Bath Rating	AV	Average			
Half Bath Rating	AV	Average			
Bsmt Garage	0				
Fireplace(s)	0				
Fireplace Rating					
WS Flues	1				
Color	GRAY				
Avg Ht/FL	8				
Extra Kitchens	0				

COST / MARKET VALUATION

Building Value New	426,783
Year Built	1994
Effective Year Built	2013
Depreciation Code	GD
Remodel Rating	
Year Remodeled	
Depreciation %	9
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	91
RCNLD	388,400
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

SKETCH / PRIMARY PHOTO



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd	% G	Assd. Value
HTUB	Hot Tub	L	4	UNITS	500.00	2015	GD	80	1,600
POOLAO	Oval Above Ground Pool	L	594	UNITS	0.00	2022	GD	80	0
SHEDWD	Shed-Wood	L	192	UNITS	31.02	2017	GD	80	4,800

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	952	238	38.63	36,776
CFL	Cathedral Ceiling Area, not Sq.	0	224	22	15.18	3,399
FFL	First Floor, Finished	1,176	1,176	1,176	154.52	181,715
GAR	Garage	0	576	202	54.19	31,213
OFF	Open Frame Porch	0	64	13	31.39	2,009
SFL	Second Floor, Finished	1,008	1,008	1,008	154.52	155,756
WDK	Wood Deck, or Composite Dk	0	1,032	103	15.42	15,916
Total Liv Area/Gr. Area/Eff Are		2,184	5,032	2,762	Total Value	426,784



GIS MAP

PLOT PLAN
MAP 232 LOT 004
#102 GOWING ROAD
HUDSON, NEW HAMPSHIRE 03051

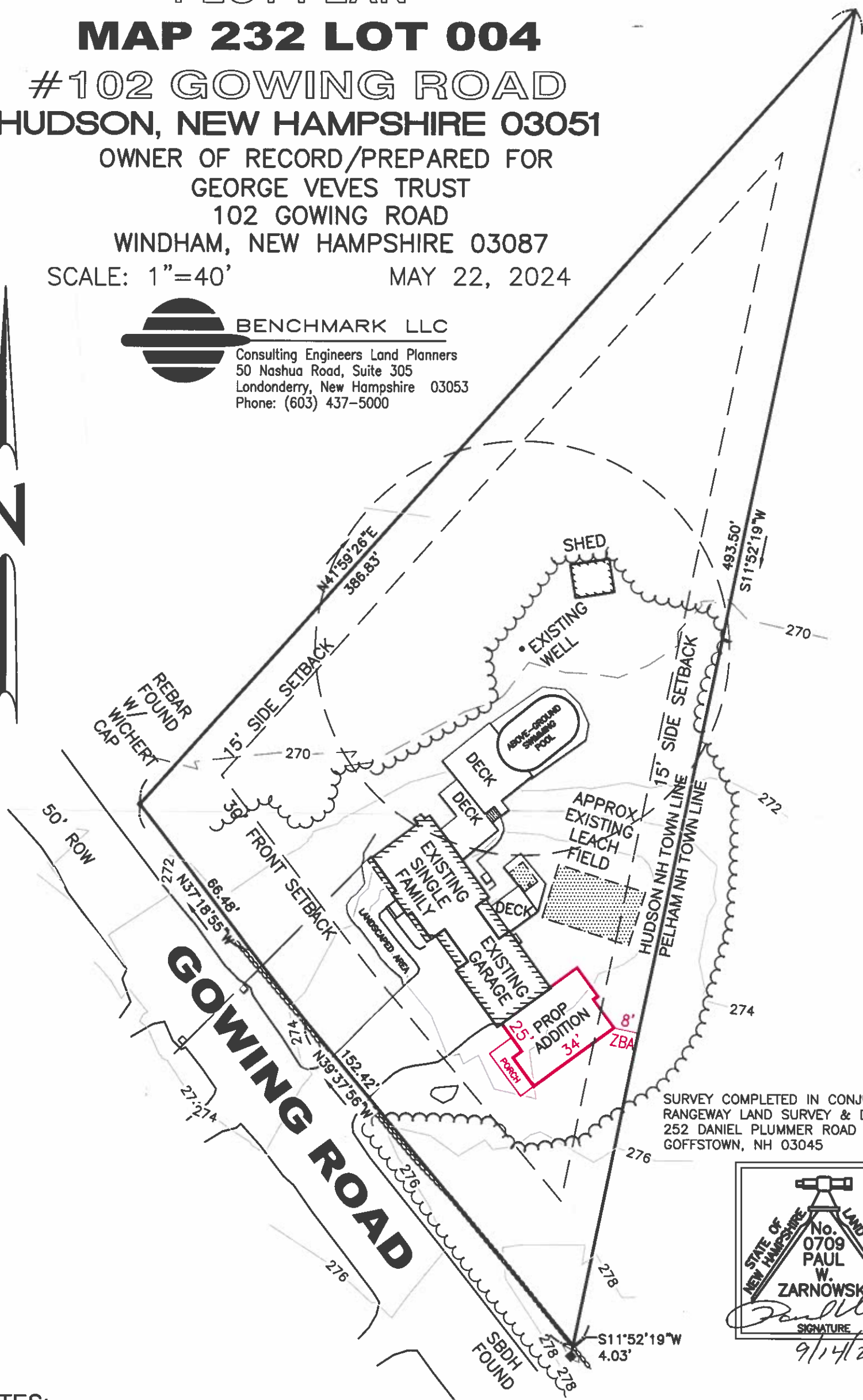
OWNER OF RECORD/PREPARED FOR
GEORGE VEVES TRUST
 102 GOWING ROAD
 WINDHAM, NEW HAMPSHIRE 03087

SCALE: 1"=40'

MAY 22, 2024



BENCHMARK LLC
 Consulting Engineers Land Planners
 50 Nashua Road, Suite 305
 Londonderry, New Hampshire 03053
 Phone: (603) 437-5000



SURVEY COMPLETED IN CONJUNCTION WITH
 RANGEWAY LAND SURVEY & DESIGN
 252 DANIEL PLUMMER ROAD
 GOFFSTOWN, NH 03045



9/14/24

NOTES:

1. PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING SITE CONDITIONS ALONG WITH A PROPOSED LOCATION FOR AN ADDITION TO THE HOME FOR A DUPLEX UNIT, AND TO SHOW THE ENCROACHMENT OF THE ADDITION WITHIN THE SIDE SETBACK
2. TOTAL PARCEL AREA 1.11 ACRES (FROM PLAN REFERENCES) - 48,180 SQ. FT.
3. PARCEL ZONE RESIDENTIAL - 2
4. ZONING REQUIREMENTS

FRONTAGE	120 FEET
FRONT SETBACK	30 FEET
SIDE/REAR SETBACK	15 FEET
LAND AREA	43,560 SQ. FT. (60,000 DUPLEX)
5. PERMITS

NHDES SUBDIVISION	41631
-------------------	-------
6. THIS PLAN REPRESENTS CURRENT FIELD CONDITIONS AS OF AUGUST 2024

TOWN OF HUDSON
 New Hampshire
 03051

SEP 17 2024
 LAND USE DIVISION
 ZONING DEPT.

Printed
 9/17/2024
 4:09PM
 Created
 9/17/2024
 3:59 PM

Transaction Receipt

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

Receipt# 790,524
 tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Applications-10/24/24 ZBA Meeting 102 Gowing Rd Map 232 Lot 004 Sublot 000 Zone R-2			
	Variences A	0.00	236.6800	0.00
	Variance B	0.00	185.0000	0.00
	Variance C	0.00	185.0000	0.00
			Total:	606.68

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Benchmark, LLC	CHECK	CHECK #2634 (PART 1)	236.68	0.00	236.68
Benchmark, LLC	CHECK	CHECK #2634 (PART 2)	185.00	0.00	185.00
Benchmark, LLC	CHECK	CHECK # 2644	185.00	0.00	185.00
			Total Due:		606.68
			Total Tendered:		606.68
			Total Change:		0.00
			Net Paid:		606.68

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 232-004 B**, being a case brought by **Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH** requesting a **Variance for 102 Gowing Rd., Hudson, NH** to allow the existing single family home to be converted to a duplex as follows:

B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer.
[Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2); HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]

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

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

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: _____

SEP 08 2024
LAND USE DIVISION
ZONING DEPT.

To: Zoning Board of Adjustment
Town of Hudson

APPLICATION FOR A VARIANCE (HZO Article VII; §334-27,
Table of Min. Dim. Req.

Entries in this box are to be filled out by
Land Use Division personnel
Case No. 232-004 (10-24-24)
Date Filed 9/6/24

Name of Applicant BENCHMARK LLC Map: 232 Lot: 004 Zoning District: R-2

Telephone Number (Home) JOE MAYNARD, HGR (Work) 603-437-5000

Mailing Address 102 GOWING ROAD 50 Nashua Rd, Suite 305, Londonderry, NH
03053

Owner GEORGE VEVES TRUST

Location of Property 102 GOWING ROAD HUDSON NH 03051
(Street Address)

Signature of Applicant Joe Maynard Date 9/4/2024

Signature of Property- Owner(s) George Veves Date 9/4/24

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: 9/6/24

COST:

Application fee (processing, advertising & recording) (non-refundable):	\$	<u>185.00</u>
<u>9</u> Abutter Notice:		
<u>1</u> Direct Abutters x Certified postage rate	\$	<u>N/A</u>
<u>2</u> Indirect Abutters x First Class postage rate	\$	<u>N/A</u>
Total amount due:	\$	<u>185</u>
	Amt. received:	\$ <u>185</u>
	Receipt No.:	<u>790,524</u>

Received by: TSG

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

Check #
2634

APPLICATION FOR VARIANCE

ORIGINAL

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. _____

Date Filed _____

Name of Applicant **BENCHMARK LLC** Map: **232** Lot: **004** Zoning District: **R-2**
c/o Joseph Maynard

Telephone Number (Home) _____ (Work) **603-437-5000**

Mailing Address **50 Nashua Road, Suite 305**
~~102 GOWING ROAD~~ *Hondolerry, NH 03053*

Owner **GEORGE VEVES TRUST**

Location of Property **102 GOWING ROAD HUDSON NH 03051**
 (Street Address)

Signature of Applicant *George Vevés* Date **9/24/2024**

Signature of Property- Owner(s) *George Vevés* Date _____

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

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

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

Date received: _____

COST:

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

Abutter Notice:

_____ Direct Abutters x Certified postage rate \$ _____ \$ _____

_____ Indirect Abutters x First Class postage rate \$ _____ \$ _____

Total amount due: \$ _____

Amt. received: \$ _____

Receipt No.: _____

Received by: _____

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

Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

TOWN OF HUDSON
New Hampshire
03051

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

OCT 10 2024

LAND USE DIVISION
ZONING DEPT.

~~September 4, 2024~~

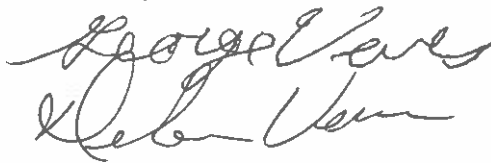
October 10, 2024 GV
Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,



George Veves
~~George Veves Trust~~
Debra VEVES
The Veves Family Revocable Trust

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

September 4, 2024

Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,










A handwritten signature in black ink that reads "George Veves". The signature is written in a cursive style with a large initial "G".

George Veves
George Veves Trust

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
	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>TG</u>
	The applicant must provide the original (with wet signatures) of the complete filled-out application form and all required attachments listed below together with thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</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>
	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG</u>
	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>
	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>
	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>
	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 Pending</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) The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b) The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c) The plot plan shall have the signature and the name of the preparer, with his/her/their seal.
- d) The plot plan shall include lot dimensions and bearings, with any bounding streets and with any rights-of-way and their widths as a minimum, and shall be accompanied by a copy of the GIS map of the property.
(NOTE: A copy of the GIS map can be obtained by visiting the town website: <https://www.hudsonnh.gov/community-development/page/gis-public-use>)
- e) The plot plan shall include the area (total square footage), all buffer zones, streams or other wetland bodies, and any easements (drainage, utility, etc.)
- f) The plot plan shall include all existing buildings or other structures, together with their dimensions and the distances from the lot lines, as well as any encroachments.
- g) The plot plan shall include all proposed buildings, structures, or additions, marked as "PROPOSED," together with all applicable dimensions and encroachments.
- h) The plot plan shall show the building envelope as defined from all the setbacks required by the zoning ordinance.
- i) The plot plan shall indicate all parking spaces and lanes, with dimensions.



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

[Handwritten Signature]

 Signature of Applicant(s)

[Handwritten Signature]

 Signature of Property Owner(s)

9/4/2024

 Date

9/4/24

 Date

CERTIFIED PLOT PLAN:

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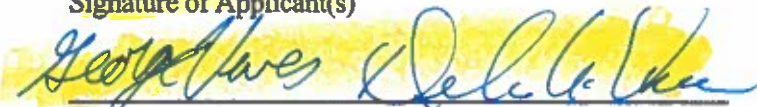
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The applicant and owner have signed and dated this form to show his/her awareness of these requirements.

Signature of Applicant(s)

Date



9/24/2024

Signature of Property Owner(s)

Date

ALL DIRECT ABUTTERS

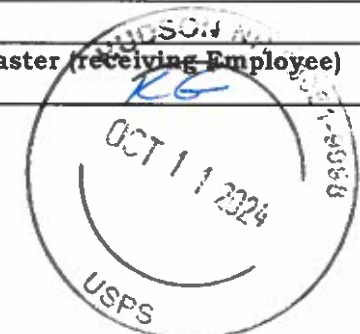
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For 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.

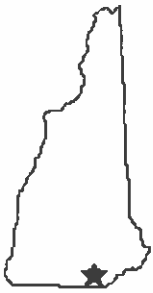
(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
232	4	*Include Applicant & Owner(s) Gorge Veves Trust	102 Gowing Road Hudson NH 03051
232	5	Timothy & Jamie Adams	100 Gowing Road Hudson NH 03051
232	3	Aurele Desrochers & Beverly Levesque Desrochers	97 Gowing Road Hudson NH 03051
232	2	Iaian Emery & Nicole Guilbeault	99 Gowing Road Hudson NH 03051
232	1	TB <i>Ronald</i> Robert Wilson Sr & Barbara Wilson Trust	101 Gowing Road Hudson NH 03051
		ABUTTERS IN PELHAM	
26	2-74	Robert Wilson Sr & Barbara Wilson Trus	101 Gowing Road Hudson NH 03051
26	2-79	Town of Pelham	6 Village Green Pelham NH 03076
26	2-73	NEW ENGLAND FORESTRY FOUNDATION INC	Po Box 1346 Littleton, Mass 01460
<i>Applicant</i>		BENCHMARK LLC	50 Nashua Road, Suite 305 Londonderry NH 03053

USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL & FIRST CLASS MAIL	Case# 232-004 Three (3) VARIANCES 102 Gowing Rd., Hudson, NH 03051 Map 232/Lot 004 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5656 32	Benchmark LLC, c/o Joseph Maynard, Mgr.	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5656 49	50 Nashua Rd., Suite 305, Londonderry, NH 03053 George & Debra A. Veves, Trustees	APPLICANT/OWNER NOTICE MAILED
3	9589 0710 5270 0646 5656 56	102 Gowing Rd., Hudson, NH 03051 Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5656 63	101 Gowing Rd., Hudson, NH 03051 Iain C. Emery; Nicole Guilbeault	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5656 70	99 Gowing Rd. Hudson, NH 03051 Aurele J.C. R. Desrochers & Beverly A. Levesque Desrochers	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5656 87	97 Gowing Rd., Hudson, NH 03051 Timothy J. & Jamie L. Adams	ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5656 94	100 Gowing Rd., Hudson, NH 03051 Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
8	9589 0710 5270 0646 5657 00	101 Gowing Rd., Hudson, NH 03051 Town of Pelham	ABUTTER NOTICE MAILED
9	9589 0710 5270 0646 5657 17	6 Village Green, Pelham, NH 03076 New England Forestry Foundation Inc.	ABUTTER NOTICE MAILED
10	Mailed First class	PO Box 1346, Littleton, MA 01460 James R. & Melissa K. Masson	ABUTTER NOTICE MAILED
11	Mailed First class	95 Gowing Rd., Hudson, NH 03051 Eric J. & Barbara E. Bardzik	ABUTTER NOTICE MAILED
		6 Allison Dr., Westford, MA 01886	
	Total Number of pieces listed by sender 11	Total number of pieces rec'vd at Post Office <i>11</i>	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

October 11, 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, October 24, 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 232-004 (10-24-24): Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH requests three (3) Variances for 102 Gowing Rd., Hudson, NH [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2)] to allow the existing single family home to be converted to a duplex as follows:

- A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single family structure. [HZO Article II: Terminology; §334-6, Definitions, Duplex]**
- B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**
- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

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

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

Respectfully,

Chris Sullivan
Zoning Administrator

APPLICATION FOR A VARIANCE

VARIANCE B

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article ~~VII~~ **334-27** of HZO Section(s) ~~73.3.D & Table of~~ **Dimensional requirements** in order to permit the following:

To allow the existing single family home to be converted to a duplex, on a lot with 1.1 acres of land where a minimum land area of 1.38 acres is required for a duplex in the Residence 2 district

FACTS SUPPORTING THIS REQUEST:

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

- I.(a) "The Zoning Board of Adjustment shall have the power to:
 - (2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:
 - (A) The variance will not be contrary to the public interest;
 - (B) The spirit of the ordinance is observed;
 - (C) Substantial justice is done;
 - (D) The values of surrounding properties are not diminished; and
 - (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
 - (b)(1) For purposes of this subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (A) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
 - (B) The proposed use is a reasonable one.
 - (2) If the criteria in subparagraph (1) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.
 - (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

FACTS SUPPORTING THIS REQUEST:

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

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

See Attached

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

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

See Attached

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

See attached

FACTS SUPPORTING THIS REQUEST: (Continued)

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

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

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

See attached

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

See attached

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

See attached

1. Contrary to the public interest

This application is to allow the existing single-family home to be converted to a duplex building. Duplex units are allowed in this district.

The property is within a residential area and is the last home on the street. One of the sides of the lot is the town line with Pelham NH. The land in Pelham was purchased by the town as a conservation property with no development allowed.

The addition to the home is proposed on the side of the house that is closest to the Town line. The lot size is adequate to meet State rules and regulations for a septic system to service the existing home and the proposed duplex unit.

For safety, the home is the last one on the street. The proposed addition is on the town line side of the existing home and there, and will not, be any abutters on this side of the lot as the adjacent property is owned by the abutting lot and the property is not to be developed.

2. Spirit of the ordinance

The use proposed is allowed in this district and although the lot does not meet the minimum lot size in the zoning, the property is large enough to satisfy the NHDES regulations for the duplex use.

The addition to the home is also proposed away from the nearest abutter, and as stated above, the adjacent property is owned by the Town of Pelham as a conservation property not to be developed.

3. Substantial justic

Substantial justice is measured by weighing the loss to the applicant (if the variance is denied) outweighs any gain to the public by denying this variance.

This request is to allow a duplex unit where the family is looking to construct a unit for a relative. The location of the construction is such that it provides reasonable access from the driveway to the unit and this proposal fits with the layout of the existing home.

We do not believe the public would gain anything in denying this request and the addition does not interfere with the public interest.

4. Property Values

The proposed duplex addition, and the existing use, are both residential in nature and are allowed in this district. The addition will not interfere with the character of the neighborhood. The encroachment into the side setback is away from the other developed lots on this street and the addition will be on the side of the home where the lot line is the Town Line and the land in Pelham is under a conservation restriction.

We do not believe there is any evidence that this project would have a negative effect on property values.

5. Hardship

This is a unique lot. First, the property is triangular in nature where the left sideline is perpendicular to the road and the right sideline is the hypotenuse of a triangle. With the proposed addition on the right side of the home the front of the proposed addition will meet the side setback but the rear corner would be in the side setback.

Second, the home is the last one on the street and the adjacent property is the Town Line with Pelham with the land to the east in Pelham owned by the town of Pelham as a conservation property.

5.2 why is use reasonable

From a topographical standpoint the right of the home is generally flat and also falls close to the driveway which allows for good access to the duplex unit. Where the west side of the lot goes downhill and would require access across the front of the existing structure.

We feel the general public purpose of the setback ordinance is to prevent overcrowding and provide space for emergency services. As above, the addition to the structure on this lot is on the side of the home adjacent to the town line and the abutting lot is owned by the neighboring town and has a conservation restriction on it.

5.B Special Conditions

This lot's shape, topography and location along with the layout and location of house limit places on the lot for this addition. The lot is also the last one on the street and is directly adjacent to the town line with Pelham. The land in Pelham is a conservation property that is not to be developed. These special conditions make this lot unique and without the variance the property owner could not add the duplex unit to their property.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-021R2

March 13, 2024

George Veves
102 Gowing Rd
Hudson, NH 03051

102 Gowing Rd Map 232 Lot 004-000
District: Residential Two (R-2)

Dear Mr. Veves,

Your request: Can you add a unit to the existing garage and convert the dwelling into a duplex?
(Plot Plan Provided).

Zoning Review/Determination:

A duplex not connected to the principle structure is not permitted in any zone the dwelling would need a variance from the Zoning Board of Adjustment per **§334-6 Definitions:**

DUPLEX

A residential principal building with two DWELLING UNITS, separated vertically or horizontally, by a firewall, with each unit having its separate entrance.
[Amended 3-10-2020 A/TM, Art. No. 3]

The proposed addition seems to be laying out into the required 15' side setback this would need a variance per **§334-27 Table of Dimensional Requirements.**

The lot is 48,351 sq. ft where 60,000 sq. ft is required do to no town water or sewer you would need a variance per **§334-27 Table of Dimensional Requirements.**

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

Sincerely,



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

cc: Public Folder
Brook 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: 102 GOWING RD
 Vision ID: 1476 Account #: 9047

Parcel ID. 232/004/000/1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 1010
 Print Date: 09-05-2024 1:20:58 P

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
VEVES, GEORGE, TR. VEVES, DEBRA A., TR. 102 GOWING ROAD HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed	
		RE	Residential Average		2024	1010	391,900	2023	1010	391,900	2023	1010	391,900	
		TOPO		UTILITIES			1010	170,600		1010	170,600		1010	170,600
		Level		Priv Water			1010	6,400		1010	6,400		1010	8,100
		Septic												
		Total				568,900	Total				568,900	Total		570,600

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
VEVES, GEORGE, TR.		9395 2437	12-10-2020	U	I	0	44	Grantor: VEVES, GEORGE A Grantor: ADAM ROCK ACRES, INC	Appraised Bldg. Value (Card)				388,400
VEVES, GEORGE A.		5600 1460	12-28-1994	Q	I	140,000	00		Appraised Xf (B) Value (Bldg)				0
									Appraised Ob (B) Value (Bldg)				6,400
									Appraised Land Value (Bldg)				170,600
									Special Land Value				0
									Total Appraised Parcel Value				565,400
									Valuation Method				C

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Total:		Total Appraised Parcel Value	
Parcel ID	zoning	Flood Hazard	Descript	Code	Appraised	Assessed				
232-004-000	R2:Residential-2	C	BLDG	1010	388,400	388,400				
			LAND	1010	170,600	170,600				
			OB	1010	6,400	6,400				
			Total:		565,400	565,400				

NOTES		VISIT / CHANGE HISTORY			
02/2019: WDK SIZE APPROX / MSRD IN SNOW. NEW AC COMPRESSOR.		Date	Id	Cd	Purpost/Result
		05-03-2024	21	15	Permit Visit
		08-22-2023	21	15	Permit Visit
		07-21-2022	28	45	Field Review
		02-22-2019	18	02	Measured
		05-19-2011	14	02	Measured
		12-02-2006	06	02	Measured
		04-11-2002	00	15	Permit Visit
		06-15-2001	00	03	Meas/Inspect

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments	
022-00279-1-022-00279	05-11-2022	EL		400	C	Raceway Electrical		Electrical for pool with same size 18' x 33' in same location.	
015-01151	03-28-2022	PA		16,000	C	VEVES, GEORGE, TR.		Replace existing pool with same size 18' x 33' in same location.	
	11-12-2015	MECH	Mechanical	4,400	C			Visit Notes: Gas Furn;	

LAND LINE VALUATION SECTION												
#	LandUse Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Value
1	1010	SINGLE FAMILY RES	Site	1.000	AC	170,000	1.00	5	1.00	RE	1.00	170,000
1	1010	SINGLE FAMILY RES	Excess	0.106	AC	6,000	1.00	0	1.00	RE	1.00	600
Total Card Land Units:				1.106	AC							

Property Location: 102 GOWING RD
 Vision ID: 1476 Account #: 9047

Parcel ID: 232/ 004/ 000/ 1
 Bldg #: 1

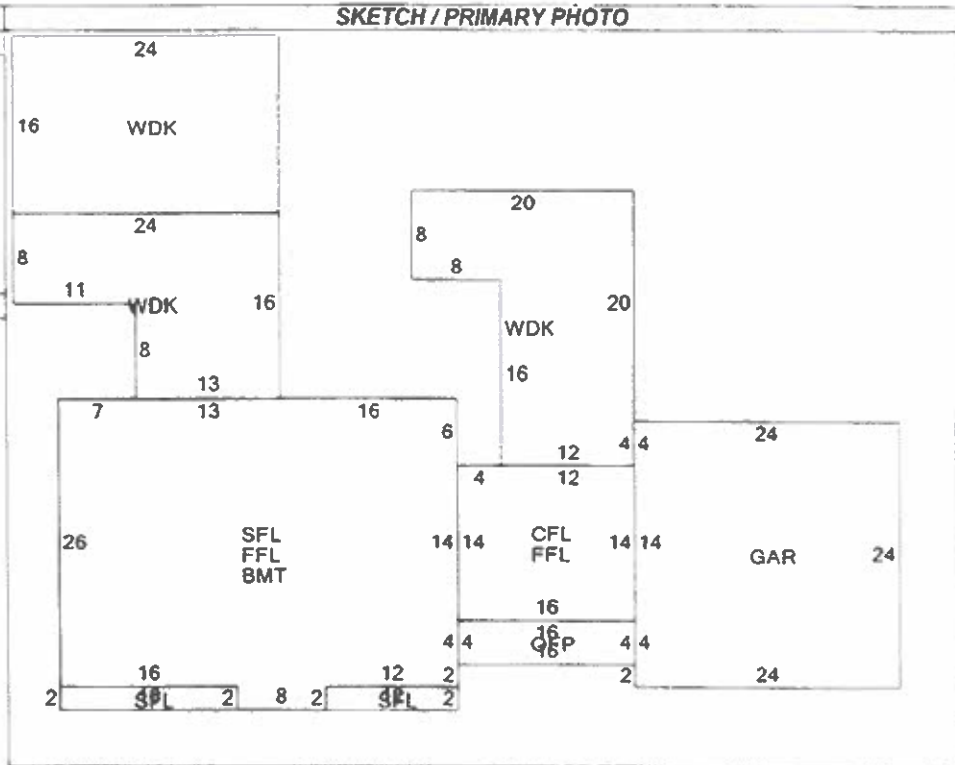
Card Address
 Card #. 1 of 1

LUC 1010
 Print Date: 09-05-2024 1:20:58 P

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	01	Gable			
Roof Cover	01	Asphalt Shingle			
Frame	01	Wood			
Foundation	01	Concrete			
Interior Wall 1	01	Drywall			
Interior Floor 1	04	Carpet			
Heat Fuel	04	Propane			
Heat Type	01	Forced Air			
# Heat Systems	1				
AC Percent	100				
Total Rooms	8				
Bedrooms	3				
Full Baths	1				
3/4 Baths	0				
Half Baths	1				
Extra Fixtures	0				
Kitchens	1				
Kitchen Rating	AV	Average			
Bath Rating	AV	Average			
Half Bath Rating	AV	Average			
Bsmt Garage	0				
Fireplace(s)	0				
Fireplace Rating					
WS Flues	1				
Color	GRAY				
Avg Ht/FL	8				
Extra Kitchens	0				

COST / MARKET VALUATION

Building Value New	426,783
Year Built	1994
Effective Year Built	2013
Depreciation Code	GD
Remodel Rating	
Year Remodeled	
Depreciation %	9
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	91
RCNLD	388,400
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	U/B	Units	UOM	Unit Pri	Yr Blt	Cnd.	% G	Assd Value
HTUB	Hot Tub	L	4	UNITS	500.00	2015	GD	80	1,600
POOLAO	Oval Above Ground Pool	L	594	UNITS	0.00	2022	GD	80	0
SHEDWD	Shed-Wood	L	192	UNITS	31.02	2017	GD	80	4,800

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprc Value
BMT	Basement, Unfinished	0	952	238	38.63	36,776
CFL	Cathedral Ceiling Area, not Sq.	0	224	22	15.18	3,399
FFL	First Floor, Finished	1,176	1,176	1,176	154.52	181,715
GAR	Garage	0	576	202	54.19	31,213
OFP	Open Frame Porch	0	64	13	31.39	2,009
SFL	Second Floor, Finished	1,008	1,008	1,008	154.52	155,756
WDK	Wood Deck, or Composite Dk	0	1,032	103	15.42	15,916
Total Liv Area/Gr. Area/Eff Are		2,184	5,032	2,762	Total Value	426,784



VEVES TRUST - 102 GOWING ROAD



Property Information	
Property ID	232-4 1476 229
Location	102 GOWING RD
Owner	VEVES, GEORGE, TR.


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Nashua Regional Planning Commission makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/04/2024
Data updated 07/17/2024

**Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.**

VEVES - 102 GOWING ROAD



Property Information

Property ID 232-4|1478|229
 Location 102 GOWING RD
 Owner VEVES, GEORGE, TR.



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Nashua Regional Planning Commission makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 09/04/2024
 Data updated 07/17/2024

**Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.**

PLOT PLAN

MAP 232 LOT 004

#102 GOWING ROAD
HUDSON, NEW HAMPSHIRE 03051

OWNER OF RECORD/PREPARED FOR
GEORGE VEVES TRUST

102 GOWING ROAD
WINDHAM, NEW HAMPSHIRE 03087

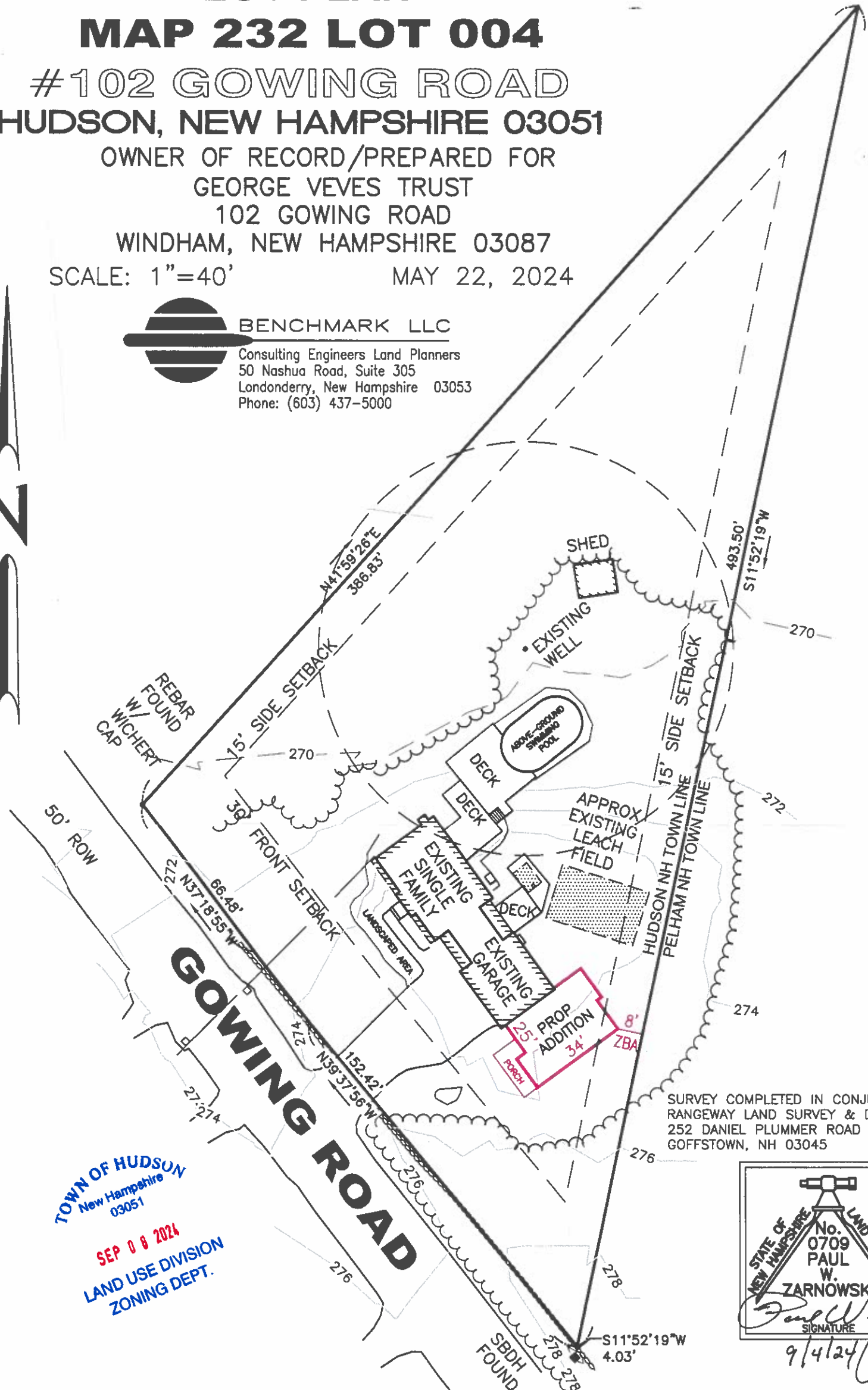
SCALE: 1"=40'

MAY 22, 2024



BENCHMARK LLC

Consulting Engineers Land Planners
50 Nashua Road, Suite 305
Londonderry, New Hampshire 03053
Phone: (603) 437-5000



SURVEY COMPLETED IN CONJUNCTION WITH
RANGWAY LAND SURVEY & DESIGN
252 DANIEL PLUMMER ROAD
GOFFSTOWN, NH 03045

TOWN OF HUDSON
New Hampshire
03051
SEP 08 2024
LAND USE DIVISION
ZONING DEPT.



NOTES:

1. PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING SITE CONDITIONS ALONG WITH A PROPOSED LOCATION FOR AN ADDITION TO THE HOME FOR A DUPLEX UNIT, AND TO SHOW THE ENCROACHMENT OF THE ADDITION WITHIN THE SIDE SETBACK
2. TOTAL PARCEL AREA 1.11 ACRES (FROM PLAN REFERENCES) - 48,180 SQ. FT.
3. PARCEL ZONE RESIDENTIAL - 2
4. ZONING REQUIREMENTS

FRONTAGE	120 FEET
FRONT SETBACK	30 FEET
SIDE/REAR SETBACK	15 FEET
LAND AREA	43,560 SQ. FT. (60,000 DUPLEX)
5. PERMITS
NHDES SUBDIVISION 41631
6. THIS PLAN REPRESENTS CURRENT FIELD CONDITIONS AS OF AUGUST 2024

Printed
 9/17/2024
 4:09PM
 Created
 9/17/2024
 3:59 PM

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

Receipt# 790,524
 tgoodwyn

	<u>Description</u>	<u>Current Invoice</u>	<u>Payment</u>	<u>Balance Due</u>
1.00	Zoning Applications-10/24/24 ZBA Meeting 102 Gowing Rd Map 232 Lot 004 Sublot 000 Zone R-2			
	Variances A	0.00	236.6800	0.00
	Variance B	0.00	185.0000	0.00
	Variance C	0.00	185.0000	0.00
			Total:	606.68

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Benchmark, LLC	CHECK	CHECK #2634 (PART 1)	236.68	0.00	236.68
Benchmark, LLC	CHECK	CHECK #2634 (PART 2)	185.00	0.00	185.00
Benchmark, LLC	CHECK	CHECK # 2644	185.00	0.00	185.00
			Total Due:		606.68
			Total Tendered:		606.68
			Total Change:		0.00
			Net Paid:		606.68

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 232-004 C**, being a case brought by **Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH** requesting a **Variance for 102 Gowing Rd., Hudson, NH** to allow the existing single family home to be converted to a duplex as follows:

C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2); HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]

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

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

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: _____

SEP 06 2024
LAND USE DIVISION
ZONING DEPT.

APPLICATION FOR A VARIANCE

VARIANCE C (Setback)
(HZO Article VII; §334-27
Table of Min. Dim. Req.)

Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel
Case No. 232-004 (10-24-24)
Date Filed 9/6/24

Name of Applicant BENCHMARK LLC Map: 232 Lot: 004 Zoning District: R-2

Telephone Number (Home) c/o JOE MAYNARD MGR (Work) 603-437-5000

Mailing Address 102 GOWING ROAD

Owner GEORGE VEVES TRUST

Location of Property 102 GOWING ROAD HUDSON NH 03051
(Street Address)

Signature of Applicant Joe Maynard Date 9/4/2024
Signature of Property- Owner(s) George Veves Date 9/4/2024

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: 9/6/24

COST:

Application fee (processing, advertising & recording) (non-refundable):	\$	<u>185.00</u>
<u>9</u> Abutter Notice:		
<u>1</u> Direct Abutters x Certified postage rate	\$	<u>N/A</u>
<u>2</u> Indirect Abutters x First Class postage rate	\$	<u>N/A</u>
Total amount due:	\$	<u>185.00</u>
	Amt. received:	\$ <u>185</u>
	Receipt No.:	<u>790,524</u>

Received by: TSG

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

Check # 2644

APPLICATI □ N 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. _____

Date Filed _____

Name of Applicant **BENCHMARK LLC** Map: **232** Lot: **004** Zoning District: **R-2**

Telephone Number (Home) _____ (Work) **603-437-5000**

Mailing Address **50 Nashua Road, Suite 305**
~~102 GOWING ROAD~~ **Hamden, NH 03053**

Owner **GEORGE VEVES TRUST**

Location of Property **102 GOWING ROAD HUDSON NH 03051**
(Street Address)

Signature of Applicant

George Vevés
Signature of Property- Owner(s)

Date

9/24/2024
Date

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

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

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

Date received: _____

COST:

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

Abutter Notice:

_____ Direct Abutters x Certified postage rate \$ _____ \$ _____

_____ Indirect Abutters x First Class postage rate \$ _____ \$ _____

Total amount due: \$ _____

Amt. received: \$ _____

Receipt No.: _____

Received by: _____

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

Engineering _____ Fire Dept. _____ Health Officer _____ Planner _____ Other _____

TOWN OF HUDSON
New Hampshire
03051

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

OCT 10 2024

LAND USE DIVISION
ZONING DEPT.

~~September 4, 2024~~

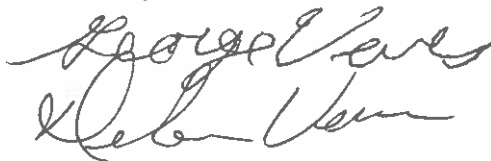
October 10, 2024 GV
Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,



George Veves
~~George Veves Trust~~
Debra VEVES
The Veves Family Revocable Trust

GEORGE VEVES TRUST
102 GOWING ROAD
HUDSON NH 03051

September 4, 2024

Town of Hudson
12 School Street
Hudson NH 03051

RE: MAP 232 LOT 004
102 GOWING ROAD – HUDSON NH

To whom it may concern,

We would like to allow Joseph Maynard of Benchmark LLC represent our application to the Town of Hudson to add a duplex unit to our home at 102 Gowing Road

Sincerely,

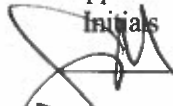








A handwritten signature in cursive script that reads "George Veves".

George Veves
George Veves Trust

TOWN OF HUDSON, NH

Variance Application Checklist




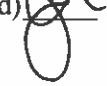




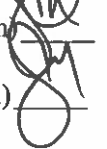
The following **requirements/checklist** pertain to the Zoning Board of Adjustment applications. Fill in all portions of this Application Form(s) as applicable. This application will not be accepted unless all requirements have been made. Additional information may be supplied on a separate sheet if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

Applicant Initials		Staff Initials
	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>TG</u>
	The applicant must provide the original (with wet signatures) of the complete filled-out application form and all required attachments listed below together with thirteen (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</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>
	If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s). (NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.)	<u>TG</u>
	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>
	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>
	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>
	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>
	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:

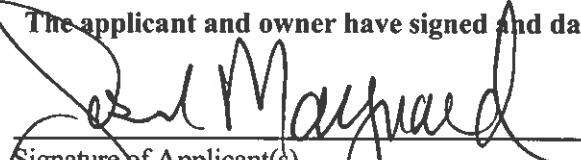
Requests **other than** above-ground pools, sheds, decks and use variances, the application must include a copy of a certified plot plan from a licensed land surveyor. The required plot plan shall include all of the items listed below. Pictures and construction plans will also be helpful.

(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).

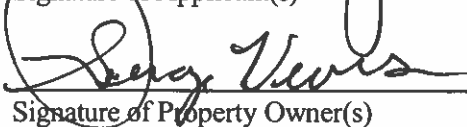
- a)  The plot plan shall be drawn to scale on an 8 1/2" x 11" or 11" x 17" sheet with a North pointing arrow shown on the plan.
- b)  The plot plan shall be up-to date and dated, and shall be no more than three years old.
- c)  The plot plan shall have the signature and the name of the preparer, with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



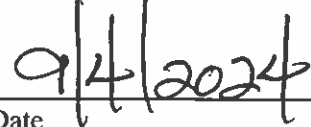
The applicant and owner have signed and dated this form to show his/her awareness of these requirements.




Signature of Applicant(s)



Signature of Property Owner(s)



Date



Date

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) _____ 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. _____
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<https://www.hudsonnh.gov/community-development/page/gis-public-use>)
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- 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.

Signature of Applicant(s)



Signature of Property Owner(s)

Date



Date

ALL DIRECT ABUTTERS

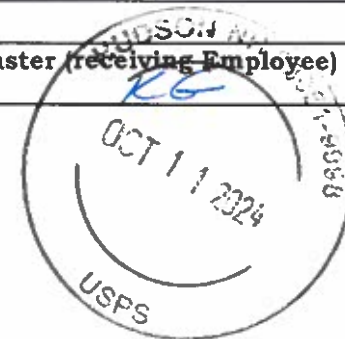
List name(s) and mailing addresses of the owner(s) of record of the property and all direct abutters as of the time of the last assessment of taxation made by the Town of Hudson, including persons whose property adjoins or is directly across the street or stream from the land under consideration. For 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.

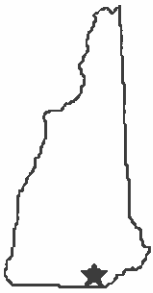
(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
232	4	*Include Applicant & Owner(s) Gorge Veves Trust	102 Gowing Road Hudson NH 03051
232	5	Timothy & Jamie Adams	100 Gowing Road Hudson NH 03051
232	3	Aurele Desrochers & Beverly Levesque Desrochers	97 Gowing Road Hudson NH 03051
232	2	Iaian Emery & Nicole Guilbeault	99 Gowing Road Hudson NH 03051
232	1	TB <i>Ronald</i> Robert Wilson Sr & Barbara Wilson Trust	101 Gowing Road Hudson NH 03051
		ABUTTERS IN PELHAM	
26	2-74	Robert Wilson Sr & Barbara Wilson Trus	101 Gowing Road Hudson NH 03051
26	2-79	Town of Pelham	6 Village Green Pelham NH 03076
26	2-73	NEW ENGLAND FORESTRY FOUNDATION INC	Po Box 1346 Littleton, Mass 01460
<i>Applicant</i>		BENCHMARK LLC	50 Nashua Road, Suite 305 Londonderry NH 03053

USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL & FIRST CLASS MAIL	Case# 232-004 Three (3) VARIANCES 102 Gowing Rd., Hudson, NH 03051 Map 232/Lot 004 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5656 32	Benchmark LLC, c/o Joseph Maynard, Mgr.	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5656 49	50 Nashua Rd., Suite 305, Londonderry, NH 03053 George & Debra A. Veves, Trustees	APPLICANT/OWNER NOTICE MAILED
3	9589 0710 5270 0646 5656 56	102 Gowing Rd., Hudson, NH 03051 Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5656 63	101 Gowing Rd., Hudson, NH 03051 Iain C. Emery; Nicole Guilbeault	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5656 70	99 Gowing Rd. Hudson, NH 03051 Aurele J.C. R. Desrochers & Beverly A. Levesque Desrochers	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5656 87	97 Gowing Rd., Hudson, NH 03051 Timothy J. & Jamie L. Adams	ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5656 94	100 Gowing Rd., Hudson, NH 03051 Ronald E. Wilson, Sr., Tr.; Barbara J. Wilson, Tr.	ABUTTER NOTICE MAILED
8	9589 0710 5270 0646 5657 00	101 Gowing Rd., Hudson, NH 03051 Town of Pelham	ABUTTER NOTICE MAILED
9	9589 0710 5270 0646 5657 17	6 Village Green, Pelham, NH 03076 New England Forestry Foundation Inc.	ABUTTER NOTICE MAILED
10	Mailed First class	PO Box 1346, Littleton, MA 01460 James R. & Melissa K. Masson	ABUTTER NOTICE MAILED
11	Mailed First class	95 Gowing Rd., Hudson, NH 03051 Eric J. & Barbara E. Bardzik	ABUTTER NOTICE MAILED
		6 Allison Dr., Westford, MA 01886	
	Total Number of pieces listed by sender 11	Total number of pieces rec'vd at Post Office <i>11</i>	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

October 11, 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, October 24, 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.

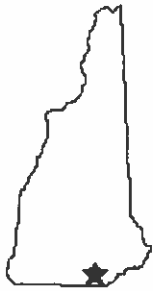
Case 232-004 (10-24-24): Joseph Maynard of Benchmark LLC, 50 Nashua Rd., Suite 305, Londonderry, NH requests three (3) Variances for 102 Gowing Rd., Hudson, NH [Map 232, Lot 004, Sublot-000; Zoned Residential-Two (R-2)] to allow the existing single family home to be converted to a duplex as follows:

- A. To allow a proposed 34 ft. x 25 ft. addition of a one (1) unit dwelling to be constructed adjacent and attached to the existing garage with the firewall between the proposed addition and the garage rather than a firewall located between the proposed addition and the existing principal single family structure. [HZO Article II: Terminology; §334-6, Definitions, Duplex]**
- B. To allow the proposed addition on a lot with 1.11 acres of land where a minimum land area of 1.377 acres (60,000 SF) is required for a duplex in the R-2 district without Town water or sewer. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**
- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**

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

Respectfully,

Chris Sullivan
Zoning Administrator



TOWN OF HUDSON

Zoning Board of Adjustment



Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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- C. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required. [HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]**

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

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article **VII** **334-27** of HZO Section(s) **73.3.D & Table of** in order to permit the following: **Dimensional requirements**

To allow a duplex addition to the existing single family home to be to be construction to within 8' of the side lot line where a minimum of 15' is required in the in the Residence 2 district

FACTS SUPPORTING THIS REQUEST:

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

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

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

(A) The variance will not be contrary to the public interest;

(B) The spirit of the ordinance is observed;

(C) Substantial justice is done;

(D) The values of surrounding properties are not diminished; and

(E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

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

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

(B) The proposed use is a reasonable one.

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

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

FACTS SUPPORTING THIS REQUEST:

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

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

See Attached

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

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

See Attached

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

See attached

FACTS SUPPORTING THIS REQUEST: (Continued)

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

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

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

See attached

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

See attached

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

See attached

1. Contrary to the public interest

This application is to allow the existing single-family home to be converted to a duplex building. Duplex units are allowed in this district.

The property is within a residential area and is the last home on the street. One of the sides of the lot is the town line with Pelham NH. The land in Pelham was purchased by the town as a conservation property with no development allowed.

The addition to the home is proposed on the side of the house that is closest to the Town line. The lot size is adequate to meet State rules and regulations for a septic system to service the existing home and the proposed duplex unit.

For safety, the home is the last one on the street. The proposed addition is on the town line side of the existing home and there, and will not, be any abutters on this side of the lot as the adjacent property is owned by the abutting lot and the property is not to be developed.

2. Spirit of the ordinance

The use proposed is allowed in this district and although the lot does not meet the minimum lot size in the zoning, the property is large enough to satisfy the NHDES regulations for the duplex use.

The addition to the home is also proposed away from the nearest abutter, and as stated above, the adjacent property is owned by the Town of Pelham as a conservation property not to be developed.

3. Substantial justic

Substantial justice is measured by weighing the loss to the applicant (if the variance is denied) outweighs any gain to the public by denying this variance.

This request is to allow a duplex unit where the family is looking to construct a unit for a relative. The location of the construction is such that it provides reasonable access from the driveway to the unit and this proposal fits with the layout of the existing home.

We do not believe the public would gain anything in denying this request and the addition does not interfere with the public interest.

4. Property Values

The proposed duplex addition, and the existing use, are both residential in nature and are allowed in this district. The addition will not interfere with the character of the neighborhood. The encroachment into the side setback is away from the other developed lots on this street and the addition will be on the side of the home where the lot line is the Town Line and the land in Pelham is under a conservation restriction.

We do not believe there is any evidence that this project would have a negative effect on property values.

5. Hardship

This is a unique lot. First, the property is triangular in nature where the left sideline is perpendicular to the road and the right sideline is the hypotenuse of a triangle. With the proposed addition on the right side of the home the front of the proposed addition will meet the side setback but the rear corner would be in the side setback.

Second, the home is the last one on the street and the adjacent property is the Town Line with Pelham with the land to the east in Pelham owned by the town of Pelham as a conservation property.

5.2 why is use reasonable

From a topographical standpoint the right of the home is generally flat and also falls close to the driveway which allows for good access to the duplex unit. Where the west side of the lot goes downhill and would require access across the front of the existing structure.

We feel the general public purpose of the setback ordinance is to prevent overcrowding and provide space for emergency services. As above, the addition to the structure on this lot is on the side of the home adjacent to the town line and the abutting lot is owned by the neighboring town and has a conservation restriction on it.

5.B Special Conditions

This lot's shape, topography and location along with the layout and location of house limit places on the lot for this addition. The lot is also the last one on the street and is directly adjacent to the town line with Pelham. The land in Pelham is a conservation property that is not to be developed. These special conditions make this lot unique and without the variance the property owner could not add the duplex unit to their property.



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-021R2

March 13, 2024

George Veves
102 Gowing Rd
Hudson, NH 03051

102 Gowing Rd Map 232 Lot 004-000
District: Residential Two (R-2)

Dear Mr. Veves,

Your request: Can you add a unit to the existing garage and covert the dwelling into a duplex?
(Plot Plan Provided).

Zoning Review/Determination:

A duplex not connected to the principle structure is not permitted in any zone the dwelling would need a variance from the Zoning Board of Adjustment per **§334-6 Definitions:**

DUPLEX

A residential principal building with two DWELLING UNITS, separated vertically or horizontally, by a firewall, with each unit having its separate entrance.
[Amended 3-10-2020 A IM, Art. No. 3]

The proposed addition seems to be laying out into the required 15' side setback this would need a variance per **§334-27 Table of Dimensional Requirements.**

The lot is 48,351 sq. ft where 60,000 sq. ft is required do to no town water or sewer you would need a variance per **§334-27 Table of Dimensional Requirements.**

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

Sincerely,



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

cc: Public Folder
Brook 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: 102 GOWING RD
 Vision ID: 1476 Account #: 9047

Parcel ID: 232/004/000/1
 Bldg #: 1

Card Address: Card #: 1 of 1

LUC: 1010
 Print Date: 09-05-2024 1:20:58 P

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
		Nbhd	Nbhd Name			Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
VEVES, GEORGE, TR.		RE	Residential Average			2024	1010	391,900	2023	1010	391,900	2023	1010	391,900
VEVES, DEBRA A., TR.		TOPO	UTILITIES				1010	170,600		1010	170,600		1010	170,600
102 GOWING ROAD		Level	Priv Water				1010	6,400		1010	6,400		1010	8,100
HUDSON NH 03051			Septic											
						Total		568,900	Total		568,900	Total		570,600

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
VEVES, GEORGE, TR.		9395 2437	12-10-2020	U	I	0	44	Grantor: VEVES, GEORGE A. Grantor: ADAM ROCKACRES, INC.	Appraised Bldg. Value (Card)				388,400
VEVES, GEORGE A.		5600 1460	12-28-1994	Q	I	140,000	00		Appraised Xf (B) Value (Bldg)				0
									Appraised Ob (B) Value (Bldg)				6,400
									Appraised Land Value (Bldg)				170,600
									Special Land Value				0
									Total Appraised Parcel Value				565,400
									Valuation Method				C

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				APPRAISED VALUE SUMMARY			
Parcel ID	Zoning	Flood Hazard	Veigh/Abut1	Veigh/Abut2	Veigh/Abut3	SIS ID	Assoc Pid#	Appraised	Assessed	Total Appraised Parcel Value
232-004-000	R2:Residential-2	C				232-004-000	PREV 0012-0022-0004	388,400	388,400	565,400
								170,600	170,600	565,400
								6,400	6,400	565,400
							Total:	565,400	565,400	565,400

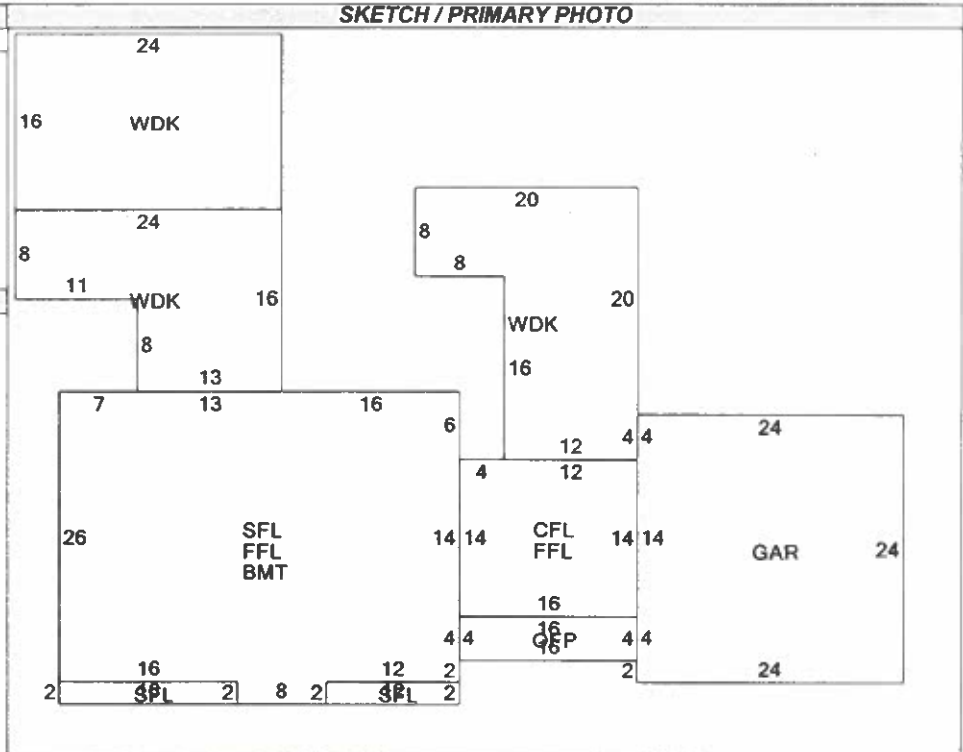
NOTES		VISIT / CHANGE HISTORY			
		Date	Id	Cd	Purpost/Result
02/2019: WDK SIZE APPROX / MSRD IN SNOW.		05-03-2024	21	15	Permit Visit
NEW AC COMPRESSOR.		08-22-2023	21	15	Permit Visit
		07-21-2022	28	45	Field Review
		02-22-2019	18	02	Measured
		05-19-2011	14	02	Measured
		12-02-2006	06	02	Measured
		04-11-2002	00	15	Permit Visit
		06-15-2001	00	03	Meas/Inspect

BUILDING PERMIT RECORD									
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments	
2022-00279-1	05-11-2022	EL		400	C	Raceway Electrical VEVES, GEORGE, TR.		Electrical for pool with same size 18' x 33' in same location.	
2022-00279	03-28-2022	PA		16,000	C			Replace existing pool with same size 18' x 33' in same location.	
2015-01151	11-12-2015	MECH	Mechanical	4,400	C			Visit Notes: Gas Furn;	

LAND LINE VALUATION SECTION														
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment	Notes	Land Value
1	1010	SINGLE FAMILY RES	Site	1.000 AC	170,000		1.00	5	1.00	RE	1.00			170,000
1	1010	SINGLE FAMILY RES	Excess	0.106 AC	6,000		1.00	0	1.00	RE	1.00			600
Total Card Land Units:				1.106 AC	Parcel Total Land Area:				1.106	AC	Total Land Value:			170,600

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	01	Gable			
Roof Cover	01	Asphalt Shingle			
Frame	01	Wood			
Foundation	01	Concrete			
Interior Wall 1	01	Drywall			
Interior Floor 1	04	Carpet			
Heat Fuel	04	Propane			
Heat Type	01	Forced Air			
# Heat Systems	1				
AC Percent	100				
Total Rooms	8				
Bedrooms	3				
Full Baths	1				
3/4 Baths	0				
Half Baths	1				
Extra Fixtures	0				
Kitchens	1				
Kitchen Rating	AV	Average			
Bath Rating	AV	Average			
Half Bath Rating	AV	Average			
Bsmt Garage	0				
Fireplace(s)	0				
Fireplace Rating					
WS Flues	1				
Color	GRAY				
Avg Ht/FL	8				
Extra Kitchens	0				

COST / MARKET VALUATION	
Building Value New	426,783
Year Built	1994
Effective Year Built	2013
Depreciation Code	GD
Remodel Rating	
Year Remodeled	
Depreciation %	9
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	91
RCNLD	388,400
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
HTUB	Hot Tub	L	4	UNITS	500.00	2015	GD	80	1,600
POOLAO	Oval Above Ground Pool	L	594	UNITS	0.00	2022	GD	80	0
SHEDWD	Shed-Wood	L	192	UNITS	31.02	2017	GD	80	4,800

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BMT	Basement, Unfinished	0	952	238	38.63	36,776
CFL	Cathedral Ceiling Area, not Sq.	0	224	22	15.18	3,399
FFL	First Floor, Finished	1,176	1,176	1,176	154.52	181,715
GAR	Garage	0	576	202	54.19	31,213
OFP	Open Frame Porch	0	64	13	31.39	2,009
SFL	Second Floor, Finished	1,008	1,008	1,008	154.52	155,756
WDK	Wood Deck, or Composite Dk	0	1,032	103	15.42	15,916
Total Liv Area/Gr. Area/Eff Are		2,184	5,032	2,762	Total Value	426,784



VEVES TRUST - 102 GOWING ROAD



Property Information	
Property ID	232-4 1476 229
Location	102 GOWING RD
Owner	VEVES, GEORGE, TR.

 **MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Nashua Regional Planning Commission makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.


Geometry updated 09/04/2024
Data updated 07/17/2024

**Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.**

VEVES - 102 GOWING ROAD



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Location	102 GOWING RD
Owner	VEVES, GEORGE, TR.


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Geometry updated 09/04/2024
Data updated 07/17/2024

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PLOT PLAN

MAP 232 LOT 004

#102 GOWING ROAD
HUDSON, NEW HAMPSHIRE 03051

OWNER OF RECORD/PREPARED FOR
GEORGE VEVES TRUST
102 GOWING ROAD
WINDHAM, NEW HAMPSHIRE 03087

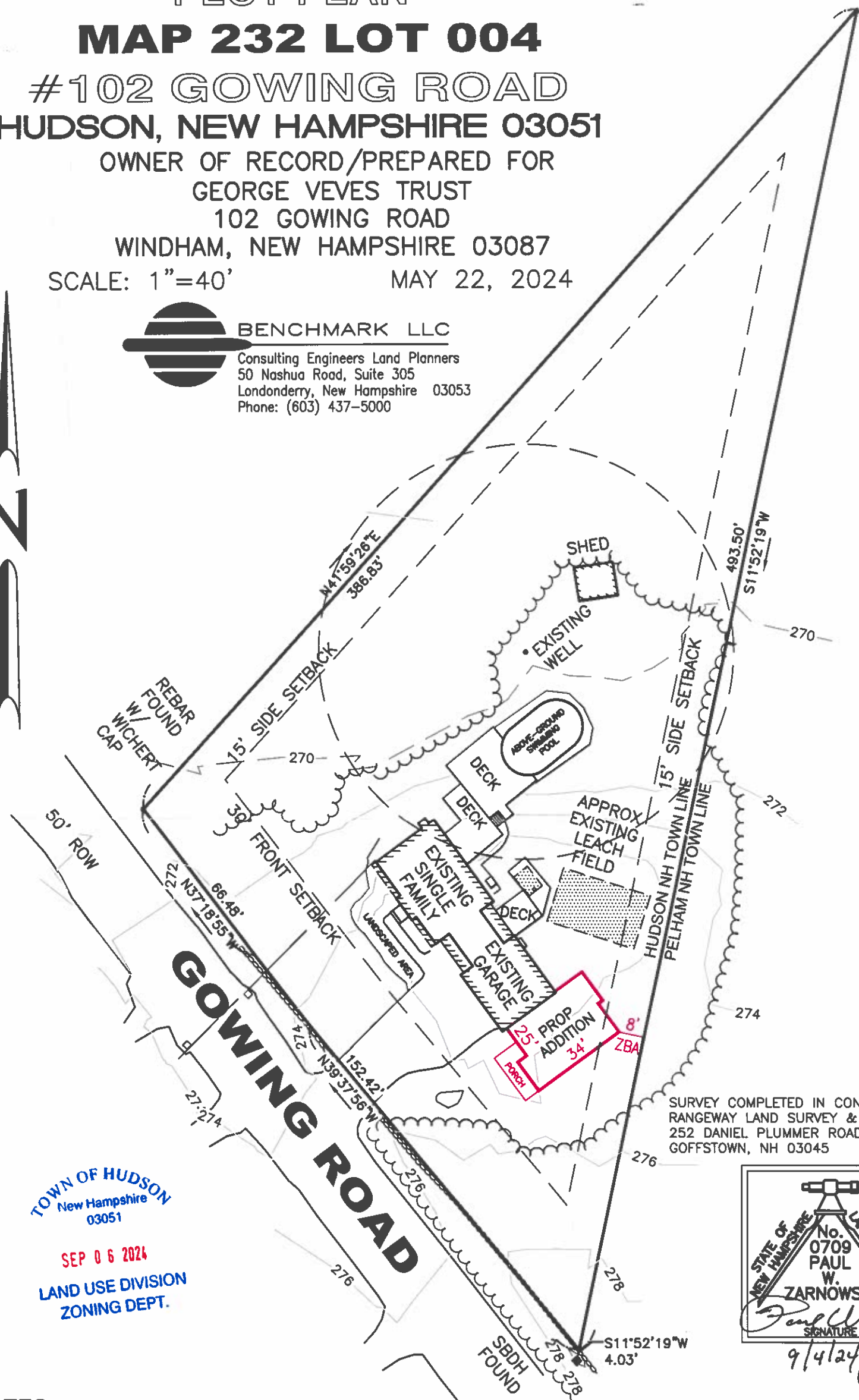
SCALE: 1"=40'

MAY 22, 2024



BENCHMARK LLC

Consulting Engineers Land Planners
50 Nashua Road, Suite 305
Londonderry, New Hampshire 03053
Phone: (603) 437-5000



SURVEY COMPLETED IN CONJUNCTION WITH
RANGWAY LAND SURVEY & DESIGN
252 DANIEL PLUMMER ROAD
GOFFSTOWN, NH 03045

TOWN OF HUDSON
New Hampshire
03051

SEP 06 2024
LAND USE DIVISION
ZONING DEPT.

STATE OF NEW HAMPSHIRE
LAND SURVEYOR
No. 0709
PAUL W. ZARNOWSKI
SIGNATURE
9/4/24

NOTES:

- PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING SITE CONDITIONS ALONG WITH A PROPOSED LOCATION FOR AN ADDITION TO THE HOME FOR A DUPLEX UNIT, AND TO SHOW THE ENCROACHMENT OF THE ADDITION WITHIN THE SIDE SETBACK
- TOTAL PARCEL AREA 1.11 ACRES (FROM PLAN REFERENCES) - 48,180 SQ. FT.
- PARCEL ZONE RESIDENTIAL - 2
- ZONING REQUIREMENTS
FRONTAGE 120 FEET
FRONT SETBACK 30 FEET
SIDE/REAR SETBACK 15 FEET
LAND AREA 43,560 SQ. FT. (60,000 DUPLEX)
- PERMITS
NHDES SUBDIVISION 41631
- THIS PLAN REPRESENTS CURRENT FIELD CONDITIONS AS OF AUGUST 2024

Printed
9/17/2024
4:09PM
Created
9/17/2024
3:59 PM

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

Receipt# 790,524
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Applications-10/24/24 ZBA Meeting 102 Gowing Rd Map 232 Lot 004 Sublot 000 Zone R-2			
	Variances A	0.00	236.6800	0.00
	Variance B	0.00	185.0000	0.00
	Variance C	0.00	185.0000	0.00
			Total:	606.68

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Benchmark, LLC	CHECK	CHECK #2634 (PART 1)	236.68	0.00	236.68
Benchmark, LLC	CHECK	CHECK #2634 (PART 2)	185.00	0.00	185.00
Benchmark, LLC	CHECK	CHECK # 2644	185.00	0.00	185.00
			Total Due:		606.68
			Total Tendered:		606.68
			Total Change:		0.00
			Net Paid:		606.68



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 *CJS* Meeting Date: October 24, 2024 *10-15-24*

Case 176-041 (10-24-24): Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH requests two (2) Variances for a proposed three (3) lot merger into one (1) lot for **197, 197R & 207 Central St., Hudson, NH** [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G)] to be redeveloped as follows:

- A. To allow a proposed mixed principal-use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]
- B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]

ADDRESS: 207, 197 & 197 R Central St
Map 176, Lot 041-000, Map 176, Lot 044-000 & 176, Lot 045-000

Relief Requested:

- A. To allow a proposed mixed principal-use development with retail commercial uses and multi-family use on the same lot.

- B. To allow the proposed addition to encroach 7 feet into the side yard setback leaving 8 feet where 15 feet is required.

To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [HZO Article V: Permitted Uses;

ZONING DISTRICT: Split Zoned- Business and General

PROPERTY DESCRIPTION:

Records indicate that lot 176-041 in the town of Hudson is an existing lot of record. The lot is 1,055,465 sq. ft. where 43,560 sq. ft. is required. The lot is classified as a vacant commercial lot. Lot # 2 176-044-000. The town of Hudson is an existing lot of record. The lot is 62,489 sq. ft. where 43,560 sq ft is required. The lot is classified as a vacant commercial Lot # 2 176-045-000. The town of Hudson is an existing lot of record. The lot is 20,912 sq. ft. where 43,560 sq. ft. is required. The lot is classified as a vacant commercial .

History/Attachments:

Plans

- A. Site Plan (2-28-03)
- B. Site Plan #2 (2-28-03)
- C. Site Plan Concept

D: See the Site Plan in your packet

BUILDING PERMITS

None



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

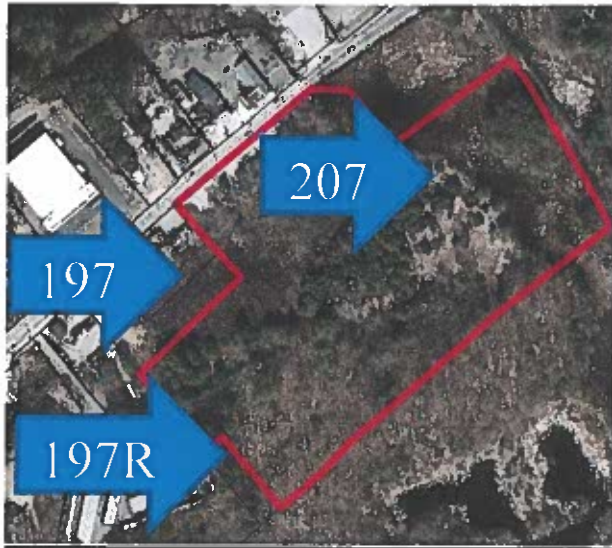
Meeting Date: October 24, 2024

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

E: NHDES Site Inspection (3-6-03)
F: Notice of Desision (Approve & Deny) (5-27-04)
G: Notice of Desision (Deny) (7-22-04)
H: Notice of Desision (Grant) (10-28-04)
I: Zoning Determination #17-060 (7-25-17)
J: Zoning Determination # 20-027 (3-30-20)
K: Zoning Determination #22-003 (6-9-20)
L: Zoning Determination #22-003 (1-6-22)
M: Zoning Determination #22-003 (1-10-22)
N: Zoning Determination # 23-025 (2-24-23)
O: Zoning Determination # 23-128 (10-18-23)
P: Zoning Determination # 24-086 (9-17-24)

AERIAL / PHOTOS

Aerials (2024) 197, 197R, and 207 Central



IN-HOUSE COMMENTS:

Q: Town Engineer: 10-3-24

No Comment

R: Inspectional Services/Fire Dept.: 10-3-24

No Comment

S: Associate Town Planner: 10-3-24

1. The Applicant shall submit a Site Plan application to the Planning Board and receive approval prior to issuance of building permits.
2. The Applicant shall submit a Conditional Use Permit to the Planning Board and Conservation Commission.

OVERALL DIVIDE & RE PLAN
CENTRAL STREET
HUDSON, NEW HAMPSHIRE

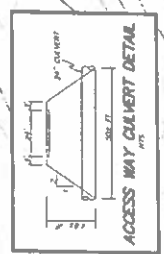
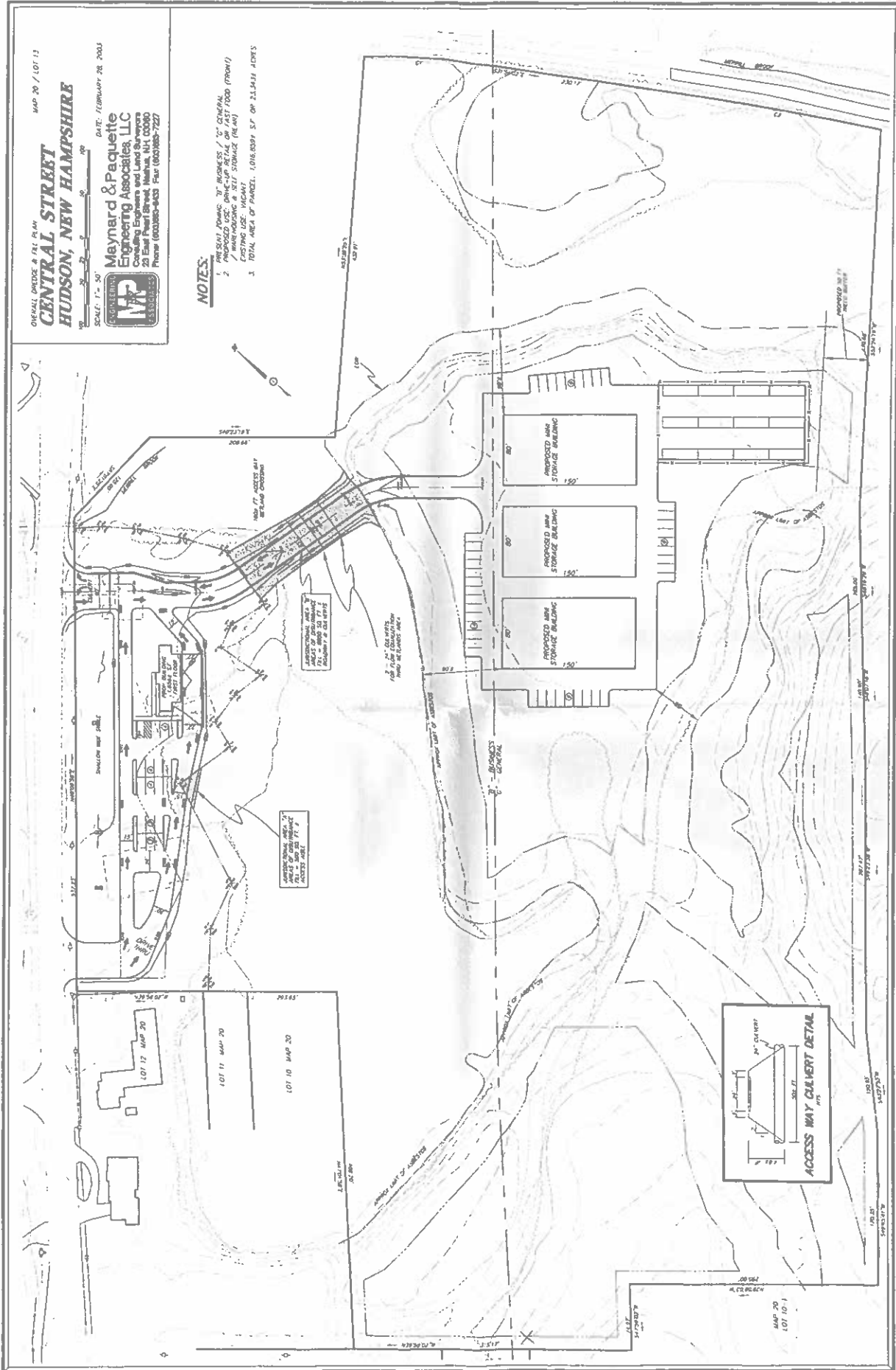
MAP 20 / LOT 13

DATE: FEBRUARY 28, 2013

M&P
MEYNERD & PAQUETTE
Engineering Associates, LLC
 Consulting Engineers and Land Surveyors
 20 East Pearl Street, Montreal, NH 03500
 Phone: (603)880-9600 Fax: (603)880-1527

NOTES:

1. PRESENT ZONING: BUSINESS / GENERAL
2. PROPOSED ZONING: BUSINESS / FOOD (PROHIBIT) / MANUFACTURING & USE / STORAGE (RM 40)
3. EXISTING USE: VACANT
4. TOTAL AREA OF PARCEL: 1,016,809 SF OR 23.1411 ACRES

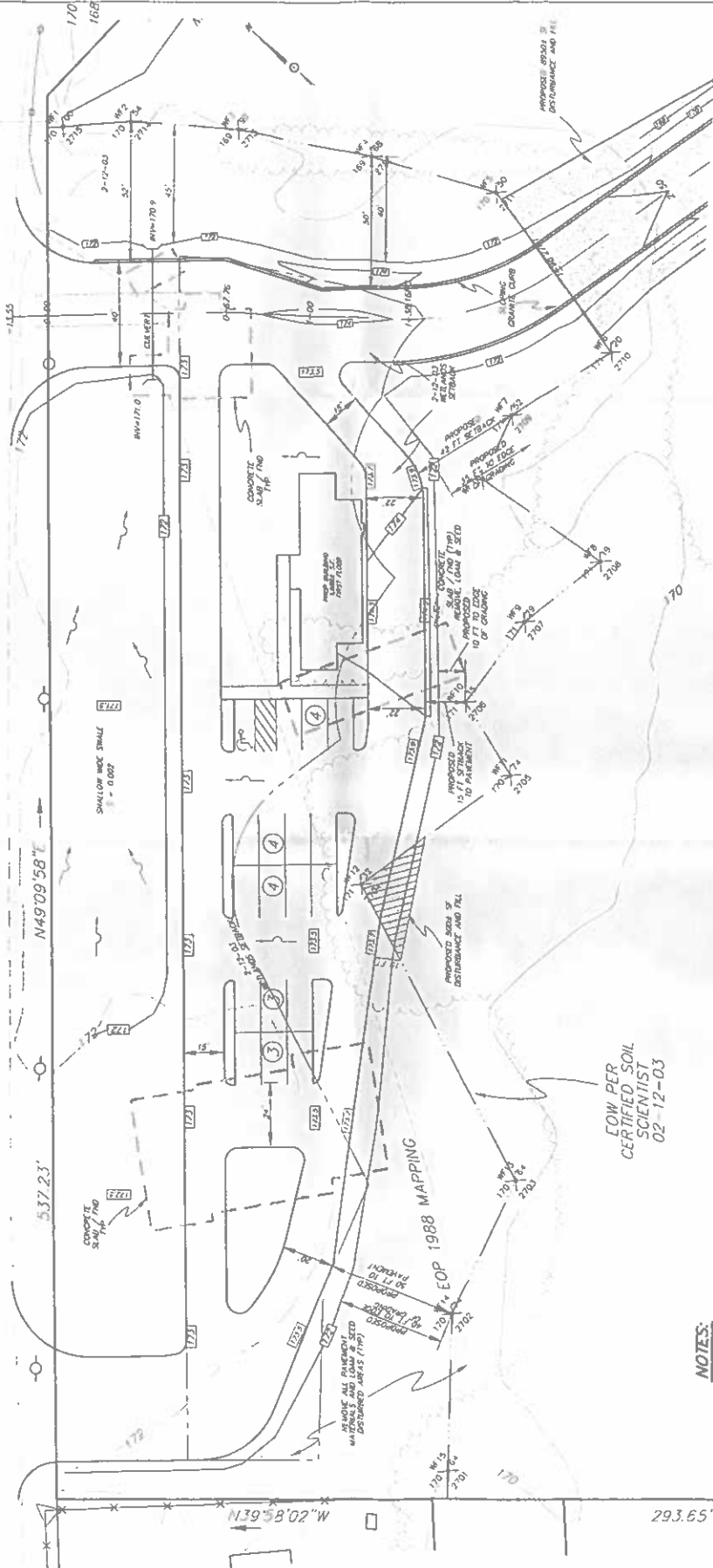


NO.	DATE	DESCRIPTION
1	02/28/13	ISSUED FOR PERMITTING
2	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
3	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
4	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
5	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
6	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
7	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
8	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
9	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21
10	03/15/13	REVISED PER PLAN NO. AND NOTES SHEET 20 AND 21

5
 A

NO GUARANTEE IS MADE BY THE ENGINEER AS TO THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL SURVEY DATA AND INFORMATION PROVIDED BY THE CLIENT.

CENTRAL STREET



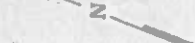
CONSERVATION COMMISSION / #12,480
 CONCEPTUAL PLAN
CENTRAL STREET
 HUDSON, NEW HAMPSHIRE
 SCALE: 1" = 20'
 DATE: FEBRUARY 26, 2003
Maynard & Paquette
 Engineering Associates, LLC
 Consulting Engineers and Land Surveyors
 1000 Main Street, Suite 100
 Portsmouth, NH 03801
 Phone: (603) 885-4400 Fax: (603) 885-7227

LOW PER
 CERTIFIED SOIL
 SCIENTIST
 02-12-03

NOTES:

1. PROPOSED 10' x 10' x 10' CONCRETE PAVEMENT FOR EXISTING PAVEMENT.
2. PROPOSED 10' x 10' x 10' CONCRETE PAVEMENT FOR EXISTING PAVEMENT.
3. EXISTING USE: VEHICULAR TRAFFIC.
4. GREEN SPACE: 10' x 10' x 10' CONCRETE PAVEMENT.
5. PROPOSED 10' x 10' x 10' CONCRETE PAVEMENT.

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING	02/26/03	MP
2	ISSUED FOR PERMITTING	02/26/03	MP
3	ISSUED FOR PERMITTING	02/26/03	MP
4	ISSUED FOR PERMITTING	02/26/03	MP
5	ISSUED FOR PERMITTING	02/26/03	MP



CENTRAL STREET

PHOENIX DRIVE

Merrill Brook

PROPOSED ROAD LAYOUT

LOT 29

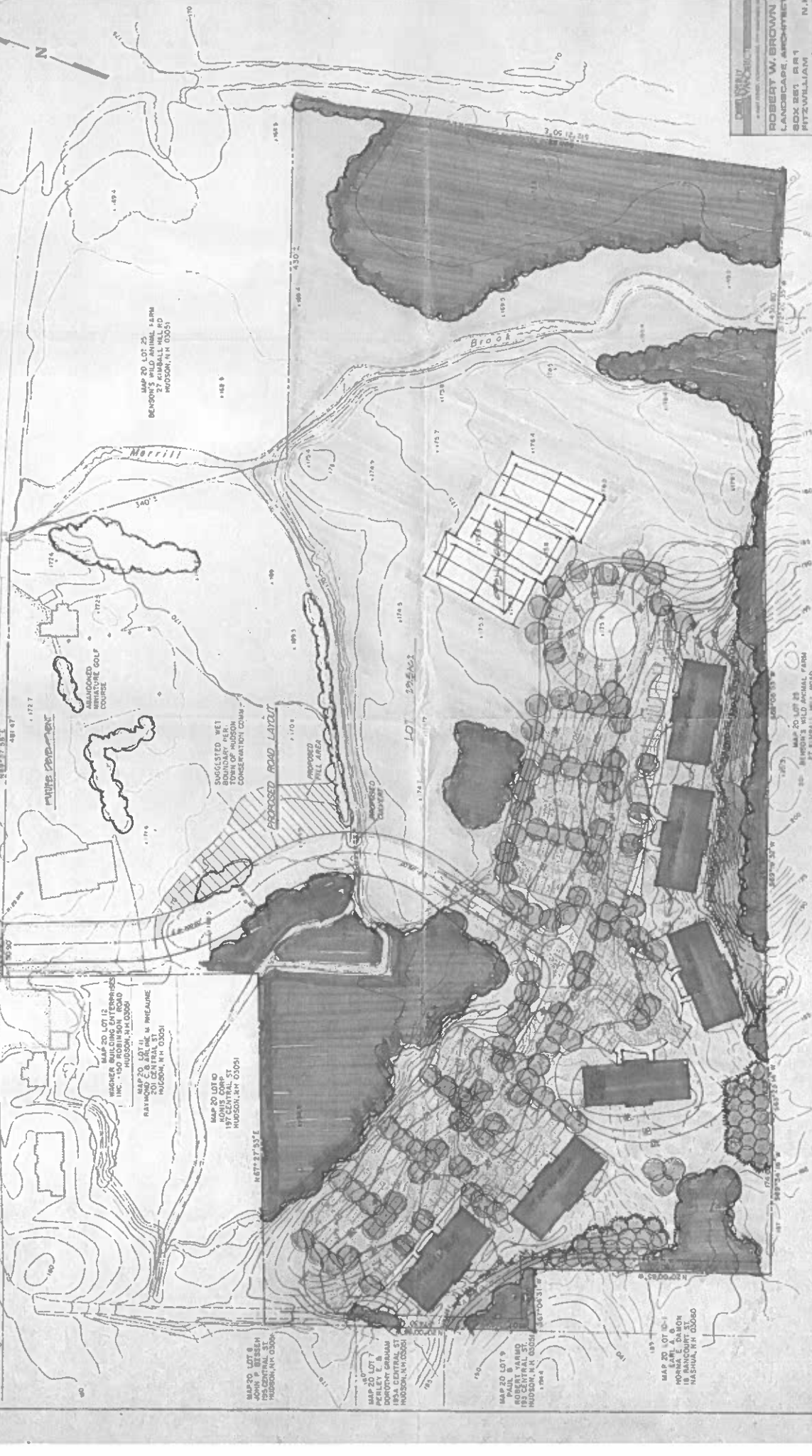
LOT 28

LOT 27

LOT 26

LOT 25

LOT 24



MAP 20 LOT 17
EDWARD A. CURRAN
215 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 18
ALLEN J. CONTI
208 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 19
JOSEPH A. R. & ANNE M. BACHON
214 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 20
JOSEPH A. R. & ANNE M. BACHON
214 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 21
BENSON'S BIRD ANIMAL FARM
27 KIMBALL HILL RD.
HUDSON, N.H. 03051

MAP 20 LOT 22
SUGGESTED WET SNAGGED WET CONSERVATION CORNER

MAP 20 LOT 23
MERRILL BROOK

MAP 20 LOT 24
JOHN W. LEESE
195 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 25
ROBERT YARDO
183 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 26
PERLEY E. & DEBORAH GRAMAM
177 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 27
MORLAINE A. BACHON
18 BANCOURT ST.
NASHUA, N.H. 03060

MAP 20 LOT 28
EDWARD A. CURRAN
215 CENTRAL ST.
HUDSON, N.H. 03051

MAP 20 LOT 29
ALLEN J. CONTI
208 CENTRAL ST.
HUDSON, N.H. 03051

ROBERT W. BROWN
LANDSCAPE ARCHITECT
90X 281, RR 1
1172 WHEATON LN.
PO BOX 8092
HUDSON, NH 03051

PROPOSED LAYOUT

DATE	11-1-87
SCALE	1" = 50'
PROJECT	LOT 29
CLIENT	THE MEADOWS INC.
ADDRESS	P.O. BOX 5292 MANCHESTER, N.H. 03106

NO.	DATE	DESCRIPTION
1	11-1-87	PROPOSED LAYOUT

THE MEADOWS INC.
P.O. BOX 5292
MANCHESTER, N.H. 03106

WESTON
LANDSCAPE ARCHITECTS

DATE	11-1-87
SCALE	1" = 50'
PROJECT	LOT 29
CLIENT	THE MEADOWS INC.
ADDRESS	P.O. BOX 5292 MANCHESTER, N.H. 03106

NO.	DATE	DESCRIPTION
1	11-1-87	PROPOSED LAYOUT

DATE	11-1-87
SCALE	1" = 50'
PROJECT	LOT 29
CLIENT	THE MEADOWS INC.
ADDRESS	P.O. BOX 5292 MANCHESTER, N.H. 03106

NO.	DATE	DESCRIPTION
1	11-1-87	PROPOSED LAYOUT

DATE	11-1-87
SCALE	1" = 50'
PROJECT	LOT 29
CLIENT	THE MEADOWS INC.
ADDRESS	P.O. BOX 5292 MANCHESTER, N.H. 03106



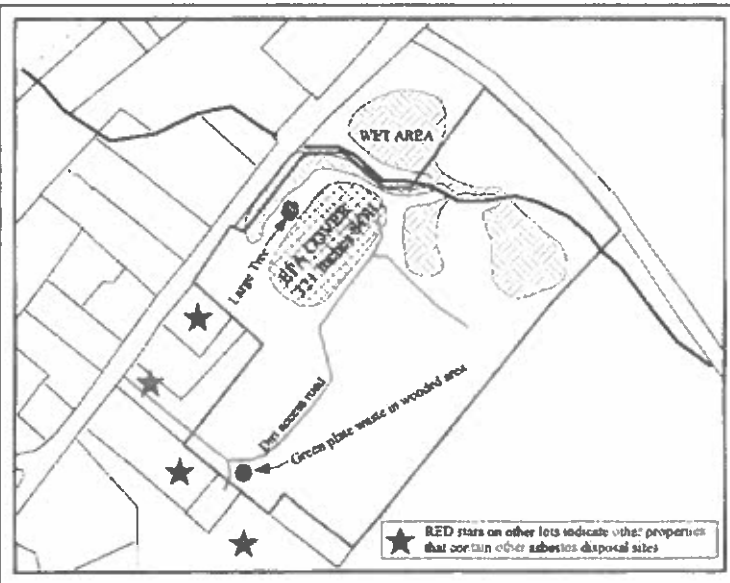


SUMMARY OF SITE HISTORY:

ADS SITE #037, Pg. 2 of 2

The file record dates back to an August 6, 1980, letter from the NH Department of Health and Welfare, (Department). The letter indicates that this site had received Johns-Manville Company asbestos wastes prior to 1975. The letter also states that several notices had been sent to the property owners between 1975 and 1980 ordering the property owners to cover the exposed asbestos wastes. On October 7, 1980, the State of New Hampshire Director of Public Health Services wrote to the property owner to explain in detail the State's concerns regarding the potential health risks at the site. A September 12, 1983, letter from the Department to the US-EPA noted that the asbestos wastes at the property are uncovered. According to the letter, a report defined the "westerly mound" as covering a 100 feet wide by 250 feet long area with asbestos waste depths ranging from three to six feet. The report also identified several lesser deposits on the site that were deemed small enough to relocate to the larger "westerly mound". By July 6, 1984, the EPA had remediated the site by capping the westerly mound area with a 30 inch soil cap. An EPA document on file dated July 6, 1984, mentions 7 Maps, one of which would have provided the as-built drawing for the EPA remediation of this site. An EPA pollution report (POL REP 1) dated May 22, 1985, states that erosion and pooling problems observed at the site in the spring of 1985 prompted the EPA to return to the site to stabilize the cap and improve its drainage features. Since the EPA repair work, no naturally occurring degradation of the cap has been observed. The EPA-NUS Corporation report for this site states that asbestos sheets, baghouse waste, asbestos pellets and friable asbestos were all disposed at this site. This is one of the sites where the US EPA required the property owner to sign and record a consent decree in lieu of pursuing cost recovery. The consent decree establishes the Department's right of access and the obligation of all future owners of this site to maintain the site in accordance with the specifications of the institutional controls document associated with the consent decree. A pile of 1/4 inch green asbestos plate waste located in the woods at the fork in the access located at the southern corner of the site was noted by recent inspections. (See site diagram)

SITE DIAGRAM:



FIELD NOTES:

Recent: (Date; _____ .)

Previous: (Date; Summer 98)

Green asbestos plate waste observed on surface in wooded area at fork in access road (SW corner). EPA cap area is stable with cap in good repair. Vegetative cover over cap is poor (appears stressed) though uniform.

SITE OF ASBESTOS:



NOTICE: This report was compiled from records maintained by the New Hampshire Department of Environmental Services, Waste Management Division (NHDES-WMD). The material contained in this report, represents a summary of information available at NHDES-WMD relative to asbestos contamination of the grounds at the subject site as of the "Report Revision Date" shown on the first page. Unless otherwise stated, all field observations contained in this report are based upon ground surface conditions seen at the property. Therefore, the information contained in this report may NOT provide a complete or comprehensive representation of the asbestos contamination at the site. To schedule an appointment for a file review, contact the NHDES-WMD file review manager at (603) 271-2919.

OWNER:

TOWN of HUDSON
Hudson Health & Code Department
12 School Street
Hudson, NH. 03051
c/o Bill Oleksak, Health Officer

ADS SITE # 037, (MS) Pg. 1 of 2

NH DES-WMD-SWCS
ASBESTOS DISPOSAL SITE
ADS
SITE REPORT & HISTORY

File Origination Date : 08/06/80
Previous Inspection : Summer 1998
Report Revision Date : 03/06/2000

SITE ADDRESS: 207 Central Street, Hudson

TAX MAP: (020) LOT NUMBER: (013) SITE# (37) CLUSTER# (41)

OCCUPANCY:

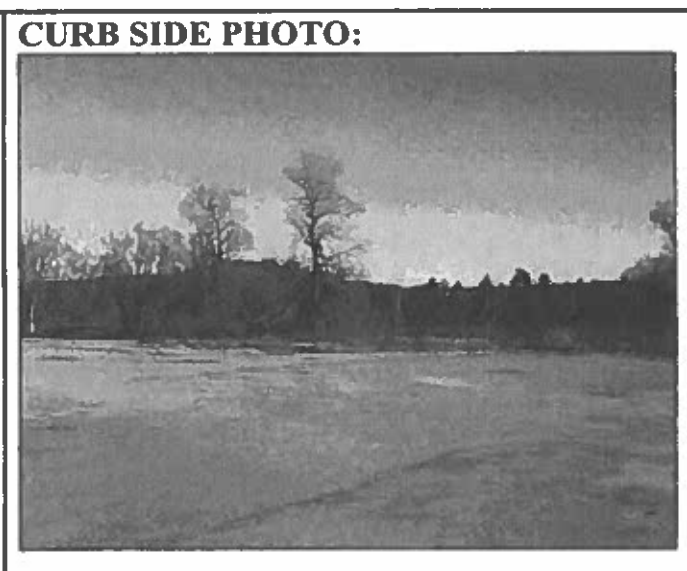
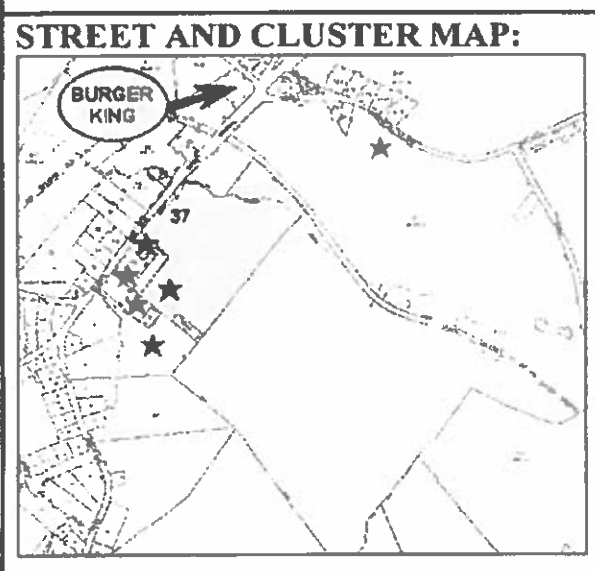
OWNER ()
RES. TENANTS ()
COMMERCIAL ()
UNDEV. LAND (X)

SITE CONDITIONS:

Information on file indicates that asbestos wastes at this site have been covered.

DIRECTIONS TO SITE:

Take Rte. 93 south to exit 3 west at Rte. 111. Proceed west on Rte. 111 into Hudson. Burger King is located on the right at the intersection of Central Street (Rte. 111) and Greeley Street. Navigate by street map below to the site marked by yellow shading and the number 37. The Red stars shown on the street and cluster map indicate the locations of the other listed asbestos disposal sites (ADS) in the cluster 41 area.



(F)

4077182

2004 AUG 12 PM 12:27

Hudson Town Hall *A43*
Community Development Department
12 School Street
Hudson, NH 03051

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2.

Town of Hudson

Zoning Board of Adjustment

Decision to Approve the 600± Special Exception and to Deny the Proposed 8950± Wetland Special Exception

On **5/27/04**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 176-41**, concerning applications by **GPR Realty, LLC, 2 Newton Street, Hudson, NH 03051** for Wetland Special Exceptions to fill **600± square feet** and also **8950± square feet of wetlands to construct an access roadway and associated grading for property located at 207 Central Street. [Map 176, Lot 41; Zoned Business; HZO Article IX, Section 334-33, Wetland Conservation District.]**

Following the hearing of testimony by the applicant to fill 8950± square feet of Wetlands, the members of the Board determined that this Wetlands Special Exception should be denied, the proposed Wetland Special Exception to fill 600± square feet was granted with the following stipulations:

1. The buffer zone regrading on the Southeast corner of the front portion of the property is to be graded to foster wetlands.
2. The rear piece of parcel to be donated to the Town.
3. The plans presented are drawings numbered 1 and 2 and are dated February 28, 2003 and last revised on October 27, 2003.

BK 7297PG 1638

(F)

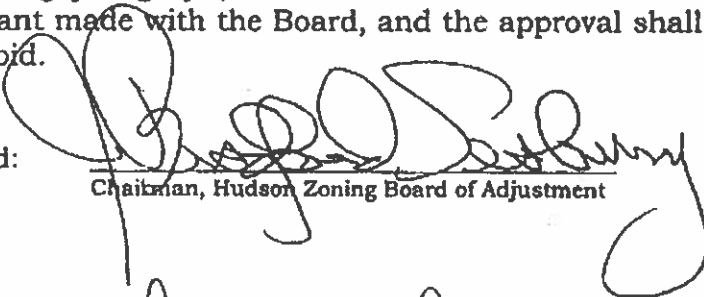
4. Best management practices and erosion control be implemented to the approval of the Town Engineer.
5. That the toe of slope for the northerly entry be moved at least 50 feet from the edge of wetlands and reverse swale be implemented to the approval of the Town Engineer.
6. All other drainage from development shall be directed toward the front swale.
7. All remnants of pavement and foundations or other building materials presently on site are removed and unpaved areas are seeded.
8. Buffer planting be selected by a wetland scientist or other qualified person to increase diversity in the buffer areas.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this special exception shall be considered conditions of the special exception, regardless of the fact that such facts or intentions were not specifically stated as part of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Community Development Director to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and the approval shall be held to be null and void.

BK 7297 PG 1639

Signed:  Date: 06-09-04
 Chairwoman, Hudson Zoning Board of Adjustment

Signed:  Date: 6/10/04
 Community Development Director

4077185

2004 AUG 12 PM 12:27



A 43

Hudson Town Hall
Community Development Department
12 School Street
Hudson, NH 03051

10.37
2 -

Town of Hudson

Zoning Board of Adjustment

Decision to Deny a Request for a Rehearing

On **7/22/04**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 176-41** concerning a request by GPR Realty, LLC, 2 Newton Street, Hudson, NH for a **rehearing for a Wetland Special Exception previously filed**, as previously denied by this Hudson Zoning Board of Adjustment at its public meeting held on May 27, 2004, for property located at 207 Central Street, Hudson, NH 03051 [Map 176, Lot 41; Zoned Business; HZO Article IX, Section 334-33, Wetland Conservation District.]

During their deliberation, members of the Board collectively agreed that no persuasive argument had been raised in this letter of request sufficient to convince the members that the Board's previous decision to deny the requested Wetland Special Exception, as well as that no significant new evidence was provided or indicated such as might be sufficient to lead the Board to a different decision than the one previously made.

Following this deliberation, the board voted unanimously **not to rehear** the request for a Wetland Special Exception.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

Signed: 
Chairman, Hudson Zoning Board of Adjustment

Date: 08-05-04

Signed: 
Community Development Director

Date: 8/5/04

BK 7297PG 1643

4106517

2004 NOV 15 PM 11:04

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A43

Hudson Town Hall
Community Development Department
12 School Street
Hudson, NH 03051

1437
2-
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Town of Hudson

Zoning Board of Adjustment

Decision to Grant a Wetlands Special Exception Permit

On 10/28/04, Rehearing from 5/27/04, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 176-41**, concerning an application by **GPR Realty, LLC, 2 Newton Street, Hudson, NH** for a Wetland Special Exception to fill 600 +/- square feet of wetlands to construct access roadway and associated grading for property located at 207 Central Street. [Map 176, Lot 41; Zoned Business; HZO Article IX, Section 334-33, Wetland Conservation District.]

Following the hearing of testimony by the applicant, the members of the Board determined that this Wetlands Special Exception should be granted, with the following stipulation:

1. The applicant shall offer to donate to the Town a conservation easement deed, containing 21 acres, more or less, the exact description of which shall be defined by the Planning Board, and shall be in a form approved by Town counsel. An additional stipulation that the Zoning Board of Adjustment has the right to review, change, modify land forms presented to Town Counsel pertaining to land clearing and building proposals of the land in review.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

BK 7357PG1019

(H)

All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of Adjustment relative to the obtaining of this special exception shall be considered conditions of the special exception, regardless of the fact that such facts or intentions were not specifically stated as part of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Community Development Director to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and the approval shall be held to be null and void.

Signed:


Chairman, Hudson Zoning Board of Adjustment

Date:

11-28-04

Signed:


Community Development Director

Date:

11/8/04

BK7357PG1020



①

TOWN OF HUDSON

Land Use Division



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

Zoning Determination #17-60

July 25, 2017

John Slavin
27 Balcom Road
Pelham, NH 03076

Re: **207 Central Street 176/041-000**
Districts: Business (B) & General (G)

Dear Mr. Slavin,

Your request for zoning options within both these zones that bisect this property has been completed.

Zoning Review / Determination:

This property is bisected with 2 zoning districts: Business (B) and General (G).

The Zoning Ordinance includes the Table of Permitted Principal Uses §334-2, from which you can determine if your proposed use is allowed etc. within each zoning district.

Regarding mixed uses: The Zoning Ordinance has section §344 -10 Mixed or dual use on a lot, which prescribes the details and requirements for mixed/dual uses.

Please note that our GIS indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District. I'd be happy to assist you when you determine your specifics for this parcel.

Sincerely,

Bruce Buttrick, MCP

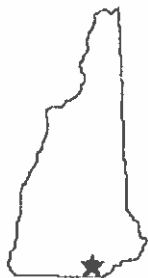
Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

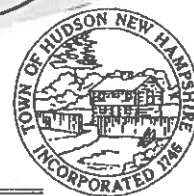
cc: Zoning Board of Adjustment
J. Michaud, Town Assessor
J. Cashell, Interim Town Planner
Chief Buxton
Deputy O'Brien
File

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

Land Use Division



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

Zoning Determination #20-027

March 30, 2020

Charles Dobens
89 Amherst St
Nashua, NH 03064

Re: 207 Central Street Map 176 Lot 041-000
Districts: Business (B) & General (G)

Dear Mr. Dobens,

Your request if you can build multi-family on this property has been completed.

Zoning Review / Determination:

This property is bisected with 2 zoning districts: Business (B) and General (G).

Multi-family is not permitted in the General district and would need a variance from §334-21:

Table of Permitted Principal Uses.

The Business district allows multi-family uses provided the lot contains buildable area of 53,560 sqft (for the first 3 units) and 5,000 sqft for each additional unit.

Any development would need to comply with §334-27: Table of Minimum Dimensional Requirements. Please note that our GIS indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District.

Sincerely,

Bruce Buttrick, MCP

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth, Town Planner
Owner
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

Land Use Division



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

Zoning Determination #20-058

June 9, 2020

Benny Chen
11 Tabor Road
Hampstead, NH 03841

Re: 207 Central Street Map 176 Lot 041-000
Districts: Business (B) & General (G)

Dear Mr. Chen,

Your request if you can build retail store in the front (Business) zone and indoor firing range/golf simulation facility in the back (General) zone on this property has been completed.

Zoning Review / Determination:

This property is bisected with 2 zoning districts: Business (B) and General (G).

Retail use is a permitted use in the Business (B) zone per §334-21: Table of Permitted Principal Uses. Indoor and outdoor recreation is a permitted use in the General (G) zone per §334-21: Table of Permitted Principal Uses.

Any development would need to comply with §334-27: Table of Minimum Dimensional Requirements. Please note that our GIS indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District.

Sincerely,

Bruce Buttrick, MCP
Zoning Administrator/Code Enforcement Officer
(603) 816-1275
bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth, Town Planner
Owner
File

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

L



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #22-001

January 6, 2022

Don Dumont
Posey Investments, LLC
195R Central St
Hudson, NH 03051

Re: 207 Central Street Map 176 Lot 041-000
Districts: Business (B) & General (G)

Dear Mr. Dumont,

Your requests:

- 1) If you can build a mixed use structure comprising of permitted Business uses on ground flr level and multi-family (residential) units on 2nd & 3rd flr level on the front portion zoned Business (B),
and
- 2) Build a 3 story multi-family on the rear portion that's zoned General (G), has been reviewed. No plans/details submitted to review.

Zoning Review / Determination:

This property is a lot of record, consisting of 1,007,629 Sqft (23.132 Acres), with 532 ft of frontage on Central St.

This property is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

- 1) The Mixed/Dual Uses of business and residential needs to satisfy §334-10 A (which I believe does satisfy (no plans)). §334-10D requires a Special Exception (for uses with residential uses) proposed on the front section zoned B and the rear section zoned G. The Business district allows residential multi-family uses (with town water and sewer) per §334-21 Table of Permitted Principal Uses, provided the lot contains buildable area of 53,560 sqft (for the first 3 units) and 5,000 sqft for each additional unit per foot note 2 of §334-27: Table of Minimum Dimensional Requirements.
- 2) Multi-family is not permitted in the General (G) district and would need a variance from §334-21: Table of Permitted Principal Uses. §334-10A would not be satisfied in the rear section within the G district, due to the mixed /dual uses proposed in the B district on this parcel and would need a variance.

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

L

Please note that our GIS indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District.

Site plan review approval by the Planning Board would be required per §334-16.1

With the limited information/details provided, I hope this answers your inquiries.

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth, Town Planner
Owner
File

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

M



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #22-003

January 10, 2022

Nicholas A. Kanakis, Esq.
Smith-Weiss Shepard & Spony, PC
47 Factory Street
Nashua, NH 03060

Re: **Status of Wetland Special Exceptions**
207 Central St Map 176 Lot 041-000

Dear Att'y Kanakis,

I'm in receipt of your request for information on the status of two Wetland Special Exceptions granted by the ZBA.

A Wetland Special Exception granted on 05/27/04 and A Wetland Special Exception granted 10/28/04.

Determination:

Our records indicate that there was no execution of those approvals/decisions at all, thus the time limit of 2 years as specified per §334-82 A, within Hudson's Zoning Ordinance applies. § 334-82 Time limit.

A. A grant of a variance or special exception by the Hudson Zoning Board of Adjustment shall be valid if exercised within a period of two years following the vote of approval by the Zoning Board of Adjustment.

And with State of NH RSA 674:33 I-a(a).

Those Wetland Special Exceptions have expired.

Sincerely,

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

encl: 5/27/04 Wetland Special Exception & 10/28/04 Wetland Special Exception
cc: Public File
B. Groth, Town Planner
Owner
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

Land Use Division



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

Zoning Determination #23-025

February 24, 2023

Tim Jones
380 Lafayette Rd #11-125
Seabrook, NH

Via email: tim.bryant.jones@gmail.com

Re: **207 Central Street Map 176 Lot 041-000**
Districts: Business (B) & General (G)

Dear Mr. Jones,

Your request:

If you can build a 100 x 100 (10,000 SF) Bldg as indoor recreation use (D-20) in the Table of Permitted Principal Uses on this parcel?

Zoning Review / Determination:

This property is a lot of record, consisting of 1,007,629 Sqft (23.132 Acres), with 532 ft of frontage on Central St.

This property is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

Your requested use (D-20) is permitted in both districts.

Your building and site development would need to satisfy §334-27: Table of Minimum Dimensional Requirements, Wetland Conservation district: 50 ft wetland buffers (possible Conditional Use permits, as well as Planning Board site plan review regulations.

Please note that our GIS indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District.

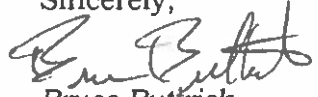
Site plan review approval by the Planning Board would be required per §334-16.1

With the limited information/details provided, I hope this answers your inquiry.

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

H

Sincerely,



Bruce Buttrick

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

bbuttrick@hudsonnh.gov

cc: Public Folder
B. Groth, Town Planner
Owner
File

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

G



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #23-128

October 18, 2023

Meadow Property, LLC
195R Central St
Hudson, NH 03051

Re: **207 Central Street** **Map 176 Lot 041-000**
Districts: Business (B) & General (G)

Dear Mr. Dumont,

Your requests:

2) To build Three (3) 3 story multi-family structure on the rear portion of the property that's zoned General (G), has been reviewed. (Plans Provided)

Zoning Review / Determination:

This property is a lot of record, consisting of 1,007,629 Sq. ft. (23.132 Acres), with 532 lf. of frontage on Central St. This property is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

Multi-family is not permitted in the General (G) district and would need a variance from **§334-21: Table of Permitted Principal Uses.**

Please note the plan indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District. Site plan review approval by the Planning Board would be required per **§334-16.1 Site Plan Approval.**

Sincerely,

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

cc: Public Folder
B. Groth, Town Planner
File

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-086

September 17, 2024

Sent Via Email and First Class Mail

Don Dumont
195R Central St
Hudson, NH 03051

Re: 197R, 197 & 207 Central Street Map 176-Lot 045-000 - Map 176-Lot 044-000
Map 176 Lot 041-000
Districts: Business (B) & General (G)

Dear Mr. Dumont,

Your requests: To do a mixed use development with retail and Multifamily.

Zoning Review / Determination:

These (3) three property are lots of record, consisting Lots_Map 176-44 – 62,489 Sqft (1.43 Acres) 176 045 - 20,912 Sqft (0.48 Acres) 176-41-1,054,468 Sqft (24-71Acres), with 548.47 LF. of frontage on Central St.

The lot is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

1) The Mixed/Dual Uses of with (3) three principal use on the same lot. The property has commercial building up front long Central Street and the other 2 building being residential are in the rear of the Lot. These uses would require a variance per §334-10 Mixed or Dual Use Lot.

2) Multi-family is not permitted in the General (G) district and would need a variance from §334-21: Table of Permitted Principal Uses.

§334-10A would not be satisfied in the rear section within the G district, due to the mixed /dual uses proposed in the B district on this parcel and would need a variance.

The plan indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District. Site plan review approval by the Planning Board would be required per §334-16.1

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



Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Sullivan', written over the word 'Sincerely,'.

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

cc: Public Folder
Brooke Dubowik (Planning Admin. 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.



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

REQUEST FOR REVIEW/COMMENTS: (VARIANCES A &B)
Case: 176-041 (10-24-24)
Property Location: 197,197R, & 207 Central Street

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

EZD _____ Name: Elvis Dhima, P.E. Date: 10/03/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Associate Town Planner

(VARIANCES A &B)



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

REQUEST FOR REVIEW/COMMENTS:

(VARIANCES A &B)

Case: 176-041 (10-24-24)

Property Location: 197,197R, & 207 Central Street

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

DRH _____ Name: David Hebert Date: 10/03/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Associate Town Planner

(VARIANCES A &B)

5

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

REQUEST FOR REVIEW/COMMENTS:

(VARIANCES A &B)

Case: 176-041 (10-24-24)

Property Location: 197, 197R, & 207 Central Street

For Town Use

Plan Routing Date: 10/02/2024 Reply requested by: 10/07/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

BWG _____ Name: Ben Witham-Gradert Date: 10/03/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

(VARIANCES A &B)

The Applicant shall submit a Site Plan application to the Planning Board and receive approval prior to issuance of building permits.

The Applicant shall submit a Conditional Use Permit to the Planning Board and Conservation Commission.

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 176-041 A**, being a case brought by **Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH** requesting a **Variance** for a proposed **three (3) lot merger into one (1) lot for 197, 197R & 207 Central St., Hudson, NH** to be redeveloped as follows:

A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G); HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]

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: _____

APPLICATION FOR A VARIANCE

SEP 20 2024
LAND USE DIVISION
ZONING DEPT.

To: Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel
Case No. 176-041 A (10-24-24)
Date Filed 9/20/24

TG

Don Dumont, Dillon Dumont of

Name of Applicant Meadows Property LLC & Posey Investments LLC Map: 176 Lot: 41, 44, 45 Zoning District: B & G

Telephone Number (Home) 603-231-7344 (Work) _____

Mailing Address 195R Central St Hudson NH 03051

Owner Meadows Property LLC & Posey Investments LLC

Location of Property 197, 197R & 207 Central St
(Street Address)

[Handwritten Signature]

Signature of Applicant

9/18/24

Date

[Handwritten Signature]

Signature of Property-Owner(s)

9/18/24

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 Variance.

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

Date received: 9/20/24

COST:

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

15 Abutter Notice:

15 Direct Abutters x Certified postage rate \$ 5.58 = \$ 83.70

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

Total amount due: \$ 270.16

Amt. received: \$ 270.16

Receipt No.: 790,907

Received by: TSG

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

check #:
004667
004668

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 |
|-----------------------|---|-------------------|
| (DRD) | Please review the completed application with the Zoning Administrator or staff before making copies in next step. | TG |
| (DRD) | 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) | TG |
| (DRD) | A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson. | TG |
| (DRD) | If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s).
(NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.) | TG |
| (DRD) | 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.) | TG |
| (DRD) | 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 | TG |
| (DRD) | Provide a copy of all single sided pages of the assessor's card.
(NOTE: these copies are available from the Assessor's Office) | TG |
| (DRD) | A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application. | TG |
| (DRD) | If there is Wetland Conservation District (WCD) Impact, a Conditional Use Permit may be required. WCD Impact? <u>Y</u> or N (circle one). If yes, submit an application to the Planning Board. | TG |

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

TG

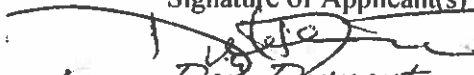
The applicant and owner have signed and dated this form to show his/her awareness of these requirements.


Don Dumont

Signature of Applicant(s)

9/18/24

Date


Don Dumont

Signature of Property Owner(s)

9/18/24

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)	
176	041	Meadows Property LLC	195R Central St Hudson, NH 03051
176	024	Keith R. Tessier	52 Greeley St. Hudson, NH 03051
176	028	Mario Plante TR Denyse Plante TR	9 Old Derry Rd. Hudson, NH 03051
176	027	Justine Mary Holdings C/O Don Levesque	214 Central St Hudson, NH 03051
176	025	Hudson Veterinary R.E. LLC	208 Central St. Hudson, NH 03051 235 W Central St. Natick, MA 01760 (TG)
176	042	203 Central Street Realty LLC	55 Hazlewood Rd. Hudson, NH 03051
176	044	Posey Investments LLC.	195R Central St Hudson, NH 03051
176	047	Derek Realty LLC	195R Central St Hudson, NH 03051
176	046	Don-Ray Property LLC	195R Central St Hudson, NH 03051
176	045	Posey Investments LLC.	195R Central St Hudson, NH 03051
176	048	NSA Property Holdings LLC	24901 Dana Point Dr. STE 200 Dana Point, CA 92620 PO Box 5651 Bismarck, ND 58506-5651 (TG)
176	048	Sprint Spectrum	PO Box 85022 Bellevue, WA 98015-8522
176	043	John E Robichaud	201 Central St Hudson, NH 03051
185	040	Town of Hudson	12 School St. 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)	
176	021	Blue Bird Hudson LLC	125 Ocean RD Greenland NH 03640
176	020	T & L 2018 LLC	156 Lowell RD Hudson NH 03051
176	026	Justine Mary Holdings	214 Central St Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
176	029	Burger King Company LLC	5707 Blue Lagoon Dr. Miami, FL 33126
176	019	Posey Investments LLC.	195R Central St Hudson NH 03051
176	049	V.S.H Realty INC	165 Flanders Rd Westborough, MA 01581

USPS-Verified Mail

SENDER:		US POSTAL SERVICE - CERTIFIED MAIL	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 1.2 of 2
ARTICLE NUMBER		Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5657 24	MEADOWS PROPERTY, LLC 195R CENTRAL ST., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5657 31	POSEY INVESTMENTS LLC 195R CENTRAL ST., HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
3	9589 0710 5270 0646 5657 48	T & L 2018, LLC 156 LOWELL RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5657 55	Blue Bird Hudson LLC 125 Ocean Rd., Greenland, NH 03840	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5657 62	TESSIER, KEITH R. 52 GREELEY ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5657 79	HUDSON VETERINARY R.E. LLC 235 W CENTRAL ST., NATICK, MA 01760	ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5657 86	JUSTINE MARY HOLDINGS; C/O DON LEVESQUE 214 CENTRAL STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
8	9589 0710 5270 0646 5657 93	PLANTE, MARIO, TR; PLANTE, DENYSE, TR 9 OLD DERRY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	9589 0710 5270 0646 5658 09	203 CENTRAL STREET REALTY, LLC 55 HAZELWOOD ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	9589 0710 5270 0646 5658 16	ROBICHAUD, LINE NICOLE 201 CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
Total Number of pieces listed by sender 10		Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee)



USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5658 23	DON-RAY PROPERTY LLC 195R CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	9589 0710 5270 0646 5658 30	DEREK REALTY, L.L.C 195R CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5658 47	NSA PROPERTY HOLDINGS, LLC PO BOX 5651, BISMARCK, ND 58506-5651	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5658 54	SPRINT SPECTRUM; ATTN: PROPERTY TAX DEPT PO BOX 85022, BELLEVUE, WA 98015-8522	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5665 09	TOWN OF HUDSON 12 SCHOOL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6			
7			
8			
9			
10			
	Total Number of pieces listed by sender 5	Total number of pieces rec'vd at Post Office 5	Postmaster (receiving Employee) KB



USPS-First Class Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - First Class	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	Mailed First Class	BURGER KING COMPANY, LLC 5707 BLUE LAGOON DR., MIAMI, FL 33126	ABUTTER NOTICE MAILED
2	Mailed First Class	V.S.H. REALTY INC.; VO888 165 FLANDERS RD., WESTBOROUGH, MA 01581	ABUTTER NOTICE MAILED
3			
4			
5			
6			
7			
8			
9			
10			
	Total Number of pieces listed by sender 2	Total number of pieces rec'vd at Post Office <i>2</i>	Postmaster (receiving Employee) <i>K5</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

October 11, 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, October 24, 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.

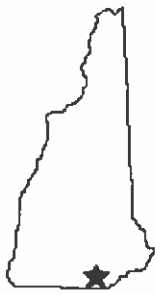
Case 176-041 (10-24-24): Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH requests two (2) Variances for a proposed three (3) lot merger into one (1) lot for 197, 197R & 207 Central St., Hudson, NH [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G)] to be redeveloped as follows:

- A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]**
- B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [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

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- A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]**
- B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]**

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 334 _____ of HZO Section(s) 10 _____ in order to permit the following:

Dual Use

FACTS SUPPORTING THIS REQUEST:

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

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

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

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

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

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

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

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

FACTS SUPPORTING THIS REQUEST:

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

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

This use would not alter the character of the neighborhood. This is a large parcel with virtually nothing around it. This use would allow for housing which the community is in need of.

- 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 multi-family use aligns with the spirit of the ordinance by adhering to established guidelines and supporting higher density housing.

- 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.)

this would allow the property to be developed in a successful manner instead of remaining vacant like it has been for so many years

- 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.)

Any development to this property will only clean up a very depressed area and improve property values for all surrounding parcels

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***

This proerty is bisected by two Zones and the proposed use is allowed on the front half of the parcel.

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

by maintaining a similar use as to what is on allowed on the front portion of the lot it will allow the development to be more harmonious

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 #24-086

September 17, 2024

Sent Via Email and First Class Mail

Don Dumont
195R Central St
Hudson, NH 03051

Re: 197R, 197 & 207 Central Street Map 176-Lot 045-000 - Map 176-Lot 044-000
Map 176 Lot 041-000
Districts: Business (B) & General (G)

Dear Mr. Dumont,

Your requests: To do a mixed use development with retail and Multifamily.

Zoning Review / Determination:

These (3) three property are lots of record, consisting Lots Map 176-44 – 62,489 Sqft (1.43 Acres) 176 045 - 20,912 Sqft (0.48 Acres) 176-41-1,054,468 Sqft (24-71Acres), with 548.47 LF. of frontage on Central St.

The lot is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

1) The Mixed/Dual Uses of with (3) three principal use on the same lot. The property has commercial building up front long Central Street and the other 2 building being residential are in the rear of the Lot. These uses would require a variance per §334-10 Mixed or Dual Use Lot.

2) Multi-family is not permitted in the General (G) district and would need a variance from §334-21: Table of Permitted Principal Uses.
§334-10A would not be satisfied in the rear section within the G district, due to the mixed /dual uses proposed in the B district on this parcel and would need a variance.

The plan indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District.
Site plan review approval by the Planning Board would be required per §334-16.1

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

Sincerely,



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

cc: Public Folder
Brooke Dubowik (Planning Admin. 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.

Property Location: 207 CENTRAL ST
 Vision ID: 2382 Account #: 1883

Parcel ID: 176/041/000/1

Card Address: Card #: 1 of 1

LUC: 3900
 Print Date: 9/19/2024 8:08:55 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
MEADOWS PROPERTY, LLC 195R CENTRAL ST. HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed	
		MC2	Commercial Central St		2024	3900	429,100	2024	3900	429,100	2023	3900	429,100	
		TOPO	UTILITIES											
			Town Water											
		Access Only				Total	429,100		Total	429,100		Total	429,100	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
MEADOWS PROPERTY, LLC		9581 338	01-19-2022	U	V	225,000	24	Grantor: BURSEY, FAITH R. Grantor: HUDSON, TOWN OF MEADOWS/TAX DEED Grantor: N/A	Appraised Bldg. Value (Card)			0
GPR REALTY, LLC		6745 1224	10-28-2002	U	V	350,000	25		Appraised Xf (B) Value (Bldg)			0
BURSEY, FAITH R.		6745 1220	10-25-2002	U	V	0	35		Appraised Ob (B) Value (Bldg)			0
HUDSON, TOWN OF		5751 0433	09-11-1996	U	V		38		Appraised Land Value (Bldg)			429,100
MEADOWS/TAX DEED		3389 744	10-10-1985	U	V	550,000	38		Special Land Value			0
								Total Appraised Parcel Value			429,100	

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				APPRAISED VALUE SUMMARY			
Parcel ID	176-041-000	Describe	Code	Appraised	Assessed	Total Appraised Parcel Value			429,100		
Zoning	BD:Business District	LAND	3900	429,100	429,100	Valuation Method			C		
Flood Hazard	A					Total Appraised Parcel Value			429,100		
Neigh/Abut1						Total Appraised Parcel Value			429,100		
Neigh/Abut2						Total Appraised Parcel Value			429,100		
Neigh/Abut3						Total Appraised Parcel Value			429,100		
GIS ID	176-041-000	Assoc Pid#				Total Appraised Parcel Value			429,100		

NOTES				VISIT / CHANGE HISTORY				
TAKEN BY TAX DEED 1996 AND REDEEMED FROM TAX DEEDING 10/25/02 = \$250,000 +/- BAC K TAXES PLUS/CK STATUS FOR 2005, APPROVE D WETLANDS SPECIAL EXCEPTION/ADJ ACREAGE PER 2004 PLAN, 23.344 AC/ON MARKET 2017 & 2018 for \$324,900, KW				Date	Id	Cd	Purpost/Result	
				03-29-2022	23	10	Vacant Lot	
				09-18-2017	09	18	Hearing - Change	
				06-12-2017	09	45	Field Review	
				07-26-2016	01	20	Other Change	
				02-19-2014	01	28	Abate-Grante	
				07-23-2013	01	27	Abate Denied	
				05-10-2012	09	45	Field Review	
07-11-2007	09	10	Vacant Lot					

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	3900	VAC COMMERCIAL LA	Site	2.400 AC	260,000		1.00	E	1.00	MC2	1.50	Contaminat	0.60			393,100
1	3900	VAC COMMERCIAL LA	Excess	20.732 AC	26,000	0.89	1.00	0	1.00	MC2	1.50	Wet/Low	0.05		0.70	36,000
Total Card Land Units:				23.132 AC	Parcel Total Land Area:				23.132	AC	Total Land Value:			429,100		

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

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO			
Element	Cd	Description	Element	Cd	Description				
Model	00	Vacant	Avg Ht/FL			No Sketch			
Stories:	99	Vacant Land	Extra Kitchens						
Style:			Add Kitchen Ra						
Grade:									
(Liv) Units									
Exterior Wall 1									
Roof Structure									
Roof Cover									
Frame									
Foundation									
Interior Wall 1									
Interior Floor 1									
Heat Fuel									
Heat Type									
# Heat Systems									
			COST / MARKET VALUATION						
AC Percent			Building Value New	0					
Total Rooms			Year Built						
Bedrooms			Effective Year Built	0					
Full Baths			Depreciation Code						
3/4 Baths			Remodel Rating						
Half Baths			Year Remodeled						
Extra Fixtures			Depreciation %						
Kitchens			Functional Obsol						
Kitchen Rating			External Obsol						
Bath Rating			Trend Factor	1.000					
Half Bath Rating			Condition						
Bsmt Garage			Condition %						
Fireplace(s)			Percent Good						
Fireplace Rating			RCNLD	0					
WS Flues			Dep % Ovr						
Color			Dep Ovr Comment						
Avg Ht/FL			Misc Imp Ovr						
Extra Kitchens			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 Bit	Cnd.	% G	Assd. Value
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0			

Property Location: 197 CENTRAL ST
 Vision ID: 2378 Account #: 1872

Parcel ID: 176/044/000/1

Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 3900

Print Date: 9/19/2024 8:08:14 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
POSEY INVESTMENTS, LLC 195R CENTRAL STREET HUDSON NH 03051	Nbhd	Nbhd Name			Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed	
	MC2	Commercial Central St			2024	3900	86,000	2024	3900	86,000	2023	3900	86,000	
	TOPO	UTILITIES												
		Town Water												
RECORD OF OWNERSHIP		Access Only				Total	86,000		Total	86,000		Total	86,000	

BK-VOL/PAGE		SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY					
8729	0399	02-19-2015	U	V	24,900	24	Grantor: KONIS CORPORATION, Grantor: N/A	Appraised Bldg. Value (Card)					0
5206	0486	08-17-1990	Q	V	0	00		Appraised Xf (B) Value (Bldg)					0
								Appraised Ob (B) Value (Bldg)					0
								Appraised Land Value (Bldg)					86,000
								Special Land Value					0
								Total Appraised Parcel Value					86,000
								Valuation Method					C
								Total Appraised Parcel Value					86,000

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				NOTES				
Parcel ID	176-044-000	Descrpt	Code	Appraised	Assessed							
Zoning	BD:Business District	LAND	3900	86,000	86,000							
Flood Hazard	B			Total:	86,000	86,000	Total Appraised Parcel Value					86,000
Neigh/Abut1												
Neigh/Abut2												
Neigh/Abut3												
GIS ID	176-044-000	PREV	0020-0010-0000									
		Assoc Pid#										

NOTES				VISIT / CHANGE HISTORY			
VAC-LAND CLEARED & LEVEL 1997 LAND AC ER ROR CORRECTED FROM .27 AC TO 1.435 AC/10 0 X 300 (.689AC) =WET & UN USABLE				Date	Id	Cd	Purpost/Result
				09-18-2017	09	18	Hearing - Change
				06-12-2017	09	45	Field Review
				08-12-2015	01	28	Abate-Grante
				05-10-2012	09	45	Field Review
				07-11-2007	09	10	Vacant Lot
				04-09-2007	10	10	Vacant Lot
				08-05-2005	01	71	Acreage Adjustment From New Map
				10-17-1990	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	Acreage Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value	
1	3900	VAC COMMERCIAL LA	Site	1.000 AC	260,000		1.00	E	1.00	MC2	1.50	Shape	0.70		0.60	SLOPE/SHAPE/wet/as	81,900
1	3900	VAC COMMERCIAL LA	Excess	0.472 AC	26,000		1.00	0	1.00	MC2	1.50	Topo	0.45		0.50		

Total Card Land Units: 1.472 AC Parcel Total Land Area: 1.472 AC Total Land Value: 86,000

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

Property Location: 197 CENTRAL ST
 Vision ID: 2378 Account #: 1872

Parcel ID: 176/044/000/
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 3900
 Print Date: 9/19/2024 8:08:15 AM

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO			
Element	Cd	Description	Element	Cd	Description				
Model	00	Vacant	Avg Ht/FL			No Sketch			
Stories:	99	Vacant Land	Extra Kitchens						
Style:			Add Kitchen Ra						
Grade:									
(Liv) Units									
Exterior Wall 1									
Roof Structure									
Roof Cover									
Frame									
Foundation									
Interior Wall 1									
Interior Floor 1									
Heat Fuel									
Heat Type									
# Heat Systems									
AC Percent									
Total Rooms									
Bedrooms									
Full Baths									
3/4 Baths									
Half Baths									
Extra Fixtures									
Kitchens									
Kitchen Rating									
Bath Rating									
Half Bath Rating									
Bsmnt Garage									
Fireplace(s)									
Fireplace Rating									
WS Flues									
Color									
Avg Ht/FL									
Extra Kitchens									
COST / MARKET VALUATION									
			Building Value New		0				
			Year Built						
			Effective Year Built		0				
			Depreciation Code						
			Remodel Rating						
			Year Remodeled						
			Depreciation %						
			Functional Obsol						
			External Obsol						
			Trend Factor		1.000				
			Condition						
			Condition %						
			Percent Good						
			RCNLD		0				
			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
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0			

Property Location: 197 R CENTRAL ST
 Vision ID: 2379 Account #: 1871

Parcel ID: 176/ 045/ 000/ 1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 1320
 Print Date: 9/19/2024 8:08:37 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
POSEY INVESTMENTS LLC 195R CENTRAL ST. HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RC	Residential Fair		2024	1320	6,300	2024	1320	6,300	2023	1320	6,300
		TOPO	UTILITIES										
			Access Only										
					Total	6,300	Total	6,300	Total	6,300	Total	6,300	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
POSEY INVESTMENTS LLC		8613 2663	10-18-2013	U	V	0	40	Grantor: BDK DEVELOPERS,	Appraised Bldg. Value (Card)			0
BDK DEVELOPERS		5727 1077	06-19-1996	Q	V	7,500	00	Grantor: DAMON, EARL A.	Appraised Xf (B) Value (Bldg)			0
DAMON, EARL A.		2265 0035	12-08-1972	Q	V	0	00	Grantor: N/A	Appraised Ob (B) Value (Bldg)			0
									Appraised Land Value (Bldg)			6,300
									Special Land Value			0
									Total Appraised Parcel Value			6,300
									Valuation Method			C
									Total Appraised Parcel Value			6,300

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				NOTES							
Parcel ID	Zoning	Flood Hazard	Neigh/Abut1	Neigh/Abut2	Neigh/Abut3	GIS ID	PREV	Assoc Pid#	Descript	Code	Appraised	Assessed			
176-045-000	BD:Business District	C				176-045-000	0020-0010-0001		LAND	1320	6,300	6,300			
											Total:	6,300	6,300	Total Appraised Parcel Value	6,300

NOTES				VISIT / CHANGE HISTORY			
ROW ACCESS 12 FEET WIDE				Date	Id	Cd	Purpost/Result
				04-09-2007	10	10	Vacant Lot
				08-05-2005	01	71	Acreage Adjustment From New Map
				10-23-1990	02	14	Inspected

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

LAND LINE VALUATION SECTION																
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value
1	1320	VAC RES UNDEVEL LA	Site	0.488 AC	170,000		1.67	5	1.00	RC	0.90	Unbuild	0.05		ACC/WET/TOPO;	6,300
Total Card Land Units:				0.488 AC	Parcel Total Land Area:				0.488	AC	Total Land Value:				6,300	

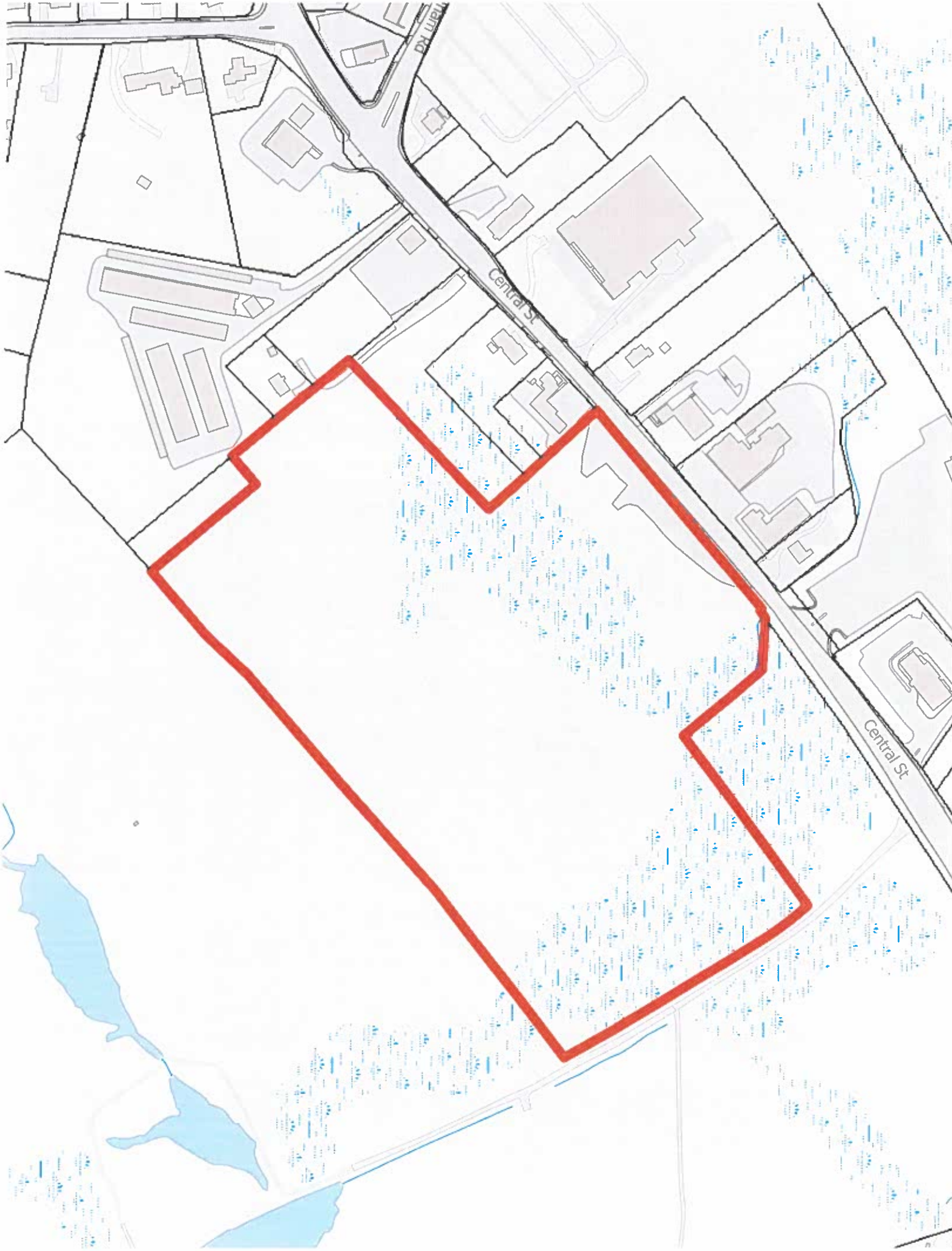
Property Location: 197 R CENTRAL ST
 Vision ID: 2379 Account #: 1871

Parcel ID: 176/045/000/1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 1320
 Print Date: 9/19/2024 8:08:37 AM

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO										
Element	Cd	Description	Element	Cd	Description	No Sketch										
Model	00	Vacant	Avg H/FL													SKETCH / PRIMARY PHOTO
Stories:	99	Vacant Land	Extra Kitchens			Building Value New	0									
Style:			Add Kitchen Ra													
Grade:						COST / MARKET VALUATION										
(Liv) Units						Year Built										
Exterior Wall 1						Effective Year Built	0									
Roof Structure						Depreciation Code										
Roof Cover						Remodel Rating										
Frame						Year Remodeled										
Foundation						Depreciation %										
Interior Wall 1						Functional Obsol										
Interior Floor 1						External Obsol										
Heat Fuel						Trend Factor	1.000									
Heat Type						Condition										
# Heat Systems						Condition %										
AC Percent						Percent Good										
Total Rooms						RCNLD	0									
Bedrooms						Dep % Ovr										
Full Baths						Dep Ovr Comment										
3/4 Baths						Misc Imp Ovr										
Half Baths						Misc Imp Ovr Comment										
Extra Fixtures						Cost to Cure Ovr										
Kitchens						Cost to Cure Ovr Comment										
Kitchen Rating																
Bath Rating																
Half Bath Rating																
Bsmt Garage																
Fireplace(s)																
Fireplace Rating																
WS Flues																
Color																
Avg H/FL																
Extra Kitchens																
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)																
Code	Description	L/B	Units	UOM	Unit Pri	Yr Blt	Cnd.	% G	Assd. Value							
BUILDING SUB-AREA SUMMARY SECTION																
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value										
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0										





42

0.52 AC

100

300

50

150.00

150.00

300

43

0.863 AC

S

150

201

200

94.2

44

1.472 AC

S

197

150

195

47

1.356 AC

S

31.24

152.38

151.91

194

150

194

42.16

27.23

50.85

4.61

Central St

202

196



120.93

170.35

280

45

0.488 AC
197R
S

323.12

74.3

261.22

186.25

319.37

73.88

150.38

LEGEND

	PROPERTY LINE
	SETBACK LINE
	MAJOR CONTOUR (10')
	MINOR CONTOUR (2')
	FENCE
	GUARDRAIL
	OVERHEAD ELECTRIC LINE
	STONE WALL
	STREAM
	SEWER LINE
	TRELLIS
	WETLAND BUFFER LINE
	STONE BOUND FOUND
	REBAR OR IRON PIPE FOUND
	CALCULATED CORNER
	GAS FILL
	GATE VALVE
	SEWER MANHOLE
	UTILITY POLE
	WETLAND FLAG
	APPROXIMATE LOCATION OF COVERED ASBESTOS
	EXISTING CONCRETE
	EXISTING PAVEMENT
	PROPOSED PAVEMENT
	WETLAND

TOWN OF HUDSON
New Hampshire
03051

OCT 09 2024
LAND USE DIVISION
ZONING DEPT.

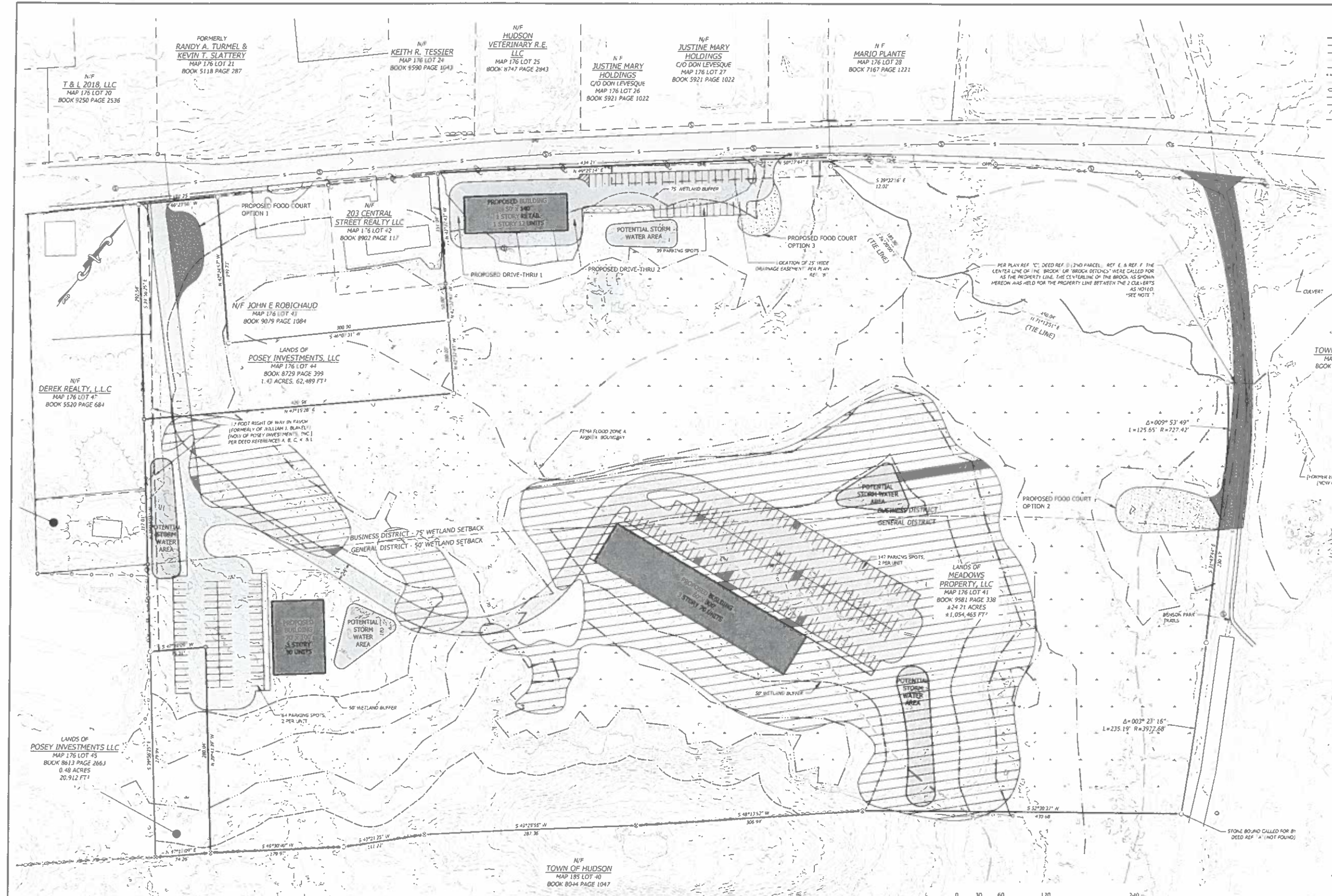
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DON DUMONT
MULTI-FAMILY DEVELOPMENT
HUDSON, NEW HAMPSHIRE

CONCEPT PLAN

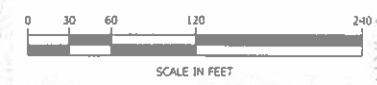
NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: SEPT, 2024	PROJECT #: 240197
ENGINEER BY: RJH	DRAWN BY: DMW
CHECKED BY: XXX	ARCHIVE #: H-___
SHEET 1 OF 1	



WETLAND NOTES

- STATE AND FEDERAL JURISDICTIONAL WETLANDS WERE DELINEATED BY N.H. CERTIFIED WETLAND SCIENTIST, CAITLIN BANASZAK CWS NO. 311 ON APRIL 18, 2024. WETLANDS MAPPING WAS DONE BY N.H. LICENSED LAND SURVEYORS, HORIZONS ENGINEERING, INC. IN ACCORDANCE WITH THE FOLLOWING GUIDANCE DOCUMENTS:
 - N.H. CODE OF ADMINISTRATIVE RULES, ENVIRONMENT 301:01 WITH THE TECHNICALS OUTLINED BY THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT 407-1
 - U.S. ARMY CORPS OF ENGINEERS 2012, REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION, U.S. ARMY CORPS OF ENGINEERS RESEARCH AND DEVELOPMENT CENTER, ENVIRONMENTAL LABORATORY (EPA-600/3-02/1)
 - U.S. ARMY CORPS OF ENGINEERS 2018, NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS, NORTH-EAST REGION, U.S. ARMY CORPS OF ENGINEERS RESEARCH AND DEVELOPMENT CENTER ENVIRONMENTAL LABORATORY.
 - N.H. CODE OF ADMINISTRATIVE RULES, ENVIRONMENT 301:02 WITH THE U.S. FISH AND WILDLIFE SERVICE MANUAL FWS OHS-79-31 ENTITLED "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES" COCHRAN ET AL., 1979.
 - NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, 2020, VERSION 4 "FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND" NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA.
 - U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE, 2018, "FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES" VESKOV & Z. L.M. VASBAS, G.W. HURT, AND C.V. NORRIS (EDS.), USDA, NRCS IN COOPERATION WITH THE NATIONAL TECHNICAL COMMITTEE FOR HYDRIC SOILS.



CONCEPT PLAN

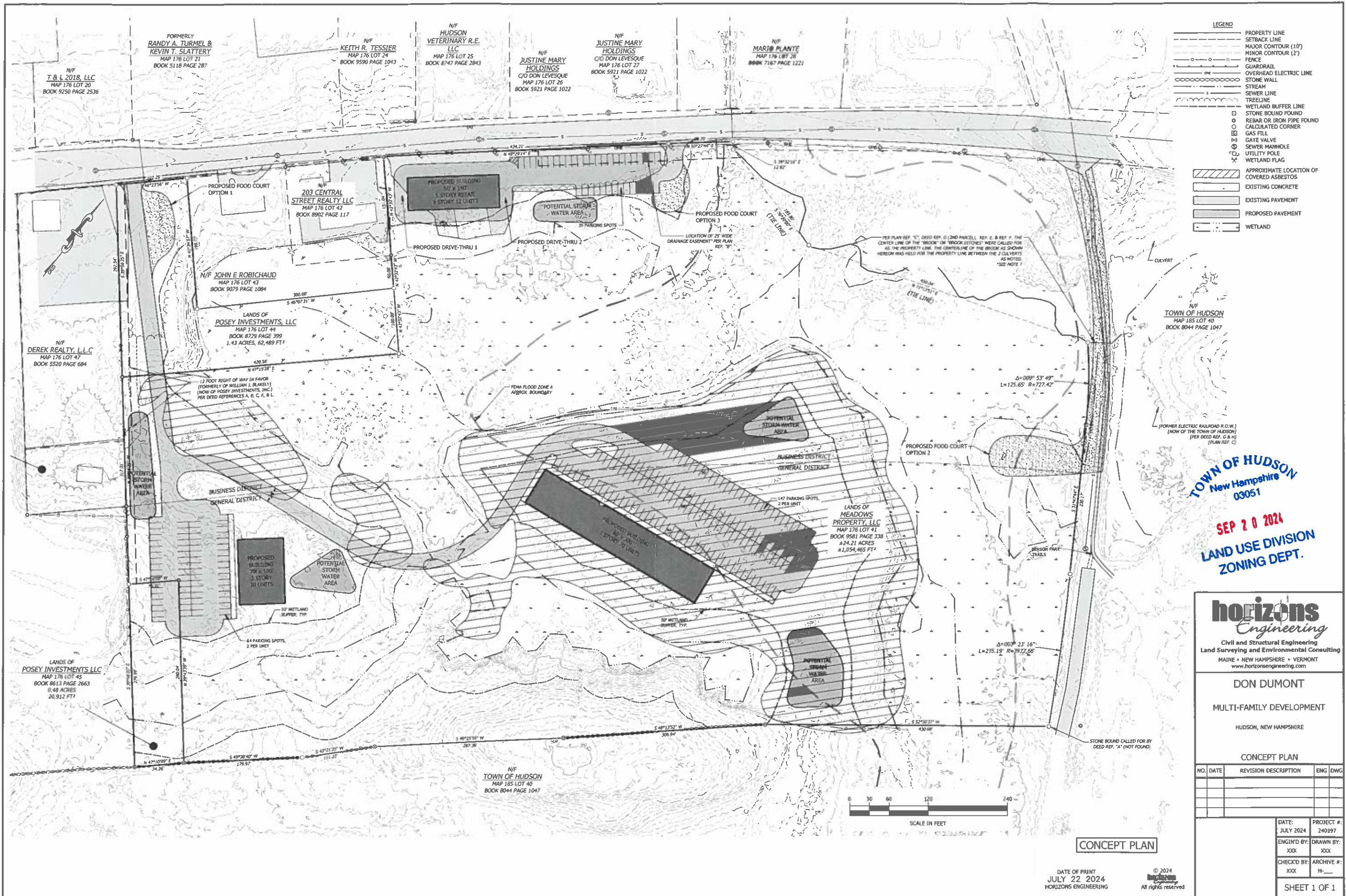
DATE OF PRINT
OCTOBER 04 2024
HORIZONS ENGINEERING

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7:\proj_2024\240197\Drawings - Central Street, Hudson, NH\plan\Map\Concept\01.dwg, 10/04/2024, 3:15:23 PM, DWG to PDF.pc4



Z:\proj_2024\240197 Dumont - Central Street, Hudson, NH\Internal\CH\Concepts\4-0197 CONCEPT 2, 7/22/2024, 11:49:14 AM, David Wheeler



- LEGEND**
- PROPERTY LINE
 - - - SETBACK LINE
 - MAJOR CONTOUR (10')
 - MINOR CONTOUR (2')
 - FENCE
 - GUARDRAIL
 - OVERHEAD ELECTRIC LINE
 - STONE WALL
 - STREAM
 - SEWER LINE
 - TREELINE
 - WETLAND BUFFER LINE
 - STONE BOUND FOUND
 - REBAR OR IRON PIPE FOUND
 - CALCULATED CORNER
 - GAS FILL
 - GATE VALVE
 - SEWER MANHOLE
 - UTILITY POLE
 - WETLAND FLAG
 - ▨ APPROXIMATE LOCATION OF COVERED ASBESTOS
 - EXISTING CONCRETE
 - EXISTING PAVEMENT
 - PROPOSED PAVEMENT
 - WETLAND

TOWN OF HUDSON
New Hampshire
03051

SEP 20 2024

LAND USE DIVISION
ZONING DEPT.

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Civil and Structural Engineering
Land Surveying and Environmental Consulting
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DON DUMONT

MULTI-FAMILY DEVELOPMENT

HUDSON, NEW HAMPSHIRE

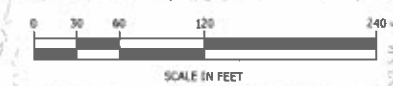
CONCEPT PLAN

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE:	PROJECT #:
JULY 2024	240197
ENGINEER BY:	DRAWN BY:
XXX	XXX
CHECKED BY:	ARCHIVE #:
XXX	H---
SHEET 1 OF 1	

DATE OF PRINT
JULY 22, 2024
HORIZONS ENGINEERING

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CONCEPT PLAN

Printed
 9/20/2024
 2:58PM
 Created
 9/20/2024
 2:50 PM

Transaction Receipt

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

Receipt# 790.907
 tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Applications-10/24/24 ZBA Mtg 197,197R, 207 Central Streets Map 176 Lots 044, 045, 041 Zones B &G			
	VARIANCE A	0.00	270.1600	0.00
	VARIANCE B	0.00	185.0000	0.00
			Total:	455.16

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Dumont Realty & Development LLC	CHECK	CHECK #004667	185.00	0.00	185.00
Dumont Realty & Development LLC	CHECK	CHECK # 004668	85.16	0.00	85.16
Dumont Realty & Development LLC	CHECK	CHECK# 004666	185.00	0.00	185.00

Total Due: 455.16
 Total Tendered: 455.16
 Total Change: 0.00
 Net Paid: 455.16

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 176-041 B**, being a case brought by **Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH** requesting a **Variance** for a proposed **three (3) lot merger into one (1) lot for 197, 197R & 207 Central St., Hudson, NH** to be redeveloped as follows:

B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G); 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: _____

APPLICATION FOR A VARIANCE

SEP 20 2024
LAND USE DIVISION
ZONING DEPT.

16

Zoning Board of Adjustment
Town of Hudson

Entries in this box are to be filled out by
Land Use Division personnel
Case No. 176-041 B (16-24-24)
Date Filed 9/20/24

Name of Applicant Don Dumont, Dillon Dumont of Meadows Property LLC & Posey Investments LLC Map: 176 Lot: 41, 44, 45 Zoning District: B & G

Telephone Number (Home) 603-231-7344 (Work) _____

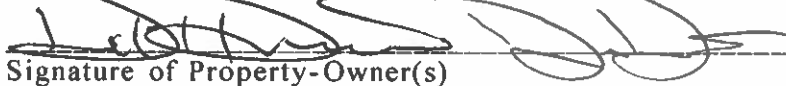
Mailing Address 195R Central St Hudson NH 03051

Owner Meadows Property LLC & Posey Investments LLC

Location of Property 197, 197R & 207 Central St
(Street Address)


Signature of Applicant

9/18/24
Date


Signature of Property-Owner(s)

9/18/24
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 Variance.

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

Date received: 9/20/24

COST:

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

15 Abutter Notice:

Direct Abutters x Certified postage rate	\$ <u>N/A</u> =	\$ <u>N/A</u>
<u>2</u> Indirect Abutters x First Class postage rate	\$ <u>N/A</u> =	\$ <u>N/A</u>
Total amount due:		\$ _____

Amt. received: \$ 185-

Receipt No.: 790,907

Received by: TSG

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

Check #
004666

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 |
|-----------------------|---|-------------------|
| (DRD) | Please review the completed application with the Zoning Administrator or staff before making copies in next step. | TG |
| (DRD) | 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) | TG |
| (DRD) | A separate application shall be submitted for each request, with a separate application fee for each request i.e.: Variance, Special Exception, Home Occupation Special Exception, Appeal from an Administrative Decision, and Equitable Waiver but only one abutter notification fee will be charged for multiple requests. If paying by check, make the check payable to the Town of Hudson. | TG |
| (DRD) | If the applicant is not the property owner(s), the applicant must provide to the Town written authorization, signed and dated by the property owner(s), to allow the applicant or any representative to apply on the behalf of the property owner(s).
(NOTE: if such an authorization is required, the Land Use Division will not process the application until this document has been supplied.) | TG |
| (DRD) | 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.) | TG |
| (DRD) | 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 | TG |
| (DRD) | Provide a copy of all single sided pages of the assessor's card.
(NOTE: these copies are available from the Assessor's Office) | TG |
| (DRD) | A copy of the Zoning Administrator's correspondence confirming either that the requested use is not permitted or that action by the Zoning Board of Adjustment is required must be attached to your application. | TG |
| (DRD) | 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. | TG |

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)	
176	041	Meadows Property LLC	195R Central St Hudson, NH 03051
176	024	Keith R. Tessier	52 Greeley St. Hudson, NH 03051
176	028	Mario Plante TR Denyse Plante TR	9 Old Derry Rd. Hudson, NH 03051
176	027	Justine Mary Holdings C/O Don Levesque	214 Central St Hudson, NH 03051
176	025	Hudson Veterinary R.E. LLC	208 Central St. Hudson, NH 03051 235 W Central St. Natick, MA 01760 (TB)
176	042	203 Central Street Realty LLC	55 Hazlewood Rd. Hudson, NH 03051
176	044	Posey Investments LLC.	195R Central St Hudson, NH 03051
176	047	Derek Realty LLC	195R Central St Hudson, NH 03051
176	046	Don-Ray Property LLC	195R Central St Hudson, NH 03051
176	045	Posey Investments LLC.	195R Central St Hudson, NH 03051
176	048	NSA Property Holdings LLC	24901 Dana Point Dr. STE 200 Dana Point, CA 92629 PO Box 5651; Bismark, ND 58506-565 (TB)
176	048	Sprint Spectrum	PO Box 85022 Bellevue, WA 98015-8522
176	043	John E Robichaud	201 Central St Hudson, NH 03051
185	040	Town of Hudson	12 School St. 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)	
176	021	Blue Bird Hudson LLC	125 Ocean RD Greenland NH 03640
176	020	T & L 2018 LLC	156 Lowell RD Hudson NH 03051
176	026	Justine Mary Holdings	214 Central St Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
176	029	Burger King Company LLC	5707 Blue Lagoon Dr. Miami, FL 33126
176	019	Posey Investments LLC.	195R Central St Hudson NH 03051
176	049	V.S.H Realty INC	165 Flanders Rd Westborough, MA 01581

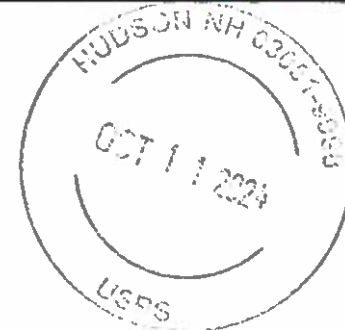
USPS-Verified Mail

SENDER:		TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 1.2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address		10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5657 24	MEADOWS PROPERTY, LLC 195R CENTRAL ST., HUDSON, NH 03051		APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5657 31	POSEY INVESTMENTS LLC 195R CENTRAL ST., HUDSON, NH 03051		APPLICANT/OWNER NOTICE MAILED
3	9589 0710 5270 0646 5657 48	T & L 2018, LLC 156 LOWELL RD., HUDSON, NH 03051		ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5657 55	Blue Bird Hudson LLC 125 Ocean Rd., Greenland, NH 03840		ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5657 62	TESSIER, KEITH R. 52 GREELEY ST., HUDSON, NH 03051		ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5657 79	HUDSON VETERINARY R.E. LLC 235 W CENTRAL ST., NATICK, MA 01760		ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5657 86	JUSTINE MARY HOLDINGS; C/O DON LEVESQUE 214 CENTRAL STREET, HUDSON, NH 03051		ABUTTER NOTICE MAILED
8	9589 0710 5270 0646 5657 93	PLANTE, MARIO, TR; PLANTE, DENYSE, TR 9 OLD DERRY ROAD, HUDSON, NH 03051		ABUTTER NOTICE MAILED
9	9589 0710 5270 0646 5658 09	203 CENTRAL STREET REALTY, LLC 55 HAZELWOOD ROAD, HUDSON, NH 03051		ABUTTER NOTICE MAILED
10	9589 0710 5270 0646 5658 16	ROBICHAUD, LINE NICOLE 201 CENTRAL ST., HUDSON, NH 03051		ABUTTER NOTICE MAILED
		Total Number of pieces listed by sender 10	Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee)



USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 2 of 2
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5658 23	DON-RAY PROPERTY LLC 195R CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	9589 0710 5270 0646 5658 30	DEREK REALTY, L.L.C 195R CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5658 47	NSA PROPERTY HOLDINGS, LLC PO BOX 5651, BISMARCK, ND 58506-5651	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5658 54	SPRINT SPECTRUM; ATTN: PROPERTY TAX DEPT PO BOX 85022, BELLEVUE, WA 98015-8522	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5665 09	TOWN OF HUDSON 12 SCHOOL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6			
7			
8			
9			
10			
	Total Number of pieces listed by sender 5	Total number of pieces rec'vd at Post Office 5	Postmaster (receiving Employee) KB



USPS-First Class Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - First Class	Case# 176-041 Two (2) VARIANCES 197,197R, 207 Central St., Hudson, NH Map 176/Lots 41,44,45-000 1 of 1
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	Mailed First Class	BURGER KING COMPANY, LLC 5707 BLUE LAGOON DR., MIAMI, FL 33126	ABUTTER NOTICE MAILED
2	Mailed First Class	V.S.H. REALTY INC.; VO888 165 FLANDERS RD., WESTBOROUGH, MA 01581	ABUTTER NOTICE MAILED
3			
4			
5			
6			
7			
8			
9			
10			
	Total Number of pieces listed by sender 2	Total number of pieces rec'vd at Post Office <i>2</i>	Postmaster (receiving Employee) <i>K5</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

October 11, 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, October 24, 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.

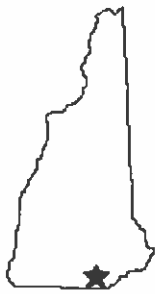
Case 176-041 (10-24-24): Dillon Dumont, Mgr. of Meadows Property, LLC and Don Dumont, Mgr. of Posey Investments, LLC, 195R Central St, Hudson, NH requests two (2) Variances for a proposed three (3) lot merger into one (1) lot for 197, 197R & 207 Central St., Hudson, NH [Map 176, Lots 041, 044 & 045, Sublots-000; Zoned Business (B) & General (G)] to be redeveloped as follows:

- A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]**
- B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [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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- A. To allow a proposed mixed principal use development with retail commercial uses and multi-family use on the same lot. [HZO Article II: General Regulations; §334-10, Mixed or dual use on a lot]**
- B. To allow for two (2) proposed multi-family buildings where multi-family use is not permitted in the General (G) district. The proposed 3-story building (1) is 70 ft. x 100 ft. with 30 units. The proposed 3-story building (2) is 60 ft. x 300 ft. with 70 units. [HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]**

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

TG

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article ~~334~~ **V: Permitted** of HZO Section(s) ~~10A~~ **334-21, Table of Permitted Principal Uses.** in order to permit the following: **uses**

Multi Family Use in a General Zone

FACTS SUPPORTING THIS REQUEST:

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

- I.(a) "The Zoning Board of Adjustment shall have the power to:
 - (2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:
 - (A) The variance will not be contrary to the public interest;
 - (B) The spirit of the ordinance is observed;
 - (C) Substantial justice is done;
 - (D) The values of surrounding properties are not diminished; and
 - (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
 - (b)(1) For purposes of this subparagraph I(a)(2)(E), "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (A) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
 - (B) The proposed use is a reasonable one.
 - (2) If the criteria in subparagraph (1) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.
 - (3) The definition of "unnecessary hardship" set forth in subparagraphs (1) and (2) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

FACTS SUPPORTING THIS REQUEST:

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

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

This use would not alter the charater of the neighborhood. This is a large parcel with virtually nothing around it. This use would allow for housing which the community is in need of.

- 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 propsoed mult-family use aligns with the spirit of the ordinace by adhearing to established guidlines and supporting higher density housing.

- 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.)

this would allow the property to be developed in a sucessful manner instead of remaining vacant like it has been for so many years

- 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.)

Any development to this property will only clean up a very depressed area and improve proerty values for all surrounding parcels

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*

This proerty is bisected by two Zones and the proposed use is allowed on the front half of the parcel.

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

by maintaining a similar use as to what is on allowed on the front portion of the lot it will allow the development to be more harmonious

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 #24-086

September 17, 2024

Sent Via Email and First Class Mail

Don Dumont
195R Central St
Hudson, NH 03051

Re: 197R, 197 & 207 Central Street Map 176-Lot 045-000 - Map 176-Lot 044-000
Map 176 Lot 041-000

Districts: Business (B) & General (G)

Dear Mr. Dumont,

Your requests: To do a mixed use development with retail and Multifamily.

Zoning Review / Determination:

These (3) three property are lots of record, consisting Lots Map 176-44 – 62,489 Sqft (1.43 Acres) 176 045 - 20,912 Sqft (0.48 Acres) 176-41-1,054,468 Sqft (24-71Acres), with 548.47 LF. of frontage on Central St.

The lot is bisected with 2 zoning districts: Business (B) which fronts along Central Street and General (G) in the rear portion.

1) The Mixed/Dual Uses of with (3) three principal use on the same lot. The property has commercial building up front long Central Street and the other 2 building being residential are in the rear of the Lot. These uses would require a variance per §334-10 Mixed or Dual Use Lot.

2) Multi-family is not permitted in the General (G) district and would need a variance from §334-21: Table of Permitted Principal Uses.

§334-10A would not be satisfied in the rear section within the G district, due to the mixed /dual uses proposed in the B district on this parcel and would need a variance.

The plan indicates wetland and wetland buffers on this parcel, therefore development around these areas would require compliance with Article IX Wetland Conservation District. Site plan review approval by the Planning Board would be required per §334-16.1

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

Sincerely,



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

cc: Public Folder
Brooke Dubowik (Planning Admin. 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.

Property Location: 207 CENTRAL ST
 Vision ID: 2382 Account #: 1883

Parcel ID: 176/041/000//
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 3900
 Print Date: 9/19/2024 8:08:55 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
MEADOWS PROPERTY, LLC 195R CENTRAL ST. HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		MC2	Commercial Central St		2024	3900	429,100	2024	3900	429,100	2023	3900	429,100
		TOPO	UTILITIES										
			Town Water										
		Access Only				Total	429,100		Total	429,100		Total	429,100

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
MEADOWS PROPERTY, LLC		9581 338	01-19-2022	U	V	225,000	24	Grantor: BURSEY, FAITH R.,	Appraised Bldg. Value (Card)				0
GPR REALTY, LLC		6745 1224	10-28-2002	U	V	350,000	25		Grantor: HUDSON, TOWN OF, MEADOWS/TAX DEED Grantor: N/A	Appraised Xf (B) Value (Bldg)			
BURSEY, FAITH R.		6745 1220	10-25-2002	U	V	0	35	Appraised Ob (B) Value (Bldg)				0	
HUDSON, TOWN OF		5751 0433	09-11-1996	U	V		38	Appraised Land Value (Bldg)				429,100	
MEADOWS/TAX DEED		3389 744	10-10-1985	U	V	550,000	38	Special Land Value				0	
						Total:	429,100	429,100	Total Appraised Parcel Value				429,100

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				APPRAISED VALUE SUMMARY	
Parcel ID	176-041-000	PREV 0020-0013-0000 Assoc Pid#	Descript	Code	Appraised	Assessed	Valuation Method	
Zoning	BD:Business District		LAND	3900	429,100	429,100	C	
Flood Hazard	A							
Neigh/Abut1								
Neigh/Abut2								
Neigh/Abut3								
GIS ID	176-041-000		Total:	429,100	429,100	Total Appraised Parcel Value		429,100

NOTES				VISIT / CHANGE HISTORY			
TAKEN BY TAX DEED 1996 AND REDEEMED FROM TAX DEEDING 10/25/02 = \$250,000 +/- BAC K TAXES PLUS/CK STATUS FOR 2005, APPROVE D WETLANDS SPECIAL EXCEPTION/ADJ ACREAGE PER 2004 PLAN, 23.344 AC/ON MARKET 2017 & 2018 for \$324,900, KW				Date	Id	Cd	Purpost/Result
				03-29-2022	23	10	Vacant Lot
				09-18-2017	09	18	Hearing - Change
				06-12-2017	09	45	Field Review
				07-26-2016	01	20	Other Change
				02-19-2014	01	28	Abate-Grante
				07-23-2013	01	27	Abate Denied
				05-10-2012	09	45	Field Review
				07-11-2007	09	10	Vacant Lot

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	3900	VAC COMMERCIAL LA	Site	2.400 AC	260,000		1.00	E	1.00	MC2	1.50	Contaminat	0.60			393,100
1	3900	VAC COMMERCIAL LA	Excess	20.732 AC	26,000	0.89	1.00	0	1.00	MC2	1.50	Wet/Low	0.05		0.70	36,000
Total Card Land Units:				23.132 AC	Parcel Total Land Area:				23.132	AC			Total Land Value:		429,100	

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

Property Location: 207 CENTRAL ST
 Vision ID: 2382 Account #: 1883

Parcel ID: 176/041/000/
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 3900
 Print Date: 9/19/2024 8:08:56 AM

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				SKETCH / PRIMARY PHOTO		
Element	Cd	Description	Element	Cd	Description				
Model	00	Vacant	Avg Ht/FL			No Sketch			
Stories:	99	Vacant Land	Extra Kitchens						
Style:			Add Kitchen Ra						
Grade:									
(Liv) Units									
Exterior Wall 1									
Roof Structure									
Roof Cover									
Frame									
Foundation									
Interior Wall 1									
Interior Floor 1									
Heat Fuel									
Heat Type									
# Heat Systems									
AC Percent									
Total Rooms									
Bedrooms									
Full Baths									
3/4 Baths									
Half Baths									
Extra Fixtures									
Kitchens									
Kitchen Rating									
Bath Rating									
Half Bath Rating									
Bsmt Garage									
Fireplace(s)									
Fireplace Rating									
WS Flues									
Color									
Avg Ht/FL									
Extra Kitchens									
COST / MARKET VALUATION									
			Building Value New		0				
			Year Built						
			Effective Year Built		0				
			Depreciation Code						
			Remodel Rating						
			Year Remodeled						
			Depreciation %						
			Functional Obsol						
			External Obsol						
			Trend Factor		1.000				
			Condition						
			Condition %						
			Percent Good						
			RCNLD		0				
			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 Bilt	Cnd.	% G	Assd. Value
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0			

Property Location: 197 CENTRAL ST
 Vision ID: 2378 Account #: 1872

Parcel ID: 176/044/000/1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 3900
 Print Date: 9/19/2024 8:08:14 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)								
POSEY INVESTMENTS, LLC 195R CENTRAL STREET HUDSON NH 03051		Nbhd	Nbhd Name			Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		MC2	Commercial Central St			2024	3900	86,000	2024	3900	86,000	2023	3900	86,000
		TOPO	UTILITIES											
			Town Water											
Access Only		Total		86,000		Total		86,000		Total		86,000		

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY					
POSEY INVESTMENTS, LLC		8729	0399	02-19-2015	U	V	24,900	24	Grantor: KONIS CORPORATION, Grantor: N/A	Appraised Bldg. Value (Card)				0
KONIS CORPORATION		5206	0486	08-17-1990	Q	V	0	00		Appraised Xf (B) Value (Bldg)				0
									Appraised Ob (B) Value (Bldg)				0	
									Appraised Land Value (Bldg)				86,000	
									Special Land Value				0	
									Total Appraised Parcel Value				86,000	
									Valuation Method				C	
									Total Appraised Parcel Value				86,000	

SUPPLEMENTAL DATA			CURRENT ASSESSMENT				Total		Total		Total	
Parcel ID	176-044-000	PREV 0020-0010-0000 Assoc Pid#	Descript	Code	Appraised	Assessed	86,000		86,000		86,000	
Zoning	BD:Business District		LAND	3900	86,000	86,000						
Flood Hazard	B											
Neigh/Abut1												
Neigh/Abut2												
Neigh/Abut3												
GIS ID	176-044-000											
							86,000		86,000		86,000	

NOTES				VISIT / CHANGE HISTORY			
VAC-LAND CLEARED & LEVEL 1997 LAND AC ER ROR CORRECTED FROM .27 AC TO 1.435 AC/10 0 X 300 (.689AC) =WET & UN USABLE				Date	Id	Cd	Purpost/Result
				09-18-2017	09	18	Hearing - Change
				06-12-2017	09	45	Field Review
				08-12-2015	01	28	Abate-Grante
				05-10-2012	09	45	Field Review
				07-11-2007	09	10	Vacant Lot
				04-09-2007	10	10	Vacant Lot
				08-05-2005	01	71	Acreage Adjustment From New Map
	10-17-1990	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	3900	VAC COMMERCIAL LA	Site	1.000 AC	260,000		1.00	E	1.00	MC2	1.50	Shape	0.70					
1	3900	VAC COMMERCIAL LA	Excess	0.472 AC	26,000		1.00	0	1.00	MC2	1.50	Topo	0.45		0.60	0.50	SLOPE/SHAPE/wet/as	81,900

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

Total Card Land Units: 1.472 AC Parcel Total Land Area: 1.472 AC Total Land Value: 86,000

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO			
Element	Cd	Description	Element	Cd	Description				
Model	00	Vacant	Avg Ht/FL			No Sketch			
Stories:	99	Vacant Land	Extra Kitchens						
Style:			Add Kitchen Ra						
Grade:									
(Liv) Units									
Exterior Wall 1									
Roof Structure									
Roof Cover									
Frame									
Foundation									
Interior Wall 1									
Interior Floor 1									
Heat Fuel									
Heat Type									
# Heat Systems									
AC Percent									
Total Rooms									
Bedrooms									
Full Baths									
3/4 Baths									
Half Baths									
Extra Fixtures									
Kitchens									
Kitchen Rating									
Bath Rating									
Half Bath Rating									
Bsrmt Garage									
Fireplace(s)									
Fireplace Rating									
WS Flues									
Color									
Avg Ht/FL									
Extra Kitchens									
			COST / MARKET VALUATION						
			Building Value New		0				
			Year Built						
			Effective Year Built		0				
			Depreciation Code						
			Remodel Rating						
			Year Remodeled						
			Depreciation %						
			Functional Obsol						
			External Obsol						
			Trend Factor		1.000				
			Condition						
			Condition %						
			Percent Good						
			RCNLD		0				
			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
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0			

Property Location: 197 R CENTRAL ST
 Vision ID: 2379 Account #: 1871

Parcel ID: 176/ 045/ 000/ 1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 1320
 Print Date: 9/19/2024 8:08:37 AM

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
POSEY INVESTMENTS LLC 195R CENTRAL ST. HUDSON NH 03051		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
		RC	Residential Fair		2024	1320	6,300	2024	1320	6,300	2023	1320	6,300
		TOPO	UTILITIES										
			Access Only										
					Total	6,300	Total	6,300	Total	6,300	Total	6,300	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY				
POSEY INVESTMENTS LLC		8613 2663	10-18-2013	U	V	0	40	Grantor: BDK DEVELOPERS, Grantor: DAMON, EARLA, Grantor: N/A	Appraised Bldg. Value (Card)				0
BDK DEVELOPERS		5727 1077	06-19-1996	Q	V	7,500	00		Appraised Xf (B) Value (Bldg)				0
DAMON, EARLA.		2265 0035	12-08-1972	Q	V	0	00		Appraised Ob (B) Value (Bldg)				0
									Appraised Land Value (Bldg)				6,300
									Special Land Value				0
									Total Appraised Parcel Value				6,300
									Valuation Method				C
									Total Appraised Parcel Value				6,300

SUPPLEMENTAL DATA				CURRENT ASSESSMENT				VISIT / CHANGE HISTORY									
Parcel ID	176-045-000	BD:Business District	C	Neigh/Abut1	PREV 0020-0010-0001	Assoc Pid#	Descript	Code	Appraised	Assessed	Date	Id	Cd	Purpost/Result			
Zoning	BD:Business District			LAND			1320	6,300	6,300	04-09-2007	10	10	Vacant Lot				
Flood Hazard	C									08-05-2005	01	71	Acreage Adjustment From New Map				
GIS ID	176-045-000									10-23-1990	02	14	Inspected				
Total:											6,300		6,300		Total Appraised Parcel Value		6,300

NOTES:										
ROW ACCESS 12 FEET WIDE										

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

LAND LINE VALUATION SECTION																
B #	Land Use Code	Description	Land Type	Land Units	Unit Price	Acrege Disc.	Size Adj.	Site Index	Cond.	Nbhd.	Nbhd Adj.	Land Adjustment			Notes	Land Value
1	1320	VAC RES UNDEVEL LA	Site	0.488 AC	170,000		1.67	5	1.00	RC	0.90	Unbuild	0.05		ACC/WET/TOPO;	6,300

Total Card Land Units: 0.488 AC Parcel Total Land Area: 0.488 AC Total Land Value: 6,300

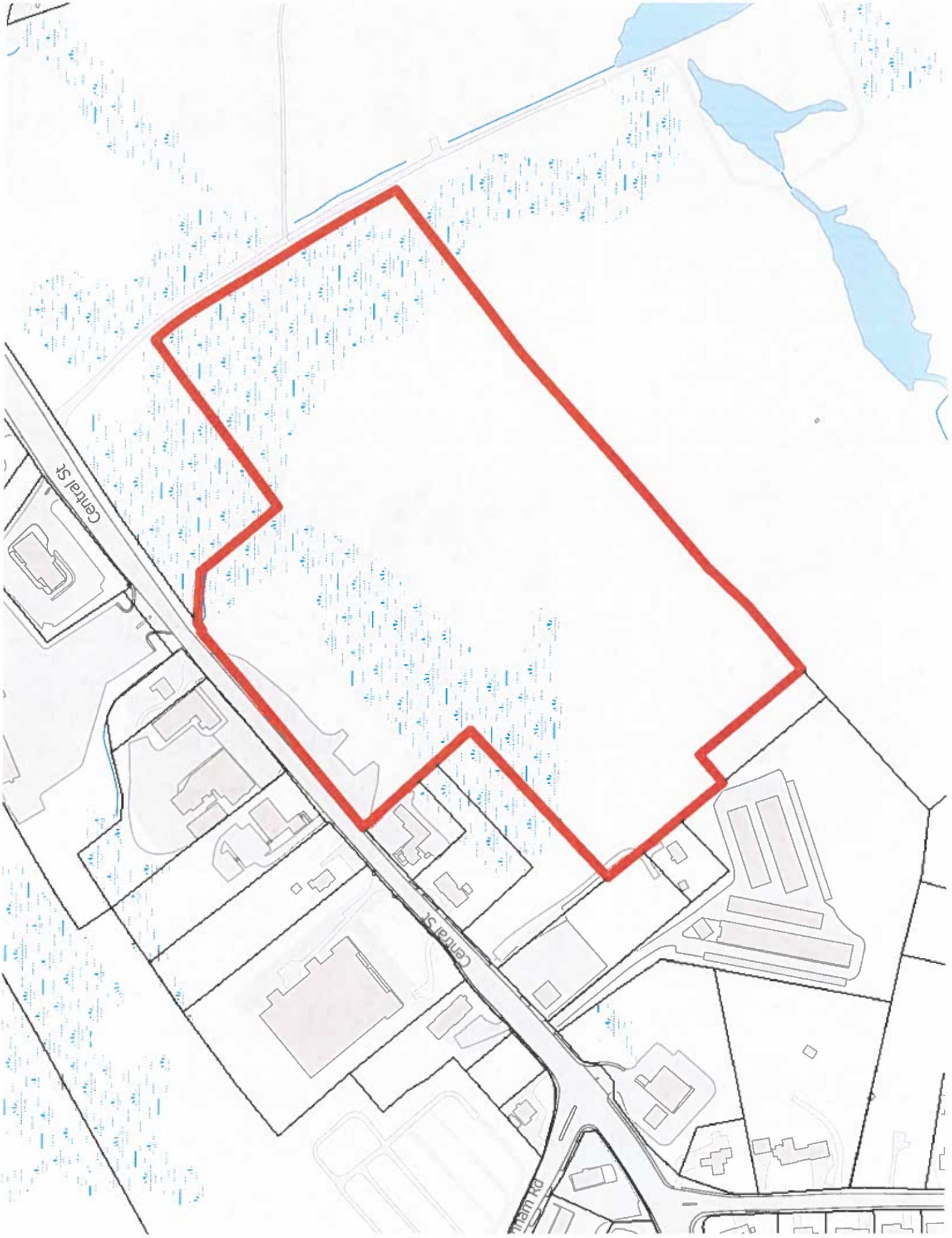
Property Location: 197 R CENTRAL ST
 Vision ID: 2379 Account #: 1871

Parcel ID: 176/045/000/1
 Bldg #: 1

Card Address: Card #: 1 of 1

LUC: 1320
 Print Date: 9/19/2024 8:08:37 AM

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO				
Element	Cd	Description	Element	Cd	Description					
Model	00	Vacant	Avg Ht/FL			No Sketch				
Stories:	99	Vacant Land	Extra Kitchens							
Style:			Add Kitchen Ra							
Grade:										
(Liv) Units										
Exterior Wall 1										
Roof Structure										
Roof Cover										
Frame										
Foundation										
Interior Wall 1										
Interior Floor 1										
Heat Fuel										
Heat Type										
# Heat Systems										
AC Percent										
Total Rooms										
Bedrooms										
Full Baths										
3/4 Baths										
Half Baths										
Extra Fixtures										
Kitchens										
Kitchen Rating										
Bath Rating										
Half Bath Rating										
Bsmt Garage										
Fireplace(s)										
Fireplace Rating										
WS Flues										
Color										
Avg Ht/FL										
Extra Kitchens										
COST / MARKET VALUATION										
			Building Value New		0					
			Year Built							
			Effective Year Built		0					
			Depreciation Code							
			Remodel Rating							
			Year Remodeled							
			Depreciation %							
			Functional Obsol							
			External Obsol							
			Trend Factor		1.000					
			Condition							
			Condition %							
			Percent Good							
			RCNLD		0					
			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	U/B	Units	UOM	Unit Pri	Yr Bt	Cnd.	% G	Assd. Value	
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value				
	Total Liv Area/Gr. Area/Eff Are	0	0	0	Total Value	0				





42

0.52 AC

100

300

50

150.00

150.00

43

0.863 AC

S

150

201

44

1.472 AC

S

200

94.2

419.14

197

47

1.356 AC

S

Central St

204

4.61
27.23
50.85

42.16

196

150

194

150

195

31.24

152.38

151.91



120.93

170.35

280

45

0.488 AC
1978 S

323.12

74.3

261.22

186.25

319.37

73.88

150.38

R

LEGEND

---	PROPERTY LINE
- - -	SETBACK LINE
---	MAJOR CONTOUR (10')
- - -	MINOR CONTOUR (2')
---	FENCE
---	GUARDRAIL
---	OVERHEAD ELECTRIC LINE
---	STONE WALL
---	STREAM
---	SEWER LINE
---	TREELINE
---	WETLAND BUFFER LINE
---	STONE BOUND FOUND
---	REBAR OR IRON PIPE FOUND
---	CALCULATED CORNER
---	GAS FILL
---	GATE VALVE
---	SEWER MANHOLE
---	UTILITY POLE
---	WETLAND FLAG
---	APPROXIMATE LOCATION OF COVERED ASBESTOS
---	EXISTING CONCRETE
---	EXISTING PAVEMENT
---	PROPOSED PAVEMENT
---	WETLAND

TOWN OF HUDSON
New Hampshire
03051

OCT 09 2024
LAND USE DIVISION
ZONING DEPT.

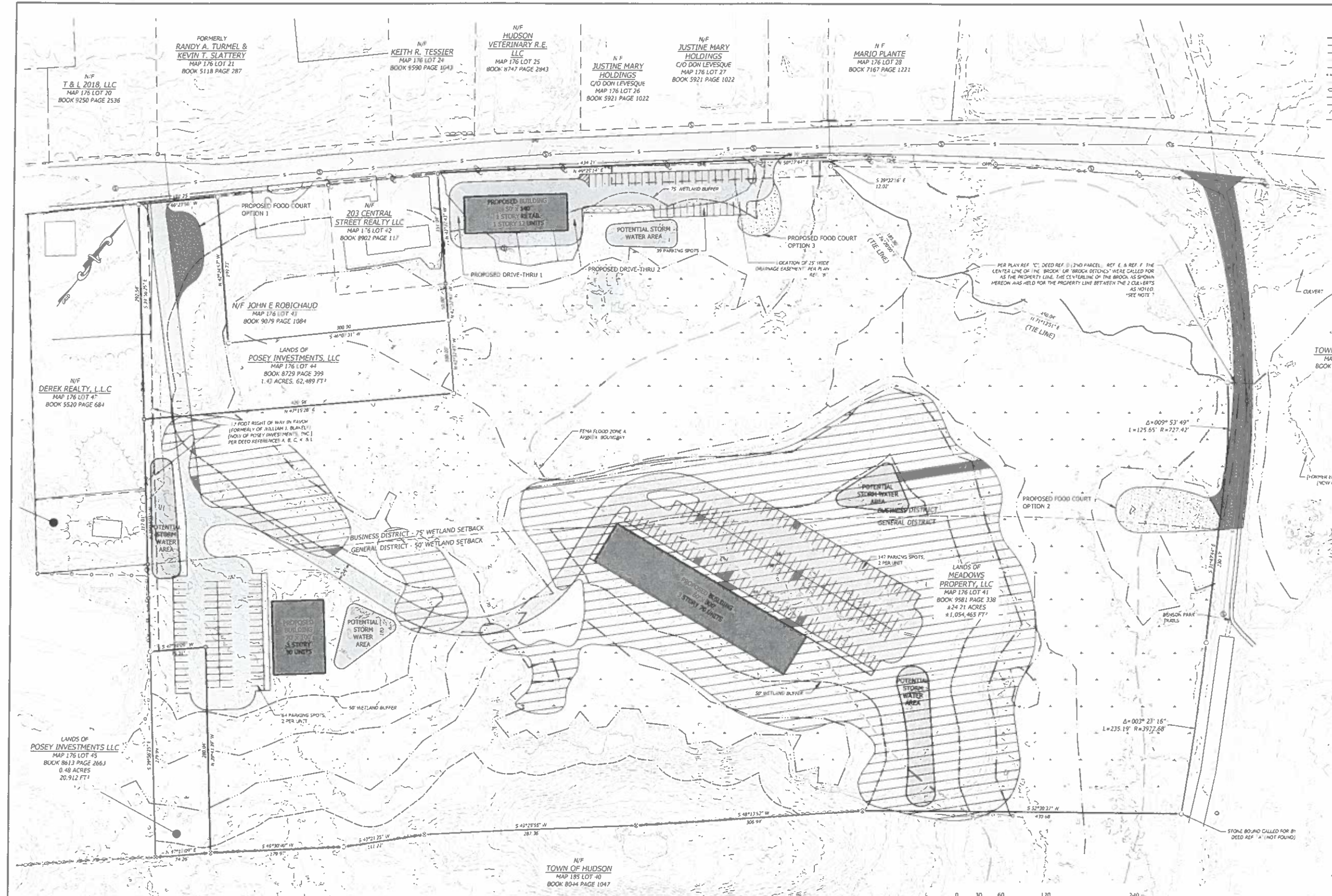
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Civil and Structural Engineering
Land Surveying and Environmental Consulting
HAIR - NEW HAMPSHIRE - VERMONT
www.horizonsengineering.com

DON DUMONT
MULTI-FAMILY DEVELOPMENT
HUDSON, NEW HAMPSHIRE

CONCEPT PLAN

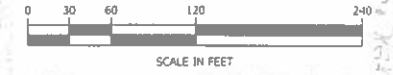
NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: SEPT, 2024	PROJECT #: 240197
ENGINE'D BY: RJH	DRAWN BY: DMW
CHECK'D BY: XXX	ARCHIVE #: H-___
SHEET 1 OF 1	



WETLAND NOTES

- STATE AND FEDERAL JURISDICTIONAL WETLANDS WERE DELINEATED BY N.H. CERTIFIED WETLAND SCIENTIST, CAITLIN BANASZAK, CWS NO. 311 ON APRIL 18, 2024. WETLANDS MAPPING WAS DONE BY N.H. LICENSED LAND SURVEYORS, HORIZONS ENGINEERING, INC. IN ACCORDANCE WITH THE FOLLOWING GUIDANCE DOCUMENTS:
 - N.H. CODE OF ADMINISTRATIVE RULES, ENVT 301.01 WITH THE TECHNICALS OUTLINED BY THE 1987 U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT 7-87-1
 - U.S. ARMY CORPS OF ENGINEERS 2012, REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTH-EAST REGION, U.S. ARMY CORPS OF ENGINEERS RESEARCH AND DEVELOPMENT CENTER, ENVIRONMENTAL LABORATORY, BRIDGES TR-09-13
 - U.S. ARMY CORPS OF ENGINEERS 2018, NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS, NORTH-EAST REGION, U.S. ARMY CORPS OF ENGINEERS RESEARCH AND DEVELOPMENT CENTER ENVIRONMENTAL LABORATORY.
 - N.H. CODE OF ADMINISTRATIVE RULES, ENVT 301.02 WITH THE U.S. FISH AND WILDLIFE SERVICE MANUAL FWS OHS-79-31 ENTITLED "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES," COCHRAN ET AL., 1979.
 - NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, 2020, VERSION 4 "FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND," NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA.
 - U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE, 2018, "FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES," VERSION 8.2, L.M. VASBAS, G.W. HURT, AND C.V. NORRIS (EDS.), USDA, NRCS IN COOPERATION WITH THE NATIONAL TECHNICAL COMMITTEE FOR HYDRIC SOILS.



CONCEPT PLAN

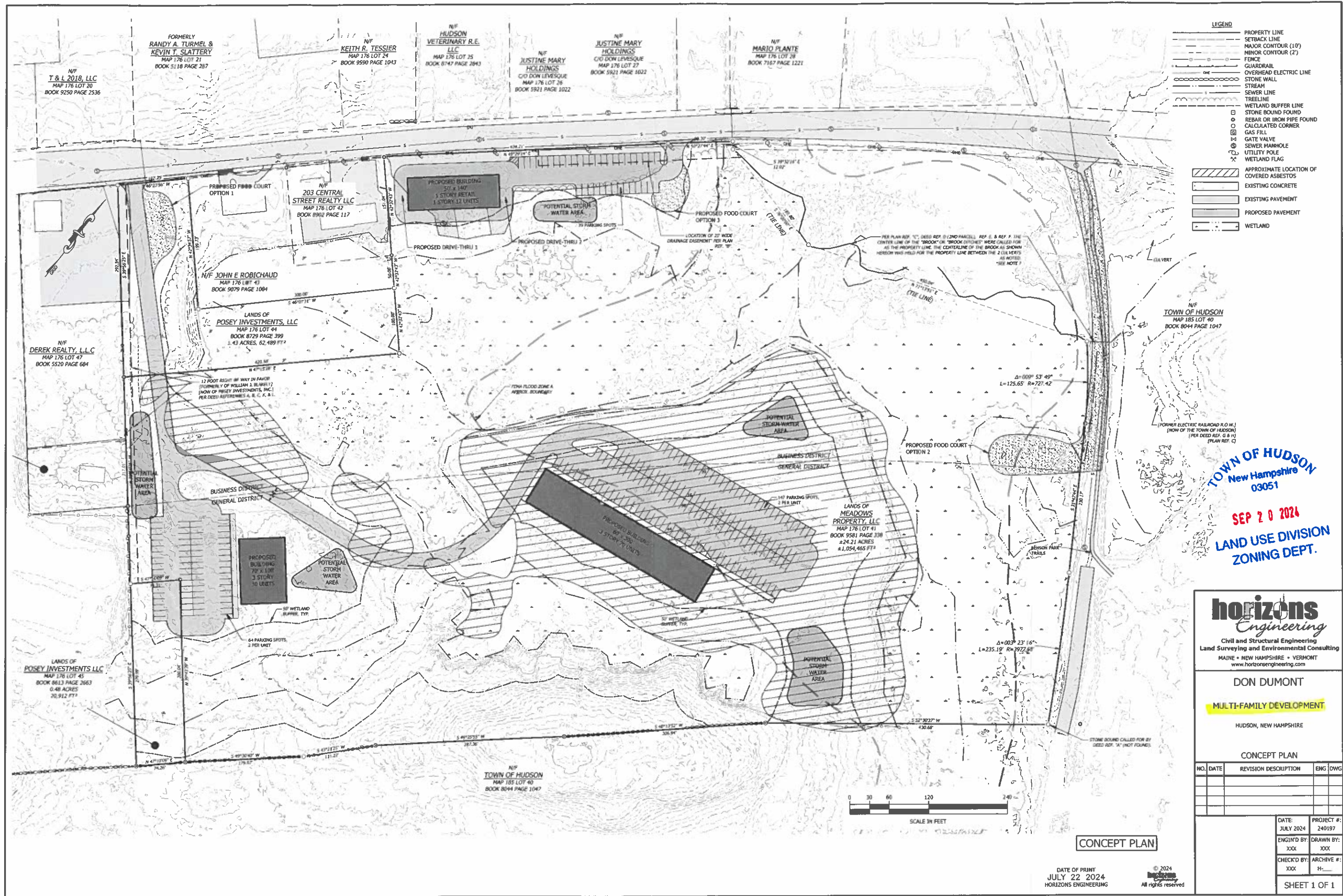
DATE OF PRINT
OCTOBER 04 2024
HORIZONS ENGINEERING

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Horizons Engineering
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7:\proj_2024\240197\Drawings - Central Street, Hudson, NH\plan\Map\Concept\01.dwg, 10/04/2024, 3:15:23 PM, DWG to PDF.pc4



Z:\proj_2024\240197 Dumont - Central Street, Hudson, NH\Internal\Civil\Concepts\240197 CONCEPT 2, 7/22/2024 11:49:14 AM, DavidWheeler



- LEGEND**
- PROPERTY LINE
 - SETBACK LINE
 - MAJOR CONTOUR (10')
 - MINOR CONTOUR (2')
 - FENCE
 - GUARDRAIL
 - OVERHEAD ELECTRIC LINE
 - STONE WALL
 - STREAM
 - SEWER LINE
 - TREELINE
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 - SEWER MANHOLE
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 - ▨ APPROXIMATE LOCATION OF COVERED ASBESTOS
 - ▨ EXISTING CONCRETE
 - ▨ EXISTING PAVEMENT
 - ▨ PROPOSED PAVEMENT
 - ▨ WETLAND

TOWN OF HUDSON
New Hampshire
03051

SEP 20 2024

LAND USE DIVISION
ZONING DEPT.

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DON DUMONT

MULTI-FAMILY DEVELOPMENT

HUDSON, NEW HAMPSHIRE

CONCEPT PLAN

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE:	PROJECT #:
JULY 2024	240197
ENGIN'D BY:	DRAWN BY:
XXX	XXX
CHECK'D BY:	ARCHIVE #:
XXX	H---

SHEET 1 OF 1

CONCEPT PLAN

DATE OF PRINT
JULY 22 2024
HORIZONS ENGINEERING

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Printed
9/20/2024
2:58PM
Created
9/20/2024
2:50 PM

Transaction Receipt

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

Receipt# 790,907
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Applications-10/24/24 ZBA Mtg 197,197R, 207 Central Streets Map 176 Lots 044, 045, 041 Zones B &G			
	VARIANCE A	0.00	270.1600	0.00
	VARIANCE B (Multi Family use)	0.00	185.0000	0.00
			Total:	455.16

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Dumont Realty & Development LLC	CHECK	CHECK #004667	185.00	0.00	185.00
Dumont Realty & Development LLC	CHECK	CHECK # 004668	85.16	0.00	85.16
Dumont Realty & Development LLC	CHECK	CHECK# 004666	185.00	0.00	185.00
			Total Due:		455.16
			Total Tendered:		455.16
			Total Change:		0.00
			Net Paid:		455.16



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: October 24, 2024

Case 198-037 (10-24-24): Patrick & Caroline Ryan, 6 B St., Hudson, NH requests a Variance to allow an existing un-permitted 22 ft. x 24 ft. (528 SF) Accessory Dwelling Unit (ADU) above the garage to remain where an ADU shall meet the Hudson Zoning Ordinance ADU Provisions which include a building permit for an ADU must be approved and issued prior to the construction of an ADU or conversion of existing space into an ADU. [Map 198, Lot 037, Sublot-000; Split Zoned Business (B) & Town Residence (TR); HZO Article XIII A: Accessory Dwelling Units; §334-73.3, Provisions and HZO Article III: General Regulations; §334-16, Building Permits]

ADDRESS: 6 B Street
Map 198, Lot 037-000

ZONING DISTRICT: Town Residence (TR)

Relief Requested: Variance to allow an existing un-permitted 1,143.5 SF Accessory Dwelling Unit (ADU)

PROPERTY DESCRIPTION:

The Town of Hudson, records indicate this parcel is an existing lot of record. The lot is 10,018 sq. ft. where 10,000 is required. The lot is classified as a single-family residence and was built in 1950. There is a garage which was constructed in 2006 and supposed to be detached..

The illegal ADU was discovered because the property was for sale. The new perspective owner was doing his diligence and making sure the property complied Hudson regulations..

History/Attachments:

Plans

A: Elevation (3-13-06)
B: Floor Plan (3-13-06)

BUILDING PERMITS

C: BP# 2006-154 Constructed a 22x34. detached garage

ZONING ADMINISTRATOR/CODE ENFORCEMENT AND OTHER CORRESPONDENCE

D: Notice Decision (Granted Area Variance (2-7-06)
E: Zoning Determination # 24-077 (8-15-24)
F: Zoning Determination # 24-077R (10-1-24)

AERIAL / PHOTOS

Aerials (2024) 6 B Street





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: September 26, 2024

IN-HOUSE COMMENTS:

G: Town Engineer: 10-7-24

Applicant shall provide information about the parking situation and the current set up.

H: Inspectional Services/Fire Dept.: 10-7-24

Town records indicate a building permit for a garage used for storage was issued in 2006

No permits were issued to finish the area above the garage

No inspections were performed for the finished area above the garage

If approved by Zoning, the owner can submit a building permit application for review

I: Associate Town Planner: 10-7-24

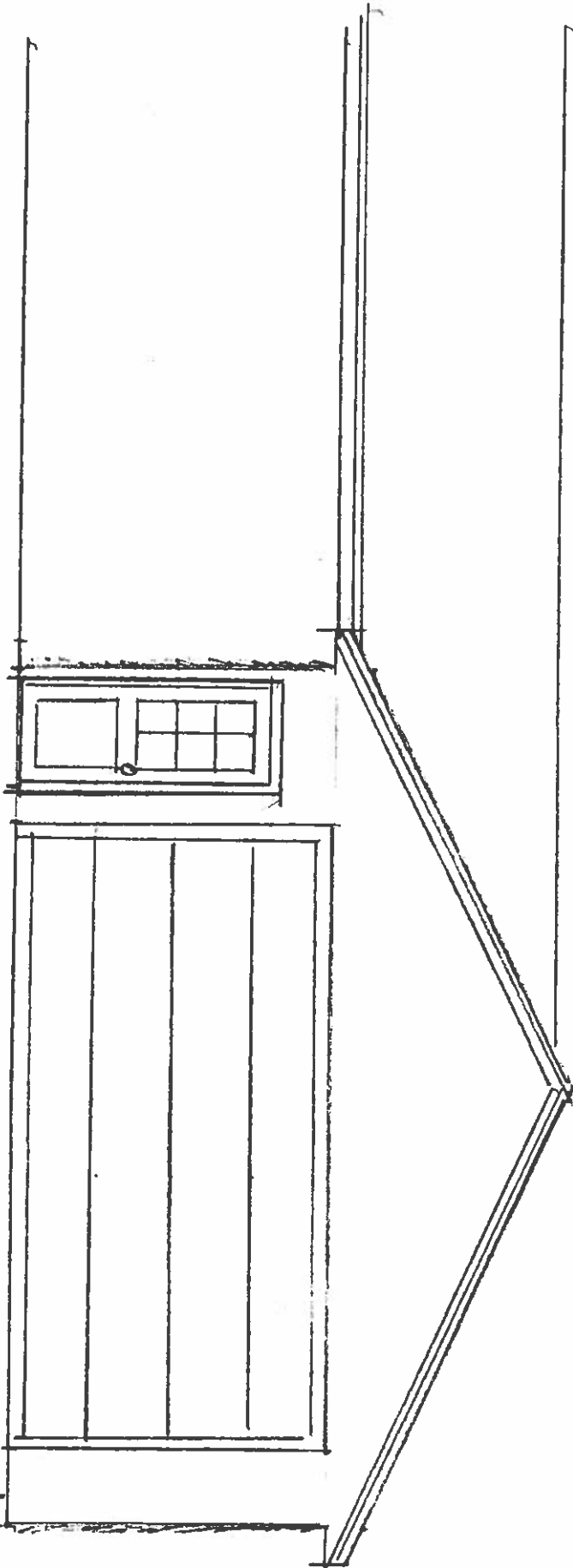
No Comment

AERIAL / PHOTOS

Aerials (2024) Case # 152-067 - 110 Barretts Hill Rd



(A)

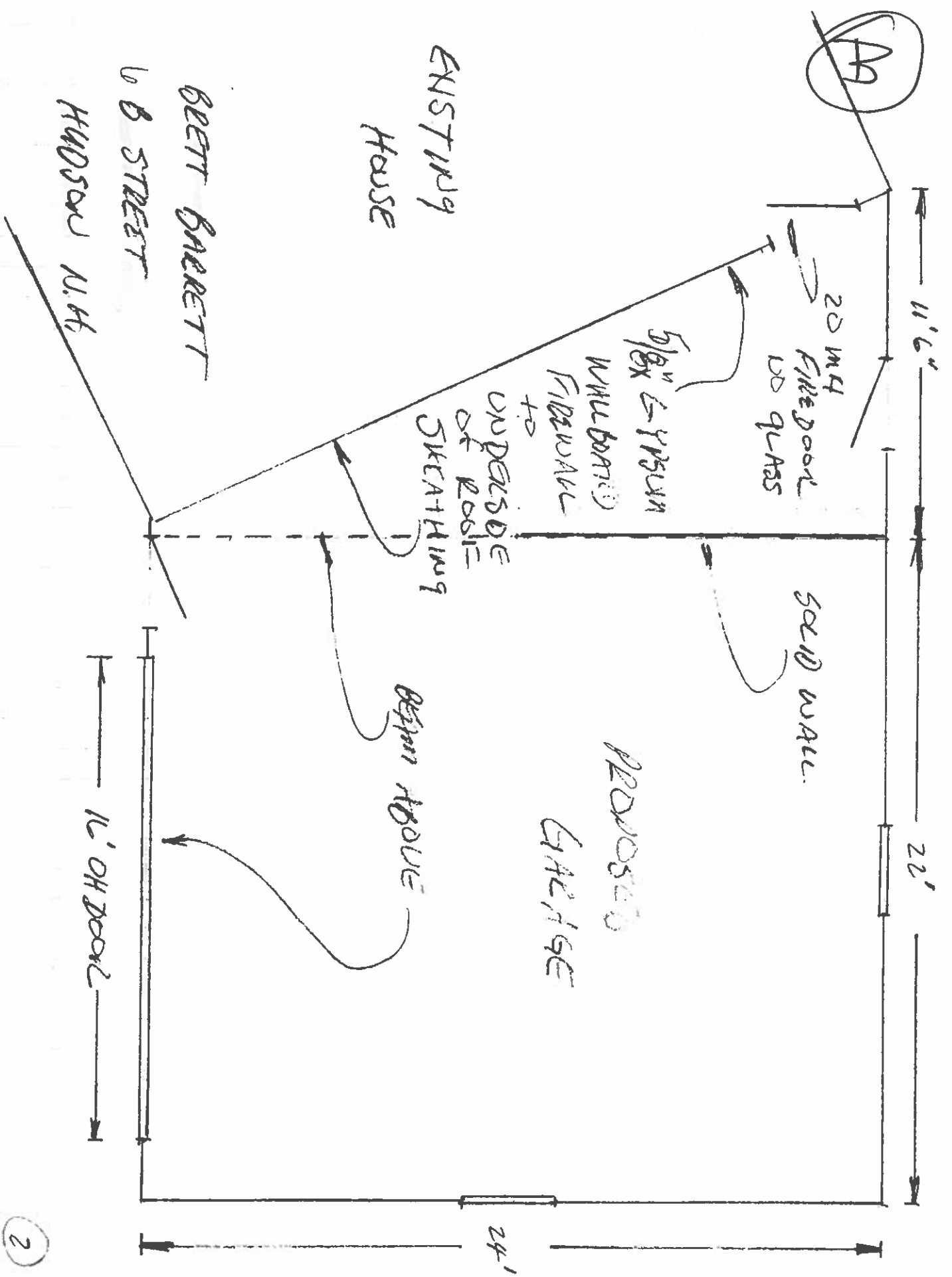


4' Footing

FIRST WALL

(2)

198/31



2

C

B (Framing)

Date 13-Mar-2006 Permit# 2006-154

Applicant **Brett Barrett** 6 B Street Contractor's License
Permit To **Garage-detached** 0 Story **One Family** # of Dwelling Units 0

At (Location) **6 B Street** Zoning District
Between **County Road** And **Charbonneau Street**

Subdivision Map 198 Lot 37 Sublot Lot Size 0
Building is to be 0 ft. Wide by 0 ft. Long by 0 ft. in Height and Shall Conform in Construction
to Type **Wood Frame** Use Group Foundation Type

Remarks **All construction must conform to Hudson Town Codes.**
Construct a 22' x 24' detached garage.

Area or Volume 0 Estimated Cost \$ **\$17,000.00** Permit Fee \$ **\$105.00 PAID**
Owner **Brett Barrett** Approved *William A. Olszewski*
Address **6 B Street, Hudson, NH 03051** Date **MAR 13 2006**

The garage shall be located a minimum of 10 feet from the side lot line and minimum of 13 feet from the rear lot line in accordance with a variance granted by the Zoning Board of Adjustment on January 26, 2006.

3/13/06 - Spoke to Brett



A43

Hudson Town Hall
~~Community Development Department~~ Zoning
12 School Street
Hudson, NH 03051

FEES:	14.39
SURCHARGE:	2
CASH:	0

Town of Hudson

Zoning Board of Adjustment

Decision to Grant an Area Variance

On **1/26/06**, the members of the Hudson Zoning Board of Adjustment, as part of its regular public meeting for that date, heard **Case 198-37**, concerning a request by **Brett Barrett, 6 B Street, Hudson**, for an Area Variance **to allow construction of a garage within the side and rear setback. 15-foot side and rear setback required, 13-foot rear setback and 10-foot side setback proposed.** [Map 198, Lot 37, Zoned Business; HZO Article VII, Section 334-27, Table of Dimensional Requirements.]

Following review of the testimony and deliberation, a majority of this Zoning Board determined that the variance should be granted with the following stipulations:

1. The Building Inspector's revised plan shall be used depicting a 13-foot rear setback and 10-foot side setback.
2. The garage shall be 22' x 24' in size.

For details of specific discussion relative to this decision, please consult the public minutes recorded during this hearing.

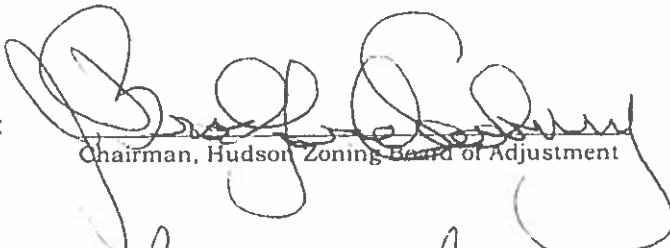
All representations of fact or intention made by the applicant or any applicant's representative(s) during testimony before the Zoning Board of

UN / 02 / 01 / 24 /


D

Adjustment relative to the obtaining of this Variance permit shall be considered conditions of the Variance, regardless of the fact that such facts or intentions may not have been specifically stated as stipulations of the motion to grant.

In the event that the requested use subsequently is found by the Hudson Community Development Director to demonstrate deliberate or preventable lack of compliance with any applicable stipulation or restriction, including the verbally specified restrictions described in the preceding paragraph, such use shall be held to be in violation of the covenant made with the Board, and the approval shall be null and void.

Signed: 
Chairman, Hudson Zoning Board of Adjustment

Date: 02-05-06

Signed: 
Community Development Director

Date: 2/17/06

BK 102 / 101 240



TOWN OF HUDSON

Land Use Division

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

Zoning Determination #24-077

August 15, 2024

Patrick Ryan
5 Gordon St
Hudson NH 03051

Re: 6 B Street Map 198 Lot 037-000
District: Split Zone – Business (B) and Town Residence

Dear Mr. Ryan,

Request:

What needs to be done to make the unpermitted Accessory Dwelling Unit ADU legal?

The town records indicate the lot is 10,018 sqft where 30,000 sqft is required. The lot has a single-family home on it. On 1-26-06 a variance was granted to allow a 22'X24", detach garage to be constructed in the side a rear side yard setback.

Zoning Review / Determination:

From the files available, I would determine that this property is set up as an ADU (without approvals).

Can you rectify this? If the ADU can satisfy the Zoning Ordinance criteria in Article XII Accessory Dwelling Units, I suggest a building permit application for ADU "after the fact". If the ADU can't satisfy the ADU criteria within the Zoning Ordinance, then a variance request from the ADU requirements that cannot be met would be needed by the Zoning Board of Adjustment (ZBA).

To be an ADU (dwelling unit) per the Zoning Ordinance definition: ACCESSORY DWELLING UNIT (ADU) *A residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal DWELLING UNIT it accompanies, as defined in RSA 674:71.*

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

(E)

Sincerely,



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

Att.: Accessory Dwelling Unit Checklist
cc: Public Folder
Inspectional Services
Brooke Dubowik (Planning Administrative Aide
File

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



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-077R

October 1, 2024

Patrick Ryan
5 Gordon St
Hudson NH 03051

Re: 6 B Street Map 198 Lot 037-000
District: Split Zone – Business (B) and Town Residence

Dear Mr. Ryan,

Request:

What needs to be done to make the unpermitted Accessory Dwelling Unit ADU legal?

The town records indicate the lot is 10,018 sqft where 30,000 sqft is required. The lot has a single-family home on it. On 1-26-06 a variance was granted to allow a 22'X24", detach garage to be constructed in the side a rear side yard setback.

Zoning Review / Determination:

From the files available, I would determine that this property is set up as an ADU (without approvals).

Can you rectify this? If the ADU can satisfy the Zoning Ordinance criteria in Article XII Accessory Dwelling Units, I suggest a building permit application for ADU "after the fact". If the ADU can't satisfy the ADU criteria within the Zoning Ordinance then a variance would be required from the Zoning Board of Adjustment per 334-73.3. Provisions.

To be an ADU (dwelling unit) per the Zoning Ordinance definition: ACCESSORY DWELLING UNIT (ADU) *A residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal DWELLING UNIT it accompanies, as defined in RSA 674:71.*

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②

Sincerely,



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

Att.: Accessory Dwelling Unit Checklist
cc: Public Folder
Inspectional Services
Brooke Dubowik (Planning Administrative Aide
File

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



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

REQUEST FOR REVIEW/COMMENTS:

Case: 198-037 (10-24-24) **(VARIANCE)**

Property Location: 6 B Street

For Town Use

Plan Routing Date: 10/07/2024 Reply requested by: 10/11/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

EZD Name: Elvis Dhima, P.E. Date: 10/07/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Associate Town Planner

1. Applicant shall provide information about the parking situation and the current set up



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

REQUEST FOR REVIEW/COMMENTS:

Case: 198-037 (10-24-24) **(VARIANCE)**

Property Location: 6 B Street

For Town Use

Plan Routing Date: 10/07/2024 Reply requested by: 10/11/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

DRH _____ Name: David Hebert Date: 10/07/2024
(Initials)

DEPT. Town Engineer Fire/Health Department Associate Town Planner

Town records indicate a building permit for a garage used for storage was issued in 2006

No permits were issued to finish the area above the garage
No inspections were performed for the finished area above the garage

If approved by Zoning, the owner can submit a building permit application for review



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

REQUEST FOR REVIEW/COMMENTS:

Case: 198-037 (10-24-24) (VARIANCE)

Property Location: 6 B Street

For Town Use

Plan Routing Date: 10/07/2024 Reply requested by: 10/11/2024 ZBA Hearing Date: 10/24/2024

I have no comments I have comments (see below)

BWG Name: Ben Witham-Gradert Date: 10/07/2024
(Initials)

DEPT: Town Engineer Fire/Health Department Associate Town Planner

No Comment

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

On **10/24/2024**, the Zoning Board of Adjustment heard **Case 198-037**, being a case brought by **Patrick & Caroline Ryan, 6 B St., Hudson, NH** requesting a **Variance** to allow an existing un-permitted **22 ft. x 24 ft. (528 SF) Accessory Dwelling Unit (ADU) above the garage to remain where an ADU shall meet the Hudson Zoning Ordinance ADU Provisions which include a building permit for an ADU must be approved and issued prior to the construction of an ADU or conversion of existing space into an ADU.** [Map 198, Lot 037, Sublot-000; Split Zoned Business (B) & Town Residence (TR); HZO Article XIII A: Accessory Dwelling Units; §334-73.3, Provisions and HZO Article III: General Regulations; §334-16, Building Permits]

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: _____

APPLICATION FOR A VARIANCE

OCT 04 2024
LAND USE DIVISION
ZONING DEPT.

To: Zoning Board of Adjustment
Town of Hudson

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

Case No. 198-037 (10-24-24)

Date Filed 10/4/24

Name of Applicant Patrick & Caroline Ryan Map: 198 Lot: 37 Zoning District: B / TR

Telephone Number (Home) 978-877-9197 / 603-717-6049 (Work) 978-877-9197 / 603-717-6049

Mailing Address 6 B Street, Hudson, NH 03051

Owner Patrick & Caroline Ryan

Location of Property 6 B Street, Hudson, NH 03051
(Street Address)

[Signature] Caroline Ryan 09/30/2024
Signature of Applicant Date

[Signature] Caroline Ryan 09/30/2024
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 Variance.

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

Date received: 10/4/24

COST:

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

1 Abutter Notice:
Direct Abutters x Certified postage rate \$ 5.58 = \$ 39.06

23 Indirect Abutters x First Class postage rate \$ 0.73 = \$ 16.79

Total amount due: \$ 240.85

Amt. received: \$ 240.85

Receipt No.: 792,552

Received by: [Signature]

Check #
2106671
2108377
1

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

TOWN OF HUDSON, NH

Variance Application Checklist

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

Applicant Initials		Staff Initials
<u>PAR</u>	Please review the completed application with the Zoning Administrator or staff before making copies in next step.	<u>TG</u>
<u>PAR</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 ¹⁰ (13) single-sided copies of the assembled application packet. (Paper clips, no staples)	<u>TG</u>
<u>PAR</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>PAR</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>PAR</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>PAR</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>PAR</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>PAR</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>PAR</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>

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)	
198	038	Austin Cote / Kayla Cote	8 B St. Hudson, NH 03051
198	036	Arlene Landry; Paul Landry	4 B St. Hudson, NH 03051
198	032	Brian Lynch	7 A Street Hudson, NH 03051
198	031	Richard Pearce ¹ ^{Donna} Pearce	9 A Street Hudson, NH 03051
D* 198	037	Patrick Ryan ¹ / Caroline Ryan	6 B Street Hudson, NH 03051 or 5 Gordon St. Hudson, NH 03051 <small>C before (AM)</small>
191	047	Brian Prudhomme	15 A A St. Hudson, NH 03051
191	048	Ricardo Romo	16 A St. Hudson, NH 03051
191	123	Richard Cimon	2 D St. Hudson, NH 03051
198	022	Kay's Realty Inc.	46 Lowell Rd. Hudson, NH 03051
198	023	Barry Weeks	65 Martins Pond Rd. Groton, MA 01450
198	029	Nilan Patel	6 A St. Hudson, NH 03051
198	029	Fenilkumar Patel	4 C St. Hudson, NH 03051
198	030	Randall Games	13 A A St. Hudson, NH 03051

ALL INDIRECT ABUTTERS WITHIN 200 FEET

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

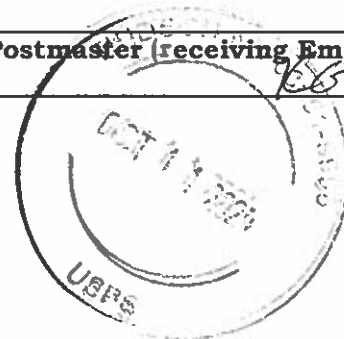
(Use additional copies of this page if necessary)

MAP	LOT	NAME OF PROPERTY OWNER	MAILING ADDRESS
198	033	Debra Velazquez	3 A St. Hudson, NH 03051
198	034	Posey Investment LLC.	195 R Central St. Hudson, NH 03051
198	035	Bretton Mavasco	2 B St. Hudson, NH 03051
D* 198	037	Patricia & Carline Ryan Brett Barrett	6 B St. Hudson, NH 03051
198	039	Thomas Lowe	10 B St. Hudson, NH 03051
198	040	Michael Treckas Ki	12 B St. Hudson, NH 03051
198	044	Mercedes Perez-Rolon	11 B St. Hudson, NH 03051
198	045	Michael Tidd	9 B St. Hudson, NH 03051
198	046	Daniel Wilson	7 B St. Hudson, NH 03051
D* 198	047	Gerald Couture; Tracy Couture, Trustees	5 B St. Hudson, NH 03051
D* 198	048	Don Ray Realty LLC.	195 R Central St. Hudson, NH 03051
198	049	Richard De Brito	34 Pearson Rd. Merrimack, NH 03054
198	050	Kevin Corbit	6 Ballknap Rd. Hudson, NH 03051

198 051 Johnathan Greene 10 Ballknap Rd. Hudson, NH 03051

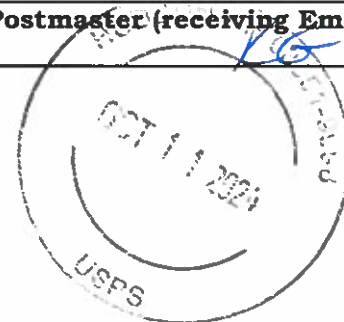
USPS-Verified Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - CERTIFIED MAIL	Case# 198-037 VARIANCE 6 B Street., Hudson, NH 3051 Map 198, Lot 037, Sublot-000 (1 of 1)
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	9589 0710 5270 0646 5665 16	RYAN, PATRICK & CAROLINE 6 B ST.,HUDSON, NH 03051	APPLICANT/OWNER NOTICE MAILED
2	9589 0710 5270 0646 5665 23	PEARCE, RICHARD A. & DONNA 9 A STREET,HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	9589 0710 5270 0646 5665 30	LYNCH, BRIAN T. 7 A STREET,HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	9589 0710 5270 0646 5665 47	LANDRY, PAUL M. & ARLENE E., TRUSTEES 4 B STREET,HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	9589 0710 5270 0646 5665 54	COTE, AUSTIN J.& KAYLA 8 B ST.,HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	9589 0710 5270 0646 5665 61	COUTURE, GERALD R. & TRACY K., TRUSTEES 5 B STREET,HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	9589 0710 5270 0646 5665 78	DON RAY REALTY LLC 195R CENTRAL ST.,HUDSON, NH 03051	ABUTTER NOTICE MAILED
8			
9			
10			
	Total Number of pieces listed by sender 7	Total number of pieces rec'vd at Post Office 7	Postmaster (receiving Employee) <i>[Signature]</i>



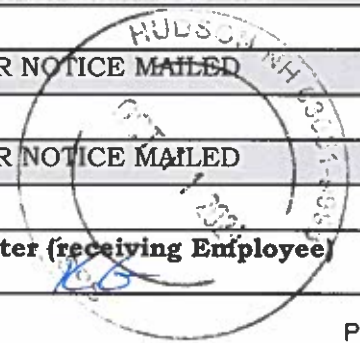
USPS-First Class Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - First Class	Case# 198-037 VARIANCE 6 B Street., Hudson, NH 3051 Map 198, Lot 037, Sublot-000 (1 of 2)
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting
1	Mailed First Class	PRUDHOMME, BRIAN; HUGHES, JENNIFER 15A A STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
2	Mailed First Class	DELUCIA, ANTHONY; CHRISTENAKIS, DANIELA 15B A ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
3	Mailed First Class	ROMERO, RICARDO AGUILAR; ORTEGA, MAYRA CRISTINA MONTES 16 A ST, HUDSON, NH 03051	ABUTTER NOTICE MAILED
4	Mailed First Class	PAPA, KARA MARY; PIEKOS, JUSTIN ANTHONY 8 A STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED
5	Mailed First Class	CIMON, RICHARD V., JR.; CIMON, JO-ANNE 2 D ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
6	Mailed First Class	KAY'S REALTY INC 46 LOWELL ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
7	Mailed First Class	WEEKS, BARRY D. & SUSAN K. 65 MARTINS POND ROAD, GROTON, MA 01450	ABUTTER NOTICE MAILED
8	Mailed First Class	CURRIER, EDWARD A. & KAREN 7 COUNTY ROAD, HUDSON, NH 03051	ABUTTER NOTICE MAILED
9	Mailed First Class	PATEL, NILAM & PRANAVKUMAR 6 A ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
10	Mailed First Class	PATEL, FENILKUMAR & MONIKABEN 4 C ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED
	Total Number of pieces listed by sender 10	Total number of pieces rec'vd at Post Office 10	Postmaster (receiving Employee)



USPS-First Class Mail

SENDER:	TOWN OF HUDSON 12 SCHOOL STREET HUDSON, NH 03051	US POSTAL SERVICE - First Class	Case# 198-037 6 B Street., Hudson, NH 3051 Map 198, Lot 037, Sublot-000 (2 of 2)	VARIANCE
	ARTICLE NUMBER	Name of Addressee, Street, and post office address	10/24/2024 ZBA Meeting	
1	Mailed First Class	GOMES, RANDALL K. 13A A STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
2	Mailed First Class	O'KEEFE-SILVERMAN, CHERYL, TR.; SILVERMAN, ROBERT, TR. 13B A STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
3	Mailed First Class	VELAZQUEZ, DEBRA M. 3 A STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
4	Mailed First Class	POSEY INVESTMENT, LLC 195R CENTRAL ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
5	Mailed First Class	MARASCO, BRETTON 2 B ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
6	Mailed First Class	LOWE, THOMAS L. 10 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
7	Mailed First Class	TRZCIENSKI, MICHAEL D.; FARLEY, MIKAYLA 12 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
8	Mailed First Class	PEREZ-ROLON, MERCEDES 11 B ST., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
9	Mailed First Class	TIDD, MICHAEL A. & DONNA 9 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
10	Mailed First Class	WILSON, DANIEL R. & KATHLEEN 7 B STREET, HUDSON, NH 03051	ABUTTER NOTICE MAILED	
11	Mailed First Class	DE BRITO, RICHARD F.; JORDAO, WALACE DE BRITO 34 PEARSON RD., MERRIMACK, NH 03054	ABUTTER NOTICE MAILED	
12	Mailed First Class	CORBIT, KEVIN J. 6 BELKNAP RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
13	Mailed First Class	GREEN, JOHNATHAN E. 10 BELKNAP RD., HUDSON, NH 03051	ABUTTER NOTICE MAILED	
	Total Number of pieces listed by sender 13	Total number of pieces rec'vd at Post Office	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

October 11, 2024

APPLICANT NOTIFICATION

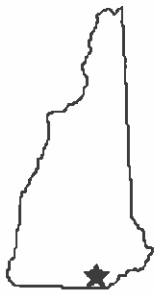
You are hereby notified of a hearing that will be presented before the Zoning Board of Adjustment for review and/or action on **Thursday, October 24, 2024 starting at 7:00 P.M.** in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall, 12 School St., Hudson, NH. Please enter by the ramp entrance at right side.

Case 198-037 (10-24-24): Patrick & Caroline Ryan, 6 B St., Hudson, NH requests a Variance to allow an existing un-permitted 22 ft. x 24 ft. (528 SF) Accessory Dwelling Unit (ADU) above the garage to remain where an ADU shall meet the Hudson Zoning Ordinance ADU Provisions which include a building permit for an ADU must be approved and issued prior to the construction of an ADU or conversion of existing space into an ADU. [Map 198, Lot 037, Sublot-000; Split Zoned Business (B) & Town Residence (TR); HZO Article XIII A: Accessory Dwelling Units; §334-73.3, Provisions and HZO Article III: General Regulations; §334-16, Building Permits]

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

18

This form constitutes a request for a variance from the literal provisions of the Hudson Zoning Ordinance Article ~~XIII~~ of HZO Section(s) 334-73.3 (Provisions) in order to permit the following:

Application for a variance for occupancy in a studio apartment located above the garage at 6B street, Hudson, NH 0305

FACTS SUPPORTING THIS REQUEST:

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

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

- (2) Authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if:**
 - (A) The variance will not be contrary to the public interest;**
 - (B) The spirit of the ordinance is observed;**
 - (C) Substantial justice is done;**
 - (D) The values of surrounding properties are not diminished; and**
 - (E) Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.**

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

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

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

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

FACTS SUPPORTING THIS REQUEST:

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

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

The granting of this variance will not be contrary to public interest, as a granting to allow occupancy in this single, attached dwelling will not alter any of the guidelines above; it will only allow for the occupant of the dwelling to use it as granted in a manner appropriate and consistent with the above guidelines; as the owner of the dwelling I will ensure that the occupant uses the dwelling as granted and will enforce any necessary provisions as needed.

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.”)

As property owner, I will ensure that if this use is granted, I will ensure that all guidelines and procedures exceed expectations and upholds the values and expectations set forth by the State of NH and town of Hudson, NH. My expectations are to enrich the spirit of this order by all necessary means.

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.)

As the purchaser of this property, I had a vision of being a landlord and assisting somebody else in securing a place to live that they can feel safe and able to have comfort and pride in the dwelling. In today's market, I know how difficult it is to secure affordable and comfortable housing. Helping somebody else secure this goal and enjoy the property would provide me fulfillment and will also assist me financially.

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.)

As the property owner, I have a due diligence to conduct a comprehensive check on the proposed occupant to ensure that their presence will not decrease the value of mine or surrounding homes. I will ensure the occupant will be a positive contributor to the neighborhood and will upkeep the home in an appropriate fashion as to not decrease, but increase its value and will adhere to all codes and requirements provided by town of Hudson, NH to do so.

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 property is large enough to support another occupant especially of square footage and acreage wise. My wife and I re-located to Hudson (for employment reasons) in November 2023. I sold my house in Concord, NH with the aspirations of once again being a homeowner. With the current market, that proved to be quite difficult. We continued to search and my wife grew to love Hudson (we have been renting on Gordon St. since sale of our house in Concord). Growing up in Tyngsborough, MA and having family in Hudson, I already knew how wonderful the town was and had aspirations to find a suitable home to call our own. After much difficulties in the market, we found this beautiful home that we could also offer to another person who is most likely having difficulties in the market. We purchased this house w/ this vision and the thought that

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

→ we could assist that occupant who would return provide us with assets to assist with costs associated w/ owning and renting out a property. During purchasing process, I became aware that the necessary steps were not taken for the studio apartment to be rented according to town of Hudson NH guidelines and principles. I am now attempting to follow town procedure (and the state of NH) to utilize this unit accordingly. I believe use of this area for an occupant is reasonable and hope town officials grant use of this variance so my wife and I can not only accomplish our goal of once again being homeowners but can also possibly help another person in need of an affordable living space.

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

N/A



TOWN OF HUDSON

Land Use Division



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

Zoning Determination #24-077R

October 1, 2024

Patrick Ryan
5 Gordon St
Hudson NH 03051

Re: 6 B Street Map 198 Lot 037-000
District: Split Zone – Business (B) and Town Residence

Dear Mr. Ryan,

Request:

What needs to be done to make the unpermitted Accessory Dwelling Unit ADU legal?

The town records indicate the lot is 10,018 sqft where 30,000 sqft is required. The lot has a single-family home on it. On 1-26-06 a variance was granted to allow a 22'X24", detach garage to be constructed in the side a rear side yard setback.

Zoning Review / Determination:

From the files available, I would determine that this property is set up as an ADU (without approvals).

Can you rectify this? If the ADU can satisfy the Zoning Ordinance criteria in Article XII Accessory Dwelling Units, I suggest a building permit application for ADU "after the fact". If the ADU can't satisfy the ADU criteria within the Zoning Ordinance then a variance would be required from the Zoning Board of Adjustment per 334-73.3. Provisions.

To be an ADU (dwelling unit) per the Zoning Ordinance definition: ACCESSORY DWELLING UNIT (ADU) *A residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal DWELLING UNIT it accompanies, as defined in RSA 674:71.*

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

Sincerely,

A handwritten signature in black ink, appearing to read 'CSA', with a long horizontal flourish extending to the right.

Chris Sullivan

Zoning Administrator/Code Enforcement Officer

(603) 816-1275

csullivan@hudsonnh.gov

Att.: Accessory Dwelling Unit Checklist

cc: Public Folder

Inspectional Services

Brooke Dubowik (Planning Administrative Aide

File

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

ARTICLE XIII
ACCESSORY DWELLING UNITS
[Added 3-14-1995 by Amdt. No. 16; amended 3-14-2006 by Amdt. No. 3; 3-16-2017
by Art. No. 5]

§ 334-73.1. (Reserved)

§ 334-73.2. Purpose.

The purpose of this article is to increase the supply of affordable housing in the Town without the need for more infrastructure or further land development, while maintaining aesthetics and residence use compatible with homes in the neighborhood.

§ 334-73.3. Provisions.

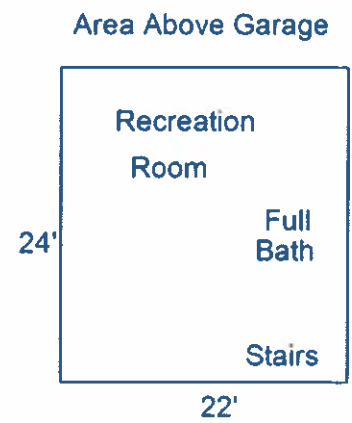
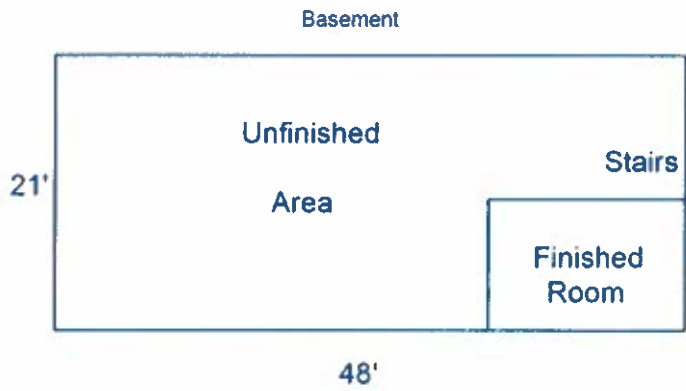
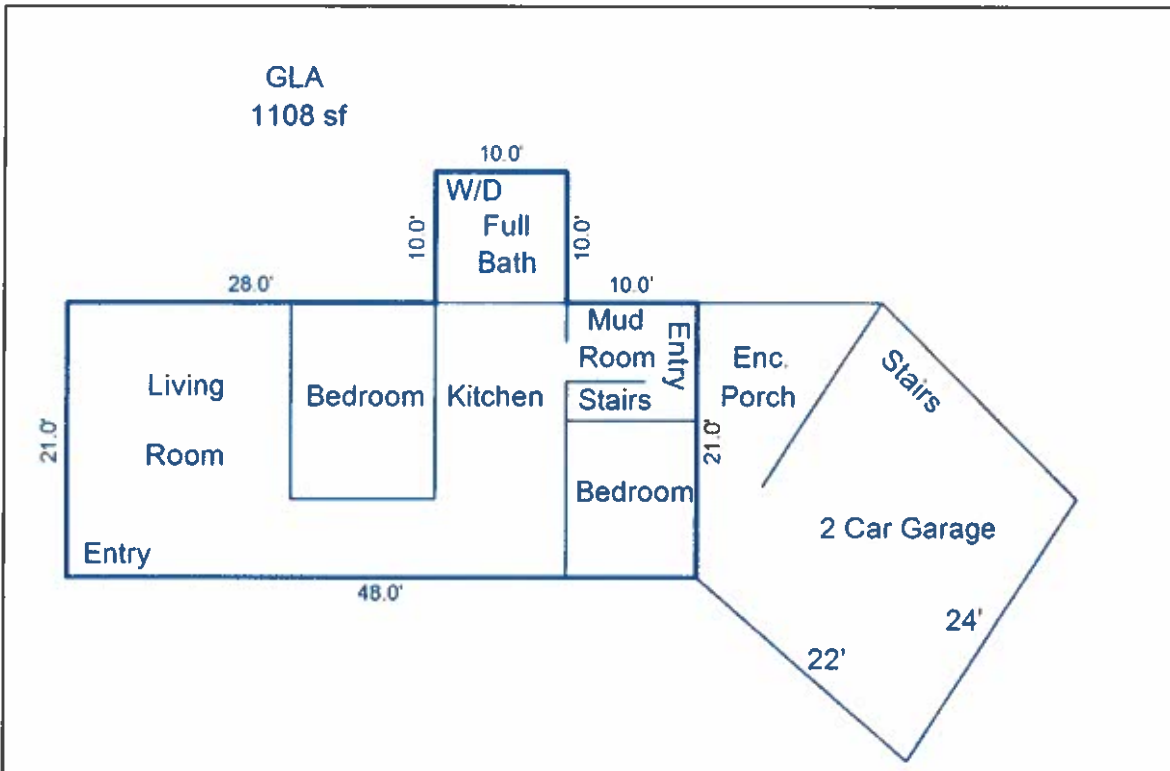
An ADU shall be permitted in zoning DISTRICTS that permit single-family dwellings, and only in accordance with the following provisions:

- A. An ADU is allowed only in single-family dwellings. An ADU is not allowed in two- or multifamily dwellings or in any nonresidential uses.
- B. An ADU is not allowed as a freestanding detached STRUCTURE or as part of any STRUCTURE which is detached from the principal dwelling. MANUFACTURED HOUSING, RECREATIONAL VEHICLES or trailers may not be erected or added to the principal dwelling as an ADU.
- C. Either the principal DWELLING UNIT or the ADU must be occupied by the owner of record of the principal dwelling. Upon request of the Zoning Administrator or other official with the authority to enforce this ordinance, the owner of record shall demonstrate that one of the units is his or her principal place of residence.
- D. The front face of the principal dwelling STRUCTURE is to appear as a single-family dwelling after any alterations to the STRUCTURE are made to accommodate an ADU. Any additional separate entrances must be located on the side or rear of the STRUCTURE.
- E. At least one common interior access between the principal DWELLING UNIT and an ADU must exist. Two external means of egress (common or separate) from both a principal DWELLING UNIT and an ADU must exist.
- F. Separate utility service connections and/or meters for the principal DWELLING UNIT and an ADU shall not exist. (This does not preclude using a type of heating system for an ADU different from the type for the principal DWELLING UNIT.) Separate service connections for common areas shall be as required by building and electrical codes.
- G. A minimum of four off-street paved parking spaces shall be provided to serve the combined needs of the principal DWELLING UNIT and an ADU. There shall not be a separate driveway for the ADU.

SKETCH ADDENDUM

File # 224K0032

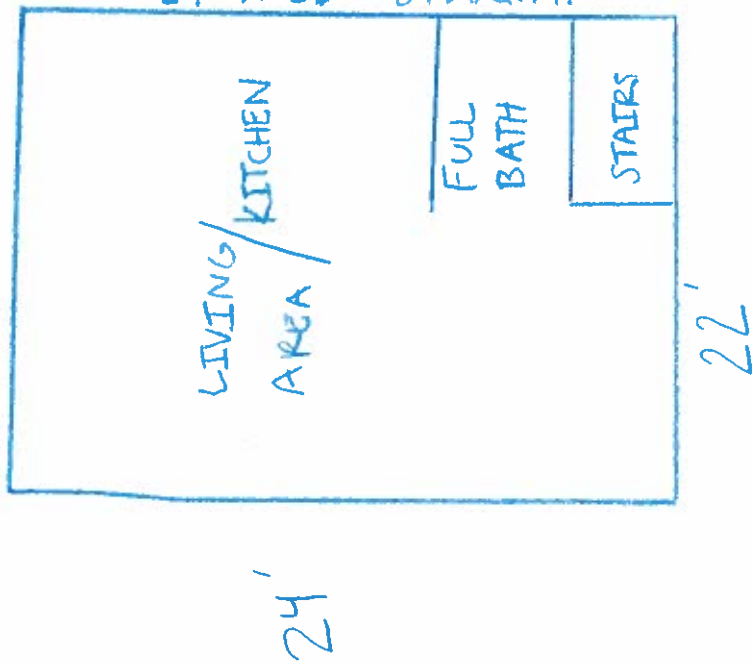
Borrower/Client Patrick & Caroline Ryan
 Property Address 6 B St
 City Hudson County Hillsborough State NH Zip Code 03051-2808
 Lender TD Bank, NA



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY					AREA CALCULATIONS BREAKDOWN					
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area
GLA1	First Floor	1.0	1108.0	158.0	1108.0	First Floor		10.0 x	10.0 =	100.0
								48.0 x	21.0 =	1008.0
	Net LIVABLE	cnt	1 (rounded)		1,108	2 total items			(rounded)	1,108

APARTMENT ABOVE GARAGE
24' X 22' = 528 SQ. FT.



Property Location: 6 B ST
 Vision ID: 6344

Account #: 1151

Parcel ID: 198/037/000/1
 Bldg #: 1

Card Address:
 Card #: 1 of 1

LUC: 1080
 Print Date: 10-01-2024 2:12:38 P

CURRENT OWNER		ASSESSING NEIGHBORHOOD				PREVIOUS ASSESSMENTS (HISTORY)							
		Nbhd	Nbhd Name		Year	Code	Assessed	Year	Code	Assessed Val	Year	Code	Assessed
RYAN, PATRICK		RE	Residential Average		2024	1080	255,000	2024	1010	224,600	2023	1010	224,600
RYAN, CAROLINE		TOPO	UTILITIES			1080	123,000		1010	123,000		1010	123,000
6 B ST		Level	Town Water										
HUDSON NH 03051			Town Sewer										
					Total	378,000		Total	347,600		Total	347,600	

RECORD OF OWNERSHIP			BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	SALE NOTES	APPRAISED VALUE SUMMARY			
RYAN, PATRICK			9803 1831	09-18-2024	Q	I	481,500	00	Grantor: BARRETT, ROBERT/ROSEAN	Appraised Bldg. Value (Card)			247,500
BARRETT, BRETT C., TR.			9719 2952	07-21-2023	U	I	0	44		Appraised Xf (B) Value (Bldg)			7,500
BARRETT, BRETT C.			5586 1575	10-21-1994	U	I	50,000	99		Appraised Ob (B) Value (Bldg)			0
										Appraised Land Value (Bldg)			123,000
										Special Land Value			0
										Total Appraised Parcel Value			378,000
										Valuation Method			C
										Total Appraised Parcel Value			378,000

SUPPLEMENTAL DATA				CURRENT ASSESSMENT						
Parcel ID	Zoning	Flood Hazard	Neigh/Abut1	Neigh/Abut2	Neigh/Abut3	GIS ID	Descrpt	Code	Appraised	Assessed
198-037-000	BD:Business District	C				198-037-000	BLDG	1080	255,000	255,000
							LAND	1080	123,000	123,000
							Total:		378,000	378,000

NOTES				VISIT / CHANGE HISTORY			
				Date	Id	Cd	Purpost/Result
10-6-11 EXT INSP:ADDED NEW AC UNIT, PATI				08-08-2024	21	30	Sales Data Verification
O, ADDED TO FFL AREA AND CHANGED GARAGE				07-06-2022	26	45	Field Review
HST TO TQS.				06-12-2019	19	02	Measured
				10-06-2011	14	02	Measured
				08-04-2007	06	02	Measured
				08-03-2006	07	71	Acreage Adjustment From New Map
6/19 EA/EST REAR=FENCE.				05-04-2006	03	15	Permit Visit
				05-04-2006	03	15	Permit Visit

BUILDING PERMIT RECORD								
Permit Id	Issue Date	Permit C	Description	Amount	Status	Applicant	SQ ft	Comments
2006-154	02-01-2006	GA	Garage	17,000	C			

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	1080	SFR/POSSIBLE IN-LAW	Site	0.230 AC	170,000		3.14	5	1.00	RE	1.00			123,000

Total Card Land Units: 0.230 AC Parcel Total Land Area: 0.230 AC Total Land Value: 123,000

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

Property Location: 6 B ST

Vision ID: 6344

Account #: 1151

Parcel ID: 198/037/0001/

Bldg #: 1

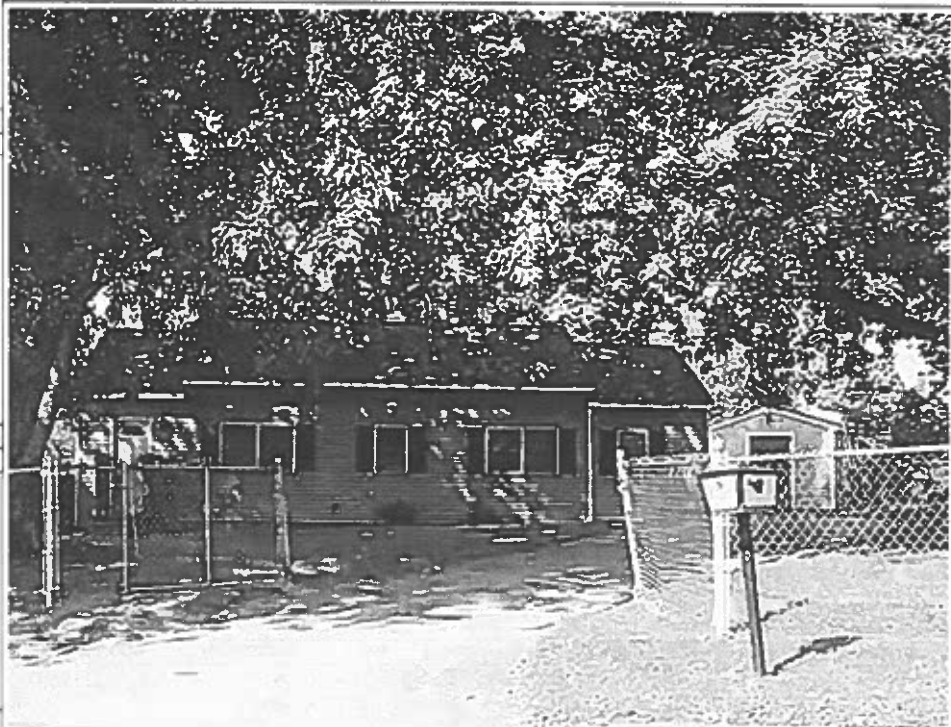
Card Address:

Card #: 1 of 1

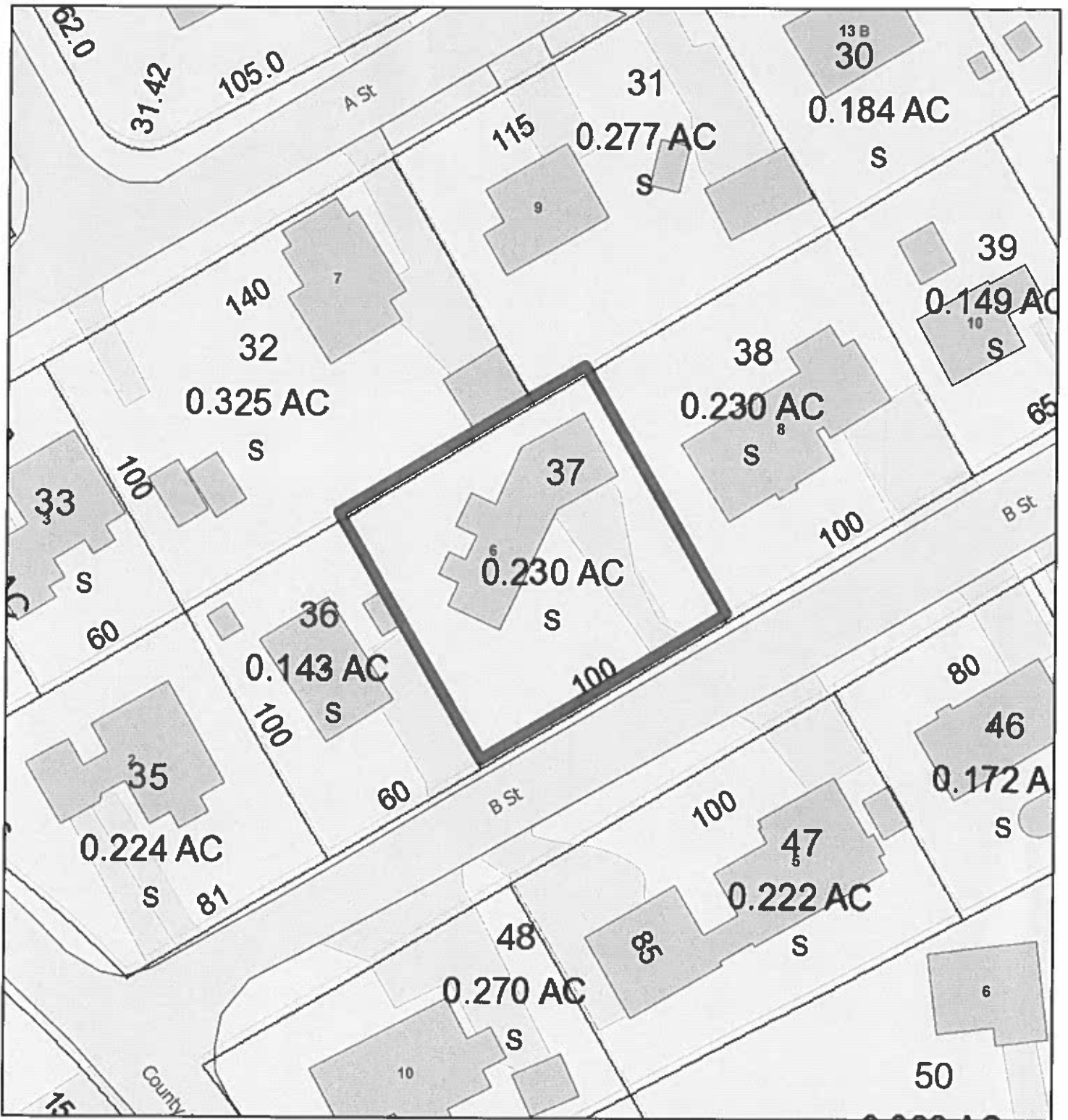
LUC: 1080

Print Date: 10-01-2024 2:12:39 P

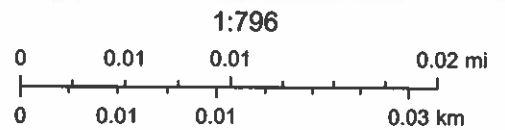
CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)			SKETCH / PRIMARY PHOTO			
Element	Cd	Description	Element	Cd	Description				
Model	01	Residential	Avg Hw/FL	8					
Stories:	1.75		Extra Kitchens	1					
Style:	01	Ranch	Add Kitchen Ra	AV	Average				
Grade:	C	Average							
(Liv) Units	2								
Exterior Wall 1	04	Vinyl							
Roof Structure	01	Gable							
Roof Cover	01	Asphalt Shingle							
Frame	01	Wood							
Foundation	03	Brick/Stone							
Interior Wall 1	01	Drywall							
Interior Floor 1	04	Carpet							
Heat Fuel	01	Oil							
Heat Type	01	Forced Air							
# Heat Systems	1								
AC Percent	100								
Total Rooms	6								
Bedrooms	3								
Full Baths	2								
3/4 Baths	0								
Half Baths	0								
Extra Fixtures	0								
Kitchens	1								
Kitchen Rating	AV	Average							
Bath Rating	AV	Average							
Half Bath Rating									
Bsmrt Garage	0								
Fireplace(s)	0								
Fireplace Rating									
WS Flues	0								
Color	BEIGE								
Avg Hw/FL	8								
Extra Kitchens	1								
			COST / MARKET VALUATION						
			Building Value New		334,447				
			Year Built		1950				
			Effective Year Built		1998				
			Depreciation Code		GD				
			Remodel Rating						
			Year Remodeled						
			Depreciation %		24				
			Functional Obsol						
			External Obsol						
			Trend Factor		1.000				
			Condition		NC				
			Condition %		2				
			Percent Good		74				
			RCNLD		247,500				
			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 Bilt	Cnd.	% G	Assd. Value
XFRRM	Rec Room,Fin,BMT	B	225	SQ. FT	45.00	1950	AV	74	7,500
BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value			
BMT	Basement, Unfinished	0	898	225	38.19	34,298			
ENT	Entry	0	48	48	152.44	7,317			
FFL	First Floor, Finished	1,255	1,255	1,255	152.44	191,309			
GAR	Garage	0	544	190	53.24	28,963			
PAT	Patio	0	234	23	14.98	3,506			
TQS	3/4 Story, Finished	408	544	408	114.33	62,194			
UCN	Unfinished Canopy	0	48	5	15.88	762			
VLT	Vaulted Ceiling Area, not Sq. F	0	798	40	7.64	6,097			
Total Liv Area/Gr. Area/Eff Are		1,663	4,369	2,194	Total Value	334,446			



6 B Street (Map 198 Lot 037)



9/6/2024



Printed
10/07/2024
11:47AM
Created
10/07/2024
11:42 AM

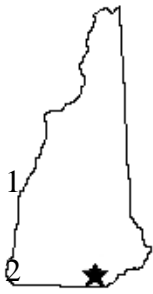
Transaction Receipt

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

Receipt# 792,552
tgoodwyn

	Description	Current Invoice	Payment	Balance Due
1.00	Zoning Application-10/24/24 ZBA Mtg. 6 B Street Map 198 Lot 037-000 Zone B/TR Variance (ADU)	0.00	240.8500	0.00
			Total:	240.85

Remitter	Pay Type	Reference	Tendered	Change	Net Paid
Patrick Ryan (TD Bank check)	CHECK	CHECK # 21066712-7	185.00	0.00	185.00
Patrick Ryan (TD Bank check)	CHECK	CHECK #21083779-1	55.85	0.00	55.85
			Total Due:		240.85
			Total Tendered:		240.85
			Total Change:		0.00
			Net Paid:		240.85



TOWN OF HUDSON



Zoning Board of Adjustment

Gary M. Daddario, Chairman

Dillon Dumont, Selectmen Liaison

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

MEETING MINUTES – September 26, 2024 – as edited

The Hudson Zoning Board of Adjustment met Thursday, September 26, 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

Chairman Daddario called the meeting to order at 7:01 PM, ~~invoted~~ 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.

III. ATTENDANCE

IV. SEATING OF ALTERNATES

Clerk Dion called the attendance. Members present were Gary Daddario (Regular/Chair), Tristan Dion (Regular/Clerk), Zachary McDonough (Alternate) and. Also present were Dillon Dumont Selectman Liaison, Louise Knee, Recorder (remote) and Chris Sullivan, Zoning Administrator. Excused were Tim Lanphear (Regular), Normand Martin (Regular/Vice Chair). Dean Sakati (Regular) arrived at 7:25 PM. Alternate McDonough appointed to vote.

Mr. Daddario stated that in order for a vote to pass, it would require a minimum of three (3) affirmative votes and under normal circumstances there would be five (5) voting Members. Mr. Daddario offered each Applicant the option to request a deferment to the next meeting where a full Board could be present. No one exercised that option.

V. PUBLIC HEARING OF SCHEDULED APPLICATIONS BEFORE THE BOARD:

- Case 173-039 (09-26-24):** Ryan Lacasse, **9 Cummings St., Hudson, NH** requests an Equitable Waiver of Dimensional Requirement to allow a 160 SF shed to remain in its current location which encroaches the side yard setback leaving 3 feet of setback where 5 feet is required. [Map 173, Lot 039, Sublot-000; Zoned Town Residence (TR); HZO Article VII: Dimensional Requirements; §334-27, Table of Minimum Dimensional Requirements]

Mr. Sullivan read the Case into the record, referenced his Staff Report initialed 9/17/2024 and noted that the property has two (2) front setbacks.

Ryan Lacasse stood at the lectern and introduced himself as the Property Owner and stated that the shed was built approximately two (2) years ago by a professional company who gave him assurance that it was built in compliance. Mr. Lacasse stated that he had

50 checked with the Town who confirmed that a building permit (BP) was not required for the
 51 shed. ~~Mr.~~ Lacasse addressed the criteria necessary for the granting of an Equitable Waiver
 52 of Dimensional Requirements and the information shared included:

- 53
 54 (a) discovered too late
 55 • the shed was built by a company over 2 years ago and we were assured that
 56 the she was within our property boundaries and in compliance with Zoning
 57 • the Town only raised the issue after the shed was fully constructed
 58 (b) innocent mistake
 59 • the shed's location was the result of a good faith error in interpreting property
 60 boundaries, not ignorance or misrepresentation
 61 • decisions were based on reasonable measurements and zoning understanding
 62 • we have no history of violations highlighting our commitment to compliance
 63 (c) no nuisance
 64 • the shed does not create a nuisance or reduce property values and nor does it
 65 interfere with the use of nearby properties
 66 • one neighbor has not objection and are satisfied with its placement
 67 • Mr. Lacasse submitted a signed petition from direct and indirect abutters
 68 stating that they are okay with the shed's placement and added that there is
 69 an additional one from a neighbor who was not available when the petition
 70 was circulated
 71 • The shed aligns with the residential character of the area and poses no harm
 72 or inconvenience
 73 (d) high correction cost
 74 • moving or removing the she would be financially burdensome and offer no
 75 significant public benefit
 76 • the shed's placement causes no harm or obstruction, making the cost of
 77 correction unfair
 78 • enforcing such a change would be inequitable given the minimal impact in
 79 the community
 80

81 Public testimony opened at 7:16 PM. Andrea Lacasse, 9 Cummings Street, stated that she
 82 could bring the document into the office in the morning. Public testimony closed at 7:17 PM
 83

84 Mr. Dion made the motion to grant the Equitable Waiver of Dimensional Requirement. Mr.
 85 McDonough seconded the motion.
 86

87 Mr. Dion spoke to his motion stating that it was discovered too late, after construction had
 88 been completed; that it was an innocent mistake even with ckeck~~ing~~ing with the Town and
 89 relying on the professional builders; that it does not cause a nuisance which is supported by
 90 the petition signed by the neighbors; and that there is a high correction cost to moving the
 91 shed two (2) feet, especially when no neighbors have an issue with it. Mr. Dion voted to
 92 grant.
 93

94 Mr. McDonough spoke to his second and stated that his reasoning is similar to Mr. Dion,
 95 that it was discovered too late, that the shed was constructed by a professional builder two
 96 (2) years ago; that it was an innocent mistake with no intent to cause harm or be a nuisance
 97 and does not change the aesthetics of the neighborhood as attested by the petition
 98 submitted; and the correction cost is unne-cessary to move the shed a couple of feet. Mr.
 99 McDonough voted to grant.
 100

101 Mr. Daddario voted to grant stating that he agrees with the Members' reasoning for this
 102 Case on the factors, and added that he appreciated receiving the petition signed by the
 103 nei~~gh~~ighbors because it does make an impression on the Board to receive abutter feedback as
 104 it is the neighbors who get to live with it.

105
106 Vote was 3:0. Equitable Waiver of Dimensional Requirement granted. The 30-day Appeal
107 Period was noted
108

109 2. **Case 106-045-001 (09-26-24):** Albert & Lisa Frenette, **13 Boyd Rd., Hudson, NH**
110 requests a Variance to allow an existing un-permitted 1,143.5 SF Accessory Dwelling
111 Unit (ADU) in the finished lower level/basement of the home to remain where the size of
112 an ADU shall not be greater than 750 SF and a building permit for an ADU must be
113 approved and issued prior to the construction of an ADU or conversion of existing space
114 into an ADU. [Map 106, Lot 045, Sublot-001; Zoned General-One (G-1); HZO Article
115 XIII.A: Accessory Dwelling Units; §334-73.3.H & J, Provisions and HZO Article III:
116 General Regulations; §334-16, Building Permits]
117

118 Mr. Sullivan read the Case into the record, referenced his Staff Report initialed 9/17/2024,
119 noted that the illegal ADU (Accessory Dwelling Unit) was discovered when the real estate
120 agent was doing diligence to make sure the property complied and that in-house comments
121 were received from the Town Engineer and Inspectional Services/Fire Department. The
122 Town Engineer stated that the Applicant shall provide an approved septic system design
123 that will be handle the single family and ADU sewer flow. Inspectional Services/Fire
124 Department noted that the basement construction was completed without Building,
125 electrical, plumbing and mechanical permits or inspections and that even if ZBA approves
126 the variance, the dwelling may still be illegal based on the State Adopted Building and Fire
127 Codes.
128

129 Property Owners Lisa Frenette and Albert Frenette introduced themselves. Ms. Frenette
130 stated that they bought the property thirteen (13) years ago and the ADU was already there
131 and that they never knew they were in violation. Ms. Frenette stated that Mr. Sullivan and
132 someone from the Fire Department have been into the apartment and they were informed
133 that they need to change one (1) window to an egress window and (2) that they need to
134 change one breaker. Mr. Frenette confirmed that they bought it with the ADU even though
135 it was advertised for sale with a 'possible' ADU. Ms. Frenette stated that they put their
136 property up for sale last fall and had to take it off the market because of the septic system.
137 Ms. Frenette stated that a new septic system was installed in June. Mr. Frenette noted that
138 the new septic system is for four (4) bedroom. Mr. Daddario asked Mr. Sullivan if the Town
139 has the new State approved septic system design and Mr. Sullivan confirmed that they do.
140

141 Ms. Frenette stated that the ADU has approximately 11,435 square feet (SF) and is of an
142 open concept design and totally wheelchair assessable and added that it has been vacant for
143 the past five (5) years and noted that it is at ground level, not below level.
144

145 Mr. Frenette next addressed the Variance criteria and the information shared included:
146

- 147 (1) *not contrary to public interest*
148 • The variance is not contrary to public interest and will not alter the essential
149 character of the neighborhood as there will be no structural changes or
150 addition~~sa~~ added to the existing property, with the exception of the required
151 change of one (1) window to an egress window required by the Town
152 • They had a 400 foot driveway so parking on the property is not an issue
153 (2) *will observe the spirit of the Ordinance*
154 • There will be no significant alterations to the property that would affect
155 neighboring properties or the community at large
156 (3) *substantial justice done*
157 • substantial justice would be done to the Property Owners
158 • the lower level was existing prior to the purchase of the property 13 years
159 ago and they are now proceeding with the Town requirements so that

160 future owners can be assured that the property meets safety and Town
161 requirements

162 (4) *not diminish surrounding property values*

163 • the Variance being requested will not change current use of the property
164 that has been in existence since 1977 so there will be no diminishing
165 values to surrounding properties

166 (5) *hardship*

167 • To the best of our knowledge, the lower level was finished with a kitchen and
168 bath since it was built in 1977

169 • Purchased the property 13 years ago with the lower level finished with
170 kitchen and bath

171 • Since purchasing, they have added new kitchen cabinets, new flooring and a
172 new heating system

173 • Proposed use is reasonable and appropriate as it aligns with the property's
174 original design and infrastructure

175

176 Public testimony opened at 7:37. Anthony Grauslys, abutter at 17 Boyd Road,
177 addressed the Board and stated that as a small child he lived in this house and the
178 ADU was there, confirmed that the driveway is indeed long and parking would not be a
179 problem and that he supports having the variance request granted. Being no one else
180 to speak, public testimony closed at 7:39 PM.

181

182 Mr. Dion asked and received confirmation from Ms. Frenette that all that is needed for
183 the ADU to pass inspection is the replacement of one widow with an egress window
184 and the replacement of one breaker.

185

186 Mr. Sullivan stated that according to the Assessing Department, the lower level is
187 "unfinished". Ms. Frenette stated that they have been paying taxes on it as if it was
188 finished.

189

190 Mr. Dion noted that the ADU exists and that the Property Owners are before the ZBA
191 for a variance because the size of the ADU is larger than what is allowed in the Zoning
192 Ordinance. Mr. Dumont stated that the State Regulations (RSA 674:72.VII) does not
193 specify a size, that the size is a Town specification in the Zoning Ordinance (Section
194 334-73.3.H).

195

196 Mr. McDonough made the motion to grant the Variance. Mr. Dion seconded the
197 motion.

198

199 Mr. McDonough spoke to his motion stating that the public will not be harmed and
200 the owners were unaware of the issue and have done the work to bring it into
201 compliance; that the use is in-line with the spirit of the Ordinance and the ADU does
202 not change the neighborhood or alter safety; that the owner would gain substantial
203 justice as they have been under the assumption they had a compliant ADU; that the
204 adjacent property values have not diminished over the last thirteen (13) years; that the
205 current use is inline with the Ordinance and removing it would create a hardship on
206 the owner; and that the use is a reasonable one and not allowing would be
207 unreasonable. Mr. McDonough voted to grant noting that it is contingent on
208 completion of code updates.

209

210 Mr. Dion spoke to his second stating that the unit is pre-existing, that the
 211 neighborhood has been existing with the ADU for decades; that there is no harm to the
 212 neighborhood; that it does not diminish the values of surrounding properties; and that
 213 the proposed use is a reasonable use. Mr. Dion voted to grant.

214
 215 Mr. Sakati asked if he was allowed to vote and in response to Mr. Daddario questions,
 216 Mr. Sakati stated that he arrived prior to public testimony and heard most of the
 217 presentation and has reviewed the material. Mr. Sakati to vote. Mr. Sakati voted to
 218 grant the application noting that it is not contrary to public interest and has been pre-
 219 existing for more than a decade; that it is consistent with the Ordinance; that there is
 220 no public harm; that there would be no change to surrounding property values; that
 221 forcing a change would be excessive without any benefit to the public; and that the
 222 use is reasonable.

223
 224 Mr. Daddario voted to grant stating that the ADU already exists and would present no
 225 change to the neighborhood nor harm to others; that it would not change the
 226 character of the neighborhood and would not bring harm to the public; that there
 227 would be no benefit to the public to deny the Variance; that it has existed for many
 228 years and no evidence has been presented as to its impact on surrounding property
 229 values; that it is a pre-existing ADU with a variance needed for a small amount in size;
 230 that it was previously inspected by the Town in relation to other properties; that the
 231 home was purchased with the ADU in place; and that it is a reasonable use, pre-
 232 existing, and allowed by State and Local Regulations.

233
 234 Vote was 4:0. Variance granted. The 30-day Appeal period was noted

235
 236 3. **Case 191-151 (09-26-24):** Kyrilakoulis & Joan Tsouprakos, **7 Thorning Rd., Hudson,**
 237 **NH** requests a Variance to allow the expansion of an existing non-conforming structure
 238 for the construction of a proposed 14 ft. x 6 ft. deck and 2.5 ft. stairs in the front yard
 239 setback leaving 22 feet of front yard setback where 30 feet is required. [Map 191, Lot
 240 151, Sublot-000; Zoned Residential- Two (R-2); HZO Article VII: Dimensional
 241 Requirements; §334-27, Table of Minimum Dimensional Requirements and HZO Article
 242 VIII: Nonconforming Uses, Structures and Lots; §334-31A, Alteration and expansion of
 243 nonconforming structures]

244
 245 Mr. Sullivan read the Case into the record and referenced his Staff Report initialed
 246 9/17/2024 and noted that in-house comments were received and expressed no concern.

247
 248 ~~Kyrilakis~~ and Joan Tsouprakos introduced themselves and stated that the existing front
 249 concrete steps have deteriorated since they purchased the property in 1999 and now that
 250 they need to be replaced it is their desire to make the entry way safer because as it functions
 251 today, the screen door swings out over the entire top step and whoever wants to enter has to
 252 back out of the way and in the wintertime that can pose an added danger and bringing in
 253 groceries is always a challenge. The proposed front porch is modest and will provide better
 254 safety and access for themselves as they age and for guests when they arrive.

255
 256 Mr. and Ms. Tsouprakos addressed the criteria for the granting of a variance and the
 257 information shared included:

- 258
 259 (1) *not contrary to public interest*
 260 • The existing concrete steps to the front door were present when property
 261 purchased in 1999
 262 • The landing of the steps is small and over time has deteriorated

- 263 • The front screen door sweeps across the top step and the person needs to step
264 away
- 265 • Adding the modest front porch will improve the character of the home and
266 improve safety for us and visitors
- 267 • The proposed front porch will improve the character of our home and improve
268 safety for us and for visitors
- 269 • The proposed front porch will improve character of the neighborhood and will
270 not threaten public safety
- 271 (2) *will observe the spirit of the Ordinance*
- 272 • The proposed front porch will not pose a hazard to public safety, will not
273 interfere with public utilities, will not interfere with transportation or
274 parking and will not create overcrowding or create pollution
- 275 • The proposed front porch will enhance the safety and character of the
276 neighborhood and does observe the spirit of the Ordinance
- 277 (3) *substantial justice done*
- 278 • Substantial justice would be done to the Property Owners
- 279 • The current landing at the front door is small
- 280 • Increasing the landing enhances the safety for anyone entering or exiting
281 our home through the front door
- 282 •
- 283 (4) *not diminish surrounding property values*
- 284 • The proposed front porch will only enhance the safety and character of the
285 neighborhood, which if anything, should improve our property value and
286 should not diminish surrounding property values
- 287 • The proposed front porch will not hinder the view of neighbors, will not ~~effe~~
288 [affect](#) traffic or parking in the neighborhood and will not pose a danger
289 to the public
- 290 (5) *hardship*
- 291 • We purchased our home in 1999 and plan to live the rest of our lives here
- 292 • The existing front steps are concrete and the landing is small and the
293 concrete is deteriorating
- 294 • Adding the proposed front porch will improve our safety now and in the
295 future as we age and will improve the safety for all who visit our home,
296 whether it be our friends or family or anyone from the general public
- 297 • The proposed front porch will only add an additional level of safety for us
298 and all who come to visit us
- 299 • The proposed front porch is modest and is a reasonable use

300
301 Board reviewed pictures of the front of the house and the surveyed plot plan prepared by
302 Keach-Nordstrom Associates, Inc., dated 8/26/2024 and stamped by LLS (Licensed Land
303 Surveyor) Christopher J. Hickey (LLS #911).

304
305 Public testimony opened at 8:02 PM. No one addressed the Board. Public testimony closed
306 at 8:03 PM.

307
308 Mr. Dion stated that it is a shame that the house was placed exactly thirty feet (30') from the
309 property line when it seems possible to have been laid further back.

310
311 Mr. Dion made the motion to grant the Variance. Mr. Sakati seconded the motion.
312

313 Mr. Dion spoke to his motion stating that the house was built at the setback line and that
314 safety would be improved for both the homeowners and the neighbors so the spirit and
315 justice is done, that property values should increase for both the property owners and
316 surrounding properties and the proposed use is a reasonable one. Mr. Dion voted to grant.
317

318 Mr. Sakati spoke to his second stating that it is not contrary to public interest as it creates
319 more safety when entering the house, that it is not oversized and not asking for more than is
320 necessary and will enhance the character of the neighborhood, that it does benefit the
321 owners and their safety without causing any harm to others, that there is no diminution of
322 property values and the hardship is caused by the house placement on the lot and the use is
323 a reasonable use. Mr. Sakati voted to grant.
324

325 Mr. McDonough voted to grant stating that the public will not be harmed and will, in fact,
326 increase safety for anyone who goes to the property, that the deck is in the spirit of the
327 Ordinance and will increase safety, that the owners receive justice and the general public
328 would have no harm, that it will property values to this house and the neighborhood, that
329 the applicant would receive unnecessary hardship through being forced to keep a less safe
330 stair and that the proposed is a reasonable sized deck to increase safety and increase
331 property values..
332

333 Mr. Daddario voted to grant stating that there would be no change in the character of the
334 neighborhood, that it would be an improvement in appearance with no harm brought to the
335 public, that it is still a safe distance from the road and will provide safer entering and exiting
336 the home with no harm to the general public, that no evidence was presented regarding
337 impact on surrounding property values but the improvement in appearance is unlikely to
338 cause diminution in surrounding property values, that the existing stairs need repair and
339 pose a danger in use, that the proposed stairs will keep a safe distance from the road and
340 the proposed use is a reasonable one and will make access and egress safer.
341

342 Vote was 4:0. Variance granted. The 30-day Appeal period was noted.
343

- 344 4. **Case 242-007 (09-26-24):** Edgar Oliva, **101 Musquash Rd., Hudson, NH** requests a
345 Home Occupation Special Exception for an internet car sales business with no on-site
346 cars for sale on the property nor advertisements. [Map 242, Lot 007, Sublot-000; Zoned
347 Residential- Two (R-2); HZO Article VI: Special Exceptions; §334-24, Home Occupations]
348

349 Mr. Sullivan read the Case into the record and referred to his Staff Report initialed
350 9/17/2024.
351

352 Edgar Oliva introduced himself as the Property Owner who is seeking the Home Office
353 Special Exception (HO/SE) to operate his online retail car sales business. Mr. Oliva stated
354 that he has three (3) children and is transitioning to being a part time dad and added that
355 he does not sell junk cars but high end cars like BMWs and that the State requires an
356 address for a Retail Home business.
357

358 Mr. Oliva addressed the criteria for the granting of a Special Exception and the information
359 shared included:
360

361 (a) nature of home office business

- 362 • my business would involve selling vehicles through online platforms
- 363 from home
- 364 • this model allows me to leverage internet marketing, social media and
- 365 auto sale website to reach potential buyers without needing a physical
- 366 car lot

- 367 • I handle all aspects of the sales process, including listing vehicles,
 368 communicating with potential buyers and managing the paperwork
 369 required for each transaction
 370 • By operating from home, I reduce overhead costs and I am able to sell
 371 cars on the internet without any on site sales/advertising
 372 (b) is home occupation secondary to the principal use of a home
 373 • yes it is secondary to the address
 374 • the primary use of the property is my home residence
 375 (c) will it be carried within residence or accessory structure
 376 • the Home Occupation would be registered to my home and everything
 377 will be done from my office inside my home
 378 (d) no exterior display of the business
 379 • there will be no exterior display of my business
 380 (e) no exterior storage unless screened
 381 • there will be no exterior storage
 382 (f) no objectionable circumstances such as noise, odors etc.
 383 • there will be no disturbance – no noise, no vibrations, no dust or
 384 smoke, or electrical disturbances, no odors, heat or glare produced
 385 (g) traffic not to exceed volume in a neighborhood
 386 • there will be no extra traffic from the business as customers do not
 387 come to my home
 388 (h) parking to be off-street and limited to 2 vehicles at any one time
 389 • no customer/client parking as they do not come to my home
 390 (i) home occupation to be conducted only by residents of dwelling
 391 • yes, himself, property owner and business owner
 392 (j) number of vehicles for business
 393 • there are no vehicles for just the business

394
 395 Mr. Dion asked where the cars for sale would be stored. Mr. Oliva responded that they
 396 would be kept in a storage yard, not on his property and added that he buys the cars at
 397 online auctions.

398
 399 Public testimony opened at 8:23 PM
 400

- 401 (1) Maryellen Davis, 14 Nathaniel Drive, introduced herself as a direct Abutter and
 402 former Member of the Board. Ms. Davis stated that she understands that it is a
 403 State need to have an address in order to issue a vendor license and asked if the
 404 address would be used in any type of correspondence or advertising; asked about
 405 the drop off and pick up process; and noted that the property has a 4-car garage
 406 and questioned if it would be used for the business; and that the Applicant is
 407 involved with East Coast Carriers and questioned where the car carrier would be
 408 stored; and asked what the involvement is with the Pelham Auto Group site.
 409

410 Mr. Oliva responded and confirmed that the home address would not appear on any
 411 site fir the business; that yes, he does have a 4-car garage but it will not be used for
 412 the business; that he has owned East Coast Carriers for approximately eight (8)
 413 years now where he performs as the middleman as a broker; and that he does not
 414 own Pelham Auto Group and the Group has nothing to do with the Home Office
 415 Special Exception he seeks.
 416

417 Ms. Davis stated that granting this request puts the neighbors in a tough
 418 position to be the ones to 'police' it and asked the Board to consider conditions if

419 granted – like no sign, no employees, no exterior lighting after 11 PM, no outside
420 storage, no selling on site and no car detailing on site.

421
422 Mr. Sullivan stated that he is the Code Enforcement Officer and he drives on
423 Musquash Road everyday and he will be keeping an eye.

424
425 Mr. Oliva stated that there will be no onsite repairs nor any detailing done onsite,
426 that he does need a sign for the State License and they are particular about letter
427 sizing and added that he has spoken with his neighbors across the street and ~~they~~
428 they have no issues with his plan.

429
430 Mr. Daddario stated that the criteria seems to address most of the conditions
431 suggested and added that there is no lighting for a HO/SE.

432
433 Being no one else to address the Board, Public testimony closed at 8:40 PM.

434
435 Mr. Dion compared the requested conditions to the HO/SE criteria and the testimony
436 received and noted that the control of the sign will be by State license regulation and be
437 within the Zoning Ordinance; and that there are to be no employees, just the resident; that
438 exterior lighting be restricted from 11PM-6AM but, per testimony, there will be no exterior
439 lighting; and that per testimony, there is to be no car detailing on site. Mr. McDonough
440 stated that the specific conditions requested are not needed as it is all part of the
441 application. Mr. Daddario added that they are all covered in the SE Criteria. Mr. Sakati
442 stated that he respects the spirit of the questions asked but applying conditions is not really
443 necessary as they are inherent in the criteria as well as the testimony presented.

444
445 Mr. Dion made the motion to grant the HO/SE. Mr. Sakati seconded the motion.

446
447 Mr. Dion spoke to his motion stating that the proposed use is a service operation on site, is
448 secondary to the principal use as a home, that all activity will be conducted within the
449 house, with no signage, no exterior storage, no change to the neighborhood, no change to
450 traffic and no customers to and no cars for sale on site. Mr. Dion voted to grant.

451
452 Mr. Sakati spoke to his second stating that the business is an online service, secondary to
453 the main purpose of a residence, that the sign shall conform to Article XII, Section 334-67,
454 that there will be no storage, no noise, no traffic, no customers to the site and no business
455 vehicles. Mr. Sakati voted to grant.

456
457 Mr. McDonough voted to grant stating that the business is an online sales operation
458 utilizing one room in the home as an office, that a sign required for the dealer license has to
459 comply with the Zoning Ordinance, that there will be no onsite sales, only online sales, that
460 there will be no visible activity beyond the residential use and no business vehicles, just
461 personal vehicle.

462
463 Mr. Daddario voted to grant and stated that he agrees with the reasoning of the Board, the
464 proposed use is to provide an online service to sell high end vehicles, it will be secondary to
465 the primary use of the house as a home and be carried out within one room within the
466 house, that the sign will meet State dealership requirements and be within the Ordinance,
467 that there will be no exterior storage, no customers to site, no business vehicle, no parking,
468 no traffic, no exterior lights, no detailing of vehicles, no vehicles for sale on site, no
469 employees and only operated by the owner.

470
471 Vote was 4:0 to grant the HO/SE. The 30-day Appeal period was noted. Mr. Oliva asked
472 and received clarification regarding the sign – yes, okay to have a sign per Article XII,
473 Section 334-67 of the Zoning Ordinance and that should allow compliance with the State
474 requirement for the dealer license.

475
 476 5. **Case 152-067 (09-26-24):** Thomas G. Brown, **110 Barretts Hill Rd., Hudson, NH**
 477 requests a Variance to allow the continued parking of a vintage recreational motor
 478 coach bus where the parking of recreational buses (Industrial use E-13) is not
 479 permitted in the R-2 Zone. [Map 152, Lot 067, Sublot-000; Zoned Residential- Two (R-
 480 2); HZO Article V: Permitted Uses; §334-21, Table of Permitted Principal Uses]
 481

482 Mr. Sullivan read the Case into the record and referenced his Staff Report initialed
 483 9/17/2024 and noted that it is before the Board as a result of Code Enforcement action that
 484 resulted in his Zoning Determination dated 9/5/2024.
 485

486 Thomas and Rachel Brown introduced themselves as the property owners and the owner of
 487 the 1959 GM Motor Coach Home they purchased in 1990 and have been restoring for more
 488 than twenty (20) years, like creating custom cabinets, dinette etc., resulting in a comfortable
 489 recreational vehicle that they take out occasionally for camping with the family (children and
 490 grandchildren) and friends off premise and have even participated in parades down Main
 491 Street with it.
 492

493 The Applicants addressed the criteria for the granting of a Variance and the information
 494 shared included:
 495

- 496 (1) *not contrary to public interest*
 497 • The motor coach leaves the yard only a few times a year
 498 • It is quieter than a motorbike or a dumpster truck
 499 • We get a lot of looks on the road as it is an antique 1959 GM bus
 500 • Our neighbors generate more noise from their summer pool parties, barking
 501 dogs and fireworks
 502 • The granting is not contrary to the public interest
 503 (2) *will observe the spirit of the Ordinance*
 504 • it does observe the spirit and we enjoy having the bus
 505 • our grandchildren enjoy camping with us in it
 506 • camping is part of our family history and tradition - my folks enjoyed going
 507 camping, going to fairs and just camping with family and friends
 508 (3) *substantial justice done*
 509 • substantial justice would be done
 510 • we take it out for camping at campgrounds
 511 • refusal would be a loss to our family after 35 years of investment and
 512 enjoyment
 513 (4) *not diminish surrounding property values*
 514 • the bus is screened from the road - parked on the side of the barn and
 515 behind a tree
 516 • it has not been moved in a few years
 517 • it does not affect surrounding property values because it is not seen
 518 (5) *hardship*
 519 • this is a valued and valuable motor coach
 520 • we have placed much money and time into it customizing it into a
 521 recreational vehicle
 522 • it would be a great loss to our family to lose it, aside from the monetary and
 523 sentimental value
 524 • it is part of a family tradition because when our parents lived on the
 525 property behind us, they also had a coach that they converted into a
 526 motor home, also from an antique buss

- 527 • it runs great and it is doubtful it poses any problem to anyone else
528

529 In response to Mr. Dumont's question, Mr. Sullivan responded that it originated from a Code
530 Enforcement standpoint that resulted in his determination that it be classified as a motor
531 coach based on the size and weight, an estimate in excess of 13,000 pounds and /but it is
532 approximately 22,000 pounds. Mr. Dumont noted that ZORC (Zoning Ordinance Review
533 Committee) should check into this. Mr. Daddario asked and received confirmation that the
534 vehicle has always been parked in the same spot, by the barn.
535

536 Public testimony opened at 9:05 PM. The following individuals addressed the Board:
537

- 538 (1) Conrad and Judy Gauthier, 113 Barretts Hill Road, stated that they are direct
539 abutters and live across the street, that this is just a hobby vehicle registered at
540 about 28,000 pounds and that they do not have a problem with it at all. Ms.
541 Gauthier stated that they don't see it and Mr. Gauthier added that it cannot be
542 seen from the road.
543 (2) Amanda Brown, 110 Barretts Hill Road, stated that she is the daughter, that she
544 has grown up here helping to rebuild it, that it is part of her family's heritage and
545 custom, the neighbors have no problem with it and it should not be an issue.
546

547 Being no one else to speak, public testimony closed at 9:08 PM.
548

549 Mr. Dion asked if the complaint has been addressed. Mr. Sullivan stated that it has and
550 was resolved by not considering a Recreational Vehicle primarily because of its weight and
551 classifying it a motor coach / bus, which requires the variance. Mr. Dion asked if it was not
552 visible from the street and Mr. Sullivan confirmed and added that one would need to go onto
553 the property to see it.
554

555 Mr. Dion made the motion to grant the Variance. Mr. Sakati seconded the motion.
556

557 Mr. Dion spoke to his motion stating that it is not contrary to public interest as it is shielded
558 from view, that it does observe the spirit of the Ordinance and has existed for years without
559 issue, that it is important to the family, that it is neutral to surrounding property values and
560 that enforcement would take away a valuable family item and it is reasonable. Mr. Dion
561 voted to grant.
562

563 Mr. Sakati spoke to his second stating that it does not ~~effect-affect~~ public safety, that it
564 poses no change to the character of the neighborhood and is only used as a recreational
565 vehicle, that justice would be provided, ~~t.~~ That it does not present any change to
566 surrounding property values, the specific application is to keep family close enjoying
567 camping with the recreational vehicle as they have been doing for three (3) decades, and it is
568 a reasonable use. Mr. Sakati voted to grant.
569

570 Mr. McDonough voted to grant stating that the bus has existed for many decades and at this
571 point does not detract from the neighborhood as it is primarily hidden from road view; that
572 the ordinance was not setup to handle this scenario and approving the variance would meet
573 the spirit of the Ordinance; the owner would be granted justice for a scenario that the
574 Ordinance does not account for; that the vehicle has been on site for decades and the
575 property values have not been impacted; the Ordinance does not account for this scenario
576 and an undue hardship would occur by forcing them to relocate the vehicle after 30 years;
577 and the proposed use is reasonable and in the spirit of the Ordinance; that it is the vehicle
578 size and weight just don't fit the Ordinance.
579

580 Mr. Daddario voted to grant stating it cannot be seen from outside the property and has
581 been there for 34 years and has become part of the character of the neighborhood and
582 provides no harm to the public; that there is no benefit to the public to remove it and no

583 harm to the public by its presence; that there is no evidence to suggest any impact on
 584 surrounding property values; that there would be no benefit to the public by preventing this
 585 to continue as parking has been occurring in this manner for 34 years and it is questionable
 586 as to whether it is properly classified as a bus versus a recreational vehicle; and it is a
 587 reasonable use as parking their personal property at their residence without causing a
 588 disturbance to others.
 589

590 Vote was 4:0. Variance granted. The 30-day Appeal period was noted.
 591

592 VI. REQUESTS FOR REHEARING:

593 1. **Case 165-021 (07-11-2024) (Deferred from 08-22-24)**: Brendan Burke, Manager for
 594 Keystone Estates, LLC, 343R High St., Hingham, MA requests a rehearing of an Appeal
 595 from an Administrative Decision request for 12-14 Gambia St., Hudson, NH where a Code
 596 Enforcement – Notice of Violation Cease & Desist letter dated May 8, 2024 was upheld by
 597 the Zoning Board of Adjustment.
 598

599 Mr. Sullivan read the request into the record and stated that it was continued from the
 600 8/22/2024 meeting per email request from their legal counsel.
 601

602 No one was present to present the request.
 603

604 Discussion arose. Mr. Sullivan stated that it appears to be a request pertaining to a Variance
 605 but a Variance has never been applied for. Mr. Dumont stated that the ZBA can provide
 606 “reasonable accommodation” throughout the process. Mr. Daddario stated that the Board has
 607 not seen a Variance application that the ZBA has only heard an appeal to the Zoning
 608 Administrator’s decision that resulted in the Board agreeing with the Zoning Administrator’s
 609 violation letter. Mr. Dion stated that the request for a rehearing can only pertain to the Appeal
 610 they heard, which was an appeal to Code Enforcement content of Mr. Sullivan’s May eighth
 611 Cease and Desist letter.
 612

613 Discussion then focused on how best to proceed. Several Members were inclined to not hear
 614 the rehearing request. Mr. Dumont suggested consulting with Town Counsel. Mr. Sullivan
 615 stated that Town Counsel has been consulted and that the Property Owner has been informed
 616 that they need to apply for a Variance as well as their need to go to the Planning Board.
 617

618 Mr. Daddario reviewed the four (4) elements required in order to grant a rehearing. To
 619 summarize the element and consensus of the Board:

- 620 (1) *new evidence presented that was not available at the first hearing*
 - 621 • no evidence presented
- 622 (2) *ZBA made an error in law*
 - 623 • ZBA made no error in law
- 624 (3) *Was there a procedural error made*
 - 625 • No procedural errors were made
- 626 (4) *Good reason offered*
 - 627 • No reason was offered in Applicant’s motion for rehearing

628
 629 The general consensus was to close/deny the rehearing request and let the applicant proceed
 630 with pursuing a Variance.
 631

632 Mr. McDonough made the motion to deny the request for rehearing. Mr. ~~Sakiti~~ Sakati
 633 seconded.
 634

635 Mr. McDonough spoke to his motion stating that no new evidence was presented, that there
 636 was no error in law made, that there were no procedural errors made and there was no good
 637 reason stated. Mr. McDonough voted in support of the motion to deny the request.
 638

639 Mr. Sakati spoke to his second for the same reasons Mr. McDonough stated – the applicant
640 failed all four (4) criteria. Mr. Sakati voted in support of the motion to deny the request.
641

642 Mr. Dion voted to deny the rehearing request as no new evidence was presented, no error made
643 in law, no procedural error was made and no good reason was offered and the applicant's not
644 present to offer any and that it seems they are trying to appeal an appeal.
645

646 Mr. Daddario voted to deny the rehearing request as no new evidence has been presented,
647 there was no error made in law or procedure, that no new evidence has been presented and the
648 Board has not received or reviewed a Variance application and that it appears that the
649 allegations presented pertain more to a variance application.
650

651 Vote was 4:0 to not grant the request for rehearing. Rehearing denied
652

653 **VII. REVIEW OF MINUTES:**

654 07/11/2024 edited draft Meeting Minutes

655 08/22/2024 edited draft Meeting Minutes
656

657 Board reviewed the edited drafts presented and made no further changes. Mr. Sakati did note
658 that the 7/11/2024 Minutes clearly reflect what transpired with the case of 12 14 Gambia
659 Street appeal of the Cease and Desist Letter (Case 165-021) and the Board's confusion of what
660 they were requesting in the 8/22/2024 Minutes.
661

662 Mr. Dion made the motion and Mr. Sakati seconded the motion to approve to 7/11/2024 and
663 the 8/22/2024 edited Minutes as presented. Vote was unanimous at 4:0
664

665 **VIII. OTHER BUSINESS:**

666 No other business was presented for Board consideration.
667
668

669 **IX. ADJOURNMENT:**

670
671 Mr. Dion made the motion to adjourn. Mr. Sakati seconded the motion. Vote was unanimous
672 at 4:0. The 9/26 /2024 ZBA meeting adjourned at 9:40 PM
673

674 Respectfully submitted,
675 Louise Knee, Recorder
676
