

**Office of the Selectmen
Town of Nelson
7 Nelson Common Road
Nelson, NH 03457**

September 20, 2022

Dear Members of the Planning Board,

Re: Condominium Form of Ownership

It has come to our attention that the Nelson Planning Board is currently considering exercising authority to approve Condominium style of property ownership as a Subdivision. This is occurring in a single case (the first for Nelson) regarding property currently owned by The Cucchi Family Revocable Trust of 2021.

As the Governing Body we want to express our grave concern over taking such actions at this time.

We have reviewed Nelson's Subdivision Regulations and find that although you have included the standard definition of Subdivision (which lists rent, lease, and condominium conveyance) you have not considered or included detailed policies for evaluation of these types of subdivisions and no detailed Zoning Ordinance has ever been developed or approved to further define parameters. Such action without fully considered and developed policies would be arbitrary and, performed in hast, could result in an unfair and perhaps prejudicial outcome.

While this may be the first condominium to be considered in Nelson there are and have been rental or lease properties as well as single-family home conversions to multi-family rentals and no property owner has been asked to apply for a subdivision approval in order to proceed. This area of the Subdivision Regulations is also without detailed policies for evaluation and the Zoning Ordinance carries no mention of the requirement for Subdivision approval.

Given these facts, it is this Board's recommendation that the Planning Board officially waive its authority to consider any subdivision requirement of the Cucchi property and immediately inform all parties of interest in the matter. We believe this recommendation, at this time, is truly in the best interest of the town.

Further, we recommend that you begin consideration of detailed policies for the future evaluation of subdivision requirements concerning rental, lease or condominium properties as may be appropriate for Nelson.

Respectfully Submitted,
The Nelson Board of Selectmen


Brenna Kucinski, Chair


Alexander Guida, Selectman

Michael Blaudschun, Selectman