



City of Rochester, New Hampshire
Department of Building Safety

31 Wakefield Street * Rochester, NH 03867
(603) 332-3508 * Fax (603) 509-1912

NOTICE OF PUBLIC HEARING

Dear Abutter:

You are hereby notified of a **Public Hearing** to be held at **7:00 p.m.** on **Wednesday, September 11, 2013** in the City Hall Council Chambers concerning the following:

2013-29— Application by Aaron Wiswell / Rockwell Homes for a variance under Article 42.14 Table 1 (B) (8) + (13) of the City's Zoning Ordinance to allow a carwash in a Residential 1 zone.

Location: 248 No Main St.
Map 115 Lot 19 Residential 1 Zone


You are welcome to attend the public hearing and comment on the proposal. Be advised you will be allowed to speak at the meeting, however any paperwork will not be accepted at that time.

If you are planning to attend the meeting and have paperwork you wish to have reviewed, or if you are *not* planning to attend the meeting, you may comment by letter, fax or email (karen.grenier@rochesternh.net). However, for the Board to consider your comments they **MUST be received **NO LATER than 12:00 noon on the Monday before the meeting (September 9, 2013).****

The project application is available for review by the public in the Department of Building Safety or you can view the entire application on the City's website – www.rochesternh.net. Click on *Boards & Commissions*, then *Zoning Board of Adjustment*, then *Zoning Board Projects*. Look under the map and lot number shown above.

Please feel free to contact this department with any questions or if you have any disability requiring special provisions for your participation.

Office Hours are between 8:00 a.m. to 5:00 p.m. Monday through Friday.



Karen Grenier, Building & Zoning Secretary
cc: file



Planning & Zoning
Community Development
Conservation Commission
Historic District Commission
Arts & Culture Commission

PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

C-
2492
PICK #2173
3.50 Wash. Rd.
175.00
PICK #2174

APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT
CITY OF ROCHESTER

Phone No 207-252-5145

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-29

DATE FILED 8/21/13
Kelly M. Hughes
ZONING BOARD CLERK

Name of applicant Rockwell Homes / Aaron Wiswell

Address Po Box 206 Lebanon, Me. 04027

Owner of property concerned Same ✓
(If the same as applicant, write "same")

Address Same
(If the same as applicant, write "same")

Location 248 North Main St

Map No. 115 ✓ Lot No. 19 ✓ Zone R1 ✓

Description of property Vacant Land Located Next to Burger King

Proposed use or existing use affected Construct a New Touch Free Car Wash

able 1 The undersigned hereby requests a variance to the terms of Article 42.14
Section (A)(8)(13) and asked that said terms be waived to permit Car Wash

If applicable in this case, the undersigned also requests a waiver from the requirement to provide a certified plot plan, (see attached request sheet) Yes ✓ No

The undersigned alleges that the following circumstances exist which prevent the proper enjoyment of his land under the strict terms of the Zoning Ordinance and thus constitute grounds for a variance.

Signed [Signature]
(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

Case # 2013-29

Date: 8/21/13

A Variance is requested by _____ Rockwell Homes / Aaron Wiswell _____

from Section _____ Subsection _____

of the Zoning Ordinance to permit: The Land to be used as a Neighborhood Mixed Use site like being purposed in the new zoning change to construct a carwash

at 248 North Main St Map 115 Lot 19 Zone R1

Facts supporting this request:

1) The proposed use would not diminish surrounding property values because:

In my opinion this would only help the surrounding properties because this is clearly a commercial area and is the direction the town is looking to go there for making the abutters properties worth more

2) Granting the variance is not contrary to the public interest because: It will fit in nicely with the surroundings and the lot is big enough we can keep a nice buffer from neighbors with woods and a fence and will be an attractive looking new building offering a serve that most people enjoy and it will be conveniently located when shopping next door

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: This property is being purchased with the intent to use it for this commercial use which is already recognized in the eyes of the city and is in the process of rezoning to a Neighborhood mixed use this would mean we would have to carry the costs of this property until the new zoning took place

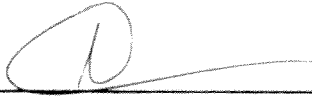
4.) Granting the variance would do substantial justice because: _____

It would encourage the growth of the area for the benefit of the town and neighbors looking to increase the value of their properties and moving closer to the rezoning that is in everybody's best interest

5.) The use is not contrary to the spirit of the ordinance because: _____

It is already a recognized commercial area you have Burger King on one side and
Charlies Pizza / Laundry Mat on the other and Shunda signs across the street it is definatley
already a mixed use neighborhood and this buissness will have very low foot traffic
compaired to these bussiness

Name



Date:

8/21/13



City of Rochester, New Hampshire

Economic Development Department

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.thinkrochester.biz

August 20, 2013

Zoning Board of Adjustment
City of Rochester, NH

Re: Aaron Wiswell Request for a Variance
Property at 248 North Main St., Parcel 0115-0019-0000

Dear Zoning Board Members,

As the Economic Development Specialist for the City of Rochester, I am asking you to grant Mr. Wiswell a variance for his proposed use for a vacant lot on North Main Street next to Burger King. He has come to our office, and also talked with the Planning Department about constructing a car wash in this location.

This vacant lot is adjacent to a Burger King. Home Depot and Hannaford are the next block over, and a new Taco Bell is soon to be constructed, with several other businesses right in that same vicinity. A car wash seems like a good use of this particular lot, and would service local residents as well as those passing through on their way to other parts of the city.

After talking with Mr. Wiswell, it appears that he has done due diligence as to the feasibility of this particular business at this location. He indicated that he would be conscientious about any neighbor concerns, such as constructing a fence or leaving trees standing on the perimeters of the lot for privacy, and running the business during reasonable hours. His design would be put through the normal planning process and any concerns can be addressed by staff and the planning board should they arise.

Thank you for your consideration.

Sincerely,

Mary Ellen Humphrey

**When you wash your car in the
driveway,
Remember
you're not *just* washing your car in the
driveway.**



All the soap, scum, and oily grit runs along the curb. Then into a storm drain and directly into our lakes, rivers, and streams. And that causes pollution which is unhealthy for everyone. So how do you avoid this whole mess? Easy! Wash your car on the grass or gravel instead of the street. Or better yet, take it to a car wash where the water gets treated or recycled.



Clean water is important to all of us.

It's up to all of us to make it happen. In recent years, sources of water pollution like industrial wastes from factories have been greatly reduced. Now, more than 60 percent of water pollution comes from things like cars leaking oil, fertilizers from farms and gardens, and failing septic tanks. All these sources add up to a big pollution problem. But each of us can do small things to help clean up our water too—and that adds up to a pollution solution!

Why do we need clean water?

Having clean water is of primary importance for our health and economy. Clean water provides recreation, commercial opportunities, fish habitat, drinking water, and adds beauty to our landscape. All of us benefit from clean water—and all of us have a role in getting and keeping our lakes, rivers, streams, marine, and ground waters clean.

What's the problem with car washing?

There's no problem with washing your car. It's just how and where you do it. The average driveway car wash uses a total of 116 gallons of water! Most commercial car washes use 60 percent less water in the entire washing process than a simple home wash uses just to rinse off a car. Most soap contains phosphates and other chemicals that harm fish and water quality. The soap, together with the dirt and oil washed from your car, flows into nearby storm drains which run directly into lakes, rivers, or marine waters. The phosphates from the soap can cause excess algae to grow. Algae look bad, smell bad, and harm water quality. As algae decays, it uses up oxygen in the water that fish and other wildlife need.

Clean Water Tips: How can you wash your car and help keep our waters clean?

Use soap sparingly. Use a hose nozzle with a trigger to save water.

Pour your bucket of soapy water down the sink when you're done, not in the street. Or wash your car on a grassy area so the ground can filter the water naturally.

Best of all, take your car to a commercial car wash, especially if you plan to clean the engine or the bottom of your car. Most car washes reuse wash water several times before sending it to the sewer system for treatment.

To find out more about the impacts of nonpoint source pollution and what you can do to prevent it, call the numbers listed below.



617/727-5114



617/626-1540



617/918-1111



617/292-5500



617/626-1250



617/626-1700

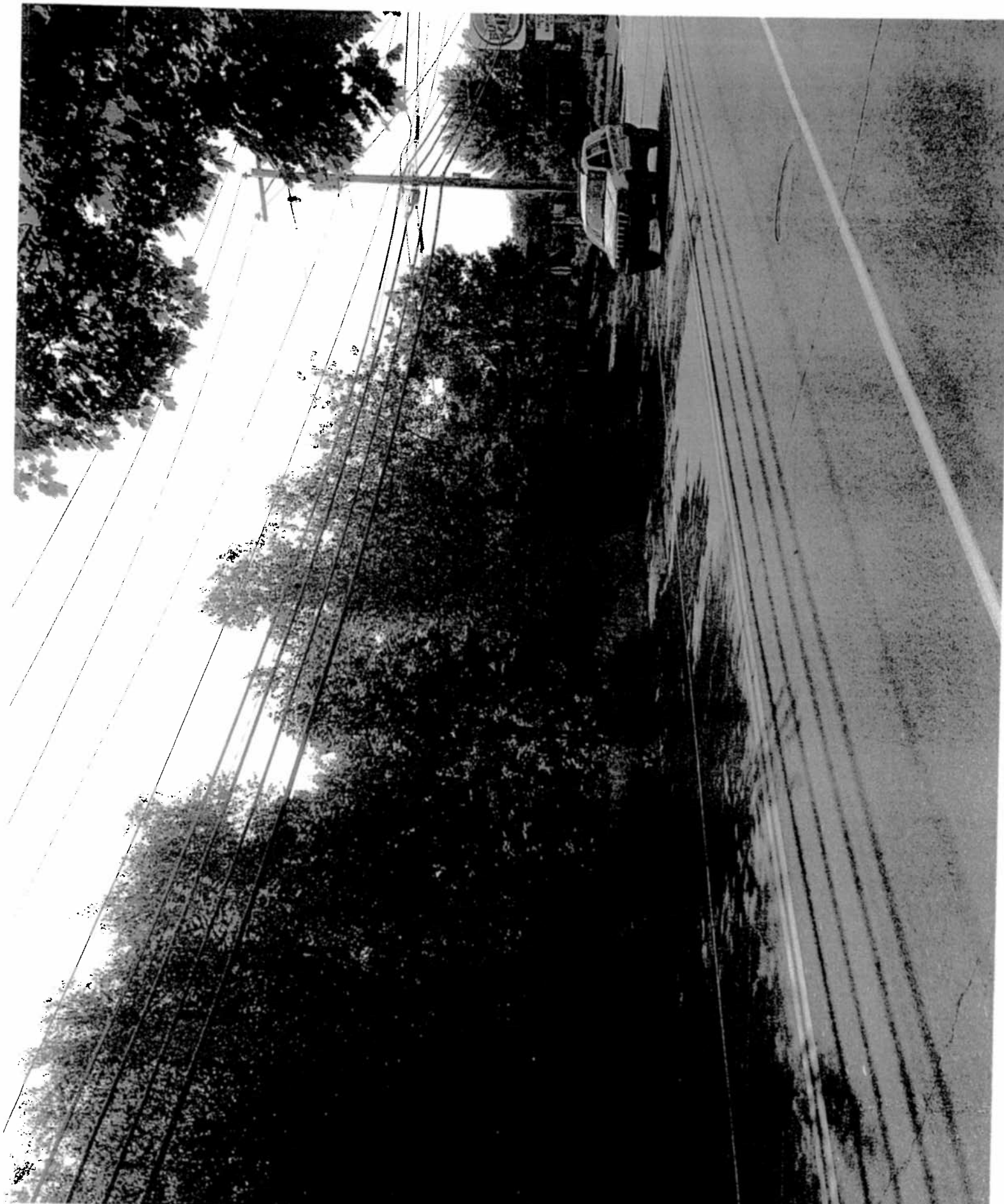


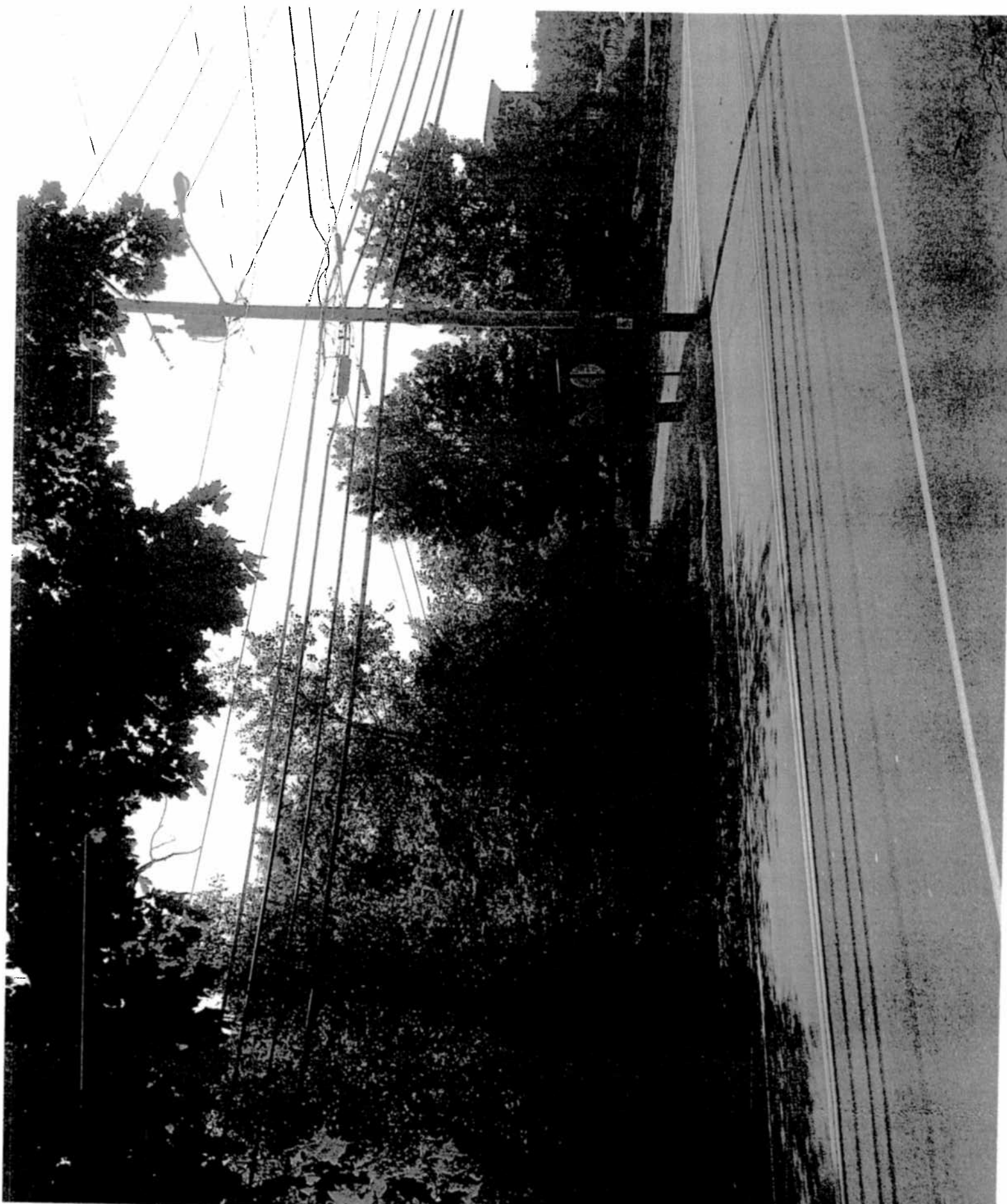
617/626-1395



617/626-1000

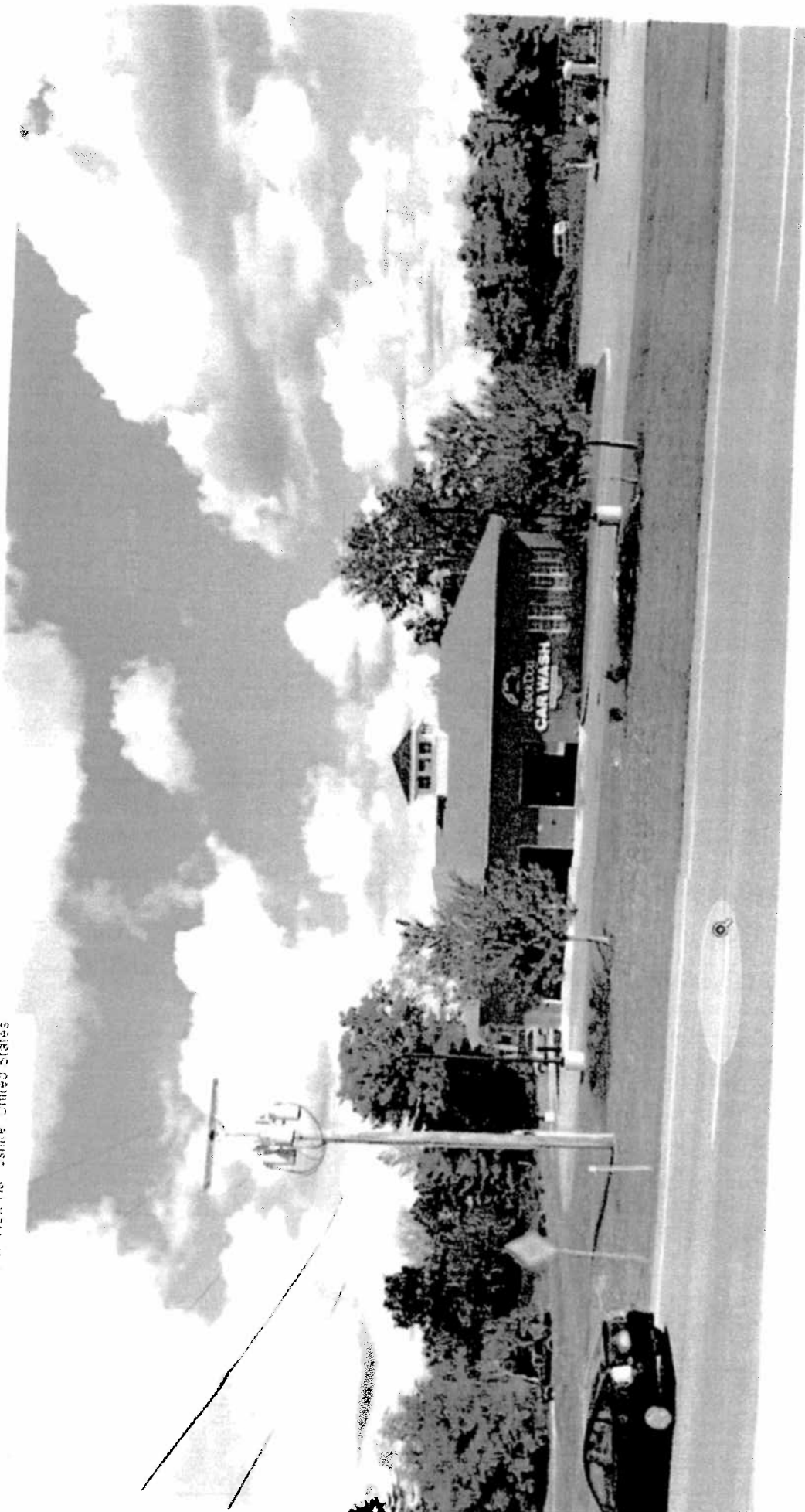
This information on nonpoint source pollution is brought to you by the Department of Environmental Protection, the Executive Office of Environmental Affairs' Massachusetts Watershed Initiative, Coastal Zone Management, the Department of Environmental Management, the Department of Fisheries, Wildlife, and Law Enforcement, the Department of Food and Agriculture, and the Metropolitan District Commission working to reduce nonpoint source pollution through public education. This project was funded by the U.S. Environmental Protection Agency with a federal 104(b)(3) grant.

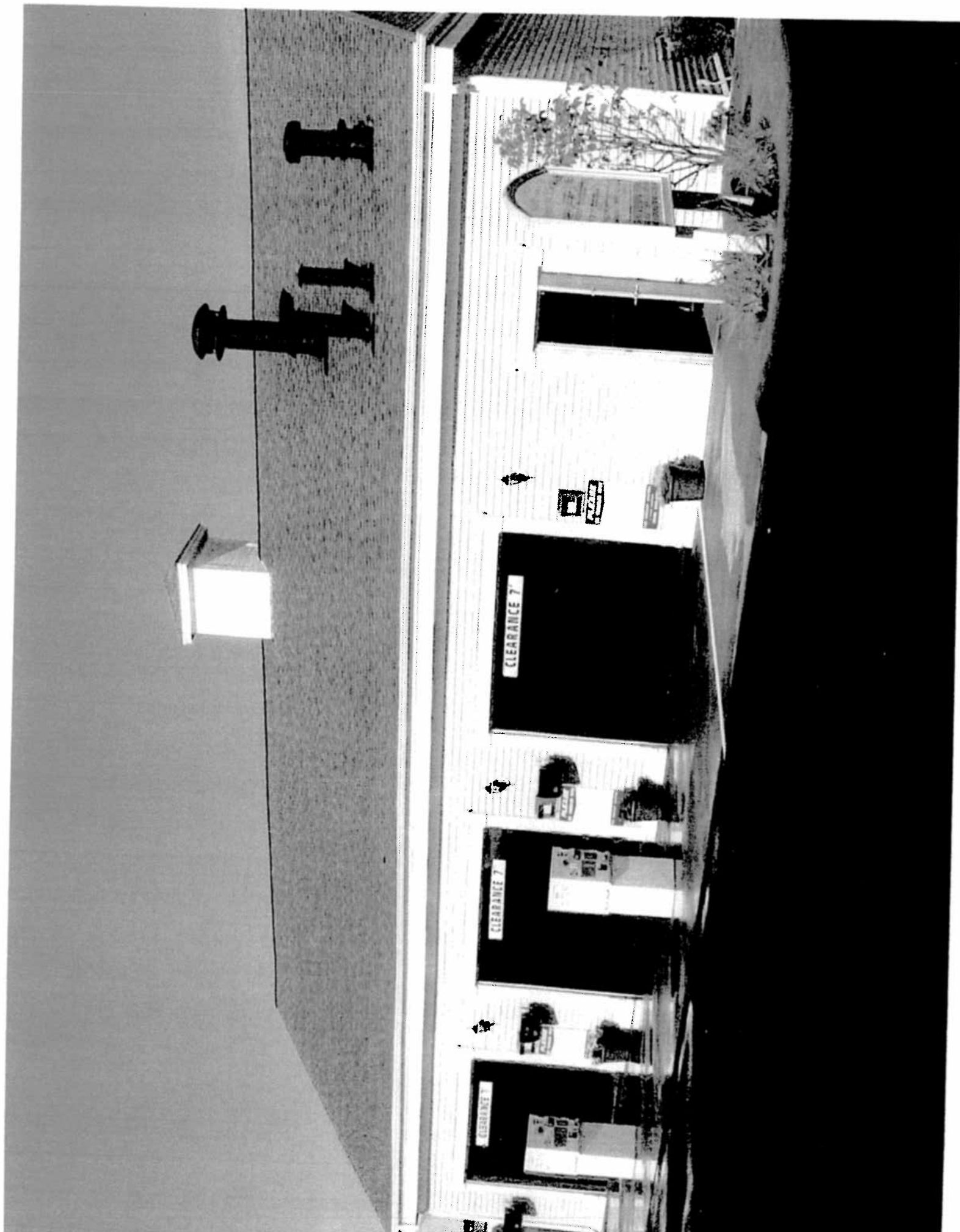






72 New Hampshire 11 Rochester New Hampshire United States

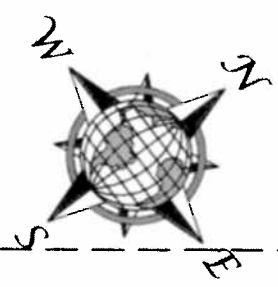












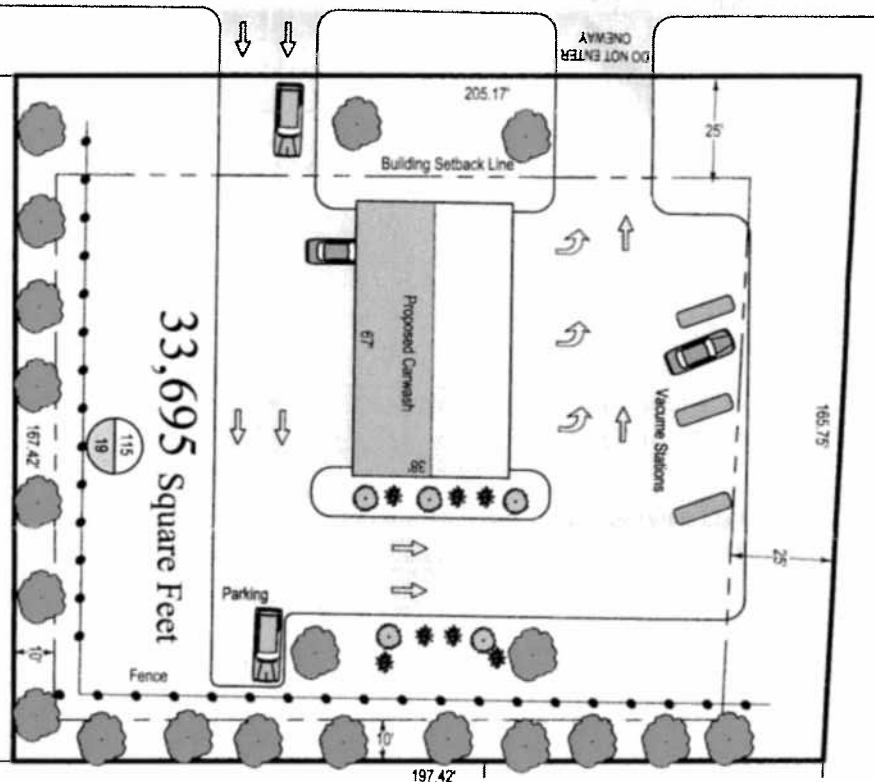
Graphic Scale: 1 in. = 30 ft.



Cushing Boulevard

North Main Street

Margaret Street

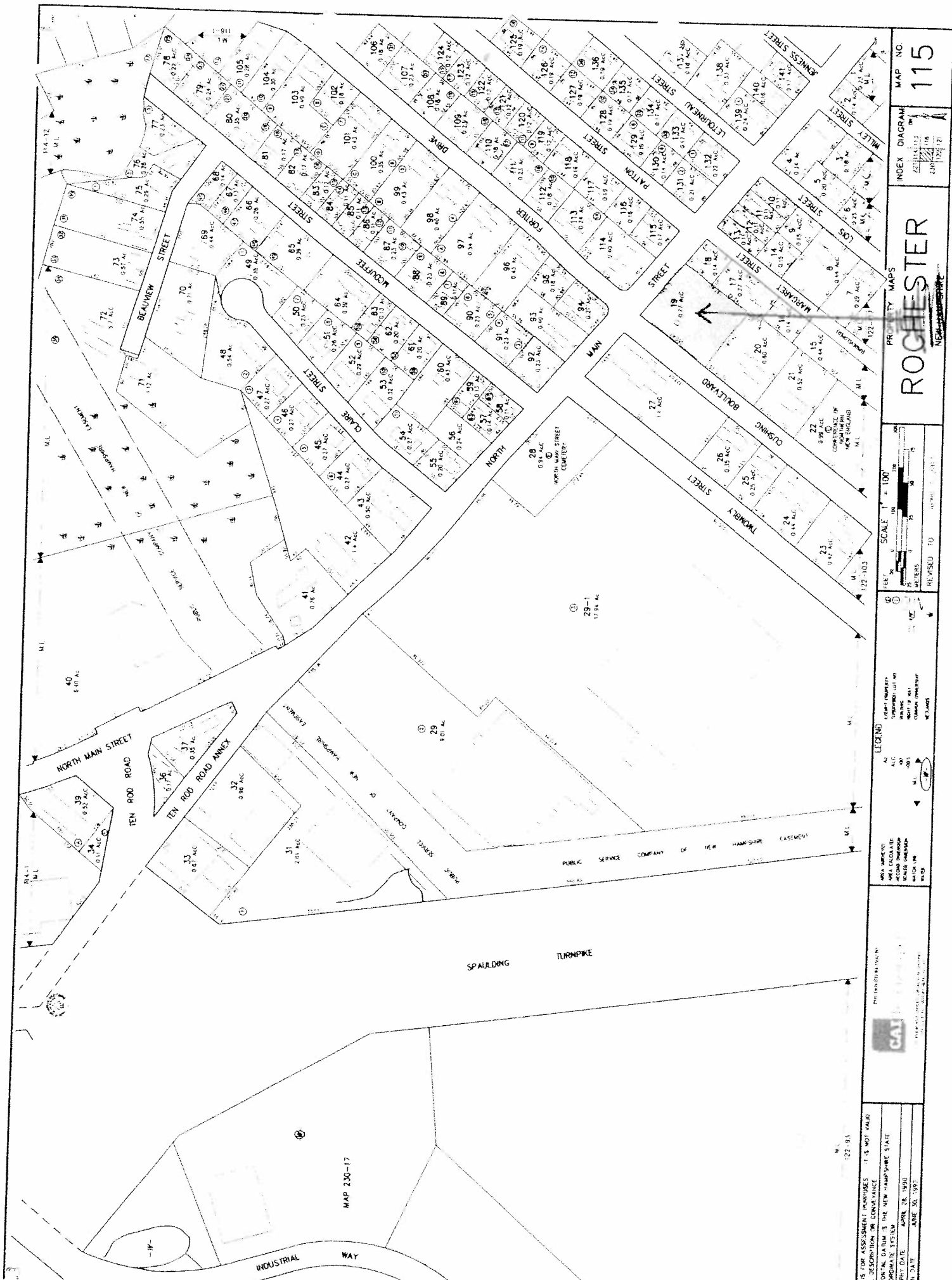


Sketch Showing A Proposed Car Wash By

Aaron Wiswell

P.O. Box 206
Lebanon, ME 04027

North Main Street & Cushing Boulevard, Rochester, New Hampshire
Scale 1 in. = 30 ft. - August 20, 2013



115

INDEX DIAGRAM

222-23

2012

1922-23

PROPERTY MAPS

ROCHESTER

NEW HAMPSHIRE

SCALE 1" = 100'

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FEET

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FEET

LEGEND

AC ACRE

ALC ALLOTMENT

ASD ASSESSMENT

BLK BLOCK

CD CENSUS DISTRICT

CH CHURCH

CL CLERK

CM COMMON

CO COURT

CR CROWN

CS CENSUS

CT CENSUS

CU CENSUS

CV CENSUS

CW CENSUS

CX CENSUS

CY CENSUS

CZ CENSUS

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Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0115-0019-0000	Account Number 29249
Prior Parcel ID --	
Property Owner FEDERAL SAVINGS BANK % JIM BRANNEN	Property Location 248 NO MAIN ST Property Use DEV RES LAND
Mailing Address 633 CENTRAL AVE	Most Recent Sale Date 7/26/2004 Legal Reference 3038-232
City DOVER	Grantor BENNETT SUSAN D & FLANAGAN DON,
Mailing State NH Zip 03820	Sale Price 200,000
Parcel Zoning R1	Land Area 0.770 acres

Current Property Assessment

Card 1 Value Building Value 0	Yard Items Value 0	Land Value 56,500	Total Value 56,500
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Building Description

Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

ABUTTER LISTCity of Rochester, NH
Please Print or Type

2013-29

Applicant: Rockwell Homes / Aaron Wiswell Phone 202-252-5145Project Address: 248 No Main St

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
115	19R		AARON Wiswell ✓	PO Box 206, Lebanon NH 04402

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
115	114	Keith A Jenkins	✓ 253 N. Main St Rochester NH 03867-1111
115	115	Patricia/Eddie Poisson	✓ 251 N. Main St Rochester NH 03867-1110
115	18	EDWING, Cecil LeGrosborton	✓ 202 Milton Rd Rochester NH 03868
115	17	Bonnie, David Hatch	✓ 165 Crownpoint Rd Rochester NH 03867-4877
115	20	Arlene Clough	✓ 14 Cushing Blvd Rochester NH 03867-4877
115	27	Burger King Corp. c/o NorthEast Foods	✓ 4415 Highway 6 South, Sugarland TX 77478
115	94	Peter Roy	✓ 250 No Main St Apt A, Rochester NH 03867

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder

Mailing Address

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the City of Rochester Assessing Office computer - Assess Pro (located in the Revenue Bldg at 19 Wakefield Street)

on this date: _____ This is page _____ of _____ pages.

Applicant or Agent: [Signature]Planning Staff Verification: [Signature] Date: 5/28/13

1 = 3.50
7 = 24.92
VARIANCE 175.00