

APPLICATION FOR A VARIANCE

TO: **BOARD OF ADJUSTMENT
CITY OF ROCHESTER**

Phone No 603 634-2878

DO NOT WRITE IN THIS SPACE

CASE NO. _____

DATE FILED _____

ZONING BOARD CLERK _____

Name of applicant Public Service Company of New Hampshire, c/o Walt Bilynsky

Address 780 N. Commercial Street, Manchester, NH 03101

Owner of property concerned "same"

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

Address "same"

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

Location 103 Walnut Street

Map No. 122

Lot No. 93

Zone I-2 & A

Description of property Existing electrical substation is located on the property.

Proposed use or existing use affected Additional substation will be sited on the property.

The undersigned hereby requests a variance to the terms of Article 42, Section 19 and asked that said terms be waived to permit Construction of ancillary transmission poles and grading and drainage features for the creation of the new substation within the inner twenty-five foot wetland buffer.

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 _____

(Applicant)

11/21/2011

CRITERIA FOR VARIANCE

Case # _____

Date: 11/21/11

A Variance is requested by Public Service Company of New Hampshire
from Chapter 42 Section 19
of the Zoning Ordinance to permit: Construction within twenty-five feet of the edge of an
existing drainage swale (wetland).

at 103 Walnut Street Map 122 Lot 93 Zone I-2 & A

Facts supporting this request:

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

Granting this variance will not diminish surrounding property values. The existing use of the site has been established as an electrical substation which the proposed expansion and subsequent wetland encroachment will not change. The industrial character of the site is already defined by the existing substation, and is already reflected in the value of the properties surrounding the existing substation. Therefore no diminution in value would be expected from the authorization of the requested variance.

2) Granting the variance is not contrary to the public interest because:

Granting of the variance is not contrary to the public interest as it will allow for PSNH to meet the increased electrical demand by the public and improve the reliability of electrical service for the area. The ancillary transmission poles and grading and drainage features which take place within the twenty-five foot buffer are necessary infrastructure for the substation and have been located in the least intrusive location relative to wetland impacts.

3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property:

Denial of the variance would create an unnecessary hardship for the owner as the zoning restriction interferes with the applicant's reasonable use of the property given the use. The existing substation was originally sited to provide an appropriate location for providing electrical service to the region however this site contains a considerable area of wetlands. The expansion of the substation facilities to include the Eastport Substation as currently constituted provides the least amount of wetland impact for the electrical infrastructure needed while still providing the appropriate electrical configuration required by PSNH. The proposed wetland impacts have been reviewed and approved by the New Hampshire Department of Environmental Services and as such we would deem the identified impacts to the inner twenty-five foot wetland buffer as acceptable given it is in the public's best interests to have reliable electrical service.

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

Granting the variance would do substantial justice because it will allow PSNH to provide a necessary public service to meet the growing population demand and need for reliable

electrical service in this region. Substantial justice would be done by allowing PSNH to use this site as proposed, whose use has already been established for the purpose of siting an electrical substation.

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

The use is not contrary to the spirit of the ordinance as the project will maintain and enhance the quality of adjacent surface waters by incorporating stormwater best management practices which filter pollution and attenuate both peak flow and quantity of stormwater as well as preserve remain wetlands outside of the area of proposed development. The variance fits within the spirit of the Zoning Ordinance in that it facilitates the adequate provision of electricity, an essential public requirement.

Name



Date:

11/21/2011