

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](http://www.rochesternh.net)

MAR 20 2013

pd  
175  
✓ # 1330

### APPLICATION FOR A VARIANCE

TO: BOARD OF ADJUSTMENT  
CITY OF ROCHESTER

Phone No. 603-498-6177

DO NOT WRITE IN THIS SPACE

CASE NO. 2013-12

DATE FILED 3/20/13

ZONING BOARD CLERK C. Leno

Name of applicant: Alan Golick dba Golick's Rochester LLC

Address: 136 Old Fields Rd South Berwick, ME03908

Owner of property concerned: Jabrika Realty Trust (Frank Cassidy)

Address: 1 Winter St Rochester, NH

Location 17: Sawyer Ave Rochester, NH

Map No. 125 Lot No. 86 Zone. B2

Description of property: Wood frame structure on .28 acre

Proposed use or existing use affected: Take Out ice cream shop

The undersigned hereby requests a variance to the terms of Article 42.8,  
Section (c)(2) and asked that said terms be waived to permit: An off-site sign

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

Alan Golick

(Applicant)

Continue on Page 2

CRITERIA FOR VARIANCE

MAR 20 2013

Case # \_\_\_\_\_

Date: 3/18/13

A Variance is requested by Alan Golick dba Golick's Rochester LLC

From Section \_\_\_\_\_ Subsection \_\_\_\_\_

Of the Zoning Ordinance to permit: An off-site sign. Sign to be placed on abutter's property with the abutter's permission.

At: 17 Sawyer Ave Rochester, NH Map 125 Lot 86 Zone B3

Facts supporting this request:

- 1) The proposed use would not diminish surrounding property values because: It is a commercial area with other businesses and their signs all around. The proposed sign would fit right in and not be a visual nuisance.
- 2) Granting the variance is not contrary to the public interest because: The proposed sign would inform the public of the location of a new business that it may want to patronize.
- 3.) Denial of the variance would result in unnecessary hardship to the owner because of the following special circumstances of the property: The new Golick's Dairy Bar will depend on patrons from South Main St realizing that the new shop is there. Without the proposed sign customer's awareness of the shop is compromised and business will suffer as a result. Golick's is in a business zone, but is at a disadvantage because it is set back and partially shielded by the Care Pharmacy building. The proposed sign is a reasonable request because a retail business like Golick's needs a proper sign that is highly visible and this is not possible with the current conditions of this lot.
- 4.) Granting the variance would do substantial justice because: Golick's Dairy Bar will be sharing the Care Pharmacy parking lot and the request is for a variance allowing a sign for Golick's on the Care Pharmacy parking lot.
- 5.) The use is not contrary to the spirit of the ordinance because: The sign ordinance is in place to regulate signs and allow businesses to have signs. The proposed sign will conform to all sign regulations and not be a nuisance or in any way harm the public.

Name Alan Golick Date: 3/20/13

We are requesting a variance for 2 "off lot" signs.

We wish to erect a pole sign on the corner of Lot 85 of Map 125 (the Care Pharmacy parking lot) at the closest point to the intersection of Sawyer Ave and South Main Street. This sign would conform to all specifications in the sign ordinance.

We would like to put a sign on the side valence of the Care Pharmacy Building that is parallel with South Main Street. This sign would inform westbound travelers on South Main Street of the presence of the new Golick's Dairy bar on Sawyer Ave. There is no sight line to Golick's from this section of the street and people would likely pass by without ever seeing the Golick's building.

Alan Golick dba Golick's Rochester LLC

We are requesting a variance for 2 "off lot" signs.

We wish to erect a pole sign on the corner of Lot 85 of Map 125 (the Care Pharmacy parking lot) at the closest point to the intersection of Sawyer Ave and South Main Street. This sign would conform to all specifications in the sign ordinance.

We would like to put a sign on the side of the valence of the Care Pharmacy Building that is parallel with South Main Street. This sign would inform westbound travelers on South Main Street of the presence of the new Golick's Dairy Bar on Sawyer Avenue. There is no sight line to Golick's from this section of the street and people would likely pass by without ever seeing the Golick's building.

---

To the Planning Board of Rochester,

Golick's of Rochester LLC has my approval for establishing signs on the intersection of South Main Street and Sawyer Avenue, as well as on the side of the building of the current Care Pharmacy. These are contingent upon my review and final approval of the proposed sign design.

Sincerely ,



Francis J. Cassidy

MAR 2 9 2013

NH ROUTE 108

TAX MAP 119  
LOT 124

TAX MAP 125  
LOT 84

TAX MAP 125  
LOT 96

TAX MAP 126  
LOT 96

Valerie's Pond

EXISTING RETAIL  
BLDG. 15,542 SF.  
78 PARKING SPACES  
REQ'D.  
110 TOTAL EXISTING  
SPACES

PROP. 1,200 S.F.  
PICNIC TABLE SEATING  
AREA

WILLOW BROOK

TAX MAP 125  
LOT 86  
.28 AC.

GARAGE

PROP.  
15'x28' BUILDING  
ADDITION AND  
BUILDING  
CONVERSION TO AN  
ICE CREAM SHOP

TAX MAP 125  
LOT 87

TAX MAP 125  
LOT 88

SOUTH MAIN STREET

TAX MAP 125  
LOT 85  
1.8 ACRES

SAWYER  
AVENUE

TAX MAP 125  
LOT 52

TAX MAP 125  
LOT 51

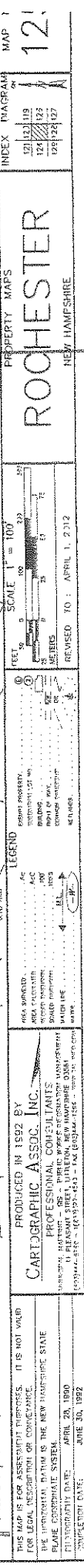
24' R/W

TAX MAP 125  
LOT 50

TAX MAP 125  
LOT 91

TAX MAP 125  
LOT 90

TAX MAP 125  
LOT 89



THIS MAP IS FOR ASSASSINATE PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE INFORMATION WITHIN IS THE NEW HARTFORD STATE PLUME PROSPECTION SYSTEM

PROFESSIONAL CONSULTANTS

UNIVERSITY HARTFORD - 100 S. HARTFORD STREET, HARTFORD, CT 06103-3939  
 (203) 556-1100

DATE: APRIL 20, 1990  
 PROJECT NO.: 90-01  
 CITY: HARTFORD, CT

## Unofficial Property Record Card - Rochester, NH

### General Property Data

Parcel ID 0125-0055-0000  
Prior Parcel ID --  
Property Owner DANDIDEB REALTY CORPORATION  
Mailing Address P O BOX 267  
City KITTERY PT  
Mailing State ME Zip 03905-0207  
Parcel/Zoning B2

Account Number 27385  
Property Location 161 SO MAIN ST  
Property Use SUPERMARKETS  
Most Recent Sale Date 12/12/1962  
Legal Reference 757-405  
Grantor  
Sale Price 0  
Land Area 1.800 acres

### Current Property Assessment

Card 1 Value Building Value 630,200 Yard Items Value 36,000 Land Value 243,000 Total Value 911,200

### Building Description

Building Style RETAIL  
# of Living Units 1  
Year Built 1955  
Building Grade AVG. (-)  
Building Condition Average  
Finished Area (SF) 16199  
Number Rooms 0  
# of 3/4 Baths 0

Foundation Type CONCRETE  
Frame Type WOOD  
Roof Structure FLAT  
Roof Cover MEMBRANE  
Siding CONC BLOCK  
Interior Walls DRYWALL  
# of Bedrooms 0  
# of 1/2 Baths 3

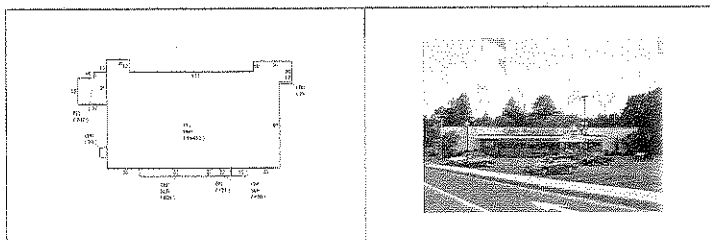
Flooring Type AVERAGE  
Basement Floor CONCRETE  
Heating Type FORCED H/A  
Heating Fuel GAS  
Air Conditioning 100%  
# of Built Garages 0  
# of Full Baths 0  
# of Other Fixtures 0

### Legal Description

### Narrative Description of Property

This property contains 1.800 acres of land mainly classified as SUPERMARKETS with a(n) RETAIL style building, built about 1955, having CONC BLOCK exterior and MEMBRANE roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 3 half bath(s).

### Property Images



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

## Unofficial Property Record Card - Rochester, NH

### General Property Data

Parcel ID 0125-0086-0080	Account Number 27390
Prior Parcel ID --	
Property Owner JABRIKA REALTY TRUST % CASSIDY BRIAN P TRUSTEE	Property Location 17 SAWYER AVE
Mailing Address 1 WINTER ST	Property Use MED OFFICE
	Most Recent Sale Date 7/26/2005
City ROCHESTER	Legal Reference 3229-166
	Grantor ONEILL DESMOND C,
Mailing State NH Zip 03667	Sale Price 147,533
Parcel/Zoning B2	Land Area 0.280 acres

### Current Property Assessment

Card 1 Value	Building Value 86,500	Yard Items Value 0	Land Value 128,200	Total Value 216,700
--------------	-----------------------	--------------------	--------------------	---------------------

### Building Description

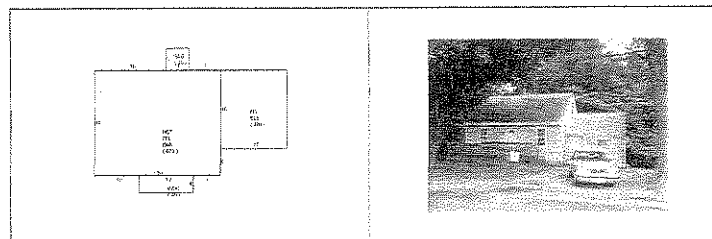
Building Style OFFICE	Foundation Type CONCRETE	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1958	Roof Structure GABLE	Heating Type FORCED HW
Building Grade AVERAGE	Roof Cover ASPHALT SH	Heating Fuel GAS
Building Condition Average	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 1160.39999	Interior Walls AVERAGE	# of Berth Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 1
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

### Legal Description

### Narrative Description of Property

This property contains 0.280 acres of land mainly classified as MED OFFICE with a(n) OFFICE style building, built about 1958 , having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 1 bath(s), 0 half bath(s).

### Property Images



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



**ABUTTER LIST**City of Rochester, NH  
Please Print or Type

MAR 20 2013

Applicant: Alan Golick dba Golick's Rochester LLC Phone 603-498-6177

Project Address: 17 sawyer Ave Rochester, NH

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
125	86	B2	Jabrika Realty Trust (Frank Cassidy)	1 Winter St Rochester, NH

**ABUTTING LOT OWNERS**

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
119	124	Rochester Cemetery Assoc	168 NO. Main St Suite 2 Roch, NH 03867
125	84	189 South Main St LLC	400 Summit Dr Corte Madera CA 94925
125	85	Francis J Cassidy	1 Winter St Rochester, NH 03867
125	87	Five Sawyer Ave Realty Trust Brown Cassidy	1 Winter St Ste 3 Rochester, NH 03867
125	88	City of Rochester	31 Wakefield St Rochester, NH 03867
125	89	Walker Brown Jr Richard J Brown	Po Box 1612 Rochester, NH 03866
125	90	Bert and Nancy George	75 Sawyer Ave Rochester 03867
125	91	Demeter Realty LLC	151 So. Main St Rochester, 03867
125	SD	Dubois Michael Living Rev	25 Angel LN Rochester, NH 03867
125	51	U-Haul Real Estate Co	Phoenix AZ 85038

**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: 3/20/13, This is page 1 of 2 pages.Applicant or Agent: Alan Golick

Planning Staff Verification: \_\_\_\_\_ Date: \_\_\_\_\_

**ABUTTER LIST**

City of Rochester, NH

Please Print or Type

Applicant: Alan Golick aka Golick's Rochester LLC Phone 603 498-6177Project Address: 17 Sawyer Ave Rochester, NH

MAR 20 2013

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
125	86	12A	JABRIKA Realty Trust (Frank CASS pg)	1 Winter St Rochester, NH

**ABUTTING LOT OWNERS**

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
125	52	Porson Hill Estates Trust	170 So. Main St Rochester, 03867
125	54	Bubble Ink	141 Wakefield St Rochester 03867
119	1	Cemetery Assoc	195 No Main St Rochester 03867
126	96	Glen Weismantel	5 Richardson St Rochester 03867
125	78	MARK and Patricia Favorite	7 Dustin Terrace Rochester, 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: 3/20/13, This is page 2 of 2 pages.

Applicant or Agent: Alan Golick 3/20/13